

Lower Minnesota River East 1W1P

Policy Committee Meeting Minutes

Date & Time: 3:00-5:00pm, Thursday, February 16, 2023

Location:

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

And

Virtual – Microsoft Teams

Attendees: Holly Bushman (Le Sueur County); Mike Schultz (Le Sueur SWCD); Greg Entinger (Le Sueur SWCD); Laura Amundson (LMRWD)); Danny O'Keefe (Le Sueur County) (chair); Steve Pahs (Rice SWCD); Jeff Docken (Rice County); Meghan Darley (Scott SWCD); Doug Schoenecker (Scott SWCD); Linda Loomis (Lower MN River Watershed District); Rita Weaver (Scott County/SWMO); Barb Piechel (BWSR), Ann Sawyer (BWSR)

I. Welcome & Review Agenda - Policy Committee Chair

Chair O'Keefe called the meeting to order at 3:03pm. Holly stated she did update the agenda with removing the agenda item for introductions since the new policy committee member is not in attendance today.

Motioned by Docken; Seconded by Schoenecker to approve the agenda as amended.

The Motion carried unanimously for the agenda to be approved as amended.

II. Election of Officers

Holly presented the three different officer positions and their roles. There was some discussion on who would like to run for officer. A suggestion was made to make a motion to keep the policy committee members that are currently serving as chair, vice chair, and secretary the same for 2023.

Motioned by Docken; Seconded by Entenger to approve the election of officers and remain the same in 2023 as 2022.

The Motion carried unanimously for the Meeting Minutes to be approved as written.

III. Review & Approval of November 17, 2022 Meeting Minutes – Policy Committee Chair

Chair O'Keefe asked for approval of the November 17th Policy Committee meeting minutes.

Motioned by Schoenecker; Seconded by Docken to approve the November 17, 2022, meeting minutes.

The Motion carried unanimously for the Meeting Minutes to be approved as written.

IV. Priority Issue Statements (Discussion Item) – Scott SWCD

Update and Recap

Meghan Darley provided a refresher of what our priority issue statements are. These are needed first in order to identify measurable goals and implementation activities for the plan. Meghan summarized the priority issue statements as Surface Water Quality, Surface Hydrology, Groundwater Quality, Groundwater Data, Knowledge, and Understanding. Habitat and Natural Resources Protection, Habitat and Natural Resources Restoration. These issue statements were approved at the November meeting with the understanding some tweaks or edits maybe needed.

After further discussion with the steering team and advisory committee we decided to revise the Habitat and Natural Resources Protection and Restoration Issue Statements to just focus on riparian areas. There is a significant part of the watershed that has riparian areas. Furthermore, this is where we thought we would get the most benefit for habitat protection and restoration projects.

V. Priority Resources and Areas (Decision Item) – Scott SWCD

A final draft of priority resources and areas that are considered decision items for today include priority lakes, streams, and groundwater.

Priority resources and areas that need additional resources and information that are considered discussion items for today include storage and habitat/natural resources.

Lakes

Meghan started with the priority lakes. She stated the Advisory committee and steering team had lengthy discussions about this priority and were able to narrow down to 12 lakes and their lakesheds. We decided not to tier the lakes, but will utilize ranking/scoring criteria to prioritize where we will start first. We even discussed as staff having different cost-share rates for practices with different lakes. The criteria we used to pick these lakes included whether they were nearly/barely impaired, if the lakes were considered high recreational use/had public health concerns, connectivity, and lastly staff's professional judgement.

The final 12 lakes include: Lower Prior, O'Dowd, McMahon which are protection lakes, Fish, Thole, Upper Prior, Spring, Cedar, Clear, Cody, and Phelps which are restoration lakes, and finally Lemay which there is not sufficient data to state whether the lake is or is not meeting water quality standards. Staff included the map of the priority lakes and lakesheds to have a visual to show the policy committee.

The Policy Committee did have some good discussion and questions that were asked.

One of the questions was about Cody and Phelps from Jeff Docken. He was unsure if this is a top priority within the watershed. He knows the lake does get used, but was curious if this lake should be considered within the top 12 lakes? Mike Schultz stated that the goal of the steering team was to at least include one lake from each county.

Doug Schoenecker asked if these lakes were considered high quality? Mike stated no, but have some kind of recreational value tied to them. The steering team was trying to make strides in all areas of the watershed. Holly Bushman further commented and said it also had to do with staff capacity. We knew as a steering team that Scott County would not be able to work on 12 lakes at a time. Meghan Darley stated this gives staff some flexibility.

Mike Schultz stated that our goal was to start with the nearly/barely impaired lakes and see if we could eventually delist them. For Le Sueur County and Rice County our lakes are very impaired; however, we have also not traditionally worked on these lakes in the past and we would like to start working in these areas.

