



Report for
Water Governance Study
Washington County, Minnesota

May, 1999

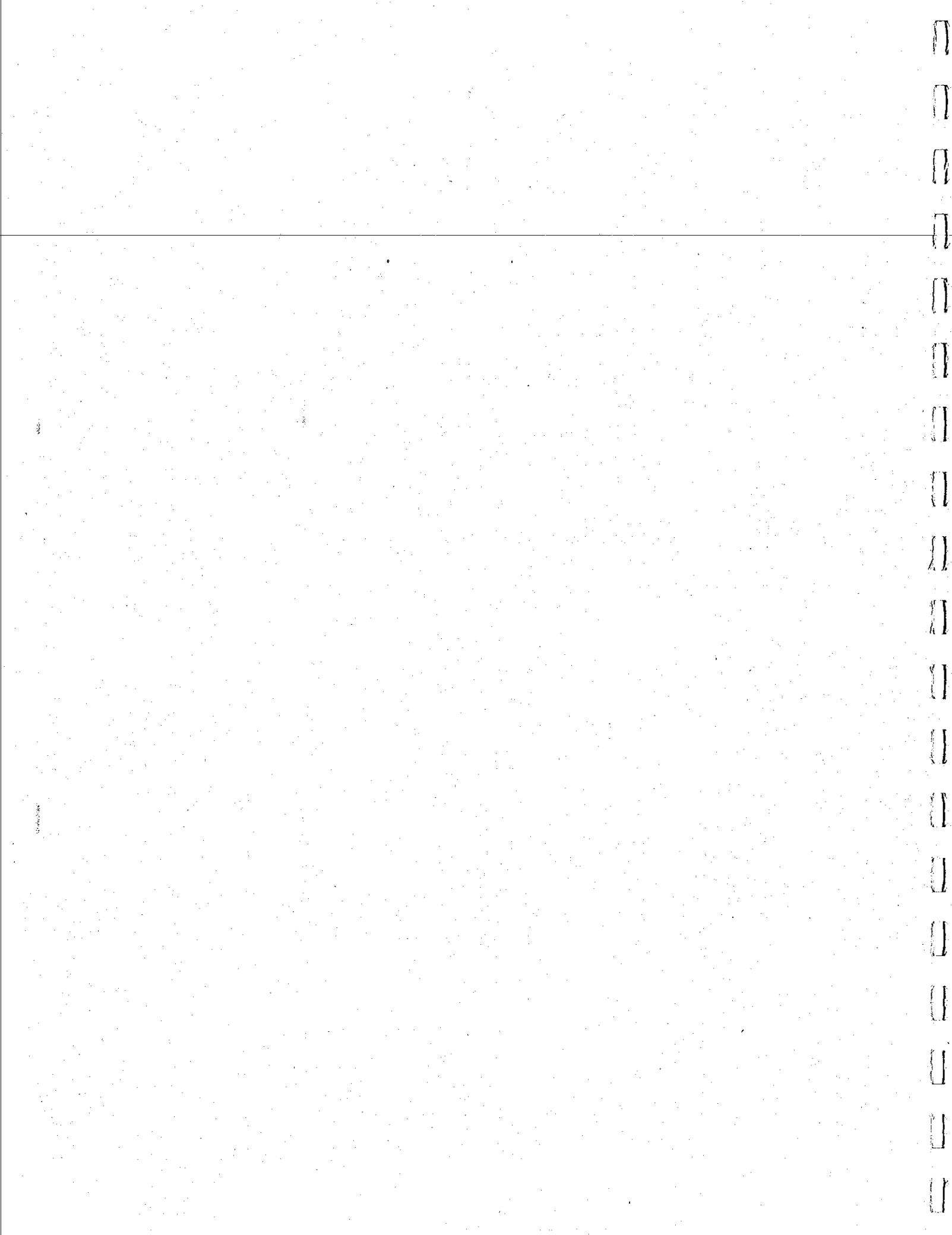


Table of Contents

Table of Contents	1
Executive Summary	2
I. Introduction: Background and Need for the Water Governance Study	5
II. New Water Management Structure: Vision for 2010 A.D.	10
III. Analysis of Conditions and Issues: The Need for a New Water Governance Structure	19
IV. Goals and Measures of Success	28
V. Proposed County Roles in Water Management	30
VI. Subcommittee Recommendations	32
Boundaries	33
Organization Functions	47
Land Use	58
Finance	61
Ground Water	66
Figures:	
Work Group Recommended Boundary Option	12
Land Use/Water Management Coordination Model	15
Existing Water Unit Boundaries	21
Boundary Options	40
Fiscal Capacity of Boundary Options	45
Proposed Organization Roles	54
Financing Options	63

Executive Summary

The Washington County Board authorized this study in May, 1998, to identify and evaluate the best governance structure for water management from a countywide perspective. The recommendations in the study were developed by a 25-member Water Governance Work Group appointed by the Board, representing all of the interests involved in water management in the County.

The need for the study was identified after the failure of several joint powers Water Management Organizations in the county. Key directives for the study included the following:

- Create a water management structure that will provide long-term protection for surface and ground water resources;
- Create local water management units with the fiscal capacity and authority to govern efficiently and effectively;
- Identify financing mechanism(s) that are fair and adequate to meet the needs of the county;
- Coordinate surface water, ground water, land-use and natural resources management to provide for a more comprehensive approach to resource management;
- Identify the County's role(s) in water management;
- Adopt a pro-active, rather than reactive, approach to county-wide water governance;
- Increase the accountability of the water management structure.

This report summarizes the findings and recommendations of the Work Group, and the process used to develop these recommendations. The group identified issues and problems in the existing water management system, reviewed management structures used in other parts of the United States, identified system goals and measures of success, and finally recommended new water management unit boundaries, organizational and financial elements. Key recommendations include the following:

1. *The number of water management units in the County should be reduced from eleven to six.* These include three units that cross county boundaries (a new Sunrise River unit, and the Rice Creek and Ramsey-Washington Metro Watershed Districts are unchanged from the existing system) and three new units within the County (located in North, Middle, and South Washington County).

2. *Each new water management unit should provide a minimum set of services, to ensure that planning is comprehensive, and necessary actions are taken to prevent or solve water management problems across the County.* Water management should be based on a comprehensive assessment of water and related natural resources. Water units should develop comprehensive plans, develop performance standards for priority water bodies, identify and implement water management projects, complete ongoing monitoring and assessment, and assure citizen involvement and public education on water management concerns.
3. *Local water management unit board members should be appointed by the County Board.* Cities and townships should also have a strong role in the appointment process. Appointments should be based on standardized applications, interviews and criteria. Appointments should strive for balance in philosophies, backgrounds, and geographic distribution among the members on each board.
4. *Local water management units should be watershed districts, not joint-powers WMO's.* The duties and authorities identified for the new water management units are all available to watershed districts under current law. Existing watershed districts can use these powers more fully to implement the recommendations of the Work Group.
5. *Each water management unit should engage the services of a professional administrator.* The administrator will provide a point of contact for local governments and the public, and ensure that the organization provides the services required, including coordination with local governments and ground water management organizations. Each water management unit may hire additional staff, contract with private organizations, or the Washington SWCD or other public organizations to provide services.
6. *Water units should cooperate with cities and townships to coordinate land use and surface water management.* Cities and townships have the primary responsibility in managing land use, adopting and enforcing zoning and subdivision regulations. Water units will set performance standards for priority water bodies. Cities and townships will develop zoning and land use plans and enforce these to meet the standards. The water units will provide technical assistance and ongoing monitoring to assure that standards are met. There will be a single point of contact for permits and enforcement.

7. *Water units should use a full range of financing mechanisms, including ad valorem taxes, special assessments, storm water utility funds, and others.* The choice of funding mechanism should depend on the nature of the activity being funded. Each water unit will develop an annual Capital Improvement Plan for review by the county and local governments. A Truth-in-Taxation hearing will be required to increase accountability for financial management and make financial decisions more visible to the public.
8. *Each water unit must provide a mechanism (s) for effective citizen involvement, such Citizen Advisory Committee(s) at the watershed or subwatershed level.* Citizens should advise local water management boards on planning, budgeting, and projects that benefit the area.
9. *The County should address needs for more county-wide leadership and coordination of surface and ground water management.* The County should establish a county-wide Water Consortium to work on surface and ground water issues that cross local water unit boundaries. Members of the Consortium should include the local water units, cities and townships, Washington SWCD, County Departments, and natural resource agencies. The County should staff the Consortium.
10. *The County Board should provide more leadership and direction to local water management boards.* The County should provide clear expectations for performance, be explicit about roles and relationships, and provide more oversight of operations and budgets to assure that an adequate level of service is provided throughout the county and that local water organizations are accountable to an elected board.

The Work Group also recommended criteria to be used to evaluate the new management structure, and suggested options for phasing its implementation. The Work Group suggested that the new structure be formally evaluated by the County Board during the second decade of the new millenium, to determine whether it is meeting the goals for water governance for the county.

I. Introduction: Background and Need for the Water Governance Study

This is a study of *governance*. The study focuses on the structures and systems that manage surface and ground water in Washington County. The definition of governance used during the study was as follows:

Governance is a system and structure for governing. It is the establishment and exercise of political and administrative powers to determine, direct, and control.

The Washington County Board authorized this study in May, 1998. The Board authorized the study to identify and evaluate the best governance mechanism from a countywide perspective.

Several events pointed to the need for this study:

- Since the early 1990's, the Board of Water and Soil Resources (BWSR) has been concerned about the inactivity of the East Mississippi WMO. Strong local interest existed in restructuring the unit as a watershed district. However, a petition has not been filed with BWSR to make this change, and the governance issue remains unresolved.
- In 1993, the Cottage Grove Ravine Water Management Organization (WMO) failed. The South Washington County Watershed District was created to manage surface water in the area.
- In 1996 the Brown's Creek Water Management Organization (WMO) failed. The County was required to prepare, adopt and implement the watershed plan. In 1997 the Brown's Creek Watershed District was created.
- In 1999, the NEWMO (expanded Forest Lake WMO) was disbanded because its members were unable to agree on how to finance the organization. The Board of Water and Soil Resources received petitions to form watershed districts to govern portions of this area.

This series of events, and concerns about the capacity of other water management units, prompted the County Board to examine water governance on a county-wide basis. The Board asked the study participants to determine whether existing water management organizations in the County have sufficient capacity and resources to govern, and provide long-term protection to surface and ground waters in the County. The Board identified the following objectives for the study:

- *To determine how water management should be organized to provide long-term protection to surface and ground water*
- *To create a blueprint for countywide water management that would be both efficient and effective.*
- *To determine the County's role in matters of surface water management.*

The County Board required that the following issues be addressed by the study:

- *Examine the surface water/ground water coordination*
Identify current problems with surface and ground water coordination, and mechanisms to improve coordination and management. Identify options to better align surface water unit boundaries with ground watersheds.
- *Examine the water management/land use connection*
The condition of water resources is intricately linked with land use and land management. However, water management and land management are often governed by different entities with little coordination. Identify ways to better link water and land management activities.
- *Focus on governance, not water resource management*
Identify changes needed to improve the *structure* of water governance rather than the management of the resource itself.
- *Consider planning and management*
Look beyond the planning function. Major problems have occurred when WMO's attempted to implement their plans, and could not reach agreement on how to implement and finance projects. Identify changes that are needed to reduce barriers and facilitate implementation.
- *Focus on the entire county, not just areas with current problems*
The numbers of organizations that have been unable to implement water management plans in Washington County as well as in other Metro Area counties suggests that issues go beyond individual organizations, and may continue to arise in the future. The study should go beyond crisis management, identify system-wide, structural problems, and develop county-wide, comprehensive approaches to water governance.

- *Provide a blueprint for action, not reaction*

The County intends to be proactive in attempting to establish the preferred governance option. The County will seek endorsement of the chosen option from all affected parties.

- *Develop governance options without being constrained by current law*

The Work Group must understand the authorities of the current law, but should not limit its options to those that are currently available. The County Board is open to seeking any legislation that might be needed to implement the chosen option.

Study Process

In June, 1998, the County Board appointed a Work Group to participate in the Governance Study, and develop recommendations to the Board regarding the future structure for water management in the County. Members of the Work Group represented all organizations and interests in the County with a stake in water management. The Work Group met approximately monthly from July, 1998 through April, 1999 to complete the recommendations included in this report. The Work Group used several subcommittees to create specific recommendations related to Boundaries, Water Organization Functions, Land Use and Water Management Coordination, Ground Water Coordination, and Financing.

The Board also appointed a Steering Committee to manage the study with County staff. The Board used a competitive process to hire a consultant to provide facilitation and technical services needed to complete the study. Participants in the study included the following:

Work Group

Richard Caldecott, Camelian/Marine Watershed District

John Jansen, Middle St. Croix WMO

Barb Cobb, Alternate

Craig F. Leiser, Brown's Creek Watershed District

Jon Michels, Alternate

Kate Drewry, Rice Creek Watershed District

Mark Doneux, Washington Soil and Water Conservation District

Konrad Koosmann, Alternate

Roger Lake, Rainsey/Washington Metro Watershed District

Cliff Aichinger, Alternate

Louise Bergeron, Marine on St. Croix WMO

Robert Jensen, Forest Lake WMO

Dave Buchek, Valley Branch WMO

Jim Wessman, South Washington Watershed District

Jack Lavold, Alternate

Jim Fitzpatrick, Lower St. Croix WMO

John Waller, County Commissioner District I (Resident of Hugo)

Wyn John, County Commissioner District 2 (Mayor of Lake Elmo)

Klayton Eckles, County Commissioner District 3 (Public Works Director, Stillwater)

Cheryl Kohls, County Commissioner District 4 (City Council, Cottage Grove)

Steve Kernik, County Commissioner District 5 (Planning Staff,
City of Woodbury)
Cindy Weckwerth, Washington County Public Health and
Environment
Chris Thornton, Washington County Public Works
Dennis Hanna, East Mississippi WMO
Gordon Nesvik, Alternate

Technical Advisors (non-members):

Judy Sventek, Metropolitan Council Environmental Planning and
Evaluation
Molly Shodeen, Minnesota Department of Natural Resources
Phil Belfiori, Board of Water and Soil Resources
Bob Olson, Minnesota Extension Service
Rita O'Connell, Minnesota Pollution Control Agency
Patricia Blomgren, Minnesota Department of Health

Steering Committee

Jim Schug, County Administrator
Mary McGlothlin, Director, Department of Public Health and
Environment
Don Wisniewski, Director, Washington County Public Works
Mary Hauser, County Board
Dennis Hegberg, County Board
Louise Smallidge, Chair, Soil and Water Conservation District
Doug Thomas, Board of Water and Soil Resources

Project Manager

Jane Harper, Washington County Office of Administration

Project Consultant

Sherri Buss, Bonestroo, Rosene, Anderlik and Associates

The County Board, its Staff and Consultant gratefully acknowledge the members of the Work Group and Steering Committee for their efforts in this study. Meeting attendance by group members and alternates was nearly perfect, and contributed to the success and timeliness of the study products. Work Group members, particularly, gave valuable time and creative ideas during regular meetings and subcommittee meetings that formed the recommendations and ideas included in this report.

