Meeting Minutes
December 3, 2008
5:00 – 7:00 p.m.
Water Policy Study Committee
League of Minnesota Cities
145 University Ave. W, Saint Paul

Members Present: Jonathan Abram, Larry Baker, Janna Caywood, Sherry Enzler, Janne Flisrand, Sherri Knuth, Dianne Krizan (co-chair), Nicole Moen, Randy Neprash, Jack Ray, Jay Sjostrom, Michael Troemel, Danielle Waldschmidt

Staff: Annie Levenson-Falk and Jim Horan

Guests Present: Pam Blixt, Julene Boe, Mike Duval, Pat O'Leary, Bob Patton, Adam Rix, Trevor Russell

Presenter: Bruce Wilson

Facilitator: Dianne Krizan

Objectives:
- Review draft evaluative criteria, questions
- Get update on progress of case study working group
- Learn elements of two successful clean-up, areas for improvement

I. Welcome: Review and Approve Agenda

a. Agenda change: add 15 minutes before evaluation to go over presentation Janna will make at MN Assn of Watershed Districts (MAWD) conference on Friday

II. Review of Draft Evaluative Criteria

a. Problem/findings/criteria document
    i. Will be included in packet for every meeting as we move along, with updates each time. Let Annie know of any suggestions, corrections, etc.
    ii. Includes the suggested changes to the evaluative criteria as we discussed last time.
        1. Questions seem to be mostly related to quality not quantity, especially in terms of equity.
        2. Questions can be used to pull specific problems out of a more general idea – apply questions to particular case study as a way to see if we are meeting the evaluative criteria
        3. Accountability might not be the best word. There needs to be some balance between what you're supposed to be doing and what you can do. Accountability might be too value oriented.

4. “Watershed-based” is a conclusion, not a criteria. The criteria may be “appropriate scale.”
5. Need to talk not only about the human systems but the ecosystem as a whole. The human system may be easier to fix but, the concern has to be on long terms sustainability.
    a. Can we tweak watershed based to be natural resource based?
    b. That kind of fits but I see it more as water use related to long term sustainability of the ecosystems. (The “three e’s of sustainability”: environment, economy, and equity [present and future])
6. Outcomes-based
    a. Are we really talking about efficiency
    b. This doesn’t talk about the outcomes we’re attempting to attain – should it?

iii. Perhaps we need a few broad policy goals and then the elements of good governance (the ways to attain them). For example transparency allows all players to work together and better understand the system. With this principle in mind we can tackle the minutia that surrounds the broader goal.

1. We may have policy goals in both nonpoint source pollution and water supply/sustainability.
2. The criteria/principles are the ways to attain them – the elements of good governance
3. Begin to write introduction to the final report – we don’t know everything we will find but it gives us a starting place to connect governance as a charge and a means.
    a. In intro, call out goals – can talk about motherhood and apple pie. Should look back at the vision draft that Janna and Jack wrote
4. Please look over the findings portion and the rest of this document and send any feedback to Annie

b. Can we get someone from a Watershed District to come in?

i. Cliff Aichinger from the Ramsey Washington Metro Watershed District is tentatively scheduled for our next meeting on the 18th of December.

III. Case Study Working Group Update

a. Working group (Janna, Erika, Danielle, Jack, Larry, Karen) is going to move forward on two case studies: Karen’s idea on road salt and Erika’s on septic systems. We’re developing a problem plan to approach each case study in an attempt to describe the case. When we have a description we will bring it to the large group and run it through the evaluative criteria.

b. Don’t have timeline yet, perhaps by the next meeting (December 18th). Our goal before the next meeting will be to talk more as a group and talk with Annie as we move forward.

c. Road salt is poster child for the conflicting goals of TMDL studies. If we do a turbidity TMDL the suggestion is to have less sand and more salt, if we do a chloride TMDL the suggestion is to have more sand and less salt. Generally the water body will have both issues.

IV. Bruce Wilson, Stormwater Policy and Technical Assistance, MN Pollution Control Agency: Successful Clean-ups (See Power Points)