Rita Weaver stated that for the list of lakes provided it is pretty clear which ones have a high recreational value. Meghan Darley further commented and stated they are viewed as higher quality lakes.

There was additional discussion on whether the lakes were the main priority within the watershed and how that impacts other priorities. Mike said the lakes are a part of the plan, but that does not mean we will necessarily prioritize them first with this WBIF funding. Meghan Darley further commented and stated streams and groundwater seem to be a higher priority for the advisory committee and steering team.

Danny O'Keefe asked if the lakes are for sure funded with WBIF dollars? Staff stated no, but we can prioritize lakes with a ranking process.

Rita Weaver stated that she was more concerned with McMahon and O'Dowd lakes.

Doug Schoenecker further commented and stated additional funding may come up later which would also help us prioritize the lakes.

Motioned by Weaver; Seconded by Entenger to approve the 12 priority lakes and their lakesheds.

The Motion carried unanimously for the Meeting Minutes to be approved as written.

Streams

Meghan then moved on to the priority streams. She stated the Advisory committee and steering team had lengthy discussions were able to narrow down to 8 streams and their streamsheds. We decided to tier the lakes based off of their impairments. Streams that had known sediment issues fell into the Tier A category. For example, the Sand Creek Watershed is the second highest contributor of sediment to the Minnesota River. For those streamsheds where we wanted to focus on additional impairments and stressors such as habitat, e.coli, total phosphorus, etc. they were considered Tier B streams.

The final list of streams and their streamsheds include: Upper Sand Creek (Tier A), Middle Sand Creek (Tier A), Le Sueur Creek (Tier A), Roberts Creek (Tier A), Unnamed Creek-761 near Henderson (Tier A), Forest Prairie Creek (Tier B), Raven Stream (Tier B), Unnamed Creek-604 (County Ditch 13) (Tier B). Staff included the map of the priority streams and streamsheds to have a visual to show the policy committee.

Meghan did want to mention that we ended up not including Eagle Creek as a priority streams since it is already such significant local priority for multiple entities. It is the only trout stream we have and we still think it is worth mentioning.

Holly did want to provide a little more detail about sediment and explain to the policy committee in more detail why we chose certain streams. She mentioned sediment comes up time and time again as one of the top issues within the watershed. As Meghan mentioned earlier, the Sand Creek watershed is the second highest contributor of sediment to the Minnesota River. Holly broke down sediment into two different parts. There is the near/in channel erosion (bluffs, ravines, gullies) which is the more significant contributor of sediment to the watershed and the Minnesota River. Some streamsheds already have the studies and assessments needed to start working on implementation efforts and others do not. The other piece to this is the overland sediment erosion and runoff. This is a result from cropland. Utilize existing models (HSPF) to target these areas. Holly showed the map of the overland sediment priority areas that were identified in the Watershed Restoration and Protection Strategies Report (WRAPS).

Barb asked if staff could explain in more depth why the Minnesota River was included as a priority stream and how we are going to address in the plan? Staff stated while the Minnesota River is important and the reason for this watershed, it is not where improvements need to be made. In order to reduce sediment and other impairments/stressors we must focus in the upland areas. Doug Schoenecker stated that this made sense. The Minnesota River is going to

go where it wants to go and we don't have control. However, we can make a difference and have more control in the upland areas that directly contribute to the Minnesota River.

Greg asked how the DNR feels about these priorities? His concern is if we make these a priority and then we are unable to do the work in these areas. Mike stated that the DNR's jurisdiction is within the stream itself not necessarily the upland areas. Furthermore, it would not be a benefit to them if they did not work with this partnership. Lastly, we do have DNR representation at the Advisory Committee. Dough Schoenecker further commented and stated he has felt this way in the past, but does not feel this will be an issue for us. The DNR has been pretty consistent with Scott County on these efforts and he feels there is a low chance of the DNR turning down projects.

Motioned by Weaver; Seconded by Schoenecker to approve the 8 priority streams and their streamsheds.

The Motion carried unanimously for the Meeting Minutes to be approved as written.

Groundwater

The final priority resource and area that the steering team was looking for approval on is Groundwater. Meghan stated that we felt this was pretty straightforward. Groundwater is really important for the watershed, especially for our drinking water.

The priority areas for groundwater include: Drinking Water Supply Management Areas (DWSMAs) that are considerate moderate to very high in vulnerability, Aquifer vulnerability areas that are considered high, townships with nitrate tests that exceed 5mg/L or more. Arsenic is a watershed wide goal. Staff included the map of the priority groundwater areas to have a visual to show the policy committee.

Meghan also stated that we do not currently have comprehensive data for groundwater. However, we are hoping to include flexibility within our plan to amend groundwater priority areas once more data becomes available. Lack of data is listed as one of our issue statements.

Doug Schoenecker asked if there are higher priority groundwater areas over others? Staff stated that once we start collecting more data and test results we will be able to better define and prioritize this issue.

