



Meeting Notes

Meeting Date: March 1, 2017 **Time:** 9:00-11:00 am
Meeting Location: Johnson County Transit Facility, 1701 W Old Hwy 56, Olathe, KS 66061

Attendees:

- | Watershed-Based Organization Sub-Committee | JC SMP | Consultant Team |
|--|------------------|---------------------------|
| Celia Duran – City of Olathe | Lee Kellenberger | Patti Banks – Vireo |
| Courtney Christensen – City of Mission Hills | Sarah Smith | Triveece Penelton – Vireo |
| Mike Brungardt – City of De Soto | Heather Schmidt | Andrew Smith – B&V |
| Tim Collins – City of Lenexa | | Jeff Henson – B&V |
| Jim Hendershot – City of Spring Hill | | Justina Gonzalez – B&V |
| Lorraine Basalo – City of Overland Park | | |
| Randy Gorton – BHC Rhodes | | |
| Tom Kimes – KC Water Services | | |
| Tom Jacobs – Mid-America Regional Council | | |
| Leslie Rigney – Miami County Conservation District | | |
| Andy Sauer – Burns and McDonnell | | |
| Brenda Macke – CDM Smith | | |
| Chad Johnson – Olsson Associates | | |
| Les Barnt – GBA | | |

Agenda Objectives

Discuss the Watershed-Based Organization White Paper including case studies from similar programs
Discuss objectives of future watershed-based organizations in regards to what to accomplish, authority needed, and decisions to make

Handouts: Agenda

Notes

Introduction / Update of Implementation Status / 2nd Meeting Goals

- Andrew of B&V welcomed attendees to the second meeting of the watershed-based organization sub-committee. He provided a quick update of SMP strategic plan implementation to date.
 - **Watershed-Based Organization Sub-Committee 1st Meeting Review:** During the first meeting, participants were separated into two groups and tasked with establishing watershed groupings within the County. The two groups had similar consensus in terms of watershed similarities and natural divisions. Participants ultimately voted and established a division of 6 watershed groupings. The sub-committee also provided thoughtful discussion on the opportunities and challenges in forming a watershed-based organization.

- **System Management Sub-Committee 1st Meeting Update:** The system management sub-committee has had its first kick-off meeting as well. Sub-committee members are a similar makeup of city officials, public consultants, and outside stakeholders. The sub-committee looked at defining the elements of the stormwater system which is a discussion they plan to continue. Participants also looked at issues of risk and county-wide normalization of inventory, condition assessment, and improvements.
- **Watershed-Based Organization Overall Status and Schedule:** The watershed-based sub-committee is in charge of drafting the organizational framework on which the other initiatives of water quality, flood control, and system management will be incorporated. The sub-committee will meet four times, take a hiatus during the summer while other sub-committees are finalizing activities, and then will meet again to start implementing a pilot watershed. Andrew referenced a table from the Strategic Plan highlighting the anticipated tactics and actions of the watershed-based sub-committee. The sub-committee has determined the watershed groupings and is making progress to later address funding criteria and watershed plans.
- Andrew then outlined the agenda and goals of the second watershed-based organization meeting.
 - **Watershed-Based Organization Sub-Committee 2nd Meeting Goals:** A Watershed-based Organization White Paper was sent out earlier in the week for the sub-committee to read. The White Paper presents case studies of other organizations and while it is not a template for the sub-committee it does highlight how these organizations have dealt with similar issues. One of the goals of the second meeting is to do a quick review of the case studies and have participants present their comments. The other goal is to discuss objectives of the future watershed-based organizations, particularly in terms of what to accomplish and the authority needed to do so.
- Consultants called for any questions or comments before moving on with the meeting agenda.
 - **Q: The system management sub-committee has also been called the asset management sub-committee. Isn't there a difference?**
 - Yes. The 2016 Strategic Plan called for putting together an asset management program, but they are separate issues. The asset management program is a tool to help achieve system management. (Andrew, B&V)
 - **Q: The tactics and actions of the watershed-based sub-committee include development of watershed improvement plans. What do those plans include?**
 - The scope of the plans is for the sub-committees and ultimately the watershed-based organizations to decide. (Lee, B&V) At this time, there is no definitive terminology or guideline of what should be included in such plans. (Andrew, B&V)
 - **Q: Would it be possible to have a list of the cities grouped into particular watersheds?**
 - The county map with the delineated watersheds does indicate city boundaries but a table with city allocations will be drafted before the next meeting. (Sarah Smith, JC SMP)
- Lee of JC SMP stated that the Strategic Plan has been selected to receive the Management Innovation Award from the KC Chapter of APWA and thanked participants for their involvement in implementing the plan. The work being done by the sub-committees is a good example of generating shared benefits and value in the region. Updates on implementation status will be given to SMAC and Lee asked that city officials continue to keep their councils updated as well.
- Patti of Vireo noted the difficulty in having groups arrive at a consensus and thanked the sub-committee for thinking beyond city boundaries.

