

**Clean Water Council
Budget and Outcomes Committee (BOC) Meeting Agenda
Friday October 6, 2023 9:30 a.m. to 12:00 p.m.**

Webex Only

2023 BOC Members: Steve Besser (BOC Chair), Dick Brainerd (BOC Vice-Chair), Gary Burdorf, Steve Christensen, Warren Formo, Brad Gausman, Holly Hatlewick, Annie Knight

9:30 Regular Business

- Introductions
- Approve agenda & most recent minutes
- Chair and Staff update
 - Communications Plan: Taglines, Legacy web page
 - Field tour debrief/feedback
 - Mustinka River project

9:45 Strategic Planning/Indicators for Success

- New fishable/swimmable numbers
- Delisting successes: Suggestions for what is meaningful to the public
- Suggesting a set of success indicators for strategic planning

11:00 BREAK

11:15 MAWQCP follow-up

11:45 Public Comment

12:00 Adjourn/Topics for Next Meeting

November Meeting: Restoration Evaluation; possibly how we address altered hydrology

Budget and Outcomes Committee Meeting Summary

Clean Water Council (Council)

September 8, 2023, 9:30 a.m. to 12:00 p.m.

Committee Members present: Steve Besser (Committee Vice Chair), Gary Burdorf, Steve Christenson, Warren Formo, Brad Gausman, and Holly Hatlewick.

Members absent: Dick Brainerd and Annie Knight.

To watch the WebEx video recording of this meeting, please go to <https://www.pca.state.mn.us/clean-water-council/policy-ad-hoc-committee>, or contact [Brianna Frisch](#).

Regular Business

- Introductions
- Approval of the September 8 agenda and August 4 meeting summary, moved by Steve Christenson, seconded by Holly Hatlewick. Motion carries.
- Chair and Staff update:
 - Agencies and Council staff have been working on a communications plan, looking at taglines. Additionally, we are working on updating the Legacy webpage with likely links to future story maps to help the general public.
 - Steve Christenson: Are there staff dedicated to this webpage? *Answer:* Sort of, the CWFs supports 2 full time employees (FTEs) and .15 FTE pay for a staff member at the Minnesota Pollution Control Agency (MPCA) who works in water communications. That position has been vacant for a few months. All the agencies have communications staff. The idea is to provide content on the channels they are already using, which provides consistency and transparency. The Legacy webpage is housed by the Legislative Coordinating Commission, and they are also given CWFs for maintenance.

Timeline and Process for FY26-27 Clean Water Fund Recommendations (Webex 00:11:00)

- There is a timeline handout in the meeting packet. It reveals all the dates when items are due in preparation for submitting the Council's biennial recommendations. The dates in blue are not flexible. The Council has presentations on the different CWF program, and the BOC dives into these programs deeper in the meetings right after. It is a chance to drill down on specific details and see how everything fits together. If there is an adjustment to this process, let us know. The state agencies spend a lot of time trying to adjust the funding to fit the requests of the Council. All the programs fit together in a cohesive strategy.
- In the late fall and winter months, we have had success in asking for public input, to allow them access to that process. State agencies meet in the interagency coordination team (ICT) about once a month. They tend to develop a consensus about how much to ask for, but everything is public at the Council.
- In February, it is the time to prioritize strategies. In the spring, the agencies present the programs in the full Council meeting, by categories. Then, the BOC recommends how to use the CWFs, hitting those final recommendations numbers. The Council and the Governor's Office try to be in alignment. In the past, there was some friction between the agencies and Council, but Governor Dayton requested the state agencies work to have the same numbers, so we have been on the same page over several budget cycles.

