Rum River "One Watershed, One Plan"

Policy Committee

Meeting #5

January 23,2020
5:00-7:00 PM

Mille Lacs County Historic Courthouse, lower level, conf. rm D, 635 2nd Street SE, Milaca MN 56353

Coming together to identify shared goals.
Planning together to leverage unique capacity.
Working together to achieve results.

Note taker: Maggie Kuchenbaker, Mille Lacs SWCD

Invited:

Aitkin County- Laurie Westerlund
Aitkin SWCD- Bob Janzen
Anoka CD- Steve Laitinen
Benton County- Warren Peschl
Benton SWCD- Wade Bastian
Crow Wing County- Bill Brekken
Crow Wing SWCD- Diane Jacobson
Isanti County- Greg Anderson & Terry Turnquist
Isanti SWCD- Al Koczur
Kanabec County- Dennis McNally
Kanabec SWCD- Kevin Belkholm
Lower Rum River WMO- Todd Hass
Mill Lacs County- Genny Reynolds
Mill Lacs SWCD- Kurt Beckstrom
Morrison SWCD- Dale Scholl
Sherburne County- Lisa Fobbe
Sherburne SWCD- Kerry Saxton
Upper Rum River WMO- Matt Downing

Copied: Steering Committee, Policy committee Alternates; Jason Weinerman- BWSR; Barb Peichel- BWSR; Francine Larson- Sherburne SWCD; Maggie Kuchenbaker- Mille Lacs SWCD; Greg Williams- LRRWMO; Nancy Riddle- Sherburne County; Dan Weber- Sherburne County; Consultants-Julie Blackburn, RESPEC; Jen Kader, Freshwater.

Pre-work:

Review Enclosed Materials

- November 20 meeting minutes- DRAFT
- Grant Budget
- Comparison of Organizational agreements
- DRAFT Vision Statement
- DRAFT Issue Statements, Desired Future Conditions, and Goals

Agenda Items

Topic	Purpose	Lead	Time
Approve agenda	INFO/DECIDE	Chair	2.5 min.
Approve, 2019 November 20th minutes	DECIDE	Chair	2.5 min
Project Updates • Budget (Cibulka) • Project Progression (Determan) • Outreach: Imp. Advisory Committee Meeting & Partner outreach (Shaw) • Technical Advisory Committee Policy Committee Liaison (Fobbe)	INFO	Planning Team	20 min.
Policy Committee Liaison to the advisory Committee	DECIDE	Chair	5 min.
Implementing the Plan • **Intro to Watershed Based Funding** • **Intro to Organizational Agreements**	INFO	B. Piechel/J. Shurbon	30 min
Vision Statement	DECIDE	J. Kader	15 min
Check-in on status of Issue Statements, Desired Future Conditions	INFO/DECIDE	J. Kader	40 min
Next Steps/Meeting	INFO	T. Determan	1 min
Adjourn	DECIDE	Policy Committe	

Rum River "One Watershed, One Plan"		
Policy Committee Outcomes **Meeting #4** **November 20, 2019** **5:00-8:00 PM** Mille Lacs County Historic Courthouse, lower level, conf. rm D, 635 2nd Street SE, Milaca MN 56353	**Coming together** to identify shared goals. **Planning together** to leverage unique capacity. **Working together** to achieve results.	
Facilitator:		**Note taker:** Maggie Kuchenbaker, Mille Lacs SWCD
Voting Members Present:	Steve Laitinen – Anoka SWCD Wade Bastian – Benton SWCD Warren Peschl – Benton County Greg Anderson – Isanti County Al Koczur – Isanti SWCD Dennis McNally – Kanabec County Todd Haas – Lower Rum River WMO Genny Reynolds – Mille Lacs County Jake Janski – Mille Lacs SWCD Barbara Burandt – Sherburne County Kerry Saxton – Sherburne SWCD Matt Downing – Upper Rum River WMO	
Alternates Present:	Jerry Schaubach – Isanti SWCD Terry Turnquist – Isanti County	
Partners and Staff Present:	Barb Peichel – BWSR Dan Cibulka – Sherburne SWCD Susan Shaw – Mille Lacs SWCD Tiffany Determan – Isanti SWCD; Jamie Schurbon- Anoka CD Dillon Hayes – Mille Lacs County Jen Kader – Fresh Water Society	
Voting Members Absent:	Laurie Westerlund – Aitkin County Bob Janzen – Aitkin SWCD Bill Brekken – Crow Wing County Diane Jacobson – Crow Wing SWCD Kevin Belkholm – Kanabec SWCD Dale Scholl – Morrison SWCD	

Approve agenda:

Downing called the meeting to order at 5:00pm.