There was discussion that arsenic may be a pollutant we are unable to fix, but we could at least educate the watershed.

Jeff Docken stated that it would be great if the watershed had water testing available and encouraged the public to do so. The more people and data we have the better.

Motioned by Schoenecker; Seconded by Docken to approve the Groundwater priority areas.

The Motion carried unanimously for the Meeting Minutes to be approved as written.

Storage

This priority area is considered a discussion item for today. Really important to the watershed, but still needs some fine tuning. The partnership finds value in storage and would like to encompass as large of an area as possible. Typically these projects are expensive, and if we have a willing landowner we definitely don't want to turn them away.

ISG created a storage priority area based off of restorable wetlands and the HSPF model that was provided within the WRAPS documents. Unfortunately, the model that was utilized for this priority area is a combination of two separate watersheds (metro and non metro areas) and could potentially skew the data a bit. ISG was going to look into this further to see when we are comparing the two models and their datasets it is comparable

Meghan stated originally we were going to include drainage as a separate priority area, but the steering team decided that it would be duplicating efforts. Typically, with drainage systems we want more storage.

For the storage priority area, we envision have multiple goals.

There was discussion about why storage is called out specifically and why it couldn't be a watershed wide goal? There are differences in storage within subwatersheds. Most watershed planning efforts have gone through a similar process with storage. Lastly, we can't do a watershed wide goal, we have to prioritize more. The partnership would like to have a storage goal for the watershed as a whole and also for each subwatershed. We are hoping to have this priority area finalized and a map ready by next meeting.

Natural Resources and Habitat

As mentioned earlier we would like to focus on riparian areas, and work within existing stream priority areas that are defined. This may look something like a 1500 foot buffer within each streamshed. We should be able to finalize this priority area no problem and have a map ready by next meeting.

VI. Advisory Committee Updates (Discussion item) – Scott SWCD

Meghan gave an update on the Advisory Committee progress. The Advisory Committee membership has met continuously the last few months to help finalize the priority issue statements, priority areas/resources, and now start on measurable goals. There has been good discussion at all of these meetings whether they have been held in person or virtually. We will likely hold an Advisory Committee meeting in March to hopefully finalize the priority areas/resources and provide more tangible numbers with measurable goals.

VII. Plan Administration and Coordination (Discussion item)- Scott SWCD

This activity of planning efforts addresses how we are going to work together as a partnership. A handout was provided to the policy committee to help them distinguish between a joint powers collaboration and joint powers entity. The steering team already had a good discussion on which direction we think would be best; however, the policy committee is the ultimate decider. We would like to have legal counsel and maybe some guest speakers to talk about their experiences with a one watershed one plan joint powers collaboration and joint powers entity. A memorandum of agreement is not an option.

The biggest difference is board approval. The joint powers collaboration requires individual LGU board approvals whereas the joint power entity essentially would only require the policy committee member approval. We need to decide how we want to make decisions within the watershed.

Staff further commented and said we want to make sure we are being efficient. Either way we chose it is going to cost the same amount of work and money to implement activities and projects.

The policy committee would like some more detail about the different partnerships, have staff lay out the options, and also provide a recommendation.

Both the joint powers collaboration and entity function well for the watershed partnerships. Liability may be another factor to consider in addition to decision making. Most watersheds have a joint powers collaboration.

Staff would like to have a few examples/speakers at the next policy committee meeting to go further in depth with this topic. Today was just an introduction. Furthermore, we will also have some examples of joint power agreements.

VIII. Planning Effort Timeline & Policy Committee Meeting Schedule (Discussion Item)- Le Sueur County

Holly – gave an update on the planning timeline – we are behind, but that is normal. There is flexibility if we need an extension, but we aren't concerned yet. For winter and spring plan tasks include, prioritize issues and priority resources; establish measurable goals; develop a targeted implementation schedule; develop plan administration and coordination. These next few steps will be time consuming as they are the main parts of the plan. Determining Plan Administration and Coordination will be a continued conversation and discussion at the few Policy Committee Meetings. There are quite a bit of items we will need to figure out as a partnership and we will bring forward plan content as they become complete during these meetings.

We will continue to meet to discuss and determine plan administration and coordination. The third Thursday of the month from 3:00pm-5:00pm continues to work.

Updates & Next Steps – Le Sueur County

- Check in with staff about their thoughts for plan administration and coordination
- Staff will find speakers for next meeting as well as examples of JPAs
- Continue with meeting as needed – 3rd Thursday.

Next Steering Team Meeting: **Wednesday, March 15th 1:30pm-3:00pm**

Next Policy Committee Meeting: **Thursday, March 16th 3:00pm-5:00pm**

Advisory Committee Meeting: **Wednesday, March 15th 10:00am-1:00pm**

Motion by Schoenecker; Seconded by Entinger to adjourn the meeting at 4:22 pm

The Motion carried unanimously to adjourn