II. New Water Management Structure -Vision for 2010 A.D.

The narrative that follows describes the new water management system for Washington County as proposed by the Work Group for this study. The narrative summarizes the recommendations of the subcommittees and full work group. Detailed summaries of the subcommittee recommendations are provided in Section IV.

Washington County Water Governance 2010 A.D.

It is 2010 A.D. The Washington County Board has scheduled a county-wide celebration of the water governance structure that was instituted 10 years ago, based on the recommendations of a visionary and practical Work Group. The County Board Chair, a former member of that Work Group noted that change has not always been easy, but the new structure has addressed the problems identified in 1998 successfully. The structure has been a model for other Metro Area counties, and other parts of the U.S. as well. This is how it works:

Geography

The County and BWSR have established North, Middle and South Water Management Units that are contained within the county (see Figure 2). The Rice Creek, Ramsey-Washington Metro and Sunrise River Watershed Districts include portions of the county and larger areas in other counties. The boundaries of the districts were based primarily on hydrologic boundaries. In a few cases where the watershed included small sections of a city or township, the boundaries were adjusted to coincide with the municipal boundary if the adjustment created no water resource issues. Most cities in the County are now within the boundaries of only one or two watershed districts.

In mid-1999, the County testified at the hearing that established the new Sunrise River Watershed District. The testimony supported the new boundaries proposed by the Work Group for that district within Washington County. Later in 1999, the County petitioned the Board of Water and Soil Resources to change the boundaries of existing WMO's and Watershed Districts in the County to create the new North, Middle and South Units. BWSR and the County worked with the WMO's and

Watershed Districts that existed in the County in 1999 to make the transition to the new Water Units. The changes occurred over 2-4 years, so that the existing organizations could iron out existing problems, develop new relationships, and work out ways to address existing fiscal commitments before authority was transferred to the new units.

Functions of the Water Units

Each Water Unit in the County has a **Board of Managers** that was appointed by the County Board with participation by cities and townships within the Water Unit. Cities received copies of the applicants to the boards, and rated potential members based on standardized criteria. Representatives of some local governments participated in the interview process for water unit board members and provided additional comments to the County Board.

Prospective managers completed a standardized application, detailing their background, interests and perspectives on the position. Interviews were held with a selected group of candidates that met the criteria for the positions, and members were selected based on the applications, interviews, and geographic balance.

The County, cities and townships review and comment on the **annual budgets** of the Water Units. The County has also set general guidelines for the budgets and levels of expenditures. A truth-in-taxation hearing is held cooperatively with the County to obtain public comment on the water unit budgets. Townships and cities are active participants in this process. The County and Water Units have developed common formats that all units use for budgets and financial reporting.

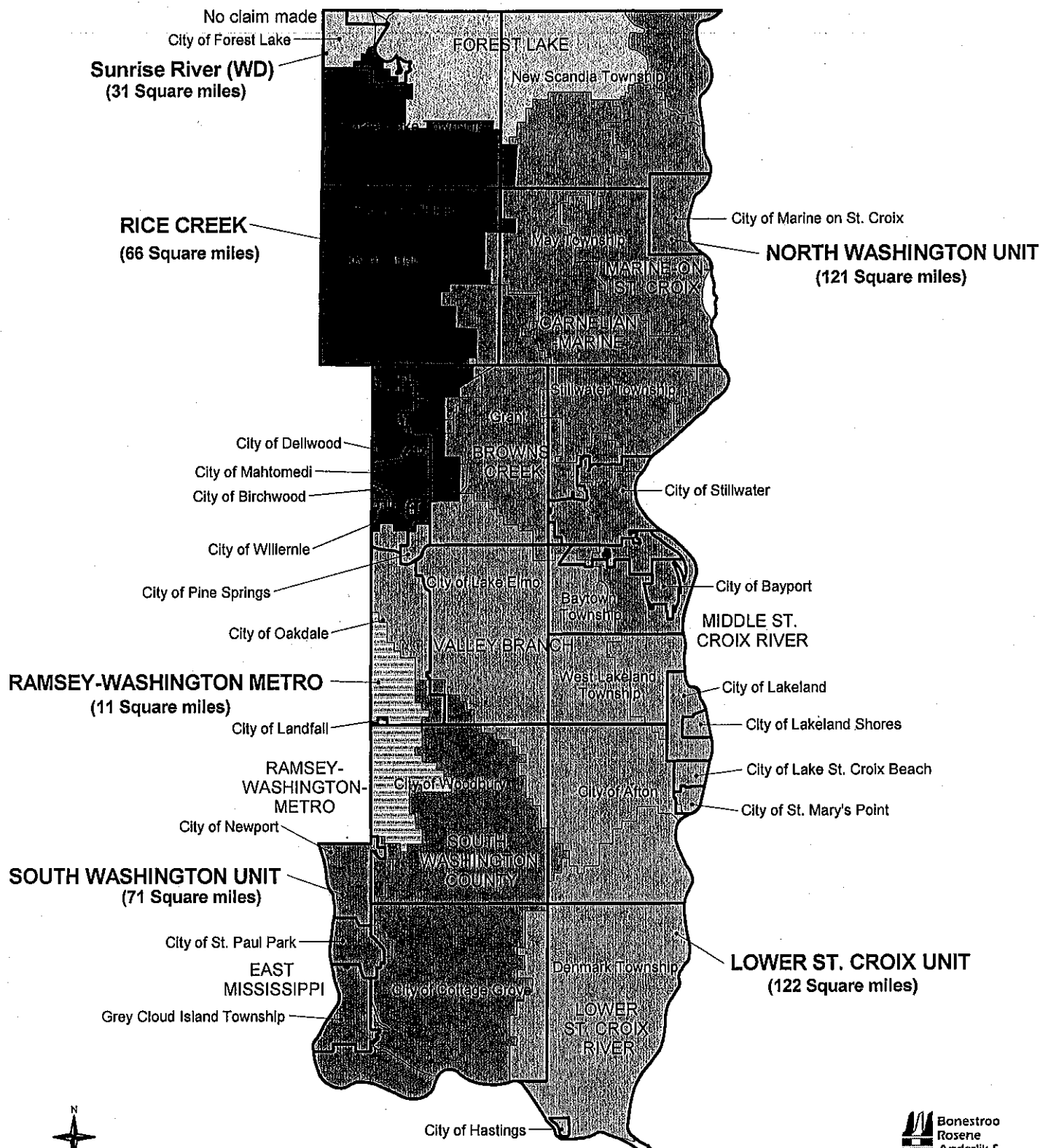
Each Water Unit Board has hired an **Administrator** to carry out its day-to-day business. The Administrators of each district provide staff assistance to the Board, develop the budget and projects based on direction from the Board, supervise staff and consultants, develop working relationships with local governments and resource management agencies, and provide information and a point of contact for citizens and others with questions about water management.

Each of the Water Units has completed a **Comprehensive Assessment** of the surface and ground water and associated natural resources in its area. The assessment required 12-18 months to complete. The County suggested a common format for the assessment, and provided technical resources, including GIS expertise, to all Water Units to assist them in completing the assessments. The County developed a county-wide water and natural resources database to catalog the findings of the assessments.

Watershed Districts & Watershed Management Organizations in

Washington County

Option 2B-- Work Group Recommended Option



0 25000 Feet

The County worked with the Board of Water and Soil Resources to revise the schedule for the Second Generation watershed plans based on the implementation of the new governance structure. Each water unit has also completed the development of a **Comprehensive Watershed Management Plan**. The Plans include **Performance Standards** for water bodies in each unit. The County, cities and townships were active participants in development of the plans, and have subsequently adopted the watershed plans and performance standards into local comprehensive plans and land-use plans. The comprehensive assessments, identification of issues and problems, and development of the comprehensive plans were the activities most responsible for creating a sense of unity within the new Water Units in the county.

The Water Units are in various stages of implementing their plans. The staffing patterns among the units are varied. Each has hired an administrator; some have hired additional staff. Others have contracted with the Washington SWCD, other public organizations or private consultants to carry out some elements of their work. Current **functions** of the units include the following:

- Ongoing Planning Activities
- Special Studies/Research Projects
- Monitoring and Assessment
- Project Management and Implementation
- Public Education
- Citizen Participation

Some Water Units have established an area-wide **Citizen Advisory Committee** to advise the Board. Other units have established advisory committees in each major subwatershed units (such as the Carnelian-Marine subwatershed area). These groups hold an annual Water Management Forum and have regular meetings to identify water management issues and problems, assist the Board in prioritizing approaches to address the issues, direct public information/education efforts, and participate in management activities such as monitoring. The CAC's deal with local issues and forward recommendations to the Board, unless an emergency situation demands that the board make a quick decision. CAC's in each water unit have been shaped individually, based on the needs of the unit, within a mandate from the County to have an effective citizen involvement program.

The Water Units are currently purchasing some **legal services** in common through the County. Each has retained the option to hire its own defense counsel if needed, but many day to day questions about rules and policies are being answered through a common legal resource.

Some units have also chosen to contract with the Washington SWCD for water monitoring services and technical assistance to landowners and cities.

The County has worked with its Water Consortium to develop **common standards and approaches** for the following:

- Erosion control
- Management of land-locked basins
- Storm water pond standards
- Storm water infiltration
- Wetland and stream buffers

Water units and local government units have adopted these standards, and in a few cases have made the standards more stringent, based on the characteristics of particular resources. The County is beginning a next round of discussions to identify additional areas where common standards could be useful.

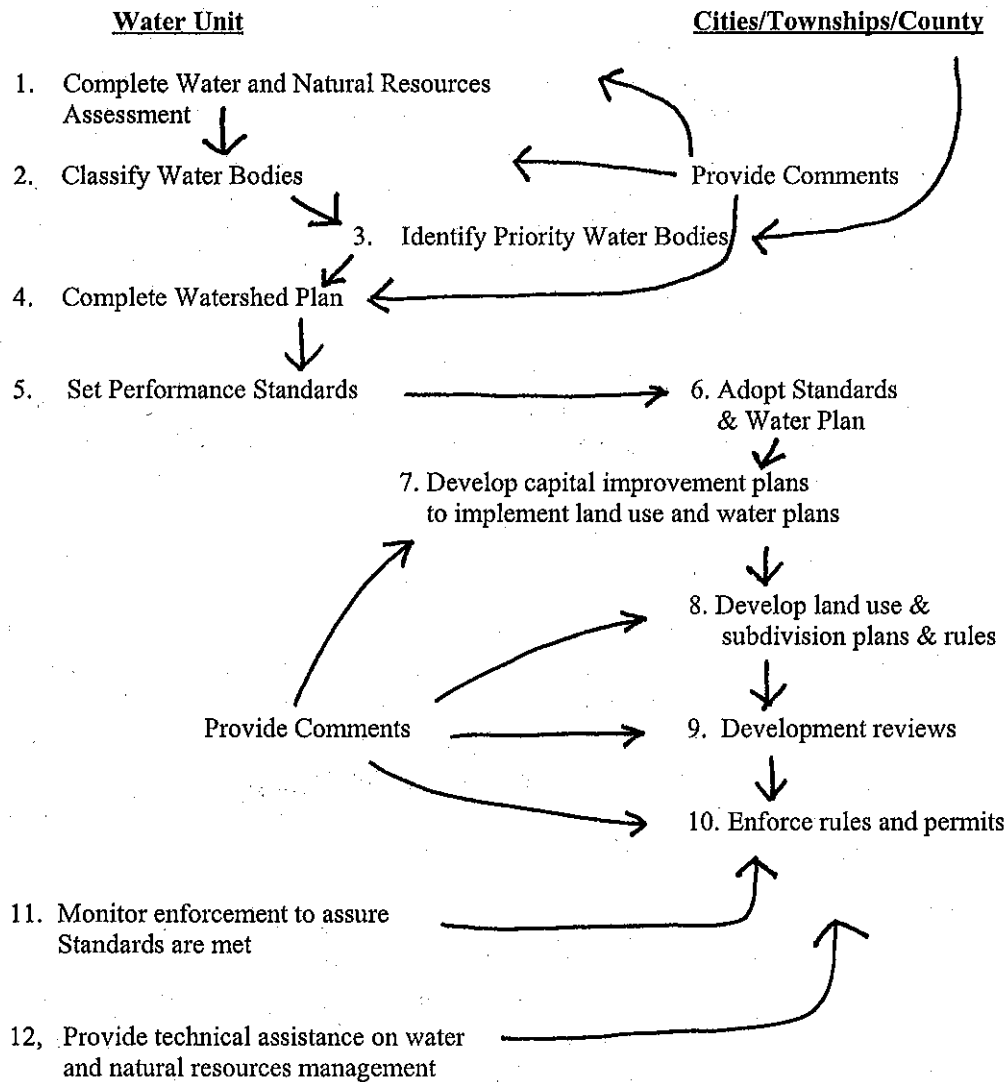
Coordination of Surface Water and Land Use Management

The graph attached outlines the relationship among water management and land use management organizations in the county.