Watershed-Based Organization White Paper

- Andrew led the sub-committee through a brief discussion of the case studies found in the Watershed-Based Organization White Paper. The case studies are examples of groups that changed their definition of

community to being that of the watershed. Participants in the SMP implementation are also being asked to think beyond individual municipalities to the watershed level. At the same time though, no single case study or organization is an exact match to the SMP. For instance, the case studies highlight different drivers for organizing such as meeting permit requirements or maintaining a certain water body. The purpose of the White Paper is not to provide a template but rather show what others have done. From there we can begin a discussion of how certain elements may apply and be incorporated into the SMP. Briefly mentioned in the White Paper is some guidance issued by NY State in putting together a watershed-based organization. That guidance includes overarching questions such as who should be involved, what responsibilities should be assigned, and how will duties be accomplished via signed agreements. Part of the meeting agenda is to ask the sub-committee those questions.

- Comments from the White Paper discussion are summarized below:
 - There will need to be a baseline of organizational structure and goals for the watershed-based organizations. There will need to be consensus on what is the minimum required for the groups to function and receive County funding. Groups can then go beyond that baseline should they so desire.
 - The case studies highlight that the sub-committees are not completely reinventing the wheel in trying to organize on a watershed level. Examples provide a good idea of who to include, where to start, measures that were successful, and how they are helping their area. The case studies mainly demonstrate opportunities for potential benefits.
 - Important points from each case study were briefly noted.
 - **Cayuga Lake Watershed Inter-Municipal Organization**
 - Consists of a large board of 40+ members. The group's foundational document is its watershed plan which prioritizes water quality improvement.
 - **Cherry Creek Basin Water Quality Authority**
 - A state mandated program that is primarily funded through property taxes. 2012 watershed plan outlines the direction of the organization and well defined plan for prioritization of improvement projects and resources.
 - **Central Orange County Watershed Management Area**
 - An example that provides good detail on the organization's structure and work flow of project management and delivery. The organization also includes public and private partnerships.
 - **Long Creek Watershed Management District**
 - Has a very active community that is transparent and aggressive in providing public information. Is generally structured around permitting. Landowners can opt out of participating in the District but generally more cost effective to participate.

Goals of Watershed-Based Organization

- After reviewing the White Paper case studies, consultants then asked the sub-committee what goals they should establish. Comments from individual sub-committee members are summarized below:
 - The watershed-based organizations could look at a number of goals even including amenities and social equity. But the goals should clearly define points of synergy amongst members so that mutual benefits are clearly defined.
 - Most natural systems are impaired and the quality of natural systems should be explicitly incorporated as a goal which will in turn help ancillary goals like flooding, etc. The connection between natural and built systems should be included so that effective results can be achieved.
 - The guiding principle of the watershed-based organization should be to put the watershed first.
 - A number of solutions are possible to improve the watershed. There are many models that preserve local control but also enable a larger system.

- Long term planning should be established that includes planning tools and financial assistance but also should note that the problems of today may not be the problems of tomorrow, i.e. with changing climate.
- County is looking to make large investment in planning; similar to what was done with past flooding studies. Future county funding will prioritize projects from the watershed level.
- Outcomes should be tracked over time and there should be emphasis on following through with measuring success. There should be a focus on communicating outcomes.
- Possible that permitting is done on the watershed basis. Watershed organizations could act as MS4 boards instead of the individual cities. This could take significant burdens off of communities, particularly smaller ones, and provide greater incentive to participate. The MS4 permitting could be a baseline goal of the organization and additional goals could be added from there per member involvement. If a city joined to meet their MS4 requirement then some minimum standards would have to be met. While communities should not be expected to lower their level of standard, others should not be expected to meet higher standards. Individual cities would still have the option to opt out and do individual MS4 permitting.
- Floodplain administration could also be done on the watershed basis. The flood plain administrator could be on the watershed board.

Authority of Watershed-Based Organization

- Consultants asked what authority would be needed for the watershed-based organizations to achieve their discussed goals. The following comments were noted from individual sub-committee members:
 - Clear accountability and By-Laws will need to be established to reduce issues of liability for those on the watershed boards. Also the sub-committee will need to be clear in their wording so as not to give the impression of trying to take over local controls.
 - There could be concerns over the authority of funding. For instance, a required city match to receive county funding may affect some cities from participating in the watershed organizations.
 - There should be autonomy amongst groups to pursue other funding and goals.
 - A county wide developmental fee, such as for increases in impervious area, could be allotted to the watershed organizations. There would need to be a clear benefit, however, to multiple parties in order to have buy-in.
 - The watershed organization should have the authority to plan but not the authority to veto projects in a community. It shouldn't impose on a city a regional plan.
 - While the authority of the organization should be clearly noted, so too should the limitations.
 - The organizations should have authority to talk with planning commissions, etc., and have the authority to represent the watershed. There should also be authority to influence and provide input to local municipalities.
 - The organizations should have the authority to initiate projects and focus on watershed plan recommendations. The watershed plans will be an important tool that will highlight opportunities to collaborate and will especially start the educational and political process. Watershed-based organizations could even look at creating guidelines such as development criteria.

Closing / Next Steps:

- The meeting finished with the closing of the discussion on watershed-based organization authority.
- The sub-committee will meet again on April 5th at the same time, same place.
 - The discussion will be in regards to who (stakeholders) should participate in the watershed-based organizations along with how the organization should be structured.
- Participants were encouraged to further review the White Paper and to continue providing meeting updates to their represented entities. JC SMP and the consultants thanked participants for their valuable time and comments.