a. There are 8 essential tools for watershed protection: Watershed Planning, Land Conservation, Aquatic Buffers, Better Site Design, Erosion and Sediment Control, Stormwater Management, Non-Stormwater Discharges, and Watershed Stewardship.
b. Water management tends to be watershed based group versus those political entities within the watershed itself.
c. Whatever the scale we need new tools to see how the pieces work together. We are starting to use computer generated visioning tools to help market water management to the public but, it's only a start. Usually those political entities (cities, towns, counties, etc.) have small coffers and can't do a lot of this. However, if they have a watershed board they might work together on water management.
d. Bigger Picture: We tend to do planning poorly. Our process in achieving a goal needs to be ramped up. There are few lakes that only have one issue, planning for multiple pollutants is always a challenge. So far the MPCA has been great on the research side, we need to more on the planning side. From a citizen side, we need to create ownership in the watershed. We have to view a lake as a park system with a lot of varied challenges affecting it. In this regard we need increased funding and involvement in operations and maintenance of the lake. This is the starting point to get citizens involved in what they hold deal about the watershed.
e. Rehabilitation Formula: So many groups can be blended together in a facilitated session. Along the way the groups learn from each other. It helps everyone involved understand what is broke and why. We hire neutral facilitators that bring everyone together to work on a common goal.
f. Future Glimpses: The changing climate is huge, there are massive changes we will have to adapt. Urban growth and new development are going to cause new problems. The two biggest threats to water now are urban and agriculture. Our research is beginning to give us a grasp on the cumulative effects of these two threats.
g. Recent Climate Trends: We're not designing for the right criteria as the climate changes in Minnesota. Minnesota temps are going up, right now it's mostly the lows that are rising (huge effect on trout streams). Precipitation intensity is also much higher.
h. Population Growth: We're seeing massive growth in the belt between where the forest ends and the farm land begins.
i. Green Lake Example: Green Lake is pretty much a mini Mille Lacs. The town was expanding and everything in the new developments was running off into the lake. The town rallied around the Hwy 29 expansion and MNDOT ended up spending a lot of money to incorporate Best Management Practices into the expansion. The down side is that there is no money to maintain the Best Management Practices and the same problems are springing up.

j. Tracking Changes: Impervious Cover (IC) increases 44% statewide, this is massive development. Note that the population increased only 13% in this time period. The biggest challenge for urban areas is dealing with IC.
    i. We know this through satellite imaging – will probably lose the last of the NASA satellites and have to go to Chinese or Indian satellites because no more NASA satellites are being built
k. General Impacts: Applying the minimum Best Management Practices required we still end up with more pollutants in the water then we should be at. We need to have multiple Best Management Practices in place.
l. North Fork Plan: We worked out this stick drawing to show the tributaries leading into the river and the phosphorus load per tributary (measured by ppm). The goal for each tributary was around 125. This plan allowed us to gain better insight into what was broken so we could go back and trace the source.

m. Discussion:
    i. Member: It seems that your process for reducing pollution in a lake is somewhat ad hoc. Can you speak to how your fundamental charge is approached as well as to the need for hired facilitators?
        1. Bruce: The only way we can get this process to work is to bring in a professional, neutral facilitator. To be successful, the process must bring together groups with many different perspectives, and get them talking. Government is viewed with having a perspective, too, so neutral facilitators are very important.
        2. Member: I think bringing it an outside facilitator shows the true democracy of the water system.

    ii. Member: When you go into these projects are you simply the organizer or are you instigating the clean up?
        1. Bruce: Generally a group has asked for a grant and we're coming in to assist on the work. The system is a bit different now and tends to center on the impaired waters list.
        2. Guest: It's the Watershed Districts that are identifying the project and pulling the parties together.
        3. Member: So Watershed Districts submit plans to the MPCA and then the MPCA picks the priority plans from that?
        4. Bruce: Right now impaired waters get first pick then its up to the Watershed Districts.
        5. Member: It is largely ad hoc. There's a concern, a need, some local interest, the funding is found, and then the project starts. I think we're about to see greater regulatory pressure statewide and an increase in Watershed District capacity.

6. Bruce: Chain of Lakes Partnership: This was the largest urban restoration project in the country. We pulled in a lot of different groups with tremendous interests.

iii. Member: 30 years from now, how will we address the interrelatedness of land use, transportation, water, etc.?
   1. Bruce: Change is possible, but we need collaboration, not command and control.
      a. Example: We have taught farmers how to use monitoring equipment, so they could see for themselves the effects after a heavy rainfall. When they saw themselves, they became much more willing to work towards improving water quality.
   2. Bruce: Need better tools for engaging people. At 7 pm meetings, people are tired. The more we can do simply to help people see interrelationships between land use, water, etc., the better
   3. Bruce: Need to keep positive and keep aimed at goals.
   4. Member: We haven't succeeded well in the participatory process. If and when citizens want to assist we need to find a sustainable low cost way we can provide for it.
   5. Guest: If you want to get citizens involved you need to make it approachable, start by using common language.

iv. Bruce: Citizen Participation Models: We need to have goals and the stakeholders drive the design for participation. It was challenging to get the groups to work together, it took years but it was well worth it. In the end we found the citizens came forward with the best ideas.
   1. Bruce: You have to ramp people up, start slow and grow community groups over years. Local decision makers need to understand cause and effect – you can't just go in and say "this decision or this change needs to be made."
   2. Member: One motivator is money – we need cheaper ways to do and sustain projects
   3. Member: My guess is that the Amendment money will largely go to impaired waters opposed to prevention.
   4. Bruce: It's much less expensive to prevent then to cure but it's hard to rally people around prevention. (When you're talking about protection, money goes out in units of $10,000. When you're talking about rehabilitation, it goes out in units of $200,000)
   5. Bruce: it takes a lot of time and effort to get people to participate, but it is worth it. If you end up going to a hearing, it costs a lot of money (again, $200,000 increments). When we were able to get citizens working on this, they came with goals that were even more ambitious than the PCA.

