

## **Drainage Work Group Meeting Notes September 11, 2008**

### **Attendance**

Warren Seykora, MAWD; Ray Bohn, MAWD; Gerald Amiot, MACO; Greg Eggers, DNR; Allen Kuseske, MADI-NFCRWD; Alan Perish, MFU&MVA; Chris Radatz, MN Farm Bureau; Joel Peterson, BWSR; Craig Austinson, Blue Earth Co.; Larry Gunderson, MPCA; Henry VanOffelen, MCEA; Daniel Wilkens, MADI, RRWMB; Mark Dittrich, MDA; Al Kean, BWSR

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

1. DWG – Meeting Agenda for 9-11-08
2. DWG – Meeting Notes for 8-14-08
3. DWG – Discussion Topics for FY 2009 Draft 9-4-08
4. Drainage Records Modernization Challenge Grants 8-28-08

### **Agenda Overview**

Al Kean indicated that a key objective for the meeting was to update the list of DWG discussion topics, including removing the topics completed during the past year. He suggested that because the attendance was relatively light, it might be appropriate to table the agenda item regarding 103E.735 Repair fund limit until the October meeting. The drainage records modernization agenda item includes the guidelines, challenge grants and recent developments regarding outreach.

### **Approval of 8-14-08 Meeting Notes**

Al distributed extra copies of the subject meeting notes and asked if there were any comments or corrections. Larry Gunderson noted that the TALU classification also applies to streams/watercourses.

### **Identification and Prioritization of DWG Discussion Topics for FY 2009**

Al began by indicating that the discussion today will help develop a new discussion topic list for the remainder of FY 09, which will be distributed to all DWG members for prioritization input. The numbered items below correspond to the numbered discussion topics in the handout dated 9-4-08.

1. *103E.227* – Topic complete; DWG consensus recommendations to be forwarded to Legislature.
2. *Drainage management BMPs*. Holding off on presenting to the DWG because more input is needed from the Drainage Management Team (DMT). As case studies and additional info are developed, this will be presented to the DWG. Al indicated that MN State Univ., Mankato will be invited into the DMT. Larry Gunderson asked about the crossover of membership/experience with DWG. Al responded that Joel Peterson, Greg Eggers and he are members of the DMT.
3. *Costs and funding for redetermination of benefits*. Al mentioned that Polk and Martin county experience was presented to the DWG in Nov. 2007 and Ron Ringquist presented about the viewer mass appraisal process in Jan. 2008. Henry mentioned that it would be nice to have a presentation where a viewer walked through the redetermination process. What is the base level of information needed and developed? Are there ways to make the process more streamlined and less costly?
4. *103E.805* – DWG consensus recommendations for clarification of 103E.805 complete.
5. *103E.812* – The consensus was that 103E.812 seemed to be working well, based on input from WD, viewer and attorney. Greg Eggers to ask other DNR personnel about any urban ditch issues.
6. *Coordination of drainage system authority between counties and watershed districts or joint county ditches*. Consensus was to keep this topic and perhaps add topic 17 under this topic.
7. *Incremental adjustment of drainage system assessments for long-term land use change* – consensus to add this as a sub-topic of redetermination.
8. *Review repair project considerations for drainage systems with no repair history, including WCA, Swampbuster and Section 103E.015 Considerations before drainage work is done* – Much discussion. The consensus seemed to be to create two discussion topics. The first being a topic on 103E.015 and another being the interaction of Chapter 103E with WCA, Section 404 (Corps) and Swampbuster.

9. *Water quality use classifications and public ditches* – Consensus that this should be a continued topic. Maybe bring back PCA for updates regarding TALU implementation, as needed.
10. *Alerting new land buyers to public drainage system rights of way* – Consensus to leave this on the list but that it should be low priority. Farm Bureau said that they addressed this topic to some degree in a brochure they have developed about “Moving to the Country”.
11. *Tax assessment on drainage ditch buffer strips.* – Consensus to drop from list.
12. *Drainage system connectivity to water bodies in relation to movement of exotic (invasive) species* – It was suggested that this topic might fit with the topic that addresses 103E.015.
13. *Native vegetation* – Al suggested that update of the Wetland Restoration Guide was progressing and suggested having Dan Shaw, BWSR Vegetation Specialist present in November.
14. *Responsibility for installation and repair of private crossings.* – Craig Austinson mentioned that the Attorney General issued an opinion regarding this subject in Sibley County. Al will follow up on this topic with Harlan Madsen, Kandiyohi County Commissioner, who has expressed interest in this topic.
15. *Drainage records modernization* – Al reminded members that \$2,000,000 was recommended by the DWG for drainage records modernization statewide. The 2007 Legislature provided \$500,000. Demand during the current challenge grant application period will play a role in if/when to pursue additional funding. It was suggested that this be kept as an informational item.
16. *Ag Watershed Restoration Projects* – Consensus was to keep this as an informational item.
17. *Traverse Co. tiling moratorium* – Ad hoc item
18. *Section 103E.735 Repair fund limit* – Should address soon, but need more homework.
19. *103E.525/103E.315* – Consensus to keep this on the list and complete discussion soon.
20. *LCCMR projects related to drainage* – Consensus that this should be an informational item.
21. *Stay informed about TMDL process and issues related to drainage, including Red River Basin activities* – Consensus that this is important and should be addressed as developments arise.

*Additional Topics –*

- *Lateral effects of drainage on conservation lands and conservation lands on farmland.* – Al mentioned BWSR’s plan for Joel Peterson to develop lateral effects expertise, with Greg Larson’s upcoming retirement. Greg Eggers said that DNR is in the process of hiring a consultant to monitor Bear Lake in Mower/Freeborn counties to determine if lake levels are having an impact on ag lands.
- *Con-Con lands benefits determination* – Al indicated that Dave Holmbeck from DNR would discuss con-con lands at a future meeting. The comment was made that this topic only affects a limited number of counties, which may limit interest.
- *Separable maintenance* – It was decided to add this topic to the list.

**Section 103E.735 Repair fund limit** – This agenda topic was tabled until the next meeting. Al volunteered to develop a discussion paper on this subject.

**Drainage Records Modernization** – Al summarized the following:

- Drainage Records Modernization Guidelines will be complete by 9-15-08
- Drainage records modernization grants to be rolled out the week of 9/15/08
- Also working with MSU-M on outreach. Three information sessions tentatively to be held at Redwood Falls, Fergus Falls, and Cambridge

A question was asked if WDs/counties can partner. Al responded that partnering would be encouraged.

The suggestion was made that BWSR or MSU consider providing quality control or methods approval so that those undertaking the records modernization are following the guidelines.

Henry stated that he has been involved in a stakeholder group regarding shoreland rules. There has been some discussion about drainage ditches being considered shoreland. Al reported having talked to Peder Otterson, DNR, who is leading the shoreland rule update and does not plan to pursue this idea.

Next meeting October 9<sup>th</sup>, 12:30 – 3:30 p.m. at MFU.