

**LOWER ST. CROIX ONE WATERSHED, ONE PLAN
POLICY COMMITTEE, MEETING 14**

JANUARY 27, 2020 BOARD MINUTES

PENDING APPROVAL

Call to Order

Meeting called to order at 4:00pm by Chair Fran Miron.

Members Present: Anoka SWCD – Sharon Lemay
Brown’s Creek WD – Craig Leiser
Carnelian Marine St Croix WD – Wade Johnson
Chisago County – Chris DuBose
Chisago SWCD – Jim Birkholz
Comfort Lake Forest Lake WD- Steve Schmaltz
Isanti County – Susan Morris
Isanti SWCD- Greg Swanson
Middle St. Croix WMO – John Fellegly
Pine County- Stephen Hallen
Pine SWCD – Doug Odegard
South Washington WD – Kevin Chapdelaine (alt.)
Sunrise River JP WMO - Janet Hegland
Washington County – Fran Miron
Washington SWCD – Diane Blake

Staff Present: Mike Isensee – Carnelian-Marine-St. Croix WD
Angie Hong – EMWREP
Craig Mell – Chisago SWCD
Jaime Schurbon – Anoka SWCD
Jay Riggs – Washington Conservation District
Maureen Hoffman – Washington County
Matt Moore – South Washington WD
Tiffany Determan – Isanti SWCD
Katie Detzel – Pine SWCD
Mike Kinney – Comfort Lake Forest Lake WD
Susanna Wilson Witkowski – Chisago County

Others attending: Barb Peichel – BWSR
Dan Fabian – BWSR
Laura Jester – Keystone Waters
Jen Kader – Freshwater Society
Jackie Anderson – Comfort Lake Forest Lake WD (alt.)

AGENDA ITEMS

Approve January 27, 2020 agenda

Steve Schmaltz asked to amend the agenda by adding the CLFLWD memo and PTM content to the discussion about the implementation program summary. There were no objections. Stephen Hallen moved to approve the January 27, 2020 agenda as amended and Susan Morris seconded this motion. Motion carried.

Approve November 25, 2019 meeting minutes

Minutes were amended to include a sentence added by Angie Hong during the minutes review. Craig Leiser moved to approve the November 25, 2019 minutes as amended and Doug Odegard seconded this motion. Motion carried.

Introduce draft implementation table

Laura Jester and Jen Kader presented a summary of the activities completed in the 1W1P process so far:

- Stakeholder input
- LSC Land and Water Resource Inventory and interactive map
- Approval of issue statements and desired future conditions for 7 resource areas
- Draft goals, measurable outputs, and priority locations
- Work towards developing a prioritization process for implementation actions
- Re-organization of the resource implementation actions by program area

The facilitators then presented the Advisory Committee's recommended edits to the previously approved goals for some of the resource areas in the implementation table. The edits were small, John Fellegly asked if 2B under wetlands should include maintaining acreage in addition to increasing acreage. Laura Jester explained that no net loss was covered in a previous statement. The facilitators asked for a Fist-to-5 and the group approved the recommended changes to the implementation table with all voting 3 or above.

Laura Jester then explained the full Implementation Table's format and layout. It is a lengthy, detailed document that cross-references multiple tables. Laura explained that it was comparable in size and complexity to what other groups have created for their 1W1P. There are 4 tables that are based on program areas of activities. The estimated funds are still at a draft level and the advisory committee is working on refining those values. There are also priority categories (A, B, C) referenced indicating the prioritization level for use of Watershed Based Funds. Greg Swanson asked why local funds were included in the plan. Laura Jester explained that this plan is comprehensive and that some organizations are adopting this as their plan. Identifying local funds is needed to identify the gap where external funding is needed to implement the activities. It was also a plan requirement from BWSR. She asked Policy Committee Members to let her or their local staff member know if they had further questions.

