

## **Drainage Work Group Meeting Notes**

**January 6, 2011**

12:30 - 3:30 p.m.

Minnesota Counties Intergovernmental Trust (MCIT) Building

### **Attendance**

Ron Harnack, RRWMB; Mark Dittrich, MDA; Tom Loveall, Faribault Co., BWSR Brd.; Chuck Wingert, ADCM; Larry Gunderson, MPCA; Craig Austinson, Blue Earth Co.; Greg Eggers, DNR; Dennis Distad, Freeborn Co.; Alan Perish, MFU, MVA; Allan Kuseske, MADI; Larry Kuseske, MAWD; Kurt Deter, Rinke-Noonan; Dan Wilkens, RRWMB; Jerome Deal, MAWD; Loren Engelby, Kandiyohi Co.; Harlan Madsen, Kandiyohi Co., AMC; Jerry Amiot, Polk Co., MACO; Rick Moore, MSU-Mankato WRC; Wayne Anderson, MPCA; Greg Knopff, Senate Staff; Warren Formo, MAWRC; Ron Ringquist, MVA; Ray Bohn, MAWD; Mark Zabel, MASWCD; Henry VanOffelen, MCEA; Al Kean, BWSR

### **Handouts Prior to or During Meeting:**

1. DWG – Meeting Logistics and Agenda for 1-6-11.doc
2. DWG – Meeting Notes for 10-14-10.doc
3. Draft Redetermination of Benefits and Damages Brochure, 12-30-10
4. Updated DWG List of Discussion Topics, 10-14-10
5. DWG Section 103D.625 History and Discussion Paper, Draft 1-1-11

### **Introductions and Agenda Overview**

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

### **Approval of 10-14-10 Meeting Notes**

Extra copies of the subject meeting notes were distributed. Comments or corrections were requested. Wayne Anderson noted that he had also volunteered to serve on a subcommittee regarding 103E.015.

### **Status of Smith Partners LCCMR Project: “MN Drainage Law Analysis and Evaluation”**

The sixth meeting of the project advisory committee, which includes a number of DWG members, was held on November 30, 2010. The committee further discussed scenario B (a southern MN public drainage system improvement involving a town and inadequate tile system upstream of open ditch, a TMDL, and several conservation drainage options) and Scenario C (a metro drainage system substantially out of repair involving wetlands and a Comprehensive Wetland Protection and Management Plan). Smith Partners is developing the scenarios as a way to identify common issues for drainage projects and associated drainage and other water laws, and as a basis for evaluation and recommendations. Louis Smith and Chuck Holtman intend to continue to meet with the advisory committee in 2011, with project report completion by June 30, 2011. A concern raised by DWG member(s) regarding drainage project implementation is absentee landowners.

### **UMN Water Sustainability Framework**

This topic was added to the agenda in response to discussion about the recent document. There was concern expressed about the scope and process of the report preparation in regard to technical team involvement, input and integration. Discussion included questions about how the framework might be used in the future.

### **Overview of recent and upcoming drainage forums and workshops**

Involved DWG members briefly overviewed the 11<sup>th</sup> Annual MN-IA Drainage Research Forum, 11-23-10, which was held at Cabela's in Owatonna, and the annual MAWD MN Drainage Workshop, 12-2-10, which was held in conjunction with the MAWD Annual Meeting at Arrowwood near Alexandria. Attendance at both of these events was good, as is typical. The drainage research forum involved researchers from MN, IA, SD and IL, producer group representatives, agency staff, drainage authorities, drainage contractors, consultants and others. The MAWD Drainage Workshop involved watershed district and county drainage authorities and staff, consultants, viewers, agency staff and others. The upcoming Rinke-Noonan Annual Drainage, Wetland and Natural Resources Regulation Conference is scheduled for 2-3-11 at the Kelley Inn in St. Cloud. A brochure was made available.

Mark Dittrich, MDA, provided a summary of preliminary plans to follow up the conservation drainage focus group meetings held in 2010 via a Section 319 grant project with conservation drainage workshops in 2011. It is intended to include tours of demonstration projects in the workshops. Ann Lewandowski, UMN Water Resources Center, and Mark previously provided the DWG information about the conservation drainage focus groups and outcomes.

### **Redetermination of Benefits Brochure**

The draft brochure, which was provided with the meeting materials, was overviewed by Al Kean and discussed by many. The purpose is to provide drainage authorities, landowners and others a 1-sheet document about redetermination of benefits, including definitions, process, and examples. Al noted that Loren Engelby, Kandiyohi County Drainage Inspector, was an instigator and substantial contributor to the brochure. Several wording revisions were recommended, discussed and adopted. There was consensus to revise the brochure accordingly and make it available on the BWSR website, Drainage page. Other opportunities for distribution of the brochure will need to be identified. Al acknowledged Dennis Distad, Freeborn Co. Auditor-Treasurer, who was a catalyst for systematic redetermination of benefits for all Chapter 103E drainage systems in Freeborn County, which was started in the 1990s and will be complete in 2011. Dennis also mentioned that Freeborn County is now working on recording Chapter 103E drainage system right-of-way on land title records.

### **Review updated list of Drainage Work Group discussion topics**

The 10-14-10 version of the list of DWG discussion topics was reviewed, with substantial further discussion. Al Kean will incorporate revisions, based on this further DWG input, into an updated version.

### **Section 103D.625 Drainage Systems in Watershed District**

The History and Discussion Paper for this section of statute was provided in the meeting materials. Al Kean acknowledged and thanked Greg Knopff, Senate Analyst, who prepared the discussion paper. The paper was briefly overviewed, but discussion was tabled to a future DWG meeting, due to time.

### **Next Meeting**

Because a number of members are involved in the Legislative session, it was agreed that the next DWG meeting would be after the regular session, likely in June 2011.