v. Member: Why did you decide to take on the Crow River?
    1. Bruce: it comes into the Mississippi right upstream of the Minneapolis and St. Paul water intakes. Crow River has severe impairment, so was a very high priority for the cities and the MPCA

vi. Member: What gives you authority on a project like the Crow River project?
    1. Bruce: A Local Government Unit may have received a grant, and brought me in for technical help. May be a priority of a city, tribe, Watershed District, etc.
    2. Bruce: Grants used to come from the Clean Water Partnership (now called Clean Water Legacy). Local government made case for water issue, and MPCA issued grant to local government. Now it's done by impairments (TMDL), the process is different
    3. Member: When Gaylen Reetz spoke with us the first time, he described the MPCA's new plan – broke state into 81 basins, will work 8 of the 81 basins each year, covering all in a 10 year period. This will be a sea change.
        a. Part of what they're trying to prevent is doing a TMDL for one contaminant, then returning to the same area and same stakeholders 5 years later and doing a separate TMDL on another contaminant
        b. This may be something the committee wants to help support

n. Collaboration
    i. Bruce: Citizen Advisory: We made specific rules if an individual or group wanted to be involved and ran it efficiently throughout.
    ii. Bruce: Chain of Lake Marketing: We hired an outside group and did wonders to simplify the issue and engage the public.
    iii. Guest: Chain of Lakes funding, maintenance: Part of the agreement was for the Minneapolis Park Board to maintain the ponds constructed for the process. The Minnehaha Creek Watershed District agreed to pay for the dredging (the most expensive part). At the Watershed District we weren't happy with how the Park Board was doing its portion of the maintenance so we took it back. Again, maintenance becomes a funding issue and an engagement issue. Grant from PCA was a small portion of the $8 million that was spent (and that total doesn't include land donated by Park Board)
    iv. Guest: Local governments don't have money for maintenance. That is a huge issue
        1. To dredge the ponds at Lake Calhoun costs at least $5,000. Were designed to be dredged every 25 years, but had to do it after 6 years. Partly due to intense storms (climate change), but also may have been due to sediment that was flushed out of pipes. Hopefully won't have to do it so soon again.

o. Bruce: Alum Treatment: Citizens wanted to see an immediate cure so we used an Alum treatment that binds the phosphorus to sediment before sinking to the bottom of the lake and make a blocker for algae blooms.

p. Discussion:
   i. Member: Can you remind us how Watershed Districts are funded?
      1. Guest: They have property tax levy authority.

   ii. Guest: Are we safe to say now that we have Best Management Practices in place in the Chain of Lakes?
      1. Bruce: The Chain of Lakes project was on the cutting edge in the lake 90's and is still a national example of how to do this. It's been shown on the floor of the senate as an example of effective projects. We would do some things different today because of new science, but overall it was a success. Remember this is all retrofitting and clean up, it's incredibly expensive and with a little planning we could avoid those costs.
      2. Member: Hardly any of the metro area has BMPs like the Chain of Lakes. It would be very expensive to put them in – retrofitting is very costly, and if you have to buy land it is also very expensive

   iii. Member: Open ended question. What would your wish list look like in terms of governance, interaction, organizational changes, etc?
      1. Bruce: The National Academy of Sciences release a report recently that suggests listing rates and volumes of stormwater runoff as a pollutant, I think that does a lot. We also need to focus on the Watershed District level, in terms of funding and projects.
      2. (did not have time to finish this discussion)

V. Janna's MAWD Conference Presentation

a. Janna has written up a first draft for presentation to the MAWD conference on Friday (in packet). Would like to make it more of a feedback session where the professionals can give opinions on the work of the committee. Would like help from committee questions to facilitate input.
   i. Use question about a wish list. What do they think is needed?
   ii. Help them define governance first then, ask them for their stories. Every one of them has had good experiences with the governance system and bad ones. What has worked and what hasn't?
   iii. Remember there is a big difference between metro Watershed Districts and everyone else. We have more statutes that govern us here and well as much more funding.

iv. I'd like to know how flexible their tools are. When working on these projects the original goal can change, how flexible are the Watershed Districts in adapting to that? What tools to they have and what tools to they need?
v. I'd like to know if the system we have is reactionary or are we coming at it with prevention in mind?

VI. Evaluation and Next Steps

a. Average: 4.5 (range 3.5-5)
b. Comments:
    i. Post on the blog so we can comment
    ii. I think the case studies will give us more direction
    iii. I think we're getting to actionable items now and we can begin to more towards decisions
    iv. Can we get into a habit of having the guests introduce themselves before we start?

c. Next Steps:
    i. See if Bruce is willing to answer more questions, perhaps as guest poster on the blog
    ii. Next meeting:
        1. Tentatively have Cliff Aichinger from Ramsey-Washington Metro Watershed District on the agenda
        2. A report from Janna on the MAWD Conference
        3. Potentially hear from the working group on their progress
        4. Next steps for the committee and beginning to think about a timeline – Gene, Dianne, and Annie will meet Friday to discuss this and will bring some sort of proposal for the group
    iii. Annie is starting to collect a list of possible recommendations – please send her any ideas (even crazy ones)

d. Next Meeting: Thursday December 18th at Flannery Construction