

Drainage Work Group Meeting Notes September 11, 2014

12:30 – 3:30 p.m.

Minnesota Farm Bureau Building, Eagan, MN

Attendance

John Thompson, Faribault Co., MACATFO; Craig Austinson, Blue Earth Co.; Tom Loveall, BWSR Brd.; Ron Ringquist, MVA; Mark Morreim, MNLICA; Bruce Kleven, Ag. Groups; Larry Kuseske, MAWD; Dave Schad, DNR; Kris Sigford, MCEA; Kyle Hartnett, MAT; Les Everett, UMN; Jeff Berg, MDA; Rob Sip, MDA; Joseph Birkholz, Shell Rock River WD; Ron Harnack, RRWMB; Harlan Madsen, Kandiyohi Co.; Jerome Deal, MAWD; Dan Wilkens, RRWMB; Mark Dittrich, MDA; Darrell Gerber, FWS; Rep. Paul Torkelson, District 16B; Tim Gillette, BWSR; Al Kean, BWSR

Handouts prior to or during meeting

1. DWG – Meeting Logistics and Agenda for 9-11-14
2. DWG – Meeting Notes for 7-31-14
3. DWG – Prioritized Discussion Topics List - Draft 9-5-14
4. DWG – Drainage Assessments to Road Authorities Subgroup – Summary of Discussions to Date and Next Step Recommendations, 9-9-14
5. Minnesota Public Drainage Manual, Sep. 1991 – List of Chapters and Sections
6. Tiered Aquatic Life Use (TALU) – Information for the Drainage Work Group, 9-9-14

Introductions and agenda overview

All in attendance introduced themselves. Al Kean provided extra copies and an overview of the agenda, noting the addition of an agenda item regarding recent activity for the update of the Minnesota Public Drainage Manual.

Approval of 7-31-14 meeting notes

Extra copies of the meeting notes were distributed. Al Kean noted that he had failed to record in the notes that the DWG had agreed to establish a subgroup for the discussion topic about Public Waters and Drainage. DWG members who volunteered to serve include: Ron Harnack, Dave Schad, Greg Eggers, Tom Loveall, Al Kean, and after the meeting, Larry Kuseske. Other corrections or additions were requested. None were identified.

Share information about recent and upcoming events involving drainage topics

- FarmFest, August 5-7, Gilfillan Estate, Redwood County: No drainage discussion, but some discussion about EPA Proposed Rule regarding Waters of the U.S.
- Farm Water Management and Cover Crop Field Day, Lloyd Schrunck farm near Canby, MN, 8-13-14: Large controlled subsurface drainage installation, and cover crop demonstration.
- Minnesota Viewers Association meeting, Fergus Falls, MN, 8-27-14: Topics included viewing for accelerated runoff (which can involve quasi-runoff-based assessment).
- Side Inlet Demonstration Field Days: Red Lake SWCD/WD, 8-19-14; Hawk Cr. Watershed, 8-20-14; Nicollet Co./SWCD, 8-28-14. Good turnouts, demonstrations and discussion about alternative side inlets structures and recommendations for type and design.

Update regarding DWG Subgroup for drainage assessments to road authorities

This DWG subgroup met on 9-5-14. Handout number 4 above was distributed and discussed. The subgroup recommends expanding the subgroup somewhat to include townships, AMC, northwest MN counties and MACATFO drainage committee representatives, with a goal to help define updated

guidance regarding drainage assessment for roads to incorporate into the update of the MPDM. Kyle Hartnett, MAT, volunteered to serve on this subgroup, as did John Thompson, MACATFO. AMC does not yet have a replacement for Annalee Garletz's position (ENR Policy Analyst). Al will check with AMC regarding status of that position and potential representation on the subgroup.

Update of Minnesota Public Drainage Manual

Al K. shared that a contract has been executed with the team of Houston Engineering, Inc. and Rinke Noonan, Attorneys at Law to lead the update of the MPDM. The project will involve an advisory committee, including subcommittees by chapter, on which DWG members can participate. The intent will be a diverse stakeholder advisory committee, without getting too large. Al handed out a list of chapters and sections of the existing MPDM (handout 5 above). It was agreed that Al would send the list of MPDM chapters and sections, including the planned new drainage system BMPs chapter, to DWG members and solicit interest in serving on the advisory committee and subcommittees.

Further Review DWG Prioritized Discussion Topics List

It was suggested and supported that the topic regarding intersection of public waters statute and rule and drainage law should include private drainage as well. Al will revise the discussion topic title accordingly and will be sending subgroup members a Doodle Poll request to identify meeting dates. It was reported that the AMC Environment and Natural Resources Policy Committee recently had a request for the DWG to discuss 103D.625, including drainage system establishment and improvement petitions where there is a watershed district and associated transfer of drainage authority between a county and watershed district for improvements, which is on the DWG discussion topics list. It was agreed to revise the priority for this topic from medium-high to high. Al noted that the updated discussion topics list now includes a short list of key reference documents pertinent to drainage law and drainage. The resulting prioritized discussion topics list will be considered final for now.

Overview of BWSR/UMN Sec. 319 Side Inlets for Water Quality Research and Demonstration Project

Tim Gillette, BWSR Conservation Drainage Engineer, provided a PowerPoint overview of this EPA Section 319 project, which included evaluation of terrain analysis for identifying high priority side inlet locations along ditches and streams, research regarding effectiveness of several different types of side inlet designs, supplemental design guidance for side inlets, and demonstrations at four locations in the agricultural areas of Minnesota. Discussion included the water quality benefits of including short-term detention at side inlets, similar to what is done for water and sediment control basins. Several DWG members had attended a demonstration day.

Tiered Aquatic Life Use (TALU) – MPCA Request for Comments on Proposed Rulemaking

Al K. shared handout number 6 above, which he prepared in consultation with MPCA, and the DWG discussed. MPCA staff had previously presented to the DWG about TALU some time ago. It was noted that TALU rulemaking is about Use Class 2: Aquatic Life and Recreation. State water quality monitoring includes aquatic life monitoring. A stated intent is to better correlate water quality standards with aquatic life potential and realistic expectations. MPCA proposes to add categories for Exceptional Use, Modified Use and Limited Use waters, the latter two of which will include channelized streams and ditches. A draft rule has not yet been developed. Ohio has previously implemented a TALU. A question was asked about how water quality standards under TALU may or may not correlate with public waters. It was noted that the comment period closes at 4:30 p.m. on Friday, October 17, and that several pertinent links are given in handout number 6.

Next Meeting

The next DWG meeting will be on Thursday, October 9, 2014 at the Minnesota Counties Intergovernmental Trust (MCIT) building in St. Paul.