Soon after the new Water Units were formed, the County coordinated a **county-wide inventory** of surface and ground water and natural resources with the new and existing Water Units in the county. While much of the inventory and resulting GIS database were completed in this county-wide effort, some of the water units chose to complete additional inventory work in particular areas. The inventory included an assessment of all surface and ground water resources as well as key upland resources. The County and Natural Resource Agencies provided considerable technical assistance early in the process to develop the performance standards, and assure some consistency in standards county-wide.

WASHINGTON COUNTY WATER GOVERNANCE STUDY

LAND USE/WATER MANAGEMENT COORDINATION MODEL



- Based on mutual agreement between water units and local units of government, Water units may enforce some rules. Permits will be provided from a single point of contact.

The Water Units used the inventory and assessment to **classify water bodies** in their areas, identify **priority water bodies and standards for these**, and complete Comprehensive Watershed Management Plans. Cities, Townships, and the County were actively involved in the classification and plan development activities. This level of involvement was new for many local governments, but proved to be very useful in helping staff and local officials to understand the water resources issues in their communities and relationships to land use and development. In turn, the Water Units and their boards have become much more aware of the range of issues and problems involved in land use management.

The Water Units worked with local governments in each area to **identify the priority water bodies** for planning and management. The Water Units set water quality goals (performance standards) for these priority resources. This process was difficult in some areas, and BWSR, and the County staff and Board were involved in mediating these discussions. Formal mediation services were needed to resolve differences in some areas. The priority water bodies and standards are identified in the Watershed Comprehensive Plans. After agreement was reached, the local governments incorporated water resource protection standards into their **official controls**, including Comprehensive Plans, Land Use Plans, and Zoning Ordinances.

Permitting is now solely the responsibility of the local government unit that has overall land use authority. The local authority will issue and enforce permits in most areas, though some are relying on the County. The County and one of the Water Units established a task force to address roles and coordination needs, particularly as they relate to enforcement issues. Some townships and cities have chosen to contract with the water units for administration of rules and enforcement.

The Water Units are beginning to set up **monitoring systems** to audit the success of existing regulations and local enforcement. There has been one legal challenge, in which a water unit questioned the effectiveness of the controls developed by the local government in protecting a resource of high concern. The County and a neighboring water unit with similar resource issues mediated the conflict to prevent a lawsuit. Water units provide ongoing technical assistance in managing water and related natural resources to local governments.

Ground Water

Washington County created a **ground-water consortium** with Ramsey and Anoka counties that met on a quarterly basis to share information and discuss issues of mutual concern. The surface Water Units from each county participated in these quarterly meetings, and in the projects that the group develops. County Ground Water staff served as a clearinghouse for information and technical assistance within the county. County staff maintain a ground water information phone line for citizens and others to use as an initial point of contact for information (of course by now Washington County has four area codes and may need another).

County Water Consortium

The discussions of the expanded ground water consortium led to the development of a **Washington County Water Consortium** involving all organizations managing surface and ground water. Members include each water management unit, cities and townships, county departments, the Washington SWCD, and natural resource agencies. The County provides staff services to the Consortium. A major work item for the consortium is the development of a State of the Water report for the County every five years that details the conditions and issues related to ground and surface waters. This helps to set the agenda for water management in the county for the next five years.

The consortium has developed common data bases, identified data needs, and is developing policy recommendations regarding ground and surface water and land use management. It has developed standards for storm water infiltration, and recommendations for land use management. The consortium develops a 5-year work plan that identifies priorities for action by the whole group or members within the group. Its members have written successful grant proposals to complete research studies and implementation projects, such as well-sealing and a land-locked basin study. The County has used this group as a sounding board for water issues and to assist with carrying out some of its water management role.

Financing

The Water Units are using a **full range of financing options** for water management, tailored to their individual conditions. The Water Units use the financing guidelines that were developed by the Work Group in determining the best financing method for their activities. The Water Consortium periodically updates these guidelines.

Each of the units uses an ad valorem tax to fund administrative costs. One or more financing methods, including ad valorem taxes assessed by subwatershed, storm water utility funds, and special assessments are used to fund projects with clearly-defined benefited properties. Several units have recently instituted a storm water utility fee to fund projects. One of the units is now experimenting with a flat \$5.00 water management fee (similar to the solid waste management fee) across the district. This has provided a great deal of funding flexibility, particularly for special studies or feasibility studies, and has met little taxpayer resistance. One water unit is considering establishment of a tax increment financing (TIF) district to fund a large project, though this funding mechanism has been opposed by local school districts and municipalities.

Each Water Unit develops an annual Capital Improvement Plan and budget. These are reviewed by the County Board and local governments, and are presented to the public at a Truth-in-Taxation hearing.

The County Board has lobbied successfully with other Metropolitan Counties to obtain the same funding allocation for water management from the State as outstate counties receive. The County uses these funds to provide common GIS services and data to Water Units, and to assist in funding projects and programs.

The County has also instituted a fund for open space and greenway acquisition. Water units as well as local governments are eligible to use these funds. County staff provide assistance to Water Unit administrators and boards in identifying and seeking other grants for water and natural resources management.

The Water Units in the County cooperate with the County Board to complete a report on The State of Ground and Surface Water in Washington County every five years. The report summarizes current conditions and trends, and is used by all units to set goals for the future.

III. Analysis of Conditions and Issues: the Need for a New Water Governance Structure

Eleven local organizations currently manage surface water in Washington County. (A map of the current organizational boundaries follows on the next page.) Four of these are multi-county organizations; seven are wholly within Washington County. The water unit areas vary from less than 20 square miles in size to 201 square miles. All organizations include more than one city and/or township; several include 3 or 4 communities.

The County, cities and townships, the Washington Soil and Water Conservation District (SWCD), and several state and federal agencies also have roles in surface water management. These organizations also have roles in ground water management. A chart included in the Appendix to this report summarizes the roles these organizations perform in surface and ground water management.

Several sources were consulted to create a picture of the current system of water governance in the County, and to identify key issues and concerns to be addressed by the Governance Study. Sources included the following:

- Focused interviews with "experts" on water management, including State Agency staff, State Legislator and staff, County organizations and staff, local government and water organization representatives. Most of these individuals were not members of the Work Group or Steering Committee, and so provided additional perspective to the study and issues analysis.
- A survey of Work Group members and Technical Advisors
- Completed studies of water management in Minnesota and other states, including state agency reports, County reports, and other research completed in recent years.

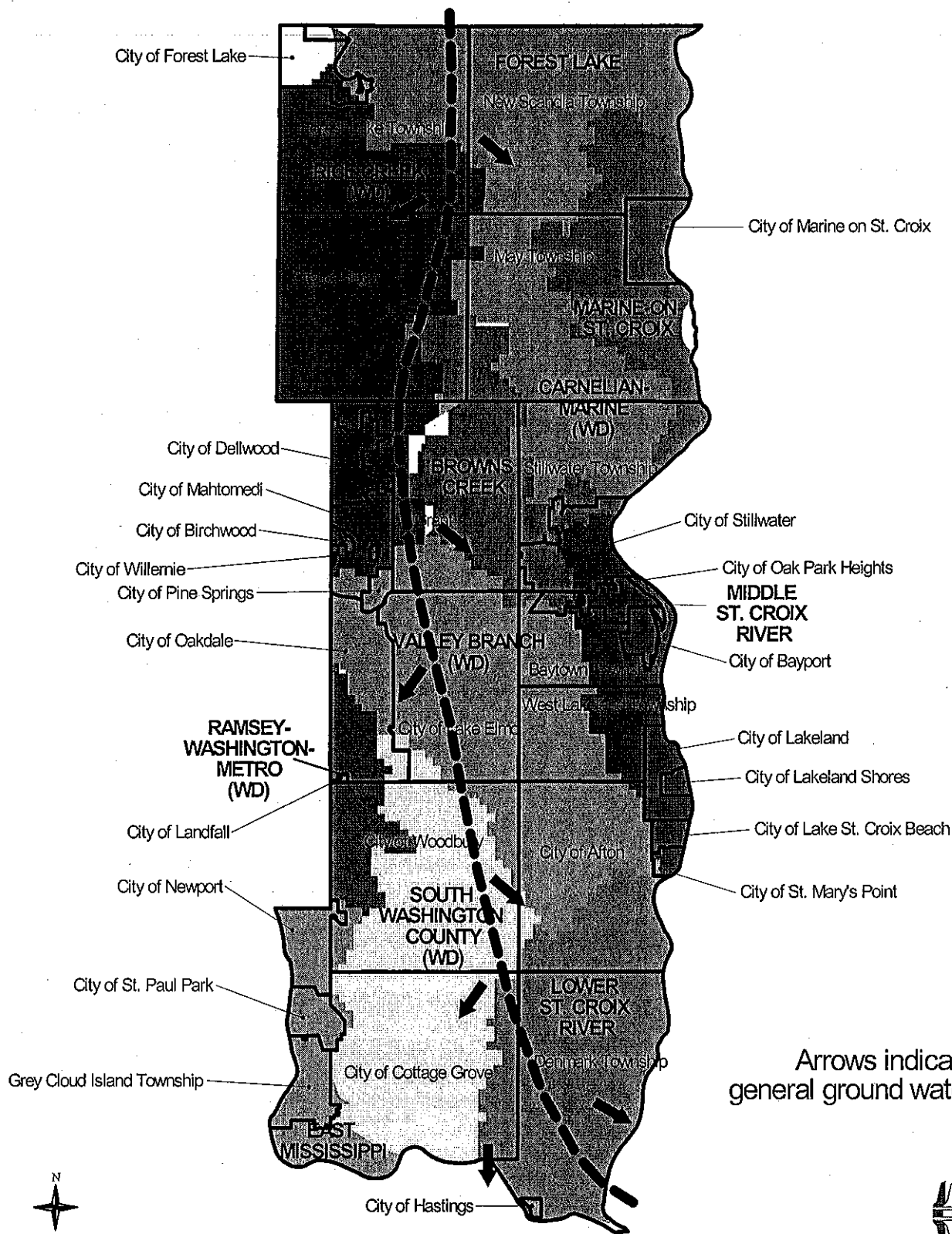
The issues and concerns reported by each of these sources were remarkably similar. The discussions identified structures and processes that are working well and not working well within the existing governance structure. The following summarizes the issues considered by the Work Group that formed the basis for developing recommendations for the new management structure:

County-Wide Issues

- Growth and land-use related issues are intensifying the focus on water management in Washington County.

- The public and agencies are demanding more comprehensive solutions to water and natural resources management, not limited to solving flooding problems.
- Some organizations are having difficulty adapting to these changing demands.
- Water management has often been "crisis" oriented. This fosters a single-issue focus and discourages a comprehensive approach to water management. When crises are solved, many organizations become inactive.
- Current financing mechanisms for water management are perceived as inequitable or unfair.
- Current funding for water management in the County is viewed by many as inadequate. Those organizations that are not contributing adequate funds for water management include the Joint-Powers WMO'S, undeveloped portions of the county, cities (that are members of Joint-Powers WMO's), and state agencies.
- JP-WMO's throughout the Metropolitan Area are experiencing problems similar to those identified in Washington County. All of the JP-WMO's in Scott and Carver Counties have been declared "non-implementing", and these counties have taken over their water management functions. Dakota County reports similar concerns related to JP-WMO's.
- Natural resources management and land-use management are not adequately coordinated with water management. These efforts should be coordinated with the greenways/natural areas planning efforts that are occurring in the County and the Metro Area.
- Ground water and surface water management are not adequately coordinated. Communications among organizations involved in managing these resources in the County are not adequate. Ground water roles among organizations working in the County are unclear.
- The numbers of local (Watershed District and WMO) and state organizations involved in water management are too large. This creates problems and inefficiencies.
- Many areas still lack a "watershed ethic"-a sense of common watershed management concerns upstream and downstream.
- The boundaries of water management organizations in the county contribute to problems in water management, administration, planning, implementation, and accountability.

Watershed Districts & Watershed Management Organizations in Washington County -- Existing



0 25000 Feet

Existing County Water Management Structure

Elements that work:

- Land use management
- Shoreland and floodplain regulation
- County Comprehensive Plan (exception: Natural resource elements need to be better communicated to local governments to be implemented)
- Staff have a high degree of knowledge about water, natural resources and land use
- Enforcement role

Elements that don't work:

- Current role in surface and ground water management is unclear.
- County has not given clear guidance to water management organizations and local governments on the goals and expectations for water and natural resources management in the county.
- Technical, legal and organization support for local governments and water organizations is not adequate
- There are unresolved water management issues between metro and non-metro counties.
- Too much focus on political (rather than natural resource) issues in planning and management activities
- County Board is uncomfortable resolving political issues in water management.

Watershed Districts

(Watershed districts are special purpose units of local government, created to manage surface water resources. Watershed District boards are appointed by the County Board. Six of the existing water management units in the county are Watershed Districts.)

Elements that work:

- Watershed district plans are adequate, and well-established districts have generally been effective in implementing plans. The capacity of newer watershed districts in these areas is unknown.
- Watershed districts have generally been effective in managing water quantity issues.
- Professional staff contributes to the effectiveness of watershed districts. They provide an identifiable point of contact for citizens, other local governments, and state agencies.

- Watershed districts have been able to raise funds successfully to support their operations and plan implementation.
- Use of natural resource (not political) boundaries are an asset for planning and goal-setting.
- Districts play valuable roles in supporting city decisions and resolving inter-community issues.

Elements that don't work:

- Districts need to expand their roles in water quality management and natural resources management
- To be more effective, Districts need more
 - Information and technical expertise
 - Clearer direction and responsibilities. More focus on the "big picture"
 - More accountability to local governments and citizens
- Watershed districts have difficulty dealing with development and land use issues.
- Success in monitoring the effectiveness of District actions is mixed.

Joint Powers Water Management Organizations (JP-WMO's)

(These organizations are formed through joint powers agreements among local governments. Their board members are appointed by local government members, and may include staff or elected officials. Five JP-W-N40's current govern water management in Washington County.)

Elements that work:

- JP-WMO structures are only effective when all members agree.

