

## Minnesota Board of Water & Soil Resources / Drainage Work Group

The Drainage Work Group was first established as a stakeholder group to advise the preparation the Public Drainage Ditch Buffer Study, which was published by the Board of Water and Soil Resources (BWSR) in February 2006. This Study Work Group discussed a range of topics regarding buffer strips and drainage and developed a number of consensus recommendations, which are presented in Section 6 of the study report. In 2006, the Study Work Group agreed to continue to meet as the stakeholder Drainage Work Group (DWG), with continued facilitation provided by the BWSR.

The stakeholder Drainage Work Group has been meeting since 2006 for the following purposes:

- Foster science-based mutual understandings regarding drainage topics and issues;
- Develop consensus recommendations for drainage system management and related water management, including recommendations for updating Chapter 103E drainage law and other provisions.

Following are the entities represented on the Drainage Work Group.

### Drainage Work Group Membership

|                      |   |
|----------------------|---|
| Drainage Authorities | AMC - Association of Minnesota Counties<br>MAWD - Minnesota Association of Watershed Districts  |
| Farm Groups          | MFB - Minnesota Farm Bureau<br>MFU - Minnesota Farmers Union<br>Lobbyist for several other Ag groups  |
| Environmental Groups | MCEA - Minnesota Center for Environmental Advocacy<br>FWLA - Fish and Wildlife Legislative Alliance<br>MCF - Minnesota Conservation Federation  |
| Other Associations   | MASWCD - Minnesota Association of Soil and Water Conservation Districts<br>MVA - Minnesota Viewers Association<br>MACO - Minnesota Association of County Officers<br>MADI - Minnesota Association of Drainage Inspectors<br>RRWMB - Red River Watershed Management Board<br>MAT - Minnesota Association of Townships<br>MAWRC - Minnesota Agricultural Water Resources Coalition<br>ADMC - Agricultural Drainage Management Coalition |
| State Agencies       | BWSR, DNR, MDA, MPCA  |
| Legislature          | Legislators and/or House and Senate committee staff   |

## **Why drainage is an important topic**

- Water quality and quantity management are increasingly important as the Impaired Waters List for Minnesota continues to grow, Total Maximum Daily Load (TMDL) studies and plans are developed and implemented, and the Minnesota Clean Water, Land and Legacy Amendment is implemented.
- Because drainage is critical for agriculture, roads and urban areas, drainage management is likewise critical. Drainage management can be a sensitive issue.
- Drainage infrastructure provides substantial opportunity for multipurpose water management practices and projects.

## **Drainage Work Group Activities and Accomplishments to Date**

The Drainage Work Group (DWG), which is facilitated by the Board of Water and Soil Resources, has provided a forum for discussing drainage management issues, sharing applicable current science and developing consensus recommendations for enhanced drainage management.

In 2006, the DWG developed consensus recommendations to:

- clarify and enhance Chapter 103E drainage law regarding buffer strips and side inlet controls along public drainage ditches (Section 103E.021);
- clarify protection of conservation practices along drainage ditches;
- clarify ditch inspection frequency;
- develop drainage records preservation and modernization guidelines and promote state cost-share for drainage records modernization;
- support an update of the Minnesota Public Drainage Manual; and
- support establishment of an interagency drainage management team to provide coordination and assistance to promote multipurpose drainage management.

These consensus recommendations were substantially adopted by the Legislature in 2007.

In 2007, 2008 and 2009, the DWG developed consensus recommendations to further update Chapter 103E drainage law, including:

- clarify the scope and process of Section 103E.227 to better enable wetland restorations and other impoundments on drainage systems, and associated funding partnerships between drainage systems and conservation programs;
- clarify the language and process of Section 103E.805 to better enable partial abandonment of drainage systems for wetland restorations and other impoundments;
- require all Chapter 103E drainage authorities to appoint a drainage inspector and clarify applicability to watershed districts as well as counties;
- update various dollar limits and thresholds in drainage law, primarily for inflation;
- support additional state cost-share for drainage records modernization; and
- provide authority in statute to BWSR for drainage stakeholder coordination.

Bills carrying these consensus recommendations were introduced but stalled during the 2009 legislative session. These bills are being further discussed by the 2010 Legislature, minus any appropriations.

## **Other Topics of Discussion to Date**

- Review of drainage law and experience regarding transfer of drainage system authority, particularly where urban areas have expanded over agricultural drainage systems.
- Water quality use classifications and public drainage systems.
- Drainage ditch assessments on state Consolidated Conservation lands.
- Sources of sediment in the Minnesota River Basin.
- Current conservation drainage practices – research and experience.
- Methods and process for redetermination of benefits of drainage systems, including adjusting drainage assessments for land use change.
- Lateral effects of drainage on conservation lands and conservation lands on farmland
- 103E.015 Considerations before drainage work is done.
- Other current drainage related research, information, legislation, programs and topics.