Review and discuss implementation program summary

Jen Kader and Laura Jester presented the implementation program summary document. Jen Kader explained that the plan was comprehensive and built around goals for the resources; there was an expectation that some of activities identified were going to be outside the scope of Watershed Based Funds (WBFs). The Advisory Committee developed A, B, and C categories for allocation of the WBFs. The intention is that 70% of the funds would be for implementation, 25% would be for prioritization and analysis, and 5% would be for administration. Of the 70% for implementation, 25% would be allocated to shared services and 45% for BMPs and restoration activities. Steve Schmaltz asked if there were funds allocated for subwatershed analysis (SWA). Laura Jester explained that this would fall under the prioritization and analysis section which included funding for SWAs, monitoring/modeling, and costs-benefit analyses for the implementation of the plan. The first couple years of activities in this area may be focused on spatial analysis and efforts to bring the entire watershed up to the same level of base knowledge. The facilitators walked the committee through the descriptions within the summary document for “highest priorities, secondary priorities, and local priorities.” Each biennium will have its own work plan and this would allow for flexible prioritization based on the activities that are undertaken. Craig Mell re-emphasized that more than just watershed based funds could be used to implement these activities. The facilitators presented an example pie chart of the funding breakdown and began to walk through the highest priority activities, starting with shared services.

Greg Swanson asked who would be working with the communities to implement MIDS, and whether this would be a new person or hours to support existing staff. Laura Jester explained that the shared services were intended to be new staff; .5 FTE for urban activities, the agricultural support was a 1.5 FTE, and the educator would be a .5 FTE. Steve Schmaltz asked why hire one full time **Ag specialist for the entire LSC** rather than using the money annually to train **and make existing SWCD Ag focused staff more self sufficient and effective with farmers**? Greg Swanson explained that some organizations, especially in the rural/northern part of the watershed, do not have enough staff currently to do the extra work required to implement this plan. The work requires staff who are able to spend time building relationships with producers and land owners. Steve Schmaltz said that **Wisconsin and other states** have had success implementing farmer- led improved profit models using existing trained Ag focused staff and that this approach seemed to be a long term cost -effective approach. Laura Jester explained that the funding could also be used for training but that staff capacity was what was identified as a need by the advisory committee. Angie Hong and Jen Kader explained that agricultural programs that have had a farmer-led approach have not been found to succeed without a point person. The decision to support an agricultural FTE is based on studies as well as stakeholder requests.

Greg Swanson said he found the TMDL goals to be vague and did not identify a cost-benefit analysis process. Laura Jester noted that pollutant load reductions for specific waterbodies are included in the plan, as a requirement of BWSR. Steve Schmaltz discussed the watershed district approach to water quality project identification and planning as provided to the Policy Committee as a handout memo/attachants. The watershed district approach to water quality planning uses a **PTM, metric based , targeted process** which prioritizes on a project cost benefit analysis . **The most cost effective projects are identified through science and engineering based processes including the use of focused diagnostic monitoring to find legacy P loads. After project completion , project results are confirmed based on measured pollutant load reductions.** He said he did not see this level of prioritization process in the 1W1P and questioned why the plan didn’t use existing studies to prioritize

