

Drainage Work Group (DWG) Meeting

November 16, 2022

Following the welcome and introductions, Tom Gile, Board of Water and Soil Resources (BWSR) gave an overview of the agenda. Information was provided about the following drainage-related events.

- [Minnesota Water Resources Conference](#): October 18-19
- MAWD Annual Conference: December 1-3
- AMC Conference: December 5-7
- MASWCD Annual Convention: December 12-14

Outlet Adequacy

Tom gave an overview of the outlet adequacy document he prepared (as follows).

The Drainage Working Group (DWG) requests the Drainage Management Team (DMT) review and provide options for more detailed assessment of "Outlet Adequacy" during drainage projects (Drainage Projects as defined in 103E.005 Subd 11). We ask that this effort be done in coordination with membership from the DWG with a strong technical background and provide a series of options for the DWG to consider during our 2023 meeting cycle.

Key areas of assessment of outlet adequacy include but should not be limited to.

- *Hydrological return frequencies which should be assessed?*
 - *What supporting modeling is appropriate?*
- *Should assessment methods/criteria vary based on drainage system characteristics and receiving body characteristics (I.E. Tile or open channel systems vs riverine or basin receiving bodies).*
- *What, if any, aspects of 103E.015 are appropriate to consider specifically as a part of the "Outlet Adequacy" Assessment.*

Input from DWG members:

- There is nothing in this proposal about extreme weather. The Minnesota Association of Watershed Districts (MAWD), Red River Watershed Management Board, and Association of Minnesota Counties (AMC) would like one or more of our technical people, as well as engineers, that work with counties and watershed districts serving on the DMT.
- It is important to have technical people from all perspectives.
- As part of adequate outlet, how far downstream do we have to go? There has to be a limit to where we go.
- The whole term adequate outlet needs definition.
- Key areas need to be identified in a list, but the DMT is not limited to those if something comes up that they think should be part of the consideration.
- Rita Weaver, BWSR explained that the DMT does not have interest or time to take this on. This will not be a DMT team task. The DMT sees this as a subgroup of the DWG.
- Tom will contact the DMT to determine which members will serve on this subgroup.

Who is the DMT? More information can be found [here](#).

- BWSR Staff: Rita Weaver, Henry Van Offelen, Mark Hiles, Ed Lenz
- MPCA Staff: Greg Johnson, Paul Davis, Dave Wall, Heather Johnson
- MDA Staff: Mark Dittrich, Jeppe Kjaersgaard
- DNR Staff: Rick Moore (MNIT), Jon Lore, Tim Gieseke, Joanne Boettcher
- University Staff: Marcelle Lewandowski, Joe Magner, Bard Carlson, Gary Sands, Lindsay Pease, Kim Musser,

- NRCS: Dave Jones, Brian Ebel

Next steps:

- Tom will update the paragraph to include comments made at this meeting.
- Each entity will send Tom Gile one or two people to represent their organization on the subgroup before the next DWG meeting. Tom will provide an update at the December DWG meeting.
- Tentative timeline: update from subgroup in March to get recommendations before the DWG meets again in June.

Multi-purpose Drainage Management (MDM) Grants

Grant applications have been scored and ranked. Recommendations have been made based on funding available. There were more requests than available funding. The applications will be considered at the next BWSR Board meeting. BWSR staff has had some discussion about adjusting the funding cycle to make it more compatible with drainage projects.

The Clean Water Council has recommended \$2.5M for FY24-25. This figure is tentative. Depending on the budget forecast, the deadline for their recommendations has been extended to January 15, 2023.

[10 minute break]

Early Coordination / Drainage Registry Framework

Tom Gile asked AMC and MAWD representatives to weigh in on the repair aspect of the proposed drainage registry. Both concurred that including repairs would be a significant roadblock for their members.

A request was made for AMC and MAWD to draft a formal proposal for the DWG to review at the next meeting. AMC and MAWD have had discussions about this subject with stakeholders. They agreed that it would be possible to convene a small group and offer a solution from their perspective.

Next steps:

- Tom Gile will contact MAWD and AMC representatives in the coming week and offer his assistance in this process.
- Annual conventions and conferences will be held before and after the next DWG meeting that is scheduled for December 8. It is not realistic to expect MAWD and AMC to develop a proposal before the next DWG meeting.

Department of Natural Resources (DNR) Status Update

Tim Gieseke reported that the DNR is looking at legislative concepts for early coordination. They have met with state agency staff, as well as AMC and MAWD. They will be meeting with BWSR on November 28. They haven't scheduled meetings with environmental or farm non-government agencies. They are prepared to bring a summary of what they have learned in this process to the next DWG meeting. He also reported that their work on submittal guidelines will be dependent upon the outcome of the work done on early coordination.

Questions and answers:

- What does early coordination mean that isn't in place right now? The DNR is looking for consistency in Minnesota Statutes Chapter 103E.043 and 103E.015.
- From the drainage authority perspective, early coordination means delays. The process is already long. The DNR is in contact with us during the early process, preliminary reports, hearings – from the very concept of the project. The DNR provides comments on the preliminary and final reports. What else are you looking for? From the DNR's perspective, there is a piece missing. There isn't consistency which they cannot get without legislation.

- From the drainage authority perspective, BWSR already oversees this. If a drainage authority isn't following the statute, it is their responsibility to correct that.
- Non-government organizations and downstream affected people are not considered in early coordination. That's not covered in the statute.
- Is the DNR looking at legislative options? Randall Doneen, DNR has developed legislative concepts on which they are gathering comments. Tim Gieseke also said that this could also be successful without legislation.
- Ray Bohn stated that no legislation should be brought forward if there isn't agreement through the DWG. When AMC and MAWD met with DNR, it was suggested that a pilot program could be developed with drainage authorities, rather than legislative initiatives. Tim Gieseke responded that there is a continuum of solutions. They are trying to get insights from stakeholders. Legislation is a big lift in any situation.

Next Meeting

Thursday, December 8, 11 am to 2 pm in person and virtual at Minnesota Farmers Union.

The meeting adjourned at 12:53 p.m.

Meeting notes by
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