Questions:

- Steve Christenson: Regarding the process and scope, how do projects get nominated? *Answer:* There is a list of fifty different stakeholder lists, who are interested in what the Council is doing, some are interested in providing input. Usually, they prefer that legislators honor the Council process. Relations with those group is generally good now but was not always the case.
- *Comment from Jason Moeckel:* I have never seen an agency proposal that came forward, that the Council did not have interest in. We have lots of conversations and discussions ahead of time. It takes time for some of the programs and projects to have support. At the end of the day, we have a budget target to squeeze everything in. We look to meet our goals and make these budget items fit. All the agency staff try to answer questions as best as we can.
- *Comment from Steve Besser:* We all represent different stakeholders. We bring forward their input.

- *Comment from Holly Hatlewick:* The SWCDs takes agency input, farmer stakeholder, landowner stakeholder, and that goes into the planning process that is science-based. We take the practical approach, bring the science forward to have a measurable impact, which also breaks down the funding to get there. We can say with certainty we have the science to support where that funding is going.

Upcoming Biennial Impaired Waters List, by Leya Charles, MPCA Impaired Waters List Coordinator (*Webex 00:33:30*)

- The assessment process involves the watershed monitoring approach. Each of 80 watersheds received intensive monitoring once every ten years. Samples are collected for two years, from May to September. The third year is the assessment work. This new approach was started in 2010. Because of climate affecting one part of the state, monitoring is scattered around the state to have a good average of what the watershed would look like over time. Large rivers are also on a monitoring schedule.
- The data then goes to assessment, using two approaches. The ten-year watershed approach looks at conventional pollutants, macroinvertebrates, and fish. An annual monitoring approach is used statewide for toxic parameters like trace metals, sulfate, pesticides, and fish mercury.
- There is a process to opt-in certain water bodies outside of their scheduled assessment year. This is typically for delisting or recategorizing waters. There is also a call for data to synthesize all of it to the EQuIS database.
- The assessment process involves three big steps, and lots of small steps. The technical experts provide a parameter review. The Watershed Assessment Team (WAT) involves chemists, biologists, and project managers. This involves the people out in the field doing the work, alongside the folks in the office reviewing the data. They work together to make decisions on judgments based on the use. There is also a professional Judgment Group (PJG) of MPCA staff, data partners, and watershed organizations. Additionally, the Assessment Consistency Technical (ACT) Team has involved 15 technical experts since 2010 when assessments began. They are comprised of Environmental Analysis and Outcomes (EAO) Division, Watershed Division, supervisors, biologists, chemical specialists, stressor identification staff, project managers, and GIS specialists. They are all using the same guidance and standards to review and evaluate lakes.
- Every two years they publish the impaired waters list. The list, an assessment guidance manual, the 305(b)-narrative report, and the Total Maximum Daily Load (TMDL) commitment list comprise the four parts of the Environmental Protection Agency (EPA) integrated report (IR). Every year the impaired waters list overlaps the assessment timeline, so it is concurrent and ongoing work.
- The impaired waters list will be available in November until January for public comment. The MPCA responds to the public comments, finalizes the report, and submits the report to EPA on April 1, 2024.
- Changes coming: MPCA is cleaning up some definitions. They have been working collaboratively with Tribal Governments on the waters within the Tribal boundaries, and this list was always kept separate. After leadership discussion, that was removed. Any waters that are partially within Tribal boundaries are still included on the list. MPCA has collaborated with the tribes on these waters. Additionally, the TMDL commitment list has been updated because it is hard for the public to understand why the dates are selected. The information now shows what is going to happen in the next two years. So far, in the draft list, they are looking at 26 waters being de-listed, with 14 from restoration activities. Additionally, they are working on additional definitions, graphs, tables, and maps. Waters used for production of wild rice (WUFPOWER) in Minnesota is 2,395. They have included all waters that were proposed. This list will be included in the Assessment Guidance Manual for public comment.
- Things to note:
 - Minnesota monitors more waters often than other states. When you monitor more waters, you understand the issues better.
 - Minnesota does not wait for stressor ID completion before placing waters on the IWL.
 - Minnesota assesses according to beneficial uses.
 - The red on the impaired waters map doesn't necessarily mean bad. For example, water impaired for mercury for aquatic consumption, but has low nutrients, bacteria, and algae and is safe for swimming.
- In summary, there are a lot of folks who work behind the scenes to make the IWL happen. Minnesota is ahead of many other states in terms of assessments, database management, and listing deadline. Minnesota is very transparent to the public by hosting public meetings, spatial data viewer, and surface water data viewer.