Elements that don't work:

- JP-WMO's are ineffective in managing water resources. This is a result of organizational structure.
- Members governments lack a common vision, and tend to be parochial.
- They have been ineffective in
 - Adopting adequate plans
 - Implementing plans
 - Working with other organizations
 - Monitoring actions

- Effectiveness is compromised by politics. Individual members don't want to "lose" politically or professionally
- These organizations lack the technical expertise needed to address complex water and natural resource management issues. Volunteer nature of Boards is a problem when they are unwilling to seek technical advice and assistance.
- These organizations may have the necessary authority and financial capacity to be effective, they don't use them.
- Most frequent comment: "Joint power is no power."

Cities and Townships

Elements that work:

- Cities with professional staff are effective in land-use planning and regulation. Integration with water management can be effective at this level.
- Cities implement most surface water regulation and projects in Washington County.
- Cities are typically responsible for resolving conflicts or differences in values among water management, land use, and other community issues. Other organizations (agencies, Watershed Districts, WMO'S, advocacy organizations) seem to have a narrow focus or set of values.

Elements that don't work:

- Focus for planning and management is on political boundaries, while water systems and management issues often cross these boundaries.
- Some communities lack a water resource that defines the community or is highly valued. These areas often have a low interest in water management.
- When requirements among WMO's or Watershed Districts vary greatly within a city or township, implementation is difficult.

Washington County Soil and Water Conservation District (SWCD)

(The Washington SWCD is a county-wide organization. It provides a variety of services to water management organizations, other units of government and private landowners. The organization is governed by an elected board, and is funded by county appropriation, state grants, and contracts for services.)

Elements that work:

- Technical assistance that SWCD staff provide to local governments and landowners
- SWCD works effectively with other organizations

Elements that don't work:

- The role of the SWCD in water management has become less clear as the County urbanizes.
- Roles and status of SWCD Board in relation to County Board is unclear.
- The SWCD has been more willing to play a role in technical assistance rather than in enforcement.

Natural Resource Agencies

Elements that work:

- BWSR works effectively with other organizations in managing water and related resources.

Elements that don't work:

- Agencies are not providing the technical information needed to develop solutions. Local organizations need "how to" not "can't do".
- Agencies have not given clear guidance to local organizations on their expectations for water and natural resources management.
- Agencies lack accountability. The large number of water resources agencies allows frequent "buck-passing". This slows review and decision-making processes, but does not add value or useful information.

Models and Trends from Other States

The participants in this study reviewed water governance structures and trends from other parts of the United States. The Board of Water and Soil Resources invited representatives from several states to provide presentations to their Board members on September 23, 1998, and invited the Work Group members from the Governance Study to participate. In addition, the consultant to the Governance Study completed interviews and a literature search to identify useful elements and ideas from other areas. State programs reviewed for the study included Florida, Nebraska, Wisconsin, California, New Jersey, Massachusetts, Washington, and Oregon.

A summary of major trends that was presented to the Work Group follows. Additional information on the state models reviewed by the Work Group is included in the Appendix.

- Most areas reviewed have recently **consolidated** local water management organizations into larger watershed or basin-size units. Boundaries are based on hydrologic unit boundaries. Units were sized to provide sufficient fiscal capacity and authority to successfully implement plans.
- In many cases, the water management organization is a **multipurpose organization** that is also responsible for management of associated natural resources.
- **Responsibilities** of most water governance units are similar to those authorized for watershed districts operating in the Twin Cities Metro Area.
- Most water management units use a **mixture of funding sources** similar to those used by watershed districts in Minnesota.
- **Coordination of land use management** with water resource management is still a problem in most areas. In all cases land use is managed by local governments. Wisconsin has co-located local watershed coordinators with county land use staff in some counties to improve coordination.

Bob Doppelt, of the Institute for Watershed and Community Health, Springfield, Oregon, recently completed a study of trends in watershed management, and an evaluation of watershed governance approaches. He provided a copy of his study to the Board of Water and Soil Resources and to the Water Governance study. Doppelt noted that his research has identified three major traits of successful water governance structures:

- Adoption of scientifically sound management goals to guide stewardship of water and natural resources, particularly those that are held in common, such as clean water, clean air, soils, fish and wildlife. Management goals are consistent across land ownership boundaries and administrative boundaries.
- Integrated economic and environmental objectives
- Effective and efficient delivery of services through the development of high-performance organizational structures.

Doppelt's research further notes that programs that are doing the best job of implementing these three components have some or all of the following characteristics:

- Establish clear vision and goals for the area
- Develop credible scientific analysis of baseline conditions and needs
- Establish measurable objectives
- Identify all priority issues and the elements that must be changed
- Emphasize devolving decision-making down to the most appropriate level, emphasizing local implementation, innovation and responsibility
- Federal, state and local entities develop integrated and coordinated management plans at the corresponding watershed level. (Recognizes that watersheds at various geographic levels are "nested" within each other).
- Establish clear, easy to understand, policy relevant scientific principles to guide all levels of management.
- Seek to align management goals within, and between, land ownership and management units.
- Develop an integrated process for coordinating budgets at the basin level.
- Clearly identify responsibility, and reverse the burden of responsibility to those that know their industry well.
- Use outcome or performance-based management systems.
- Use regulation only to establish baseline conditions and to regulate "free riders".
- Solve problems at their source.
- Develop public-private partnerships to solve problems.

IV. Goals and Measures of Success

In October, 1998, the Work Group began developing the framework for the new water management structure in Washington County. The Work Group agreed to a series of criteria, goals, and guiding principles for the new structure. These criteria and principles guided the work of subcommittees and the full Work Group during the remainder of the study process.

EVALUATION CRITERIA

Work Group Criteria for Geographic Structure

- Structure is based on hydrologic unit boundaries.
- Minimizes the number of water governing units for each city or township.
- Number of local governmental units is manageable for developing cooperative working relationships.
- Adequate fiscal capacity.
- Areas included within each unit have similar land uses and growth philosophies.
- Assures citizen involvement and access.

Overall Criteria for the Governance Structure

- Accountabilities are clear. Citizens, local governments or other should be able to easily identify one organization that has final responsibility for each water management function.
- The structure is efficient. It minimizes duplication and uses resources efficiently. Lines of communication and coordination are clear.
- Effectiveness. The structure can implement goals and plans.
- Politically feasible. Most of the affected entities and the County Board should support the proposed structure.
- Organizations have administrative and legal capacity to carry out assigned functions.
- Equity/fairness. The financial tools available make it possible to closely align those who pay for a project or service with those who benefit.
- Service capacity. Organizations should have the resources to provide the level of service prescribed in the recommendations.
- Comprehensive-addresses full range of issues identified for water governance.
- Long-term orientation rather than crisis orientation.

- Timeliness of response. The structure and responsible organizations should be able to respond quickly to problems.
- Visibility and accessibility. Citizens, local governments and others should know who to contact and easily reach someone who can deal with their concerns.

GOALS FOR THE WATER MANAGEMENT STRUCTURE

- Maintain or improve surface water quality. Set a measurable standard.
- Manage water quantities to control flooding.
- Manage natural resources to achieve healthy ecosystems.
- Manage ground water to achieve the best possible quality. Set a measurable standard.
- Integrate water management with land use management to meet goals for the condition of water resources and address problems at their source.

V. Proposed County Roles in Water Management

The County Board requested that the participants in the Water Governance Study specifically identify the role or roles that the County should play in the new water governance structure. Work Group members indicated that they do want the County to duplicate roles provided by state agencies or local organizations, but do see the need for the County to provide additional leadership and resources in some areas of the water governance system. The roles identified by the Work Group include the following:

Identify county-wide standards and needs

- The County should set minimum water resource and system standards. This could be a County Water Resource Ordinance that operates as a "fail safe." Local water organizations could have the option to set standards that are more stringent than county standards.
- The County should give a focused charge for water management to local water organizations.
- The County should identify common water management problems and coordinate approaches to address them (examples include flooding, erosion control, landlocked basins).

Provide specialized resources

- The County should assure that specialized staff and resources are available to local water organizations *when this will improve consistency in water governance across the county, reduce costs, or help local units of government to address the basic standards set by the County*. In some cases, these specialized resources may be best provided at the state level. The system should be developed to avoid duplication.
- The County should make some types of legal services available to all water units.
- The County should consider providing GIS services to local water units.
- The County should be available to assist in resolving disputes.

Provide Coordination

- The County should incorporate the results of natural resources assessments, performance standards, and county-wide water management standards in its comprehensive plan. These should also be incorporated in County land use regulations and enforcement activities as needed to meet identified standards.

- The County should assure coordination of ground water management. Overall coordination may need to be assigned to multi-county organizations with boundaries that follow ground watersheds. The County or local governments may implement ground water protection activities, as appropriate.
- The County should assure cross-boundary coordination with other counties and among water management organizations within the county.
- The County should coordinate common data and information, such as GIS and natural resource data.
- The County should complete a report on the State of Water in Washington County every five years, and work with water management organizations to identify and adopt goals and priorities for the next five years.
- The County should actively participate in the development of local water management plans. The County should work with local water units and local government units to adopt policies and official controls to meet the goals established in the plan.
- The County should coordinate the work of the County Water Consortium.

Appoint Local Boards

- The County should appoint local water management boards, based on standardized selection criteria and interviews. Board members would be accountable to the County Board (elected officials).

Provide Oversight

- The County should provide fiscal oversight to the local water units by develop a common reporting format and develop guidelines for water unit budgets. The County should review water unit budgets annually, and present its comments to the water unit boards and to the public at Truth-in-Taxation hearing.
- The County should suggest a common format for surface and ground water assessments. The County should coordinate the development of a county-wide inventory of these resources.

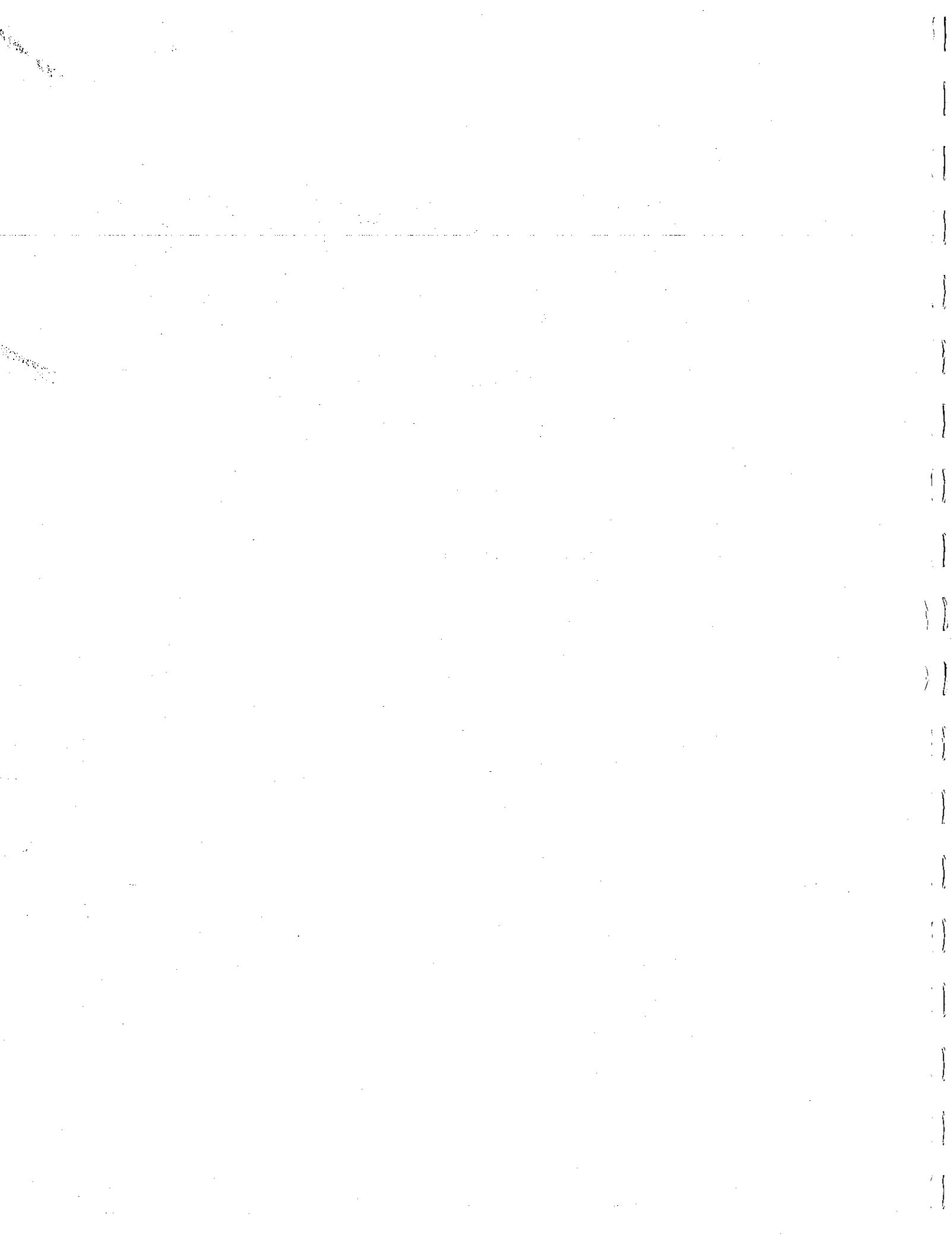
Washington SWCD

- The Washington SWCD should provide technical and planning assistance to local water organizations. The SWCD may assist local water units in identifying and applying for loans and grants to support their activities. The roles and structure of the SWCD will be further defined in the Implementation phase of the Water Governance Study.

VI. Subcommittee Recommendations

The sections that follow include the final reports of several subcommittees, including their recommendations regarding the new water governance structure for the County. These recommendations provide the rationale for the structure described in Section IV, and provide further detail about how the structure is intended to function. The recommendations will be developed further in the Implementation phase of the Water Governance Study.

- A. Boundaries Subcommittee**
Options 2 and 4 maps and rationale
- B. Organization Functions Subcommittee**
Memo and Functions Chart
- C. Land Use Subcommittee**
Memo
- D. Finance Subcommittee**
Memo and mechanisms chart
- E. Ground Water Subcommittee**



A. Boundaries Subcommittee—Summary of Recommendations

Members: Richard Caldecott, Carnelian-Marine Watershed District; Klayton Eckles, City of Stillwater; Jack Lavold, South Washington Watershed District; Rita O'Connell, MPCA; Jane Harper, Washington County; Sherri Buss, Project Consultant.