Motion by Warren Peschel approved the agenda as presented, Greg Anderson second. Affirmative: All. Opposed: none. **The Motion Carried.**

Minutes:

Motion by Al Koczur to approve the August 22, 2019 outcomes as amended; second by Steve Laitinen. Affirmative: All. Opposed: none. **The Motion Carried.**

Project Updates:

Budget: Cibulka presented an updated financial report to the committee.

Project Progression: Determan presented an update and highlighted the Technical Advisory Committee is starting to finalize the draft issues statements.

Outreach: Shaw reported the implementation advisory committee is formed. The website is being updated and feedback is welcomed.

Technical Advisory Committee: Matt Downing reported on behalf of Lisa Fobbe that the committee is working well together and draft issue statements are being formed.

Membership Provisions: Article II Item 5:

Determan reviewed the by-laws regarding policy committee attendance and that four LGUs have missed two or more meetings. Staff reached out to the partners and drafted a letter to send to the LGUs that have been absent. Steve Laitinen reported the by-laws were passed at the August 22nd meeting, so only one meeting has been missed since passing the by-laws. Discussion. General agreement that staff will reach out to the LGU's via phone or email, but the letter will not be sent out at this time per the by-laws.

Land and Water Resource Inventory Presentation:

Hayes presented the narrative, which is available on the website. The maps, data and trends were reviewed.

Draft Issue Statements:

Kader presented the ten draft issues statements and asked the policy committee to list their likes, dislikes and/or what is missing from the issue statements. Kader reported the issue statements define issues within the watershed, which will assist with creating goals and next steps on how to address the issues.

Discussion of possible changes:

- Preservation of prime farmland
- Lakeshore/streambank erosion
- Adjacent lakeshore properties
- Add all aquatic species/life
- Accounting for climate change
- Prioritizing areas that can mediate extreme weather events
- Statements seem too broad

Kader will review the feedback and create a compilation of the ideas presented.

Vision Statement:

Kader requested the committee work together and start forming a vision statement that will

define a desired future condition of the watershed.

Outcomes:

- Clear set of issues
- Purpose driven common goals
- Finding measurable improvements
- Hold water on the landscape
- Reduce impaired waters
- Enhance recreation
- Foster healthy working relationships
- Clean ground water
- Healthy wildlife population
- Define manmade impacts
- Clearing ice/snow impacts
- Reducing nitrates and phosphorus
- Septic compliance
- Tillage options
- Limit horsepower on boats in small and/or shallow lakes

Kader will review the feedback and create a compilation of the ideas presented.

Implementation Advisory Committee:

Shaw presented the implementation advisory committee members list and the possibility of adding another farmer. Discussion regarding adding an irrigation and/or dairy farmer. **Motion by Greg Anderson to approve inviting another farmer to the implementation advisory committee;** second by Wade Bastian. Affirmative: All. Opposed: none. **The Motion Carried.**

Next Meeting:

Thursday, January 23rd at 5:00pm at Mille Lacs County Historic Courthouse, Conf. Rm D

Motion by Steve Laitinen to adjourn the meeting at 7:03 pm; second by Al Koczur. Affirmative: All. Opposed: none. **The Motion Carried.**

