

## **Lower Minnesota River East 1W1P**

### **Policy Committee Meeting Minutes**

**Date & Time: 3:00-5:00pm, Thursday, March 21, 2024**

**Location:**

Le Sueur County Soil and Water Conservation District Office  
181 W Minnesota Street, Le Center, MN 56057

And

Virtual – Microsoft Teams

Attendees: Dan O’Keefe ( Le Sueur County), Laura Amundson (LMRWD); Jeff Docken (Rice County); Doug Schoenecker (Scott SWCD), Greg Entinger (Le Sueur SWCD), Holly Bushman (Le Sueur County); Meghan Darley (Scott SWCD), Michael Schultz (Le Sueur SWCD), Linda Loomis (Lower MN River Watershed District); Brad Behrens (Rice County), Barb Peichel (BWSR)

#### **I. Welcome & Review Agenda - Policy Committee Chair**

Dan O’Keefe called the meeting to order at 3:05 pm. Holly gave an introduction on the agenda and what will be covered in today’s meeting.

#### **II. Review and Approval of Agenda**

There were no amendments to the agenda.

Motioned by Docken; Seconded by Entinger to approve the agenda.

**The Motion carried unanimously for the agenda to be approved.**

#### **III. Review and Approval of January 18<sup>th</sup> Meeting Minutes**

Motioned by Schoenecker; Seconded by Entinger to approve the January 18<sup>th</sup> meeting minutes.

**The Motion carried unanimously for the approval of the January 18<sup>th</sup> meeting minutes.**

#### **IV. 60 Day Review Period Update and Public Hearing (Decision Item)**

##### 60 Day Review Period Update

Holly summarized the comments that came in so far for the 60-day Review Period which ends tomorrow. The plan is to develop a rough draft response and then give the ST time to review. The ST will go over the comments and draft responses in early April. A PC meeting is scheduled for April 18<sup>th</sup> to discuss and approve the comments and draft responses.

So far, we have received comments from all state agencies except MDA and MDH. Additionally, we have received comments from Prior Lake Spring Lake WD, Le Sueur County, Le Sueur SWCD, Friends of the Minnesota River Valley, and the Minnesota River Collaborate. We are anticipating comments from MDA, MDH, Lower Minnesota River WD, and Scott County/WMO.

Holly provided a summary of the comments we have received so far:

- Positive feedback about plan layout, format, and visuals.
- Multiple comments about appreciating the partnership including Chloride Issues and Environmental Justice Areas.
- Multiple comments about continuing to partner and communicate. AC members would like to continue to be AC members.
- Multiple comments about an appreciation of having a diverse set of actions and activities in order to achieve goals.
- Multiple concerns of goals being too low.
  - The PC and ST had some in depth discussions on why this was such a concern.
  - The goals were developed using models. HSPF does not model in channel/near channel erosion very well; assumptions had to be made when using a different model for sediment reductions (BWSR Pollution Reduction Tool).
  - BWSR did have comments about the goals being too low.
  - Mike stated staff discussed what we have done in the past 10 years and made some assumptions on what we could actually achieve. Additionally, the numbers are low, but it is very dependent on staff capacity and landowner willingness.
  - Linda stated it would be helpful for the partnership to elaborate on the process of modeling and why our goals were reduced.
  - Meghan made a comment about the goals not including any projects and practices from Scott County/WMO. We were asked to remove them from the plan. This significantly changes our pollution reductions and the number of practices and projects.
  - Laura stated that explaining in more detail the modeling and reductions will be important for the Lower Minnesota River WD.
  - Laura asked since there were so many comments about the goal of TSS being so low, do we need to reassess?
    - Barb stated she doesn't think the goal is bad, and we do not have to reassess the goal as long as we justify why it is set where it is at. We can add some additional narrative in the plan about needing more relationship building, limited capacity, lack of studies/assessments to target projects, etc.

- Jeff stated that the partnership set goals on what was thought to be realistic, and we do have limited capacity.
- Doug mentioned that just because some goals are low, doesn't mean we are not doing conservation.
- Mike emphasized that for Le Sueur County much of the Lower MN River Watershed (other than Sand Creek) has not been a focus. This is really our first chance of getting funding for much of the watershed within Le Sueur County.
- Laura wanted to provide some additional context to some of the comments that the Lower Minnesota River WD will be submitting.
  - The narrative that was used in Chapter 1 and 6 was a bit confusing on who opted in and out of planning efforts.
  - Additionally, how the partnership will work together for plan implementation.
- The discussion came up about the comments that the Friends of the Minnesota River submitted.
  - The comments mentioned that were not meeting plan content requirements and the partnership was not doing enough to address the impairments within the Minnesota River Basin.
    - BWSR has stated we are meeting plan content requirements for the plan.
  - The thought was maybe the Friends of the Minnesota River Valley are not quite understanding the purpose of this program.
  - Barb asked the PC if we should meet with the Friends of the Minnesota River Valley to better understand their comments? We would do this before the public hearing.
    - The PC thought maybe meeting with them would help us have a better understanding of where they are coming from.