PURPOSE: The Subcommittee met to address the following questions, and develop recommendations for the full Work Group:

- What boundaries should govern water management in Washington County?
- Identify one or more boundary options, and rationale for each.
- Recommend a preferred option and provide a rationale for the recommendation.

PROBLEM STATEMENT: The Work Group noted that a large number of water management organizations (eleven) currently exist in Washington County. The small size of some organizations limits their fiscal capacity and effectiveness. A large number of organizations may mean duplication of services (i.e., each organizations does its own planning, administration, rule development, legal services, etc.). Work group members have previously agreed that the WMO organizational structure is generally ineffective, and boundaries as well as organizational structures should be changed to increase effectiveness. The Work Group has agreed that boundaries should follow hydrologic units.

1st Meeting: Subcommittee discussion of issues and initial recommendations:

- The Subcommittee reviewed the current configuration of water management boundaries in the County, and agreed that the number of local water organizations in Washington County should be reduced, based on the problems in the existing structure identified by the Work Group. The Subcommittee adopted the assumption that WMO's would be eliminated, and the future governance structures and their sizes would resemble Watershed Districts, based on the recommendations of the Organization Functions subcommittee.
- The Subcommittee reviewed information from the "Organizations" Subcommittee, detailing the comprehensive functions that local water organizations should provide, and that to provide this level of service, an annual administrative budget of \$200,000-\$300,000 should be assumed. Local water organizations should be large enough to have resources to support professional staff, particularly an administrator.

- The boundaries of the Rice Creek and Ramsey-Washington Metro Watershed Districts were left as the currently exist in most options, since the size and structure of these organizations meets the assumptions of the Work Group and subcommittees to date, and the majority of these districts is outside the County.
- Subcommittee members noted that new boundaries should try to minimize the number of local water organizations that cover a city or township. If possible, each city or township should be included in one or two local water organizations. This will help local governments and water organizations to work more closely together, and minimize the difficulties of local governments enforcing differing standards among several water organizations.
- A smaller number of local water management organizations will help to minimize boundary disputes.
- Boundaries should create water units that have similar land uses and growth philosophies where possible. Resulting units will probably have similar water management issues, and conflicts among communities of differing values will be minimized.
- It is critical for local water organizations to have local identity and ownership. Boundaries and structures should be developed to encourage citizen participation in water management decisions and activities.
If an option with large water organizations is chosen, the organization could establish citizen advisory groups for subwatershed areas, for example, the current Carnelian-Marine W.D. area could be a subwatershed advisory group under any of the options described below.
- Major ground watersheds are identified on the map showing existing water management boundaries in the county. These boundaries correspond best with the Multi-county Basin Option or the Washington County Unit Option.

RESULTS (RECOMMENDATIONS): The Subcommittee developed the following four options for water management boundaries in Washington County (illustrations attached):

Option 1: Multi-county Watershed Districts

Large multi-county watershed districts would be established, such as "Upper St. Croix", "Lower St. Croix", and "Mississippi River". Washington County would be part of two districts, one flowing to the St. Croix, and the other to the Mississippi River.

Advantages:

- Would facilitate large-scale planning that identifies problems and coordinates solutions at a basin scale. This may benefit water and natural resources by identifying problems close to the source, so that solutions can address problems rather than symptoms.
- Large scale allows maximum flexibility for prioritizing problems and solutions.
- Most cities and townships would have one local water organization to work with rather than two or more. Could improve consistency in surface water management.
- Large districts high fiscal capacity to fund water management projects
- Reduces duplication of functions such as planning, legal, etc.

Disadvantages:

- May lose local ownership and citizen participation.
- Difficult to implement. Washington County could not implement this option on its own; would require negotiation and support across multiple counties.
- Requires inter-county coordination to resolve water issues
- Each basin organization would need to work with a large number of local governments. Developing relationships and cooperation may be more challenging on a larger scale.
- Need sufficient staff and resources to deal with local problems and regulation in a timely manner. Local priorities may get lost, or may not be addressed because resources of the governing board are going into larger scale issues.
- Would need a strong system to ensure coordination with local land use authorities.

Option 2: Washington County as the Water Management Unit

This option would exclude areas currently included in the Rice Creek Watershed District and Ramsey-Washington Metro Watershed District. All other areas of the County would be included in a single Watershed District.

(The subcommittee also discussed an option for water management unit boundaries to coincide with the County boundary, but rejected this option based on the Work Group principle to follow hydrologic unit boundaries.)

Advantages:

- Reduces duplication of water management functions by reducing the number of organizations that are completing plans, setting rules, etc., and may therefore reduce costs.
- May make access point to the water management system more clear for consumers and local governments. May improve accountability.
- High fiscal capacity.
- Reduces number of local water organizations that govern each city or township to one. Common standards could apply across the county.
- Allows for easier coordination with County land use management, ground water management and other programs.
- Allows for setting common standards and regulations where appropriate throughout the county.
- Could be managed by existing county-wide organizations such as the County or SWCD, thereby reducing layers of bureaucracy.
- Could be managed by an organization run by elected officials, meaning more direct accountability.

Disadvantages:

- Need to carefully define water organization role and county role in water management to prevent confusion. Need to carefully define roles of water organization board and county board.
- May discourage local ownership/citizen participation.
- The management organization would need to develop relationships and cooperate with a large number of local government units.
- Large geographic area and number of issues may affect timeliness of decisions.

Option 3: Two Water Management Organizations Cover the County

Rice Creek Watershed District and Ramsey-Washington Metro Watershed District boundaries remain unchanged from current conditions. The County would be organized as a Northern Water Organization and a Southern Water Organization—the first located north of the Baytown Township line with West Lakeland Township, and the other south of this line. All of the Valley Branch W.D. would be included in the southern water organization. (Rather than use the township boundary, a hydrologic boundary in this area should be used to be consistent with Work Group recommendations.)

Advantages and Disadvantages:

Similar to #2, though confusion with County and County Board structures would be less likely.

Option 4: New North, Middle and South Washington County Units

Rice Creek and Ramsey-Washington Metro Watershed District Boundaries remain as existing. Remainder of the County is divided into three local water organizations:

- Northern area: includes Forest Lake and Marine on St. Croix WMO's, and Carnelian Marine and most of Brown's Creek Watershed District.
- Middle area: includes Valley Branch Watershed District, Middle St. Croix River WMO, and southern portion of current Brown's Creek district that will flow through McKusick Lake.
- Southern area: includes South Washington Watershed District, East Mississippi and Lower St. Croix River WMO's

Advantages:

- Units follow hydrologic boundaries so one organization deals with the source and the endpoint of water and management issues.
- Units are consolidated, which may reduce duplication in some functions and costs.
- Some cities have fewer water management units within their boundaries.
- Some units have similar geography, land use and growth philosophies.
- Increases fiscal capacity over current structure.
- Units may have more "local identify" than units in Option 1 or 2.
- Change to this structure may be easier to implement than Option 1 or 2.
- Builds on the strengths of existing water organizations.

Disadvantages:

- Fiscal capacity of some areas is not as large as option 1 or 2.
- More potential for duplication of efforts and costs than option 1 or 2.
- Little correspondence of ground water and surface water management units.

2nd Meeting: Discussion and Revised Options

The Boundaries Subcommittee reviewed the draft options and Work Group discussion. They discussed the following issues:

- At the request of one member, include an option that makes the County boundary the water management unit boundary.
- Eliminate Option #3, which had received little interest. It was replaced with a new option #1. This option simply reconfigures the current boundaries to combine the joint-powers WMO's with watershed districts.
- Review options for the Forest Lake WMO (NEWMO area). The Subcommittee recommended the following: 1) the portion of the watershed that flows to the St. Croix River become part of the "northern unit" options, and the remaining areas become part of a new Sunrise River Watershed District.

The four options that emerged from this meeting included the following:

Option 1: Reorganize WMO's

Advantages:

- Least change from the current system, so it may be the easiest to implement. This option primarily addresses County Board concerns related to the fiscal and organizational capacity of WMO's.
- Consolidates some units, so that some cities are included in fewer local water unit areas.
- Increases fiscal capacity over the current structure for some areas.
- Creates some units that have common land use and water management issues (such as the North Area).
- Units may have more "local identity" than under county or basin options

Disadvantages:

- Option uses political unit boundaries. Areas where water management problems are generated are separated from areas that are impacted. Reduces accountability and makes problems more difficult to solve.
- Some units have limited fiscal capacity.
- Limited correspondence of ground water and surface water management units.

Option 2: New North, Middle and South Units (same as #4 above)

Option 3: Washington County as Water Management Unit (same as #2 above)

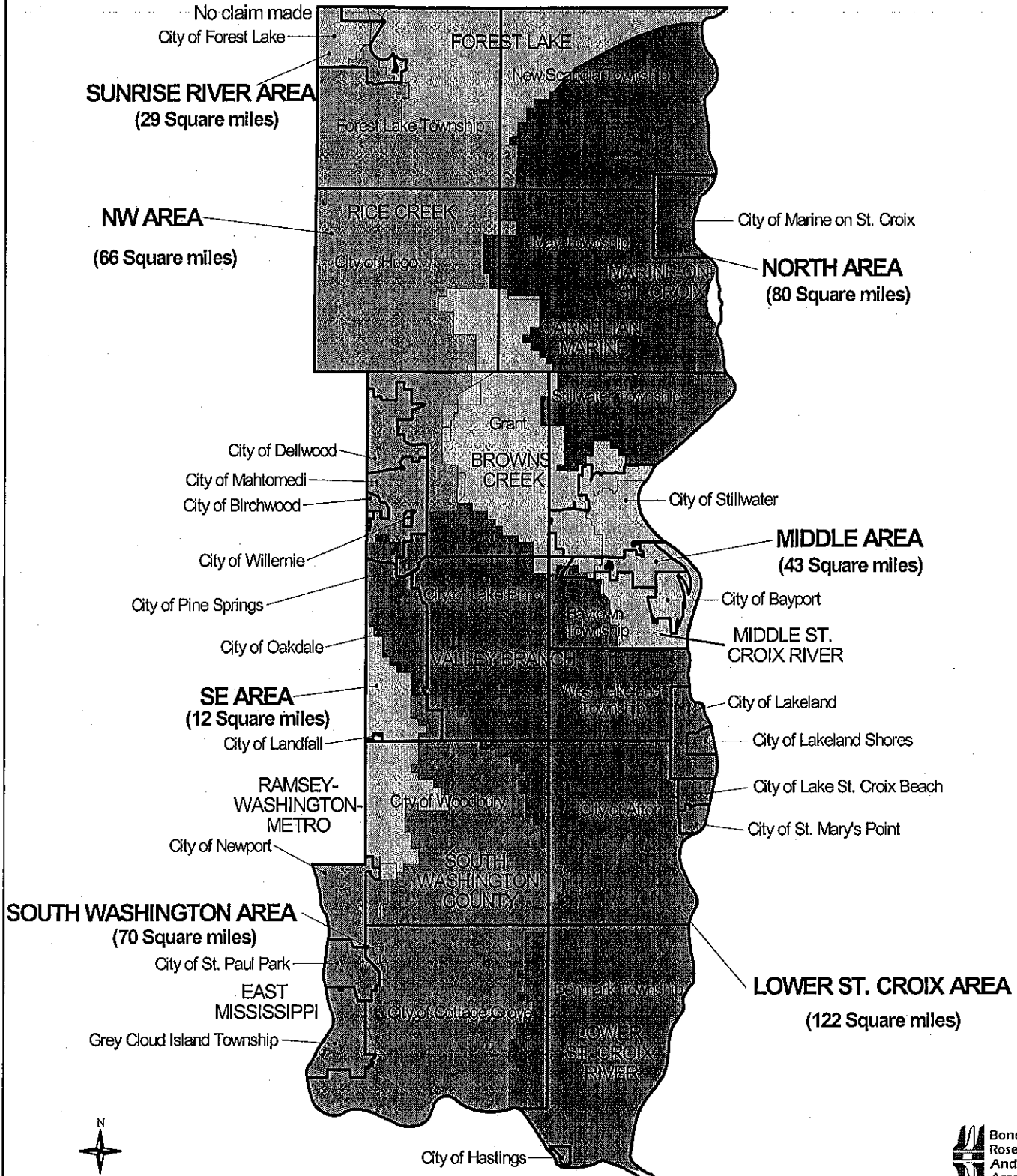
Option 4 St. Croix and Mississippi Basin Units (same as #1 above)

***Recommended Option by the Work Group: 2b (attached), a variation of the option with New North, Middle and South Units.**

