

Drainage Work Group Meeting Notes

July 9, 2015

12:30 – 3:30 p.m.

Minnesota Farm Bureau Building, Eagan, MN

Attendance

Harlan Madsen, AMC; Tom Loveall, BWSR; Craig Austinson, Blue Earth Co.; Mark Morreim, MNLICA; Jill Bathke, MCEA; Alan Perish, MFU, MVA; Larry Kuseske, MAWD; Jim Sehl, DNR; Greg Knopff, MN Senate Analyst; Phil Belfiori, RCWD; Chris Otterness, HEI; Greg Eggers, DNR; Todd Miller, Roseau Co., MRCC; Wayne Anderson, MPCA; Darrell Gerber, FWS; Laura Nehl-Trueeman, MnDOT; Thom Peterson, MFU; Mark Dittrich, MDA; John Thompson, Faribault Co., MACATFO; Barb Huberty, LWC; Rob Sip, MDA; Ron Harnack, RRWMB; Jennifer Berquam, AMC; Dan Wilkens, RRWMB; Jerome Deal, MAWD; Les Everett, UMN; Joe Smentek, MSGA; Rep. Torkelson, Dist. 16B, Al Kean, BWSR, ...

Handouts prior to or during meeting

1. DWG – Meeting Logistics and Agenda for 7-9-15
2. DWG – Meeting Notes for 6-11-15
3. Revised DWG Meeting Notes for 1-8-15
4. Draft Concept and Discussion Paper for new CWF Multipurpose Drainage Management Program

Introductions and agenda overview

All in attendance introduced themselves. Al Kean provided extra copies and an overview of the agenda. Because Rice Creek WD and HEI presenters had not yet arrived, the agenda order was modified.

Approval of 6-11-15 meeting notes

Extra copies of the meeting notes were distributed and corrections or additions requested. No comments, corrections, or additions were identified.

Share information about recent and upcoming events involving drainage topics

- Minnesota Farmfest upcoming on Aug. 4-6, 2015 near Morgan, MN
- MN Farm Bureau meetings scheduled for the Red River Valley Agriculture Water Issue Forums, July 15-17, 2015 at/near Hallock, Ada and Wendell, MN.
- Saturated Buffer Conservation Field Day, July 21, Kasson, MN sponsored by ADMC, Prinsco, ESE
- Ag Drainage and the Future of Water Quality Workshop, Thursday, August 13, Mankato, MN
- UMN, ISU, SDSU, NDSU, MU, UI, PU, OSU Agricultural Drainage Water Management and Drainage Water Quality webinars, July 22, Aug. 19, Sept. 16, Oct. 21, Nov. 18 and Dec. 16, 2015

Al agreed to forward electronic information about these events to DWG members via email.

BWSR CWF Multipurpose Drainage Management Program Concept and Discussion

This is a new CWF appropriation for which BWSR is developing a new program, including consultation with the DWG. Al provided an overview of the program concept and discussion paper, including a focus on Section 103E.015 multipurpose water management considerations, partnerships between drainage authorities and SWCDs for implementation of conservation drainage practices and storage and treatment wetlands. Discussion was wide ranging. Some representative discussion points include:

- For and against comments regarding new buffer requirement eligibility for this program. Limited funding for this program is a consideration.
- For storage and treatment wetland restorations, the concept involves flowage and conservation easements held by a drainage authority, but other conservation and wetland banking programs remain options for wetland restorations on drainage systems.

- General support for drainage authorities and SWCDs working together for erosion control and water quality.
- Some concern about broad scope of eligible activities, but applicants can pick from the list.
- Some concerns about drainage authority willingness to spend assessed funds outside the benefited area, in spite of Sec. 103E.011, Subd. 5.
- May need more info/ed for drainage authority and SWCD applicants about applicable drainage law and program eligible activities.

Proposal ranking criteria was a question. Due to the timeline for getting this new program to the BWSR Board in August, AI will provide a draft RFP, including ranking criteria to DWG members via email in mid-July and request questions and comments to help advise further development of the RFP.

Rice Creek Watershed District drainage system assessment method using runoff curve numbers

Phil Belfiori, RCWD Administrator, and Chris Otterness, HEI Engineer, provided an overview via PowerPoint and discussion of a runoff based method currently used for assessments to repair several Chapter 103E drainage systems in the WD together with Chapter 103B and Chapter 103D authorities, including water management districts. These repair projects have a defined pay-back period, with some options for paying assessments. The Metro land use in the area is mixed urban, industrial and agricultural. The runoff curve number (RCN) method uses about 10-15 land use categories. GIS, parcel data and aerial photos are used to determine land use and help assign an applicable RCN. Assessments are based on a relative runoff factor times acres times mil rate for each parcel in the water management district for the drainage system. The WD also uses ad valorem fees for certain public benefit features of repair projects. Counties charge fees for administration of assessments. The questions and answers included a wide range of topics in relation to the method used and experience to date. It was noted that the Buffalo Creek Watershed District is also proposing the use of a similar method for a water management district project involving agricultural, urban and industrial land uses.

Update regarding DWG Public Waters and Drainage Subgroup

Jim Sehl, DNR, and other members of the subgroup in attendance provided an update regarding a subgroup meeting on 7-2-15.

- There was discussion about public waters inventory, shoreland and Chapter 103E buffer requirements, as well as about any relationship with the new Section 103F.48 buffer law. Several different perspectives, not a consensus.
- Concerns expressed about DNR permit information requirements in NW MN and time required to receive permit or permission decisions. Statewide consistency also a concern.
- DNR is coordinating internally to clarify permit (103G) and permission (103E) requirements. This is anticipated to include definition of factors for which information is needed by DNR to evaluate project situations. Interpretation of “substantially affect public waters” in 103G.245, Subd. 2.(2) was a question. Some concern about interpretation of DNR authorities and need for rulemaking.
- The subgroup agreed to provide Jim Sehl ideas for specific or typical project scenarios for which Jim would provide actual or anticipated DNR permit or permission responses.

It was noted that in recent decades and recent years, knowledge and focus for environmental issues, as well as DNR staff have changed. Looking for how the DWG can help find consensus understandings.

Next Meeting

Thursday, August 13, 2015, 2:30 – 5:00 p.m., after the Agricultural Drainage and the Future of Water Quality Workshop, at the Verizon Wireless Center, 1 Civic Center Plaza, Mankato, MN.