and set P reduction goals for key subwatersheds.. He believes an engineering firm could have been used for this from the beginning. Laura Jester explained that the field scale prioritization process was not part of the 1W1P creation, and asked Steve Schmaltz for a clear and specific request for the Policy Committee. Steve schmaltz indicated that having metrics that are number of BMPs (eg. 40 BMPs at 15 lbs each) encourages/allows a lot of small projects that typically have very high costs/lb of P removed. The Pareto Principle insures, statistically, that any “high priority” sub watershed should have a few relatively larger P reduction opportunities that will have significantly lower cost/lb P removal rates, and therefore allow more efficient use of budget \$ available. Diagnostic monitoring is critical to finding these “best” opportunities that should be done first to fully leverage scarce LSC budget s. Greg Swanson asked why CLFLWD had not raised this perspective earlier in the planning process or at the Advisory Committee or Planning Team meetings which CLFLWD is a part of. Steve indicated that at one of the early Policy Committee meetings , he stressed the importance of staying focused on selecting and implementing the 20% of the projects that provide 80% of the results(Pareto Principal) to insure best use of taxpayer dollars. Mike Kinney has been pushing the watershed district approach at the Steering Committee meetings without success and Mike also made a formal presentation at the August Policy Committee meeting. Greg said he found the CLFLWD memo insulting to SCWDs and noted that it failed to recognize the value in different functions SWCDs and WDs play. Swanson also noted that the CLFLWD content only addresses concerns related to surface waters and phosphorus pollution. Steve Schmaltz agreed that the 1W1P should be a collaborative effort between all partners, everyone contributing their strengths. Currently, he said the strengths of the watershed district approach to water quality (science based PTM, Pareto analysis, P cost/lb hurdles and diagnostic monitoring) are not strongly represented in the plan. He clarified that the need for a more visible watershed district process relates primarily to the St Croix river, stream and lake water quality improvements parts of the plan. He reiterated that the CLFLWD, based on past experiences, doesn't want desk top SWA analysis to be the default project selection / prioritization tool. Laura Jester explained that the advisory committee identified direct drainage to the St. Croix River as the priority locations for projects to address the St. Croix TMDL. The PC group all agreed that SWAs will be used in the plans prioritization process. Jen Kader explained that prioritization and “gate keeper” questions for funding include whether analysis has been completed. There will also be criteria regarding cost-benefit analysis. Mike Kinney explained that the CLFLWD was raising this issue now because it wasn't until December that the AC decided how to allocate the resources from the WBF. He presented the cost-efficiency site identification graph from the CLFLWD and noted that the plan as written would take 100 years to get to the state standard. Wade Johnson asked CLFLWD to identify specifically what part of the draft plan they wanted to improve. Steve Schmaltz said the CLFLWD are most concerned about the St. Croix TMDL and objectives related to the St. Croix. He is concerned about the goal of having 40 BMPs spread across the district using only desk top SWA analysis which may miss legacy loading projects like the Bone Lake and Moody lake wetland restoration and other large, very cost- effective projects identified through science- based , systematic diagnostic monitoring. He thought subwatersheds were going to have been identified through the 1W1P process and wants a watershed district approach to be applied to the St. Croix resource , lake and stream areas.

Laura Jester explained that data gathering and analysis is included in a different section of the plan which is why it's not under the St. Croix resource section. Greg Swanson said he believed the number of BMPs is the wrong metric to use as a measurable outcome, and it should be the pounds of reduction needed. Jen Kader said this could be clarified in the plan as an “and/or” number of BMPs or

load reduction. Laura Jester explained that BWSR had asked for the cost to be estimated which is why staff supplied a number of BMPs to help with that process, but agreed this could just be left as a 3,300lb reduction goal.

Steve Schmaltz asked the group to look at the CLFLWDs adaptive management handouts and explained a CLFLWD project(Bone Lake wetland restoration) that had great success using a **PTM , diagnostic monitoring , targeted approach. The project reduced 559 lbs of P at a cost of \$ 130 /lb, achieving 80% of the P reduction goal.** A desk top SWA analysis was also done in the same area **and the top 10 SWA projects offered a reduction of 153 lbs at a cost of \$1319/lb.** SWA analysis did not identify this opportunity. He reiterated that he believes that the watershed districts process of using a PTM process supplemented with diagnostic monitoring and an initial focus on larger projects is more cost and result oriented than setting objectives based on number of BMPs at , say at 15 lb/BMP. Small BMPs are not as cost- effective as larger projects and that is why the 80/20 rule needs to be core to project selection. Mike Isensee asked if there was a terminology mix-up and explained that SWCDs and watershed districts use SWAs to identify best value projects. Mike thinks that aerial photography analysis and diagnostic studies could be explicitly added to the SWA process and noted that CLFLWD and others have had good success in using these strategies to identify legacy loading issues. Mike also said that there is not yet a good model for wetlands, to determine if they are sinks or sources of phosphorus. Adding targeted monitoring to the SWA process would be a good step. Mike ended by reassuring Steve that this SWA/cost benefit/prioritization process is indeed in the 1W1P.

