Drainage Work Group Meeting Notes

July 13, 2023

11:00AM -2:00PM

MN Farmers Union

305 Roselawn Ave E

St. Paul, MN

*Attendees (in person): Tom Gile, Travis Germundson, Dave Weirens, Rita Weaver, and Ron Staples BWSR, Kevin Paap AMC, Ryan Hiniker MABI, Mark Dittrich MRA, Ray Bohm MNW, Louis Smith MW/RRWMB, Jan Voit MW, Doug Krueger MRC, Randy Kramer AMC, Brian Martinson AMC, Greg Holmvik, RRWMB, Bill Petersen RRWMB, Alex Trunnell MN Corn, Roger Ellingson and Leu Ottis, Ellingson, Chad Engels Moore Engineering, Jacob Rischmiller ISG, Mark Ten Eych and Carly Griffith MCEA, Chas Anderson Red River, (on line attendees) Craig Engwall, Mark Hiles, Allen Wold, Ashlee Ricci, Britta Torkelson MN Rural Co., Bruce Kleven, Bryon Haley and Tim Gieseke DNR, Chris Otterness, Don Arnosti Friends of the MN Valley, Jim Stark Legislature, Joe Jacobs, Kale Van Bruggen Rinke Noon, Kaytlin Bemis, Kristine Altrichter BRRWD, Len Kramer, Linda Vavra MN Watershed, Lukas Croaker BdSWD, Scott Maclean MPCA, Neil Peterson Pennigton Co Comm, Tracy Halstensgard RRWD, Merissa Lore MADI, Tammy Andette Red Lake WD, Myron Jesme Red Board, Paul Gardner Clean Water Council, Ted Suss, Myron Jesme Red Board.*

**Major Topics Discussed:**

DWG Prioritization List:

Tom Gile provided a brief overview of the topics and priority status associated with the list. (Group Discussion): water quality Impacts are imperative; this information needs to go before decision bodies when making repairs; technical group discussed that water quality compounds should be associated with outlet adequacy (no consensus reached); Rita Weaver indicated that there is no agreement that the recommendation go back to this group – no policy recommendations just suggested changes; subcommittee is looking for some direction from the DWG; statement was made that the classification of land and life cycle changes needs to be moved up to a high priority on the list.

Outlet Adequacy Status Update:

Rita Weaver provided an overview from the Outlet Adequacy Technical Group. Trying to iron out what can be agreed upon; working on draft report to send out to subcommittee for comments then back to the DWG for input; may not have time to pursue this Fall, concern about cost; (Group Discussion): should focus on flooding and stabilization of an outlet; maybe form another work group on water quality; subcommittee may have to change if we get into water quality; the environmental group’s position is that the entire chapter of 103E needs to be taken into account not just flooding; channel stability is undervalued and has a water quality component; legally need to address the entire list of items 1 through 9 under 103E.015 Subd. 1; adequacy of outlet and water quality are not the same thing; Rita Weaver agreed that there is value to focus on number 4 on the list first and regional differences will come out in the report; should have time to discuss again at the next meeting; water quality is relative to volume and duration and a very important piece; models make more sense; several questions about if the report is going to discuss climate change and possibility of having another subcommittee to address climate change and its effect on drainage; Rita Weaver indicated that defining a reason is not going to help with the solution; required to make a report to the legislature; need to prioritize our work and address those requirements/reports that have deadlines first; there is a desire to make sure folks are equally represented on these committees and capture all the differences. The report to the legislature should include our recommendations if we can get there.

Notification Requirements

Tom Gile discussed all the notification requirements in statute to capture/illustrate all references in 103E were there is a notice requirement/trigger. The highlighted statute list (that was shared) will be sent out to the group for review to ensure nothing is missed in the initial assessment. (Group Discussion): it was mentioned that the intended audience on notifications may be a way to categorize them; need to think about gaps in noticing in addition to eliminating some of these requirements as well; it was suggested to form a separate group to discuss this issue further; the cost associated with all these notification requirements should be discussed as well; should list what drainage authorities are doing above and beyond what’s required; suggest sending out a survey to members; in addition to just evaluating notification requirements should put forth recommendations; categorizing cost (L/M/H); may need to provide some further clarification. Recommendations will have support of the DWG.

Next Steps Drainage Authority Powers

Lukas Croaker created a document on drainage authority powers that was shared with the group for review. The legislature is looking at 103E powers only, not 103D (limited scope). (Group Discussion): drainage authorities may not have authority over all structures and there are some gaps/questions; do drainage authorities have the power to destruct a project? The legislature just requested documentation and this what this does. The DWG should check it off the list.

Storage Grants

Rita Weaver provided an update on this is pilot project and noted that the second round of money just went out. The question, is how much can we put in storage with not going through an improvement? Was hoping that the adequate outlet discussion would have addressed that issue, but not yet. We can now pinpoint were storage makes sense. Have been reaching out to landowners and exploring where this program can go. (Group Discussion): need to make sure projects are maintained; there are concerns that improvements may offset the benefits; move up the 1W1P/TMDL in priority which feeds into early public notice requirements; can have a bunch of smaller projects verses just one large project (add up totals); concern is that minimal changes trigger an improvement. It was noted that the priority location (Minnesota River area) is based on appropriation language.

Runoff and Sediment Repair Cost

Alternative method to repair cost option (MN Stat. 103E.729) was discussed. It’s unknown how much this option has actually been used. Should consider sending out a survey or providing more outreach. The general consistence was there some value to keeping this in statute.

Next DWG Meeting Date

The plan is to have an in-person meeting in St. Cloud, possibly at the MNDOT Offices. Current date of August 10, 2023 is in conflict with an AMC meeting/conference. Tom Gile was going to check further into possible St. Cloud locations and dates and will send something out to the group. The issue is finding a location that has adequate virtual capabilities. People were encouraged to show up in person if possible.