Watershed Districts & Watershed Management Organizations in

Washington County

Option 1: Reorganize WMO's

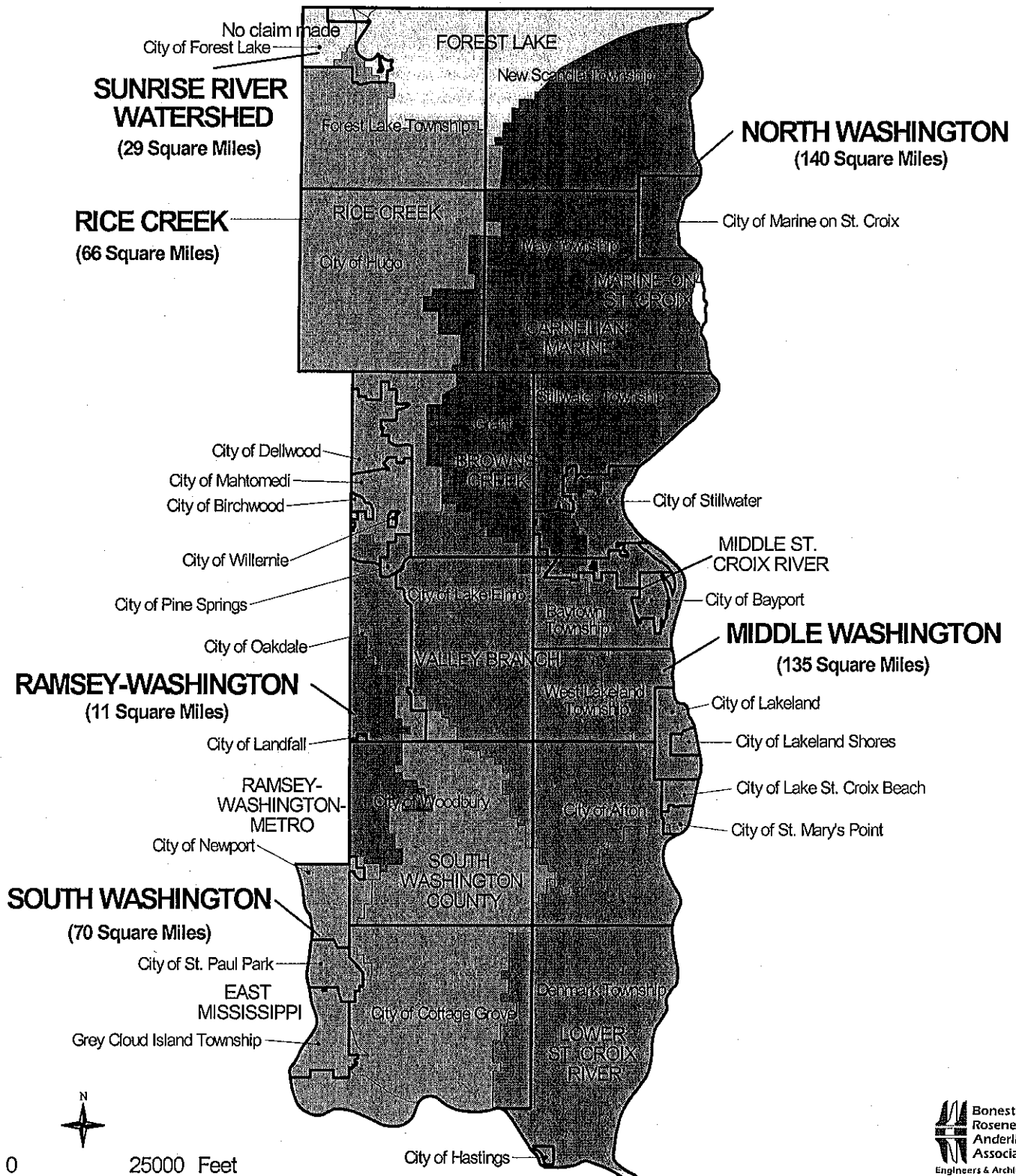




Watershed Districts & Watershed Management Organizations in

Washington County

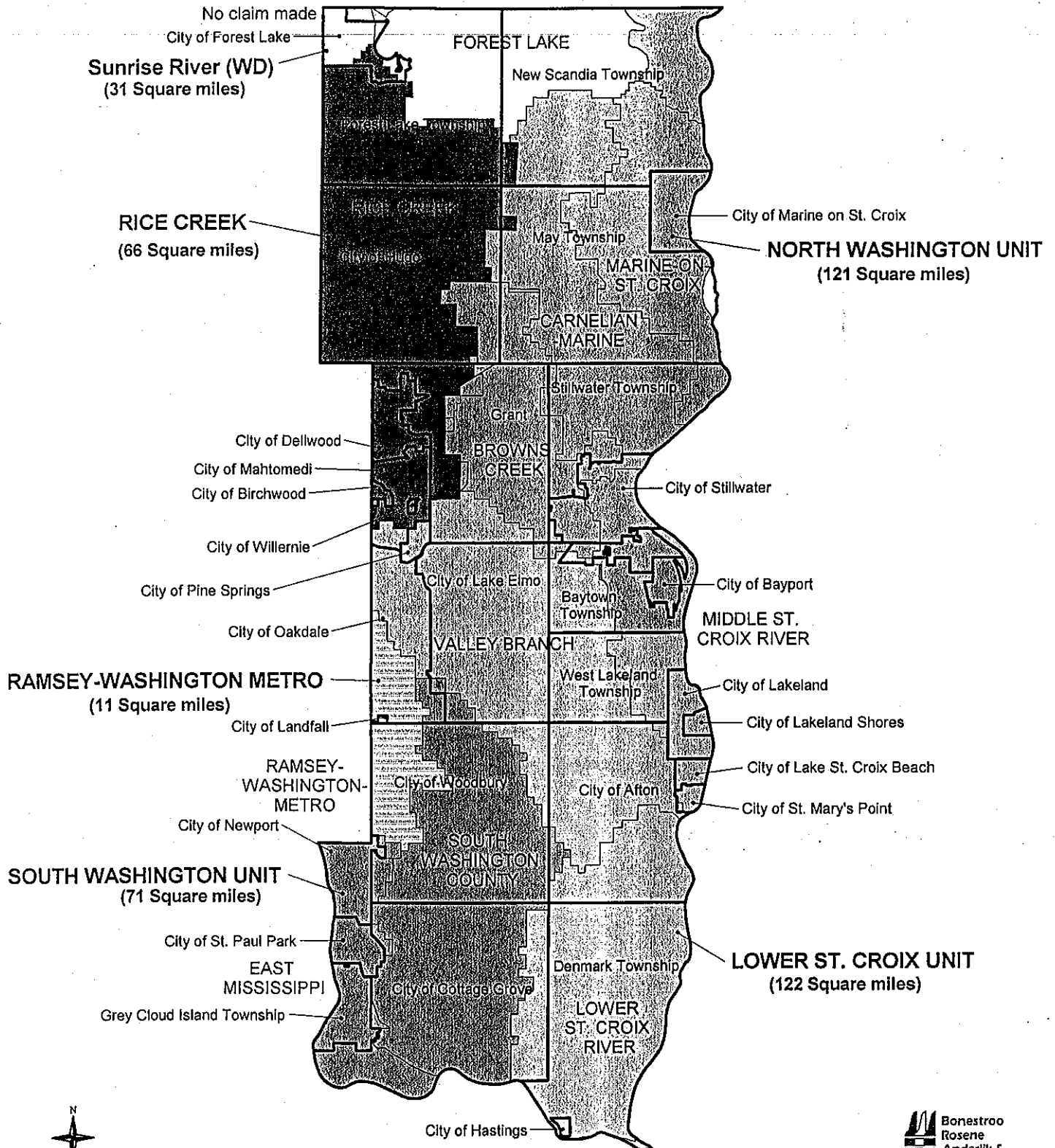
Option 2: North, Middle and South Districts



Watershed Districts & Watershed Management Organizations in

Washington County

Option 2B-- Work Group Recommended Option

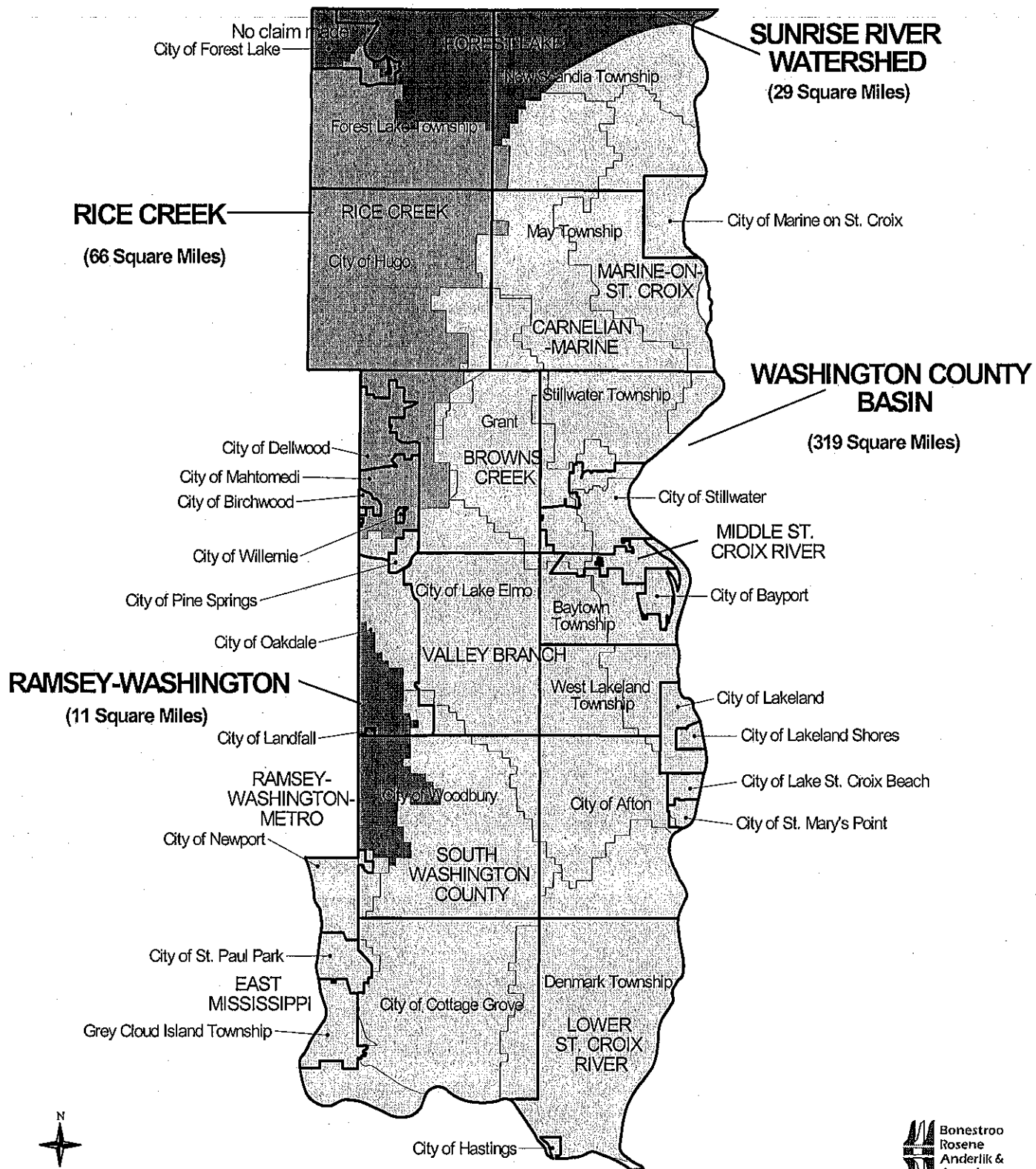


0 25000 Feet

Watershed Districts & Watershed Management Organizations in

Washington County

Option 3: Washington County District



**Water Organization Fiscal Capacity
Existing Boundaries and Four Options
Summary**

The charts below summarize the total tax capacity for existing water management organizations and watershed districts in Washington County, and the capacity of new organizational structures, based on the four options identified by the Boundaries Subcommittee. Additional information on typical administrative budgets and project costs and their impact on average price homes under each option will be provided at the Work Group meeting on January 7.

Existing Boundaries

<u>Organization</u>	<u>Total Taxing Capacity</u>
Browns Creek	\$ 8,221,511.
Browns Creek-Rice Creek*	23,719.
Carnelian-Marine	3,927,817.
East Mississippi	6,216,599.
East Miss.-Ramsey-Washington*	24,438.
Forest Lake	6,867,744.
Lower St. Croix	3,622,947.
Marine-on-St. Croix	2,990,886.
Middle St. Croix River	19,155,266.
Ramsey-Washington Metro (Wash. Co. only)	19,260,802.
Ramsey-Wash.-South Washington County*	202,586.
Rice Creek (Wash. Co. only)	16,597,480.
South Washington County	35,041,301.
Valley Branch	22,439,496.
Areas not claimed**	2,290,519.

*Boundaries are not clear

**Small areas throughout the county that have not been assigned to a local unit.

Option 1

<u>Organization</u>	<u>Total Tax Capacity</u>
Southeast Area	\$ 20,053,135
Northwest Area	\$ 16,597,480
North Area	\$ 7,620,344
Middle Area	\$ 23,745,172
Lower St. Croix Area	\$ 29,865,629
South Washington Area	\$ 40,692,591
Sunrise Area (Washington Co. portion)	\$ 8,938,760

***Option 2B (Work Group Preferred Option)**

Ramsey-Washington (in Washington County)	\$ 19,463,388
Rice Creek (in Washington County)	\$ 16,597,480
North Washington County Area	\$ 31,209,638
Middle Washington County Area (includes Lower St. Croix)	\$ 29,865,629
South Washington County Area	\$ 41,282,338
Sunrise River Watershed (in Washington County)	\$ 9,094,638

Option 2A

Ramsey-Washington (in Washington County)	\$ 19,463,388
Rice Creek (in Washington County)	\$ 16,597,480
North Washington	\$ 12,116,245
Middle St. Croix Cities Unit	\$ 22,896,579
Lower St. Croix	\$ 26,062,443
South Washington County	\$ 41,282,338
Sunrise River Watershed (in Washington County)	\$ 9,094,638

Option 3

Ramsey-Washington (in Washington County)	\$ 19,463,388
Rice Creek (in Washington County)	\$ 16,597,480
All other Washington County	\$102,513,483

Option 4

Mississippi Basin	\$ 77,343,206
St. Croix Basin	\$ 70,169,905

B. Water Organization Functions Subcommittee—Summary Report

Members: Craig Leiser, Brown's Creek Watershed District; Mark Doneux, Konrad Koosman, Washington SWCD; Judy Sventeck, Metropolitan Council; Phil Belfiori, BWSR; Kate Drewry, Rice Creek Watershed District; Sherri Buss, Project Consultant.

PURPOSE: The Subcommittee met to address the following questions, and develop recommendations for the full Work Group:

- What basic functions should each water organization in Washington County perform?
- Are there optional functions that each could provide?
- How does the basic set of functions relate to functions that other organizations involved in water management should perform?

PROBLEM STATEMENT: The functions that water management organizations and watershed districts provide vary greatly across the County. It is difficult for local governments, citizens, and others to know what to expect from water organizations. The public, agencies and others are demanding a more comprehensive approach to water and natural resources management, and that organizations be effective in identifying and solving water quality and quantity problems.

