

Drainage Work Group Meeting Notes September 14, 2017

12:30 - 3:30 p.m., Minnesota Farmers Union Building, St. Paul, MN

Attendance

Tom Loveall, BWSR Brd.; Mark Morreim, MNLICA; Joh Kolb, Rinke Noonan; Craig Austinson, MADI, Blue Earth Co.; John Thompson, MACATFO; Alan Perish, MFU, MVA; Steve Colvin, DNR; Mark Dittrich, MDA; Amanda Bilek, MCGA; Ray Bohn, MAWD; Allen Wold, BDSWD; Ruth Simpson, MAT; Gloria Johnson, MnDOT; Greg Knopff, Senate Analyst; Mark Ten Eyck, MCEA; Ron Harnack, RRWMB; Jerome Deal, MAWD; Dan Wilkens, RRWMB; Mark Hiles, BWSR; Ed Lenz, BWSR; David Minge, MCEA; Darrell Gerber, MCEA; Janelle Taylor, House Research; Ben Stanley, Senate Counsel; Ron Ringquist, MVA; Tim Gillette, BWSR; Al Kean, BWSR

Handouts prior to or during the meeting

- 1) DWG Meeting logistics and agenda for 9-14-17
- 2) DWG Meeting Notes for 8-10-17
- 3) DWG - Communications Committee Functions and Process - Final 8-11-17
- 4) DWG - CWC Policy Committee Request - Discussion Paper - Draft 9-10-17
- 5) DWG - Runoff and Sediment Delivery Charge Option - Discussion Paper - Draft 9-9-17
- 6) Plowville's 65th Anniversary and Conservation Field Day, Sep. 19, 2017, Dodge Center, MN, handout

Introductions and agenda overview

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

Approval of 8-10-17 meeting notes

Extra copies of meeting notes were distributed. Corrections or additions were invited. None were identified.

Share information about recent and upcoming drainage related events

- [Plowville Field Day](#), September 19, 2017, Co. Rd. 34 near Dodge Center, MN
- Governor Dayton's [25 by 25 Water Quality Town Hall Meetings](#), July 31 - Oct. 5, 2017, statewide
Some topics heard in response to 3 questions at 3 tables by those attending one or more included:
- How the information will be used? - Discussion about storage of runoff for WQ. - Various other topics.
- Nitrogen Fertilizer Rule, MDA, [Public Input period and listening sessions](#), open until Aug. 25, 2017
MDA reportedly received 800+ comments. Anticipate revised rule this winter.
- Interagency and UMN Drainage Management Team Meeting, Sep. 21, 2017

Updated regarding Public Waters and Drainage

Al Kean shared that he had met with Steve Colvin and Dave Schad, DNR, after the August DWG meeting to discuss the status and direction for the DNR guidance document regarding permits and permission related to public waters and drainage. Steve Colvin indicated that he and other DNR staff met in early September and are working on a revised draft to streamline the document and attachments based on prior DWG Subgroup comments and the discussion with Al.

DWG Communications Committee Functions and Process document

Al K. shared extra copies of the final document, which will be put on the BWSR website, Drainage page, under the Drainage Work Group heading. Brief discussion about the functions agreed to at the 8-10-17 DWG meeting for a standing DWG committee, including the clarification that the intent that the committee supports and does not diminish the work of the DWG.

Clean Water Council Policy Committee request to the DWG regarding storage and drainage

Al Kean attended a CWC Policy Committee meeting on 8-18-17 to provide an update about DWG discussions and draft comments to date. DWG members discussed the updated draft discussion paper dated 9-10-17, including revised draft comments on the CWC Policy Committee 2016 Draft Policy Statement about One Watershed, One Plan goals and strategies for flow, sediment and nutrient reduction. Also discussed draft DWG recommendations regarding alignment of drainage law and watershed planning objectives. DWG watershed district, Local Government Water Roundtable, and other members want to ensure DWG comments and recommendations reflect watershed district storage goal setting, and do not downplay storage and drainage management goals of One Watershed, One Plans to date.

Potential state level coordination of funding was discussed again, including bonding, Clean Water Funds, Outdoor Heritage Funds, and LCCMR/ENRTF grants to local government units to streamline and package funding for 1W1P and other WD implementation projects that address water storage, water quality, and other natural resource enhancements. Noncompetitive, base grants to “fund the plan” were discussed as a way to reduce administrative time and costs, enable more effective development and maintenance of local technical assistance capacity, and more timely response for incremental, high priority opportunities for BMPs that fit the plan. BWSR general fund allocations to SWCDs for the Erosion Control and Water Management Program (aka State Cost-Share) and the Natural Resources Block Grant (NRBG), are good examples, although these grant funds are quite limited.

Drainage system acquisition of ditch buffer strips and alternative practices

Al K. indicated that BWSR is working on hiring a part-time, temporary position to serve as project manager and facilitator for this project to address the legislative directive to BWSR and the DWG. A Project Advisory Committee including primarily drainage authorities and their advisors will be formed to assist this project.

Runoff and Sediment Delivery Charge Option (RSDCO) in drainage law

Al K. noted that the current draft version of proposed revisions to Chapter 103E includes draft definitions for “runoff” to include both surface and subsurface runoff, thereby enabling the RSDCO method to evolve to include both in better ways. Also included are draft revisions to enable landowners of charged properties to be party to a joint petition for repair and to enable consolidating or dividing drainage systems after repair cost apportionment reports.

Discussion about adding a definition for “runoff” include both surface and subsurface runoff led to general agreement that it would be better to define “relative runoff” and “relative sediment delivery”. Al Kean and Greg Knopff will coordinate drafting definitions for DWG discussion.

It was noted that the draft revisions to Section 103E.728 should probably include a provision for using defined relative repair cost apportionment values as long as the relative values remained equitable for repair cost apportionment. Also noted that a hearing on a repair cost apportionment report should require at least one person responsible for preparation of the report to be present.

Limited discussion about draft revisions to enable properties for which either benefits have been assessed, or repair charges allocated, to be party to a joint petitioned repair in Section 103E.715, Subd. 4(a)(2).

Draft revisions to enable consolidation or division of drainage systems after a repair cost apportionment report was broached, but there wasn't time to further discuss.

Next DWG meeting: Thursday, October 12, 2017, 12:30 - 3:30 p.m. at the Minnesota Farmers Union building in St. Paul.