

Drainage Work Group Meeting Notes

June 13, 2013

12:30 – 3:30 p.m.

Minnesota Farm Bureau Building, Eagan, MN

Attendance

Rob Sip, MDA; Craig Austinson, Blue Earth Co.; John Thompson, Faribault Co., MACTFO; Mark Morriem, MNLICA; Greg Knopff, MN Senate Analyst; Larry Kuseske, MAWD; Phil Hunsicker, MCEA; LeAnn Buck, MASWCD; Jeremy Geske, MAWRC; Dave Schad, DNR; Gary Botzek, MCF; Rep. Rick Hansen; Chris Radatz, MFB; Les Everett, UMN WRC; Andrea Hendrickson, MnDOT; Laura Nehl-Trueman, MnDOT; Alan Perish, MFU, MVA; Ray Bohn, MAWD; Kurt Deter, Rinke-Noonan; Jerome Deal, MAWD; Dan Wilkens, RRWMB; Ron Harnack, RRWMB; Michelle Ulrich, CCWD; Ron Ringquist, MVA; John Jaschke, BWSR; Mark Dittrich, MDA; Tim Gillette, BWSR; Al Kean, BWSR

Handouts prior to or during meeting:

1. DWG – Meeting Logistics and Agenda for 6-13-13
2. DWG – Meeting Notes for 4-5-13
3. Outcomes of 2013 Legislative Bills Involving Drainage, DRAFT, 6-7-13
4. Drainage Work Group Prioritized Discussion Topics List, DRAFT, 6-10-13
5. Drainage Work Group List of Discussion Topics, DRAFT Update, 10-14-10

Introductions and agenda overview

All in attendance introduced themselves. Al Kean provided extra copies and an overview of the agenda.

Approval of 4-5-13 Meeting Notes

Extra copies of the meeting notes were distributed. Corrections or additions were requested. None were indicated.

Outcomes of 2013 legislative bills involving drainage

- HF-66 / SF-113 – DWG consensus recommendations: DWG members acknowledged the chief authors and co-authors of these bills, which were passed unanimously.
- HF-1021 – Exempt minor ditch repair from environmental civil action: Bill did not have a Senate companion and was held over in the House ENRP Committee.
- HF-949 / SF-1496 – Require consolidated conservation land participation and payment of assessments for drainage projects undertaken by local drainage authorities: Policy did not move forward, but the Tax Bill (Chapter 143, HF-677) included \$300,000 per year from the general fund to DNR for local assessments under Section 84A.55, Subd. 9 (i.e. for Con-Con Lands). DNR had agreed to pull a work group together to address, which has met twice to date.
- HF-971 / SF-1244 - \$235,000 appropriation to BWSR from CWF for update of MN Public Drainage Manual and MN Drainage Law Overview for Decision-Makers: Ultimately included in 2013 Session Laws, Chapter 137, HF-1183, Clean Water Funding to BWSR for FY14-15. Rep. Hansen indicated legislative intent is completion in first year. BWSR investigating options for proceeding.
- Chapter 137, Article 2, Section 7, Lines 36.1-36.11 – Redirects \$1.7M (minus \$235K) first year and \$1.7M second year from what has been the Conservation Drainage Mgmt. Program since FY10 to “grants to local units of government to ensure compliance with M.S. Chapter 103E, and Sections 103F.401 – 103F.455, including enforcement efforts”: Rep. Hansen indicated intent for more effective use of state \$ for erosion reduction and WQ, and his intent of flexibility for BWSR and drainage authorities to use. Some discussion about ideas for use. BWSR investigating options.

- HF-1700 – Commercial ag drainage system installer license and private installer certification, county commissioners prohibited from serving as Chapter 103E drainage inspectors, drainage inspector and viewer training required: Rep. Hansen indicated progress in drainage law and water mgmt. since the DWG started, but public cost for WQ and FDR to respond to drainage. Asked DWG to discuss what can be done to develop training and competencies for drainage installers as an alt. to other regulation. Pesticide applicators as an example, which is administered by MDA. Education is key. DWG discussion included: these provisions as regulation, level of fine (\$7,500/day) for violation (which Rep. Hansen noted to be the same as for pesticide licensing), some acknowledgement of need for more consistency of ditch inspection, and acknowledgement of recent Red River Basin TSAC subsurface drainage study and beginning surface drainage study.

Share information about recent and upcoming events involving drainage topics

- MN Association of Watershed Districts – Summer Water Resources Tour, June 20-21, New Ulm area
- MN Association of Watershed District Administrators – Meeting, June 19, New Ulm Event Center
- MN Viewers Association – Third seminar for 2013, July 18, Jackpot Junction, Morton, MN
- MN Agricultural Water Resource Center – Wetlands and Drainage Seminar, July 30, Jackpot Junction, Morton, MN and July 31, Courtyard by Marriot, Moorhead, MN

Review and update DWG prioritized discussion topics list

Much discussion about several topics with potential for consensus recommendations. Al K. will update the list with draft definition of priorities, based on DWG discussion and provide back to DWG members for review and potential further discussion to ensure agreement on the topics definitions and priorities.

Next Meeting

It was agreed that the next DWG meeting will be held on the second Thursday, August 8, 2013 at the Minnesota Farm Bureau, if the training room is available.