RESULTS (RECOMMENDATIONS): The subcommittee reviewed an analysis of current services provided by water management organizations in the county (August, 1998), discussed issues and service needs, and developed the following recommendations:

I. Basic Functions to be provided by Local Water Organizations:

Summary: Comprehensive assessment of water and associated natural resources

Comprehensive Watershed Management Plan

Special studies or research projects

Monitoring and assessment of water and associated resources

Set performance standards for local plans and regulations and technical assistance to meet standards

Regulations to assure compliance with performance standards. Includes drainage ditches and wetlands management

Project implementation

Taxation, budgeting and fiscal management

Public education

Citizen participation

Legal services

- *Complete a comprehensive assessment of water and associated natural resources within the watershed.* Compile this information in mapped and other formats so that it is available for use in planning and can be provided to others. The assessment should consider recreation as well as other resource qualities. The local water organization should receive ground water assessment information from a regional ground water planning organization, and incorporate this information in its watershed assessment.

Rationale: This information is critical for good planning and for developing performance standards (described below).

- *Complete a comprehensive watershed management plan.* The plan should be based on the natural resources assessment. Stakeholder input and citizen involvement in developing the plan are critical. The plan should include assessment of problems, issues and opportunities, goals and policies, and an implementation plan. The plan should address the fiscal capacity of the watershed to implement the plan.

Rationale: The work of the local water organization should be based on an adopted comprehensive plan. It should be grounded in the needs of the resource and stakeholders.

- *Complete special studies or research projects as needed.* These should follow from the resource assessment and comprehensive plan, and may include project feasibility studies, environmental assessments, etc.
- *Complete ongoing monitoring and assessment of water and associated resources.* This should include monitoring surface water quality and quantity, as well as monitoring of ground water resources that are related to surface water.

The Subcommittee noted that many organizations are currently involved in water monitoring in the County, and that monitoring information is not coordinated well to meet needs for resource assessment and planning. The Subcommittee suggested that each water organization should have a Technical Advisory Committee. One of the roles of this TAC should be to identify and coordinate the available water monitoring information in the watershed, and identify gaps and strategies to obtain the needed information. The TAC should also assure that the local water organization is meeting state or other standards for water resource data collection.

Rationale: Ongoing monitoring information is needed to develop plans and revise plans, and evaluate watershed management activities.

- *Set performance standards for local government land use plans and regulations, and provide technical assistance to local governments and landowners to help them meet these standards.* Local water organizations should set quantified goals (i.e. phosphorus levels, zinc levels, etc.) for priority water resources. These should be provided to city and township governments as a basis for land use planning. Local water organizations would be required to provide technical assistance to local governments to identify strategies to meet the goals through land-use planning, zoning regulations, and management practices.

Rationale: Land use management is the most important factor influencing water resource quality and quantity. Local water organizations need to influence land use management up-front to be effective, not just respond to land use decisions after-the-fact. Local water organizations should set specific standards based on actual resources conditions. Local governments can work from these standards to identify options to meet them that are appropriate to local conditions, values and needs.

Local water management organizations should not be allowed to set arbitrary standards and demand that local governments meet them; they should be required to participate with local governments and landowners in identifying workable, practical approaches to meet the resource standards. Local water management organizations need to develop good working relationships with local governments for this structure to work. Local water management organizations should use their monitoring activities to determine that performance standards are being met.

- *Develop regulations and implement them as needed to assure that performance standards are met.* This may include erosion control permits, shoreline and floodplain regulations, etc. This should include local regulations that protect ground water resources.

Subcommittee members noted that it is particularly critical for local water organizations to develop effective working relationships with developers, cities, and townships as they carry out their permitting and review functions.

Local water management organizations should have local management and regulatory authority for Drainage Ditches and Wetlands. They may delegate wetland authorities to Local Governmental Units, as they do under the current governance structure.

Rationale: Local water management plans will be meaningless unless local water organizations have effective controls for implementing the plans. Drainage ditches and wetlands should be managed as resources that are part of the watershed system.

- *Implement capital improvement projects that are identified in the comprehensive watershed management plan.*

Rationale: This function is needed to effectively implement the water management plan.

- *Have taxing authority necessary to finance watershed assessment, planning, plan implementation, and other required functions.*

Rationale: This function is needed to assure that the organization is effective in carrying out the basic functions of a local water organization.

- *Provide ongoing education on water resources issues and management to citizens, local governments, and other stakeholders.* This is a critical, day-to-day function of local water organizations. There are many resources available to help organizations to carry out this role, the organization needs to devote resources to assure that it carries out this role.
- *Provide necessary legal services.* Water organizations could purchase some of these services jointly to try to increase consistency and reduce costs. It may be possible for the County to provide some common services, though problems will arise if water organizations are involved in litigation with the county. Local organizations may want to retain the option to purchase services individually.

II. Optional Functions

- *Use GIS to collect, map and analyze water resource assessment and related data.* Subcommittee members indicated that it is highly desirable for local water organizations to use GIS to collect and analyze resource data, but not essential. Washington County may provide GIS services to water management organizations.

- *Natural resources assessment, planning and management.* Subcommittee members indicated that local water organizations should be responsible for assessment, planning and management for natural resources that are tied to water resources. However, responsibility for inventory and management of other upland resources should be an optional function of water organizations. These functions could be designated to the County or to Cities.

III. Organizational Size and Budget

- Subcommittee members indicated that each local water organization will need 4-5 full-time staff or equivalent to provide the “basic” service package described above. The annual budget for administration and related activities, plus office, equipment, etc., was estimated at \$300,000. Staff suggested include:
 Administrator (1 position)
 Technical assistance/outreach/education (1-2 positions)
 Monitoring/data management (1 position)
 Permitting/enforcement (1 position)

There should be some permanent, full-time staff (particularly an “administrator”) that are involved in development and implementation of the watershed plan, and in working with local governments and citizens on the day-to-day activities of the watershed, and assuring that questions are answered and work completed in a timely manner.

Rationale: Paid staff are required to assure that these basic services are provided by local water organizations. One or more permanent staff associated with the local water organization are needed to make effective connections and develop trust with stakeholders. Consistency is needed as the organization moves through the process from resource assessment to planning and to implementation. Staff are critical to provide this consistency.

IV. Regulatory Functions of Water Management Organizations

- Ideally, local governments (cities, townships) would enforce water management regulations, so that citizens, developers and others can easily identify a one-stop location for permits and regulations. However, cities or townships may contract with water management units to provide this function.
- Members noted that regulations exist at the federal, state, county and city level. Watershed districts may take on responsibilities for enforcing requirements under the federal NPDES permit system. The new management structure should not duplicate existing regulations.

The need for additional regulations will vary based on the local area and nature of water resources.

- Water units should seek the active involvement of cities and townships in development of the watershed plan and in coordinating this plan with local land use plans.
- Cities and townships should adopt the plan as their local water plan.
- Water units should audit or provide oversight to local government enforcement of the plan and rules.

V. Common County-Wide Standards for Water Governance

- Subcommittee members agreed that there are some areas where common, minimum standards should be developed across the County for managing water resources. (Some of these could probably be metro-wide standards. However, changes in state regulations would be required to give the Metro Council the authority to establish and enforce metro-wide standards.)
- Subcommittee members recommended that the County lead an effort to identify common standards in the following areas:

Erosion control

Minimum standards for storm water ponds

Wetlands management

Land-locked basins

Vegetated buffers for water resources

- Members suggested that County ordinances should be consistent with these standards.
- The County could create model ordinances for these issues to avoid duplication of effort by water and local government units.
- The County should use existing federal and state standards and guidelines in developing these standards as much as possible.
- County standards would be minimums. Local units could have higher standards if needed based on water resource conditions.
- Standards should be performance-based.

VI. Elected vs. Appointed Local Water Unit Board Members

The full Work Group will make the recommendation on this issue. Subcommittee members listed the following advantages and disadvantages to assist in that discussion:

Advantages of Appointment:

- Members can be selected based on qualifications and expertise. Water unit board members are required to understand highly technical material. Having technical and scientific expertise on the Board is an advantage.

- Board members can be replaced by the County Board if they are not performing adequately. A lengthy recall process is not required.
- Board members can be held accountable to taxpayers through the County Commissioners.
- Board members can have a “watershed” viewpoint, rather than representing particular local interests.
- Board members can be a-political. Sometimes this is needed to represent the interests of the resource.
- Board members do not need to campaign. This would be especially difficult if elections were on a water unit-wide basis.
- Voter turnout for special elections is typically low. There is not much real public input into the selection of board members.

Advantages of Election of Water Unit Board Members

- Citizen input can be more direct.
- If water units can tax, Board Members should be elected.
- Election may better balance the interests and values of the residents of the water unit.
- County Board Members may find the politics of removing water unit board members difficult. Recall represents an alternative.

VII. Role of the SWCD in the new Water Governance Structure

- A member suggested that the Work Group review the Nebraska model for Natural Resource Districts as the ultimate model for integrating surface water and natural resource governance in Washington County. Under this model, the SWCD’s surface water management activities would be merged with those of local water units into the NRD units.
- SWCD representatives indicated that they are concerned about being viewed as an “agriculture” agency. They have been involved in water management, particularly with the joint-powers WMO’s, for nearly 20 years.
- Members noted that the Work Group has the option to “start from a blank slate” in creating the new governance structure. Concerns were expressed that the group is not thinking broadly enough or willing to recommend major changes.
- The group needs to look at the process for how the existing structure will move to a new structure.

VIII. Phased Approach to Implementation of a New Governance Structure

The Subcommittee considered possibilities for a phased approach to adopting a new water governance structure in the County. They suggested the following:

Phase I:

WMO's are combined into larger units with Watershed Districts. The Washington SWCD surface water management functions are merged into these units, or the SWCD continues to provide county-wide functions, such as water monitoring and resource inventories, while the water units develop the set of functions identified earlier by the subcommittee.

Phase II:

The success of the governance structure is evaluated after approximately 10 years. If it has not solved the problems identified, and these problems are occurring on a metro-wide basis, the County should recommend that a water governance study be completed on a metro scale to examine options for larger basin-side units, or other governance options.

Watershed Organization Summary

Organization Functions (Draft)

Functions	Local Organizations					
	New Water Unit	County	SWCD	LGU's, (Cities, Twnshps)	State Agencies	Regional
L=Leads						
C=Collaborates						
S=Sets Standards						
E=Enforces						
Comprehensive Assessment						
Water resources	L	C	C	C	S	S
Natural resources	L	S	C	C	S	C
Management Plans						
Comprehensive	L	C/S	C	C	C/S	C
Subwatershed	L	C/S	C	C	C/S	C
Local (Land Use, Development)	C/S	C	C	L	C/S	C/S
Lake plans	L	C	C	C/E	C/E	C
Wetlands	L	C	C	C/E	C/E	C
Natural resources	L	C	C	C/E	C/E	C
Ground Water	C	L	C	C/E	S	L
Special Studies / Research Projects- ROLES WILL BE ISSUE SPECIFIC						
Project feasibility						
Data collection						
Mapping/GIS	C	L	C	C	C	L/S
Hydrology						
Environmental assessments						
Ditches						
Other						
Monitoring- Groundwater	C	C	C	C	S	L

Quality-Surface Water	L	C/S	C	C	S	C
Quantity-Surface Water	L	C/S	C	C	S	C
Natural resources	L	C/S	C	C	S	C
Performance Standards for local plans and regulations (Development of Standards)	L	S-some	C	C	S-overall	C
Technical Assistance- Depends on Issue						
Citizens	L	C	C	L	C	C
Local governments	L	C	C	L	C	C
Other						
	Local Organizations					
		County as E on behalf of Twnshps				
Regulations-ENFORCEMENT						
Storm water management	L/S	E/S	C	E	C	C
Erosion control	L/S	E/S	C	E	C	C
Shoreline and streambank alterations	L/S	E	C	E	C	C
Stream and lake crossings	L/S	E	C	E	C/E	C
Floodplain and drainage alterations	L/S	E	C	E	C/S	C
Grading	L/S	E/S	C	E	C	C
Landlocked basin standards	L/S	E/S	C	E	C	C
Wetlands	L/S	E/S	C	E	C/S	C
Drainage ditches	L/S	E/S	C	E	C/S	C
Water quality	L/S	E/S	C	E	C/S	C
Other						
Permit Program						
General construction	S/C			E/L		
Storm water	S/C			E/L		
Wetlands	S/C			E/L	S	
Non-point source pollution control	S/C			E/L	S	
Other						
Development Plan Review	S/C			L	S	
Local Water Plan Review	C	C	C	L	S	C
Local Comp. Plan Review/Comment	C	C/S	C	L	C	S
Water Quantity Project Implementation	L			L		

Flood reduction	L			L		
Outlet controls	L			L		
Water diversion	L			L		
Other						
Water Quality Project Implementation						
Purple loosestrife	L			L	S/C	
Milfoil	L			L	S/C	
Other noxious weeds	L			L	S/C	
Abandoned well sealing	L			L	S/C	
Erosion control	L	S		L	S	
Other						
Habitat Improvement Project Implementation						
Lakeshore revegetation	L	C	C	L	C	C
Habitat improvement	L	C	C	L	C/S	
Lake restoration	L	C	C	L	C/S	
Wetland restoration	L	C	C	L	C/S	
Other						
Public Education	L	C	C	L	C	C
Citizen Participation	L	C	C	L	C	C

C. Natural Resources/Land Use Coordination Subcommittee

Members: Phil Belfiori, BWSR; Louise Bergeron, Marine on St. Croix WMO,- Jane Harper, Washington County; Steve Kernik, City of Woodbury; Molly Shodeen, DNR; John Waller, District I

NATURAL RESOURCES INVENTORY

The subcommittee reaffirmed its support of a countywide natural resources inventory. A natural resources inventory allows for much better land use planning, because the planners then have information about the value of the resource in relation to the rest of the watershed. The inventory would provide information on the amount of the resource that exists in the watershed, the quality of the resource compared to other areas of the watershed, etc. This type of information is not always available when natural resource inventories are done on a site by site basis, as development occurs.

Although the inventory should be done Countywide, the subcommittee felt it would not have to be done by the County, nor would it have to be done all at one time. Each watershed organization could do there own inventory, or possibly each city or township could do an inventory. The County should set the minimum standard for a natural resource inventory, to make sure that the various inventories can be meshed to provide a larger picture of existing conditions. The inventory should cover upland areas, as well as water resources, since these areas often perform important functions in the watershed. The water resource portion of the inventory should also include an assessment of the condition of the water resources.

