

## **Drainage Work Group Meeting Notes**

**June 11, 2015**

12:30 – 3:30 p.m.

Minnesota Farm Bureau Building, Eagan, MN

### **Attendance**

Tim Gillette, BWSR; Harlan Madsen, AMC; Mark Zabel, Carver SWCD, MASWCD; LeAnn Buck, MASWCD; Tom Loveall, BWSR Brd.; Craig Austinson, Blue Earth Co.; Mark Morreim, MNLICA; Ron Ringquist, MVA; Joe Smentek, MSGA; Anna Boroff, MCGA; Alan Perish, MVA, MFU; Wayne Anderson, MPCA; Mark Dittrich, MDA; Dave Schad, DNR; John Jaschke, BWSR; Les Everett, UMN; Larry Kuseske, MAWD; Michelle Ulrich, CCWD; Barb Huberty, LWC; Jill Bathke, MCEA; Darrell Gerber, FWS; Jim Sehl, DNR; Ray Norrgard, MN Chap. TWS; Joe Birkholz, SRRWD; Chris Radatz, MFB; John Thompson, Faribault Co., MACATFO; Todd Miller, Roseau Co., MRCC; Dan Larson, MRCC; Kale Van Bruggen, Rinke Noonan; Ray Bohn, MAWD; Jerome Deal, MAWD; Dan Wilkens, RRWMB; Kurt Deter, Rinke Noonan; Gary Wertish, MFU; Doug Busselman, MFB; Steve Colvin, DNR; Laura Nehl-Trueman, MnDOT; Al Kean, BWSR

### **Handouts prior to or during meeting**

1. DWG – Meeting Logistics and Agenda for 6-11-15
2. DWG – Meeting Notes for 1-8-15
3. MPDM Update – Development and Review Process Summary 5-18-15
4. Buffer Bill Conference Committee Language 5-18-15
5. Buffer Initiative Summary – BWSR Draft, 5-31-15
6. Buffer Funding Language 5-17-15
7. Draft Overview of Potential CWF appropriation language (Multipurpose Drainage Mgmt.?)
8. Riparian Protection Questions (8 buffer questions heard by Kurt Deter as of 6-11-15)

### **Introductions and agenda overview**

All in attendance introduced themselves. Al Kean provided extra copies and an overview of the agenda, including the addition of overview information about a potential new Clean Water Fund appropriation to BWSR for conservation drainage and Section 103E.015 implementation, after the overview of the 2015 legislative bills involving drainage.

### **Approval of 1-8-15 meeting notes**

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

### **Status of MN Public Drainage Manual Update Project**

- The Project Advisory Committee (PAC) and four Chapter Subcommittees have met twice (2-27-15 and 5-28-15) to help define chapter content outlines. Updating / writing is now in process.
- Additional clarification was provided to the PAC for the MPDM development and review process (handout no. 3 above).
- A Wiki format has been selected for the updated MPDM on the BWSR website.

### **Overview of 2015 legislative bills involving drainage (except buffers)**

- **HF-167 / SF-491:** Would exempt private agricultural tile from sales tax. Two committee referrals each, but stalled.
- **HF-1349:** Would require public drainage systems that haven't had benefits redetermined since 1977 to be redetermined by July 1, 2020 and give BWSR authority to define alternative methods

to speed up redeterminations, in coordination with the DWG. One committee hearing in House. No Senate companion.

- **HF-1980:** Would require written permission from downstream landowner for a road authority to permit outletting of drainage into a road right-of-way. Two committee hearings in House. No Senate companion.

#### **Clean Water Fund, Multipurpose Drainage Management Program**

- Anticipated new BWSR CWF program for FY16-17, including cost-share for conservation drainage practices and implementation of Section 103E.015.
- To be developed in consultation with the DWG.
- Shared BWSR staff draft concepts for the program. More to come for July DWG meeting.

#### **Overview and discussion of buffer strip legislation**

- John Jaschke overviewed the legislation based on BWSR 5-31-15 Buffer Initiative Summary.
- Discussed a list of questions that Kurt Deter, Rinke Noonan drainage attorney, had heard to date.
- Much discussion about the legislation, including questions about interaction with drainage law.

#### **Redetermination of benefits and damages for Chapter 103E drainage systems**

- Buffer strip legislation has accelerated the need to find alternative method(s) to speed the process for redetermination of benefits.
- Equity of costs for buffer strips on Chapter 103E public drainage systems is a concern.
- Next steps include further investigation of alternative methods and how to accomplish.

#### **Public Waters and Drainage Subgroup**

- Has not met this calendar year, due to legislative session workloads, member schedule challenges and DNR internal discussions.
- Recommitment for subgroup purpose and DNR leading Doodle to identify a meeting date and time in the near future.

#### **Transfer of Drainage Authority Subgroup**

- Met on April 2, 2015 at MFB to discuss county and WD perspectives.
- No recommendations yet, but will plan to meet again to advance this topic.

#### **Drainage Assessments to Road Authorities Subgroup**

- Met on April 24, 2015 at AMC to further clarify current viewing methods and understandings.
- MnDOT is working on draft alternatives to present to the subgroup for further discussion.

#### **Share information about recent and upcoming events involving drainage topics**

- CTIC Conservation in Action Tour, Aug. 11-12, 2015, southeastern MN, including drainage water management practices.
- Drainage workshop being planned, Mankato, MN, Aug. 13.

#### **Next Meeting**

Thursday, July 9, 2015 at the Minnesota Farm Bureau. Because the drainage workshop being planned on Aug. 13, 2015 is on the same day as a scheduled DWG meeting and a good number of DWG members are anticipated to want to attend the workshop, it was agreed that the Aug. 13, 2015 DWG meeting will be held in Mankato after the drainage workshop.