FY2019 Rum River 1W1P

Must be used by 6/31/2021

			Grant Amount	Total Expenses Incurred	Available Balance	Match Required	Match	Balance
A	**Administration**							
	1	Administration	$ 34,389.00	$ 9,421.32	$ 24,967.68			
		Subtotal	**$ 34,389.00**	**$ 9,421.32**	**$ 24,967.68**	$ -	**$ 21,764.87**	**$ (21,764.87)**
B	**Plan Development**					**$ -**	**$ 21,764.87**	**$ (21,764.87)**
	1	Consultant	$ 164,800.00	$ 25,331.51	$ 139,468.49			
	2	LGU	$ 37,178.20	$ 19,405.23	$ 17,772.97			
		Subtotal	**$ 201,978.20**	**$ 44,736.74**	**$ 157,241.46**	**$ -**	**$ 21,764.87**	**$ (21,764.87)**
C	**Contingency**							
	1	Contingency	$ 23,637.00	$ -	$ 23,637.00			
		Subtotal	**$ 23,637.00**	**$ -**	**$ 23,637.00**			
		Total Grant	**$ 260,004.20**	**$ 54,158.06**	**$ 205,846.14**			

Implementation Organizational Arrangements Comparison
For Rum River 1W1P Policy Committee

The information below is a summary of information from the MN Counties Intergovernmental Trust and MN Board of Water and Soil Resources. Compiled by Jamie Schurbon of the Anoka Conservation District.

At the conclusion of 1W1P planning, the State requires that the partners have some formal arrangement for implementing the plan. This arrangement provides structure for deciding how the group will use Watershed Based Implementation Funding (non-competitive State grants). In other 1W1Ps, this can look and feel like a continuation of the Policy Committee you have now. But there are important differences in terms of liability, decision-making, etc. Below is a summary of three options.

The Policy Committee should be aware of these options throughout planning. But consider selecting an option only after plan content is developed (especially the implementation plan). The plan will include some criteria for how projects and programs will be selected for funding in the future, which can add clarity and certainty to how the 1W1P will be implemented.

1. Memorandum of Agreement

Description

- Formal and outward commitment to work together.
- Being used for 1W1P planning.

Pros:

- Simple for cooperative planning.

Cons:

- Not legally enforceable. Not recommended by BWSR for this reason.
- Partnership cannot directly receive grant funds, placing all risk with the grant agreement holder(s).

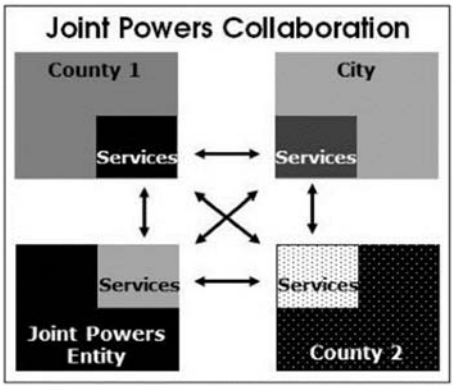
Who's using this:

- I'm not aware of any other 1W1P's in MN using this.

2. Joint Powers Collaboration (JPC)

Description

- Agreement to jointly deliver a service or product.
- Legally binding.
- Does not create a new entity.
- Any board or committee formed acts solely in an advisory capacity to the forming member boards. Member entities (counties, SWCDs, etc) maintain autonomous decision making.
- Funds are obtained and expended by participating governmental units each separately.



Pros:

- No additional layer of government. The collaborative does still meet to do work.
- Participants maintain autonomous decision-making authority.

Cons:

- Liability. All participants may share liability. Every collaborative participant can be liable for the actions of another participant. If sued, multiple statutory liability limits may be in play. For example, every participant could be sued for the statutory maximum $500,000 per claimant or $1.5M per occurrence.

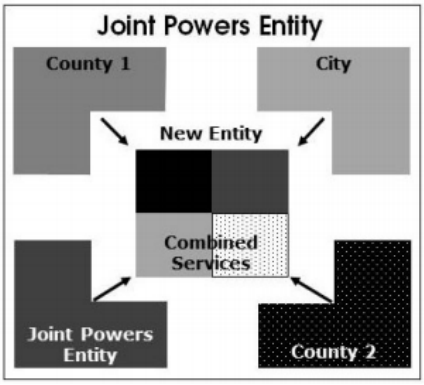
- Decision making can be slower because of the number of separate boards all needing to make decisions. For example, project selection for WBIF may need to be considered, possibly edited, and signed by all members of the collaboration (i.e. separately considered by every county board, SWCD board, etc).
- Questions about what to do if a decision is not unanimously supported?
- Programs would need to have one lead partner that accepts the funds and manages the project. This includes programs spanning multiple jurisdictions.