Questions:

- Steve Christenson: Can you share what the conventional pollutants are? *Answer:* Nitrates, phosphorus, and total suspended solids (TSS). Sulfates are too, but they are also on the other list. Some of the wild rice protection rules look closely at sulfates, so they are done every two years.
- Tannie Eshenaur: What drinking water contaminants do you monitor for? *Answer:* Nitrates.
- Steve Christenson: Is all this measuring and monitoring is helping to improve water quality in Minnesota's lakes and rivers, or are we just treading water? *Answer:* Over time we have changed our standards, so that is hard to compare. This makes it difficult to reveal improvements. In general, yes. We can show that we are delisting waters and how it feeds into the TMDL process, and how restoration project help.
- Steve Besser: How can we encourage more collaboration on these impaired waters between the tribal governments and the state? The Board of Water and Soil Resources (BWSR) small grant program included tribal communities, so there are some funds available there. *Answer:* We have some great examples of collaboration between tribal governments and the MPCA. Our tribal liaison at the MPCA here does a great job communicating with the Tribal nations. The MPCA has made good strides in building relationships and is making them stronger. There are formal communications to invite the tribal governments into the process and have funding available to offer. The Tribes are often strapped for time and may not be able to participate in the process or may not want to be involved. We want to be respectful of the relationship and the access.

Follow-up from Strategic Planning Discussion on Expectations for the Clean Water Fund (*Webex 01:33:00*)

- Steve Besser: All this money in the monitoring and assessment is not just for the IWLs. Doesn't that provide the funding for the Watershed Restoration and Protection Strategies (WRAPS), TMDLs, and all? *Answer:* Maybe not everything, but a lot more than just the IWL. There is a huge aspect that is protection. An ounce of prevention is worth a pound of cure, so all the data is used to inform the local water planning.
- Paul Gardner: The total amount for monitoring and assessment category hovers around fifteen percent of the CWF and has for a while. People get the impression that we spend more in monitoring than we do because there are a lot of programs, but the dollar spent is small for each one. So, it can be deceiving.
- Paul Gardner: Is the IWL a good indicator of the CWFs success for clean water efforts? Can we figure out a way that is a good indicator?
 - Steve Besser: I think it is how we present the information to the public is important, such as is the water swimmable, fishable, etc. I think how we present the information is so important. That is why I think the communication aspect is critical moving forward.
 - Paul Gardner: I've asked the MPCA staff to reach out to me before the IWL is released, so we can offer some context before social media blows up. They get the impression we are not doing anything, so being able to provide more information on it is going to really help explain the results. Monitoring to delisting can take ten years, so that continuity is important. Public audiences I've spoken to have taken comfort in knowing the IWL is used to target waters.
 - Glenn Skuta, MPCA: The IWL is a good slice of information to help better understand the waters of the state. There is a way to present it with some context. For example, the percent of lakes getting better than getting worse. There is trend information on rivers that can be helpful. Also, to acknowledge that nitrates and chlorides are going up around the state, to help explain that increase as well. The media is not always open to more detailed contexts.
 - Holly Hatlewick: Implementation is about protection, too, and restoration is not something done overnight. We are changing privately owned landscapes around the state. All the pieces working together will continue to help move the needle towards the same goal.
 - One of the measurements in the performance report is the social measures. We do not have a way to easily measure persuasion efforts.

Public Comment (*Webex 02:04:00*)

- Jamie Beyer: Thank you for the opportunity for public comment. I know the general population does not know the level of professionalism in agriculture. A farmer may not recognize how much they benefit from these opportunities. There is so much information coming to them to consider.

Adjournment (*Webex 02:10:50*)