Steven Hallen said he was excited that the 1W1P plan explicitly identified science as being used to identify the issues and make funding allocation decisions. Chris Dubose said he understood the plan to be modified and adapted as data emerges from the parts of the watershed district that have insufficient information. He said projects will likely emerge from this data and prioritization will occur based on where the most need for projects emerges. This would be more fair than projects being limited to the areas of the watershed that have the most existing data.

Steve Schmaltz said that the CLFLWD did not expect to receive much, if any funding, from this plan and that the CLFLWD's effort is based on concern for our joint responsibility for taxpayer accountability for the cost of the load reduction projects. Laura Jester explained that the Planning Committee had a meeting about the prioritization process before the Policy Committee meeting in which Mike Kinney attended. She asked Mike about his takeaways from that meeting. Mike Kinney said he wants the cost-benefit added to the criteria but felt that it should be pulled out and made a stand alone criteria after using the rest of the current criteria; and that was the biggest challenge he saw overall. Steve Schmaltz explained that CLFLWD did not mean any insult with their letter. **The time and extra effort the CLFLWD dedicated to this plan was done with the goal of incorporating some of the key strengths and learnings of watershed District processes for the benefit of a more effective and cost- efficient use of the limited tax payer dollars funding 1W1P .** Jim Birkholz said he did feel insulted by the letter, as someone who has worked with SWCDs for years, but he appreciated the conversation it sparked within the group. He said he felt like SWCDs and WDs bring different functions and approaches that are actually not that different. Craig Leiser shared his experience with the Brown's Creek WD and offered to talk with any SWCD and County folks who were interested in sharing perspectives. Diane Blake wanted to clarify whether programs that were not mentioned specifically in the plan would be eligible for funding. She also identified that some of the symbols did not match their actions in the implementation table. Laura Jester said that any organizations could add their programs to the locals section of the plan if they did not see them specifically in the table.

Laura Jester asked Steve Schmaltz to confirm that he did not have a specific request of the PC

at this time. Steve Schmaltz reiterated that for stream and lake water quality projects, including in the plan a stronger focus on the importance of diagnostic monitoring (and not just desk top SWA analysis) an early focus on finding the larger project opportunities and using “cost /benefit” as a separate criteria would be significantly more cost- efficient than encouraging the accomplishment of many small BMPs scattered randomly across the watershed. Chris Dubose explained to Steve Schmaltz that the intention of the 1W1P was to catch the northern part of the watershed district up with data collection so that the prioritization of BMPs could occur most accurately.

Discuss 60-day review period

Tiffany Determan presented the timeline of required actions that needed to occur to finish the plan and grant process. Stakeholders would be re-engaged with the process at this point. The draft plan should be complete on March 1st and then local boards would have the month of March to review. She asked if local boards needed to approve the draft plan or if they could just give their authority for their PC representative to approve submitting the draft plan for the 60-day review. The group discussed the question of organizational arrangement again as a Joint power agreement did not yet exist. Jen Kader said the details of the arrangement did not need to be complete but that the group did need to choose between a JPC and JPE. Craig Mell clarified that the PC members needed to ask their local boards for authority to approve the draft plan for review during their February or March board meetings. This would be in order for the PC committee to approve the draft plan for review at the March PC meeting. The PC committee should decide between a JPE or JPC at the February meeting. Chris Dubose said his board would need much more detail about the organizational arrangement and would also likely need a copy of the draft plan at their meeting. Fran Miron noted that local boards would be able to comment on the draft plan during the 60 day review, and revisions were going to occur after that point. Tiffany Determan explained that public hearings could occur as early as 14 days after the 60 day review, or that one could occur during the regular 6/29/2020 PC meeting. There is a final 90 day review from BWSR. The grant expires 12/31/2020, but the obligations of the grant are met after the plan is submitted for the 60 day review. The latest day for LGU approval of the plan would be 120 days after BWSR approves the plan. The workplan would be approved by BWSR for implementation after the LGU adoption before the end of March. Fran Miron confirmed that the facilitator contract expired at the end of the grant on 12/31/2020. Fran asked Angie to send the timeline out to the group this week, separate from the minutes.