Who's using this:

- At least five other 1W1Ps. Most 1W1Ps in MN, including Lake Superior North 1W1P (4 participants), North Fork Crow River 1W1P (14 participants), Red Lake River (7 participants), Root River 1W1P (13 participants), Yellow Medicine 1W1P (10 participants).
- While groups using this option have wanted to minimize administration, many seem to be finding that they still need someone, likely one of the partners, paid to coordinate the collaborative.

3. Joint Powers Entity (JPE)

Description



- An agreement jointly forms a new entity. The agreement restricts the new entity's authorities.
- Legally binding.
- New entity's decision making board is often made up of representatives of the forming agencies. The entity operates autonomously from the boards of its constituent members.
- Duties of managing the entity, such as being fiscal agent, can be contracted to one or more of the partners.
- JPE should have its own bank account.

Pros:

- New entity's authorities can limited in the agreement to only those that the partnership chooses. Often, the limits are very strict, including a prohibition of regulation, taxation, etc. The goal is to create something akin to a "shell company" that shields the participants from liability.
- New entity is subject to liability apart from its constituent members. A *single set* of liability limits for state tort claims will apply when a JPE is formed and operating pursuant to the statute.
- Decision making is more streamlined. All participants have a vote in decision-making, but those decisions don't go back to full boards of the participating entities.
- New entity can accept funds thereby facilitating programs that span multiple jurisdictions.
- If the new entity receives a grant covering multiple projects, it can shift funds amongst programs to balance any unforeseen costs on one project with lower than expected expenditures on another.
- Grant match could be met by the group collectively. Excessive match by one partner could reduce match needed from others.
- Any equipment purchased might be shared amongst participants.

Cons:

- Little appetite for a new government entity.
- New board is autonomous, although it could be structured so that each participant has vote(s).
- Questions about whether all participants get equal votes (for example, those with small and large land areas in the watershed)?
- New entity must purchase insurance. Cost may need to be split among participants.

Who's using this:

- Cannon River 1W1P appears to be on the verge of selecting this option.

Rum River One Watershed One Plan

Policy Committee Vision Statement

- Clean, abundant water for consumption, recreation, and habitat
- Collaborative partnership among communities, working together towards a common goal
- Community members and decision makers understand the challenges and opportunities facing the watershed
- Innovative strategies to meet our goals

Resource area: Surface Water

Concern #1: Surface water rate and flow, quantity, flooding

Issue Statement:
Human-caused changes to the landscape have modified flow rate and volume and water storage causing flooding, streambank erosion, and low base flow. This risk may be compounded due to the effects of climate change.

Desired Future Condition:
Water rate and volume have not increased on average.

10-year plan goals:
1. Infiltration and storage will increase proportionate to land use and climate change.
2. Protect non-contributing (hydrologically landlocked) areas so they continue to not discharge.
3. No increase in rate and volume from new development.

Concern #2: Surface water quality.

Issue Statement:
The lakes and streams are threatened or impaired due to excess pollution including E.coli, nutrients, and sediment. These excess pollutants can cause low oxygen and eutrophication, impact aquatic life and recreational use opportunities, and degrade downstream resources.

Desired Future Condition:
Lakes and streams are meeting water quality standards "or better" (except mercury.)

10-year plan goals:
1. __# (to be determined later, or reference wraps, etc.) of currently impaired lakes and streams meet water quality standards.
2. _% nutrient reduction at the outlet of the Rum River (Rum River currently near impairment, but not impaired, 5% is a margin of safety).

Concern #3: Surface water protection.

Issue Statement:
There are many high-quality water resources in the Rum River watershed that are threatened by changing land use, changes to the landscape that impact runoff and the ability for water to soak into the ground, and pollution. Protecting these high-quality resources from the threat of degradation is of primary concern.

Desired Future Conditions:
1. Water quality is the same or better in waters that do meet state standards.
2. The Rum River is swimmable, drinkable, fishable.