LAND USE PLANNING PROCESS

The key goal is to get water resource issues and concerns included in the land use planning process. There presently seems to be a 'disconnect' between these two areas. The committee agreed that water resource issues should be considered a part of the land use planning process, rather than land use planning being considered a part of the water resource planning process. The rationale for this is that by its very nature land use planning has to consider many different things, such as economic development needs, affordable housing, infrastructure costs, etc. Natural resource and water resource protection is yet another aspect that must be considered in land use planning. Water resource planning, however, should not "drive" the land use planning.

The committee believes that land use planning should continue to be done on the local level. The key to eliminating the present "disconnect" is to involve the local land use authority in designating priority water bodies and natural areas. The watershed organization and the local land use authority would agree upon which water bodies would be classified as high priority water bodies, taking into consideration all the parameters that must be considered in land use planning.

These high priority areas would then be identified on the local land use plan, and the local authority would then designate appropriate land uses for tributary areas. In some cases, because of other considerations, high quality natural resources may not be designated as priority areas. Conversely, a lower quality area might be designated for higher protection, if it fits better with future plans for the area.

Inevitably, there will be disputes between a water organization and a local government over what is classified as a priority area. The committee suggested mediation as one possible way to resolve disputes. The County could be a partner in any mediation session.

ENFORCEMENT AND PERMITTING

After the priority areas are identified and agreed upon, the local authority would then incorporate the water resource protection standards into their official controls, in the form of the Land Use Plan, City Code, or the Zoning Ordinance. These documents would reference the natural resources inventory, and would include the water quality standards for designated water bodies, and enforcement mechanisms. With the standards in the official controls of the local authority, any failure to enforce the standards could be legally challenged by anyone.

Permitting would be the responsibility of the local authority. Ideally, the local authority would issue and enforce the permits. The most efficient method would be to have the water organization make comments during the local authority's review process, thereby eliminating the need for permit applicants to get two permits. In cases where there is insufficient staff at the local level to do this, however, the local authority would be allowed to transfer the actual permitting to another agency, such as the water organization. Even if the task of permitting were transferred, the local authority would still retain the responsibility to make sure that their local ordinance was being enforced.

EXAMPLE PROCESS

A close approximation of the proposed process is taking place in the Valley Creek Watershed District, in the Valley Creek sub-drainage district. Valley Creek is one of the few remaining naturally reproducing trout streams in the metro area. The trout stream watershed includes portions of the cities of Woodbury and Afton. The DNR has been coordinating an advisory committee made up of citizens, city staff, and members of the city councils and planning commissions. The advisory committee is developing recommendations for what would be necessary to preserve the trout stream.

Both Woodbury and Afton are updating their comprehensive plans at this time. The cities of Woodbury and Afton are incorporating the information provided by the advisory committee into their comprehensive plans. Woodbury will likely alter its current land use plan in some areas to protect the trout stream, and both cities will likely adopt an overlay-zoning district with different requirements for storm water management in the trout stream watershed.

SUMMARY OF PROPOSED ROLES

Water Management Organization

- Develop Natural Resource Inventory for the watershed.
- Classify water bodies and other natural resources in conjunction with the local authority.
- Provide comments on local permit applications.
- Assist local authority in developing official controls.
- Insure local enforcement of local ordinances.
- Issue permits and enforce local ordinances, if requested by the local authority.

County

- Set minimum standards for Natural Resources Inventories.
- Set minimum standards for protection for various classifications of water bodies.
- Participate in mediation sessions between water organizations and local authorities.

Townships and Cities

- Participate in classifying water bodies and natural areas.
- Adopt local official controls providing adequate protection for the identified areas.
- Develop land use plans, which work with the identified water bodies and natural areas.
- Issue permits, or contract with another agency for this service.
- Insure that local controls are enforced.

D. Finance Subcommittee Recommendations and Comments

Members: Barb Cobb, Doug Thomas, Cliff Aichinger, Cheryl Kohls, Jane Harper

Special Assessments are based on 'benefit' and must show a direct increase in value or use for property. Difficult to use on large area projects, but may be applicable for smaller local projects such as lake flood prevention for shore homes and property.

Ad valorem taxes most commonly used presently. Best method to cover administrative expenses " bookkeeping, non-project related studies. etc.) Allows you to "bank roll".

Stormwater Utility is probably the most equitable and you don't have to prove benefit. Washington County has many different and diverse land uses. Utility is probably more saleable.

Guideline: If the cost to calculate contribution is higher than cost of the project. Stormwater Utility obviously doesn't make sense. Modeling and GIS data can help with this. Initially you will spend a lot of time on appeals, but over time this usually passes.

Connection Fees, Area Charges, Utility Fees - Who collects and how? (Add to property tax statement through county or city?) Have to make sure not duplication with cities.

Ad Valorem vs. Stormwater Utility Fees for Projects: "It will be a project anyway. It's just a matter of which way to pay". Discussion that examples need to generated with a project in various parts of county to determine whether or not one method is more or less expensive to the taxpayer.

One advantage of Stormwater Utility - Concept of reducing fees based on best management practices. Example: Developer puts a larger pond than required near a parking lot. There are mechanisms to credit for this.

State Contribution in Outstate Minnesota Watersheds - not significant amount of money - roughly \$30,000. Initially started to help them get their plans done. However, once they are completed, the money continues to come. Need to investigate ways to increase base funding for metropolitan area. One way to do this is to show that Washington County is a major holder of state significant resources: borders St. Croix and Mississippi Rivers, trout streams, groundwater issues and leachable soils, quickest developing. Funding *should be based on the percent of the dollar value of the area you are protecting*.

Question then becomes: "Should the state money go to the county or directly to water organizations?"

Need to investigate further potential funding sources for studies, operation and maintenance of facilities. Impact fees were discussed but presently not legal. *Should they be?* This would be similar to cities' park dedication - "If you build you will either give land or money toward park funds". This would be the Water Management Fee philosophy.

There needs to be a better effort toward collaborative funding between cities, county, water organizations, state agencies. etc.

Finance Subcommittee Recommendations and Comments

Grant money from foundations takes a long time to get and is a lot of work involved in applying. Grant writing is an art and not every administrator can do it. *Is this something that the Soil and Water Conservation District can help with?* Could they be the agency that searches for and applies for grants for every water organization in the county?

The state and Met Council should create an "*Innovative Technologies Fund*" for water organizations that are doing new and cutting edge studies. A lot of money is spent collecting data and researching, then neighbors find out and money and time is spent sharing what was learned, while they didn't have to spend anything. Example: SWWD is doing an infiltration study that many other organizations are interested in. What is learned is to the benefit of the greater metro area and state. Shouldn't they pay for at least a portion of it?

Fiscal oversight and accountability should go to the County Board. This takes care of the "taxation with representation" issue.

Water organizations should be encouraged to put together budgets and financial data in common formats so that they may be compared across the county.

Washington County Water Governance Study
Finance Subcommittee
Meeting Summary – February 1, 1999

Present: Barb Cobb; Doug Thomas; Cliff Eichinger; Cheryl Kohls; Jane Harper
 Summary by: Cheryl Kohls

FINANCING OPTIONS CHART

	PROS	CONS
SPECIAL ASSESSMENTS	Use only if project would permit establishment of special benefit to individual parcels.	Need to prove benefit to each parcel. Deemed least feasible for projects to serve a broad area. Anticipated to be used for isolated projects.
AD VALOREM TAXES	Simplest method. Simply spreads the cost out equally based on the tax classification and value of the property. Least expensive to administer.	Based solely on the tax classification and value and the tax paid is not related to the runoff generated.
STORM WATER UTILITY FEE	Fee based on runoff generated. Provides greatest flexibility for funding methods related to runoff.	More administration to create a storm water utility and for collection of funds.
SUBWATERSHED	Costs are borne by generators of runoff. Can be used with ad valorem taxes. Adds flexibility.	More administrative time to create the subwatershed districts. Question of how the subwatershed will be defined.
CONNECTION FEES AREA CHARGES	Reasonable charge would be collected from new development that would reduce charges to existing properties.	Watersheds do not have authority to collect. Presently requires joint powers agreement. Possible challenge to fees.
* Copied from South Washington Watershed District document.		
NEW WATER MANAGEMENT FEE (FLAT FEE)	Setting a flat fee for all residents and properties (similar to Solid Waste Fee). Easy to administer. Recognizes that water is everyone's resource.	
TAX INCREMENT FINANCING (TIF)	Minimizes tax impact on existing properties.	Very complex. Loss of tax revenue on schools and municipalities.

FINANCING METHODS FOR WATER MANAGEMENT							
K + Fair ++ Good +++ Very Good E - Not Good NR Not Recommended Y			OPTION				
FUNDING APPROACH	ADMINISTRATION	PROJECTS	1 SEVEN DISTRICTS	2 SIX DISTRICTS	3 WHOLE COUNTRY	4 MULTI- COUNTY	
AD VALOREM	Best for base funding. Not size dependent.	The smaller the better.	+++ ++	+++ ++	+++ ++	+++ ++	Administration Projects
STORM WATER UTILITY	Not recommended.	Useful multi-zone areas, more admin time involved.	NR ++	NR ++	NR +	NR -	Administration Projects
WATER MGT. FLAT FEE	Good for administration. The larger the better.	Not recommended.	+ NR	+ NR	++ NR	- NR	Administration Projects
SPECIAL ASSESSMENT	Not recommended.	Good for clearly defined benefited property.	NR ++	NR ++	NR +	NR -	Administration Projects
COUNTY FUNDING	Within county boundary. The larger the better.	Limited use, limited opportunity.	+ -	+ -	+++ +	+ +	Administration Projects
STATE & METRO FUNDING	For base funding. The larger the better	Grant collaboration.	- -	- -	+ +	+ +++	Administration Projects
TAX INCREMENT FINANCING (TIF)			NR +	NR +	NR +	NR +	Administration Projects

E. Groundwater Subcommittee

Members: Pat Bloomgren, MDH; Jane Harper, Washington County Administration; Roger Lake, Ramsey-Washington WD; Chris Thornton, Washington County Physical Development & Transportation; John Waller, citizen; Cindy Weckwerth, Washington County PH & Environment

Q1. Please discuss whether a multi-county level organization that follows groundwater-shed boundaries is needed to coordinate groundwater management. Provide a recommendation on whether such an organization should be established, and a rationale (pros & cons) for your recommendation.

The group struggled to find a clear purpose for this level of organization. The subcommittee thinks it is premature to suggest another formal layer of government, even if it is non-regulatory. There is also concern about equal representation within such a group. The subcommittee contends the key is to focus on information sharing between SW and GW organizations and to improve what is already in place at the county level. Creation of a loosely affiliated information-sharing group, similar to MAGWA (Metro Area Groundwater Alliance) but on a more local scale, is desirable. It may be beneficial to form a multi-county affiliation on an issue by issue, or project by project basis - where the impacts cross county boundaries.

Q2. If groundwater continues to be primarily managed by the county, how would effective coordination occur with water organizations that are not organized by county boundaries.

Again, the subcommittee supports creation of an information-sharing group that includes SW and GW players; this would include the agencies that are not organized by county boundaries if they are stakeholders. Efforts should be put into enhancing current organizations such as encouraging staff of water management organizations to be members of and actively participate in the ground-water associations, and encourage more WD to participate in MAGWA, particularly districts whose groundwater issues are a high priority.

Q3. If a multi-county groundwater organization is created, are there additional opportunities for state and federal funds to support the organization and groundwater management activities? What financing mechanisms should support groundwater management? Are changes needed from the current system?

It was the consensus of the subgroup that funding is more often available for projects, rather than organizations. Possible funding sources include the LCMR, DNR Block grants, BWSR Challenge grants, and from the Met Council. Surface water organizations may have funding available for joint SW/GW activities.

Q4. Please describe the typical path a citizen or local government with a groundwater question would follow to get an answer or get a problem solved, and evaluate whether this path is effective and efficient.

The attached graphics were created several years ago to describe the citizen's path vs the ideal. At that time, the County Board authorized the Public Health and Environment Dept to act as the "point of contact" with regards to groundwater issues. The County needs to continue to improve its format as the "routing center" and obtain a higher profile and a better understanding of the role of SW agencies for referral. The system is still fragmented.

Q5. Please identify the changes you are recommending from the existing water management structure, and why.

The subcommittee recommends focusing on the County as retaining the clearinghouse function, and to work more with SW organizations to ensure they operate with a "groundwater conscience." This is an opportunity for better coordination. The idea is to 'inventory and improve what is in place.'

Q6. Please indicate if recommendations would change based on the various boundary options.

Whatever the boundaries, the subcommittee recommends the County needs to retain staff to nurture, facilitate and coordinate on a county-wide base and to look at county-wide needs; also, to assist water organizations to develop an integrated SW and GW program. Larger organizations with more staff typically have more ability to hire staff that are technically knowledgeable in groundwater. Smaller organizations could rely on technical assistance from a larger organization, such as the county.

Jane Harper led the subcommittee thru the 1996 discussion between Public Health & Environment, Administration, the SWCD, Extension and the County Board to look at the following in regards to groundwater. (SEE Handouts)

- 1) What is the current situation? What is the ideal situation? Where are the system gaps?
- 2) Definition of Roles

County – Regulatory & Planning role (land use/zoning, - ISTS, hazardous & solid waste; data and assessment), Emergency Services role (water supply, septic, emergency preparedness), and Leadership role (intergovernmental coordination/communication, citizen point of contact, knowledge of and ability to mobilize resources, policy development, convener of parties, sponsor training, advocacy)

SWCD – Technical role in feedlots; consulting with WMO's on their plans; contaminant identification; monitoring of lakes and observation wells.

Minnesota Extension – Washington County – Education role in nutrient management, pesticides, ISTS, non-point sources of pollution and environmental education.

3. Structural Considerations:

Authority –

- WD have legal authority but haven't exercised it in most of the County.

Staff/Technical Knowledge –

-WMOs and SWCD have traditionally focused on surface water issues. May be difficult to justify or maintain staff at a sub-county level because of the specialized nature of the knowledge.

Intergovernmental Relationships –

Need to be strong presence, need the ability to convene parties and meditate solutions to difficult problems.

