

## **Drainage Work Group Meeting Notes July 29, 2009**

### **Attendance**

Dave Leuthe, DNR; Gerald Amiot, MACO, Polk Co.; Craig Austinson, Blue Earth Co.; Ron Ringquist, MVA; Leonard Binstock, ADMC; Joel Peterson, BWSR; John Thompson, MACO, Faribault Co.; Larry Gunderson, MPCA; Harlan Madsen, AMC, Kandiyohi Co.; Rick Moore, MSU-M WRC; Greg Eggers, DNR; Pat Martinson, Freeborn Co.; Dennis Distad, Freeborn Co.; Ann Lewandowski, UMN WRC; Mark Dittrich, MDA; Jonathon Bohn, MAWD; Annalee Garletz, AMC; Wayne Anderson, MPCA; Ray Bohn, MAWD; Jeff Forester, MSRPO; Henry Erdman, MSRPO; Thom Peterson, MFU; Henry VanOffelen, MCEA; Ron Harnack, RRWMB; Larry Kuseske, MAWD, SRWD; Allan Kuseske, NFCRWD, MADI; Alan Perish, MFU, MVA; Jerome Deal, MAWD, BDSWD; Dan Wilkens, RRWMB, MADI; Warren Formo, MAWRC; Greg Knopff, MN Senate Staff; Bruce Kleven, Lobbyist; Julie Klocker, BWSR; Louis Smith, Smith Partners PLLP; Shawn Schottler, MSM St. Croix Research Station; Al Kean, BWSR

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

1. DWG – Meeting Agenda for 7-29-09
2. DWG – Meeting Notes for 3-12-09
3. *Excerpts from 2009 Session Laws, Re: Drainage Work Group (Directly or Indirectly)*
4. *MN Drainage Law Analysis and Evaluation*, discussion agenda and work plan by Louis Smith, Smith Partners, PLLP
5. *Does Intensified Tile Drainage Create More Erosive Rivers?*, summary handout about this LCCMR project provided by Shawn Schottler, MSM St. Croix Research Station, to compliment PowerPoint presentation.
6. *Intensified Tile Drainage Evaluation*, handout of PowerPoint presentation by Rick Moore, MSU-M WRC

### **Introductions and Agenda Overview**

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

### **Approval of 3-12-09 Meeting Notes**

Extra copies of the subject meeting notes were distributed. Any comments or corrections were requested. None were offered.

### **Status and Future of 2008 DWG Consensus Recommendations**

Al Kean noted that HF162, Rep. Hansen et al. and SF364, Sen. Sparks et al., which carried the 2008 DWG recommendations, stalled during the 2009 session and did not pass. A number of people in attendance who were involved at the Capitol during session briefly discussed what they believe happened. It was noted that the Sen. Frederickson amendment to proposed Section 103E.805 revisions that required notice via a web site in addition to a newspaper was not supported by AMC and other DWG members, but was not considered a major obstacle. It seemed that the DWG recommendation for additional drainage records modernization cost-share in the bills, which required finance committee approval, and the substantial legislative focus on the state general fund budget deficit and constitutional amendment appropriations distracted the progress of these bills. The DWG will need to seek support for reintroduction of bills to carry its 2008 consensus recommendations during the next legislative session and follow the progress closely.

### **2009 Legislative Directives and Appropriations Involving DWG**

Handout number 3. above was overviewed by Al Kean and discussed. Al indicated that he has been coordinating with BWSR GIS specialists, Steve Taff, Applied Economics at the UMN, and a number of others to research available information and ideas regarding the Study of Riparian Buffer Areas. Al

requested volunteers for an advisory committee to help scope and steer this study. The following DWG members volunteered: Rick Moore, Jeff Forester, Henry VanOffelen, Ray Bohn, Craig Austinson, Annalee Garletz, Wayne Anderson. Al will work with these individuals and Steve Taff to identify the first meeting time.

In regard to the Conservation Drainage Program funding to BWSR from the Clean Water Fund, it was noted that BWSR is working on an RFP for this program in conjunction with other Clean Water Fund programs and in collaboration with other agencies. A variety of drainage management practices are expected to be eligible for this limited funding. The DWG will be kept informed about this new program as it is rolled out along with other CWF programs and funding.

An addition to handout 3 is \$100K per year of general funds to BWSR for drainage records modernization cost-share. Because this funding is limited and only 22 of 44 applications received by BWSR for similar cost-share in late CY 2008 were able to be funded, Al asked if there was DWG support for BWSR continuing down that prioritized list to allocate the FY 2010 funds. Drainage authority representatives and others indicated support. Greg Knopff noted that the appropriation language should enable BWSR to allocate both FY 2010 and 2011 appropriations in the first year, if appropriate.

#### **Section 319 Project: Drainage Systems Mgmt. Education and Stakeholder Feedback Workshops**

Mark Dittrich, MDA, provided an overview of this 319 project, which includes involvement of UMN, MPCA, BWSR and ag groups. There will be 3 groups of invited workshop participants (e.g. engineers and other ag drainage professionals; farmers, ditch and tile contractors, other ag professionals; county and watershed district drainage authorities and staff) with 3 workshops each around the state. The workshops are to include overview information about drainage management, with substantial focus on interest, knowledge, use and impediments regarding conservation drainage options. Much discussion. Mark will keep the DWG informed as the project progresses.

#### **LCCMR Project: MN Drainage Law Analysis and Evaluation**

Louis Smith, Smith Partners, PLLP, provided an overview of the project and draft work plan. The project will focus on 3 scenarios / case studies (e.g. metro suburban, agricultural, lakeshore development) to define and evaluate critical issues related to drainage code and related laws. Outcomes are to include analysis and legislative recommendations. After significant discussion, Louis invited participation on an advisory committee. The following DWG members volunteered: Henry VanOffelen, Ron Harnack, Warren Formo, Ron Ringquist, Annalee Garletz, Mark Dittrich, Ray Bohn, Rick Moore, Al Kean.

#### **LCCMR Project: Intensified Tile Drainage Evaluation**

Shawn Schottler, Science Museum of MN, St. Croix Research Station, and Rick Moore, MN State University Mankato, Water Resources Center, provided an overview of the project. Shawn started with a summary of Lake Pepin sedimentation since European settlement and sediment source fingerprinting. An outcome of that work points to streambank, bluff and ravine erosion as key sources of sediment (> 60%), rather than field erosion as the primary source. Sedimentation in Lake Pepin increased significantly around 1940, about the time that tiling is also believed to have increased significantly (hypothesis). Much discussion. The project is to include evaluation of 23 watersheds, some with extensive tile drainage and some without. It was requested that copies of the presentations by Shawn and Rick be made available to DWG members. Shawn and Rick agreed that Al could make available. Al indicated that he would stay in touch with Shawn and Rick and enable periodic updates to the DWG during the project.

#### **Next Meeting**

It was agreed that the next meeting of the DWG would be on Thursday, September 10, 2009, 12:30 – 3:30 p.m.