### Public Hearing

- Holly summarized the requirements of the public hearing.
  - Need to have at least one public hearing.
  - Provide public notice (papers and on website).
- Additionally, Holly provided a summary of what staff have talked about so far for a public hearing.
  - Host in the evening and start the public hearing at 5:30pm.
  - Provide a summary about the plan development before the public hearing start time.
  - Provide an opportunity prior to the public hearing start time for the public to ask questions.

- Holly provided a timeline of best case and worst-case scenarios on when the public hearing could occur. It really depends on the comments that are submitted and how long it takes staff to respond to those comments.
- BWSR board approval for the plan may either occur in June or August.
- Staff requesting the PC approval the public hearing date of Monday, April 29<sup>th</sup> at the New Prague Brewery with a start time of the public hearing at 5:30pm.

Motioned by Entinger; Seconded by Schoenecker to approve the public hearing date on Monday, April 29<sup>th</sup> starting at 5:30pm at the New Prague Brewery.

**The Motion carried unanimously for the public hearing date, time, and location to be approved.**

The PC also made a motion on posting the public notice for the public hearing.

Motioned by Docken; Seconded by Amundson to approve post a public notice about the public hearing on the watershed website and in the local papers.

**The Motion carried unanimously to post the public notice for the public hearing to be approved.**

Barb provided a summary on the 90-day review process.

- The 60-day comment period and public hearing must occur. All of the comments from the 60-day review period and public hearing must be responded to and posted on the watershed website as well as sent to BWSR. Additionally, all of the proposed changes must be incorporated and updated in the Plan.
- Then the partnership can submit the Plan for 90-day review.
- There is a regional committee meeting and BWSR board meeting where the plan will be presented to.

Barb provided a summary on what is required in order to submit the plan for approval:

- The 60-day comment period and public hearing must occur. All of the comments from the 60-day review period and public hearing must be responded to and posted on the watershed website as well as sent to BWSR. Additionally, all of the proposed changes must be incorporated and updated in the Plan.
- A JPA needs to be finalized and approved.
- Plan needs to be locally adopted by resolution.

## **V. Cost-share Procedures and Policy Discussion (Informational Item)**

In order to implement projects and practices, the partnership needs cost-share procedures and policies. We need to consider if we want a watershed wide policy or just follow our local policies. How often do we want the JPB to meet to approve projects? Can staff approve

projects right away if there is funding available? What projects and practices get priority funding over others? How does the board want updates on projects and practices progress?

After discussion at the ST meeting yesterday, staff decided we will work backwards and first start with a workplan on what we want to do within the next 2 years. Then we can develop any procedures and policies from our first workplan. Ranking and scoring may or may not be useful depending on the activities.

## **VI. Joint Powers Agreement Update (Informational Item)**

Holly mentioned that Rice County attorney had a few additional comments for the draft Joint Powers Agreement.

- We reference Appendix A, but do not have an Appendix with the JPA. The appendix is just a map of the watershed boundary.
- Add in the option to vote in person or virtually. This will allow flexibility for the partnership.
- Assign board members to different terms; 2 years or 4 years. This way we always have experienced board members on the board.

## **VII. Planning Effort Timeline & Policy Committee (PC) Meeting Schedule (Informational Item)**

Holly provided an update of the plan timeline. The 60-day formal review process will end on Friday, March 22<sup>nd</sup>. A public hearing will need to be held prior to sending the plan off to BWSR for the 90-day review and approval. Comments will need to be responded to and incorporated as necessary in the Plan. Then the 90-day review period can start. Tentative Dates for Plan approval are in June 2024 or August 2024.

## **VIII. Updates & Next Steps**

Updates & Next Steps

- Next Steering Team Meeting: **Wednesday, April 17<sup>th</sup> 10:00am-1:00pm**
- Next Policy Committee Meeting (Tentative): **Thursday, April 18<sup>th</sup> 3:00pm-5:00pm**

## **IX. Meeting Adjourn**

Motioned by Schoenecker, Seconded by Entinger at 4:52 pm

**The Motion carried unanimously for the approval to adjourn at 4:52 pm.**