10-year plan goals:
1. No increase in treatment needed for drinking water.
2. Maintain or enhance watershed-based ecosystems to maintain water quality (metrics TBD).
3. No previously assessed water bodies exceed water quality standards

Resource area: Groundwater

Concern #1: Groundwater and drinking water quality.

Issue Statement:
Groundwater and drinking water quality are negatively impacted by human actions, including manure and nitrogen fertilizer application, use of chlorides from salt, land management, non-compliant septic systems, pesticides, and contaminants of public health concern.

Desired Future Condition:
Groundwater is safe to drink.

10-year plan goals:

1. Increase decision makers and tech staff and citizen knowledge of where drinking water contaminants exist.
2. Decrease nitrates in vulnerable areas by ___.
3. Decrease non-compliant septic systems by ___.
4. Locally understand and protect vulnerable areas not developed or without land use that negatively impacts GW.

Concern #2: Groundwater availability and quantity.

Issue Statement:
There is an increasing groundwater withdrawal trend resulting from expanding communities, agricultural irrigation, and non-crop irrigation. In addition to this increased demand on drinking water sources, there is also concern about the loss of recharge areas and water retention. These two trends may threaten the future groundwater balance.

Desired Future Condition:
Withdrawals = recharge (sustainable rate) in all aquifers.

10-year plan goals:

1. Develop a sustainable groundwater budget by quantifying the amount of water being consumed in the watershed and determine how much water is available for consumption.
2. Increase to ## the number of aquifer monitoring wells to ensure any negative long-term trends are noticed.

Concern #3: Knowledge and data regarding groundwater.

Issue Statement:
There is not enough awareness or understanding of groundwater-surface water interaction and the extent to which land management decisions impact groundwater quality and quantity. More information is needed to identify and target vulnerable areas in protecting groundwater resources from pollution, and enable local governments and communities to take action.

Desired Future Condition:
People understand their impact on groundwater.
Every local government has a clear understanding of their local groundwater picture and what is needed to protect groundwater.

10-year plan goals:

1. Increase decision-makers and technical staff knowledge of vulnerabilities of groundwater-surface water interaction (define spectrum of vulnerabilities).
2. Develop science-based policies to protect groundwater.
3. Support the completion of the Mille Lacs County Geologic Atlas.

Resource Area: Natural Resources

Concern #1: Degraded aquatic habitat.

Issue Statements**:**

1. Aquatic habitats are threatened by increasing runoff, pollutant loads, and sedimentation.
2. Shoreland areas lack vegetation and habitat features. There are barriers to fish passage.

Desired Future Condition**:**
Watershed lakes, streams and wetlands hold connected and quality habitats

10-year plan goals**:**

1. Identify, protect, and restore critical aquatic and shoreland, habitat areas.
2. Increase connectivity for native aquatic organisms and fish species.

Concern #2: Invasive species.

Issue Statement**:**
Invasive species threaten the health and quality of upland, wetland, riparian, and aquatic ecosystems and need to be prevented and controlled and their impacts mitigated.

Desired Future Condition**:**
Minimize by x% OR no new infestations.

10-year plan goals:

1. Reduction of current invasive species populations.
2. Prevent new infestations of invasive species.
3. Increase public involvement in reducing the spread of invasive species through understanding and behavior change.

Concern #3: Protection, management, and restoration of habitat.

Issue Statement:
Habitat is critical for wildlife, water quality and quality of life. Existing habitat areas have been, or are at risk of being, reduced in size and quality due to fragmentation, pollution, invasive species, intensifying land use, and lack of management. Habitats with high ecological value, particularly those that provide habitat for rare and endangered species, should be protected. Degraded habitats should be restored, especially when water quality benefits could also be achieved.

Desired Future Conditions:

- All current sites of high ecological value are maintained or expanded.
- There are interconnected hubs and corridors of habitat throughout the watershed.

10-year plan goals:

1. Define, identify, rank, and protect high value areas.
2. Increase habitat acreage, quality, and connectivity, as well as resilience to changing precipitation and climate patterns.
3. Restore degraded habitats (wetlands, uplands, forests, etc.) by X.
4. Create and protect interconnected hubs and corridors of habitat, particularly where water quality will also benefit.
5. Increase the use of development tools that create or maintain habitat corridors and complexes.