Discuss stakeholder engagement process

Angie Hong will re-engage with the stakeholders and have two meetings: February 20th at the North Branch Library and March 2nd at the Stillwater Library from 4-6pm. She will also follow up by mailing the summary of the findings to the farmers and invite them to those public meetings. She will re-send that summary out to the group this week as well. Susan Morris asked if information could be sent to local papers and Angie said she will try and create flyers for distribution and bundle the information to be sent out.

Old business

Revisit Chisago LID request for formal participation

Chris Dubose confirmed that the Chisago LID is withdrawing its request for formal participation

in the 1W1P and will find another way to get involved. This is based on the letter from their attorney's office regarding lack of contingency. The PC does not need to take any action on this.

Review list of issues to resolve regarding organizational arrangements

Steve Schmaltz said that CLFLWD had provided their idea for organizational arrangement, and Jackie Anderson confirmed that they were supportive of a JPE.

Jamie Schurbon provided material that could work for either type of joint powers agreement and noted that at the last check-in the PC was still mixed regarding their support for JPE vs. JPC. That will need to be decided at the next PC meeting. Jamie said it seemed like there were a few organizations that were firm on not wanting to join a JPE, but that it seemed like no one would be terribly upset if the group elected JPC. This is due to the ability of the group to easily move from a JPC to a JPE at any time if it seemed like that would be more effective arrangement. Jamie Schurbon said if the group chose the JPC arrangement then a 1 year check in point could be written in for that purpose. Fran Miron, John Fellegly, Sharon Lemay, and Craig Leiser all said their boards would prefer starting with a JPC. Jamie asked the PC member's whose boards have not yet given a definitive answer to have that ready by the PC February meeting.

The other issue the group needs to address is the voting structure. Chris DuBose said his board was concerned that although Chisago County is 50% of the land area, they only have 2 votes out of the entire policy committee. He wondered if it made more sense for the the metro and non-metro areas should each have the same number of votes. He suggested a framework to address that with 3 votes each for Washington and Chisago Counties and 1 vote for Isanti, Pine, and Anoka. Watershed District Representatives would be part of the pool each county can select their representatives from. Chisago's 3 representatives would likely be the SWCD, County, and LID. Susan Morris expressed concern at cutting members out who have been part of this process, especially when the intention is for this group to operate as a collaborative entity. Chris DuBose explained that the numbers could be increased to 4 (Chisago), 4 (Washington), 2 (Isanti), 2 (Pine), 2 (Anoka) , and the proposition was made based on assumed efficiency of a smaller group. He also said a weighted vote system could work as well, but that his board just needed Chisago county to be adequately represented in the voting structure. Susan Morris and John Fellegly both agreed that they think having many different people in the room has been valuable in terms of offering different perspectives, and liked the idea of keeping at least the same number of people involved.

Greg Swanson asked if BWSR had an update on the question of the use of metro-based funds. Barb Peichel explained that the decision needs to be made by the metro convening group. The metro funds are available to entities with an approved water plan, which includes the WDs, WMOs, two municipalities, and Washington County, as well as to the SWCDs to implement their annual work plans. She said the metro funds can be used outside of the metro area if the convening group decides that would be the best use of funds.

Jamie Schurbon asked for any other input on the voting structure. Fran Miron said he agreed with John Fellegly and Susan Morris in that this process has been a collaborative effort so far and he believes the group will work well together. He believes good work plans will be developed and that he is less concerned about the voting structure. Chris DuBose reiterated that his board was just concerned with the number of people representing Chisago County and that 2 votes with 50% of the land area was not going to work for them.

Adjournment

The motion to adjourn was made by Craig Leiser and seconded by John Felleggy. Meeting was adjourned at 6:06 p.m.