

Drainage Work Group Fact Sheet

Purpose

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

- Foster science-based mutual understanding about drainage topics and issues;
- Develop recommendations for drainage system management and related water management, with a focus on updates of Minnesota Statutes Chapter 103E Drainage and related provisions.

Stakeholder Organizations

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| Drainage Authority and Related Organizations | AMC – Association of Minnesota Counties |
| | MRC – Minnesota Rural Counties |
| | MAWD – Minnesota Association of Watershed Districts |
| | RRWMB – Red River Watershed Management Board |
| | MACATFO – Minnesota Association of County Auditors, Treasurers and Finance Officers |
| | MVA – Minnesota Viewers Association |
| | MADI – Minnesota Association of Drainage Inspectors |
| | MNLICA – Minnesota Land Improvement Contractors Association |
| | MAT – Minnesota Association of Townships |
| | Drainage Attorneys |
| | Drainage Engineers |
| Agricultural Organizations | MFB – Minnesota Farm Bureau |
| | MFU – Minnesota Farmers Union |
| | MAWRC – Minnesota Agricultural Water Resources Center |
| | MCGA – Minnesota Corn Growers Association |
| | MSGA – Minnesota Soybean Growers Association |
| Conservation and Environmental Organizations | MASWCD – Minnesota Association of Soil and Water Conservation Districts |
| | MCEA – Minnesota Center for Environmental Advocacy |
| | FWLA – Fish and Wildlife Legislative Alliance |
| | MCF – Minnesota Conservation Federation |
| | IWL – Izaak Walton League |
| | TNC – The Nature Conservancy |
| University | UMN – University of Minnesota, Water Resources Center |
| State Agencies | BWSR, DNR, MDA, MPCA, MnDOT |
| Legislature | House and Senate nonpartisan staff |

Note: Other stakeholders are on the DWG email list and attend meetings, sometimes based on the agenda topics.

Coordination and Process

- The Board of Water and Soil Resources (BWSR) coordinates the DWG in accordance with drainage stakeholder coordination authority provided in Minnesota Statutes Section 103B.101, Subd. 13.
- When the DWG began in 2006, it agreed to operate on a consensus basis for its products. In 2018, the DWG added a consensus and non-consensus report option, with limitations, if full consensus cannot be achieved.

Products to Date

The Drainage Work Group has developed recommendations to update Chapter 103E and related provisions, prepared reports to the Legislature, and responded to other requests. Following is a summary.

Chapter 103E revisions and other recommendations adopted in 2007:

- Revise Chapter 103E provisions regarding buffer strips, side inlet controls and other conservation practices;
- Revise Chapter 103E regarding ditch inspection frequency, including when there are buffer strip violations;
- Support for drainage records modernization, including guidelines and state cost-share;
- Support for updating of the Minnesota Public Drainage Manual;
- Support for establishment of an interagency drainage assistance team.

Chapter 103E and Chapter 103B revisions adopted in 2010, and report requested by the Legislature:

- Update Chapter 103E to better enable wetland restorations and impoundments involving public drainage systems, including system rerouting, partial abandonment and public-private funding partnerships;
- Require all Chapter 103E drainage authorities to have a drainage inspector;
- Update various dollar limits and thresholds in Chapter 103E, primarily for inflation;
- Provide authority to BWSR in Section 103B.101, Subd. 13 for drainage stakeholder coordination;
- *Study of Riparian Buffer Areas, Feb. 2010*, report to the Legislature (BWSR in consultation with the DWG).

Chapter 103E revisions adopted in 2013:

- Update several key definitions in Chapter 103E;
- Enable reestablishment of drainage system records that are lost, destroyed or incomplete;
- Enable an official copy of drainage system records when there is a transfer of part of a drainage system between a county and a watershed district;
- Clarify authority for wetland and water quality improvements for repairs and certain projects;
- Enable a 2-stage ditch cross-section for petitioned repairs.

Chapter 103E revisions adopted in 2014:

- Update environmental, land use and multipurpose water mgmt. considerations for “drainage projects”;
- Require investigation of external sources of funding for public-private partnering with drainage projects and petitioned repairs for multipurpose water management.

Chapter 103E and Section 103F.48 revisions adopted in 2016, and Minnesota Public Drainage Manual update:

- Revise the state buffer law (Section 103F.48) and Chapter 103E drainage law to better enable acquisition, compensation and maintenance of public drainage ditch buffer strips by Chapter 103E drainage systems;
- Participation on the project advisory committee for update of the Minnesota Public Drainage Manual.

Report to legislators in 2017:

- Review of three sets of bills involving drainage introduced in 2016, and report to applicable legislators.

Request response, report to the Legislature, Chapter 103E revisions & related recommendations, 2018 & 2019:

- Response to the Clean Water Council Policy Committee about a draft policy statement for water storage;
- *Recommendations for Accelerating Public Drainage System Acquisition and Establishment of Buffer Strips and Alternative Practices, Report to the Legislature, Feb. 1, 2018* (BWSR in collaboration with the DWG);
- Chapter 103E revisions, and Section 17.117 and related recommendations to accelerate Chapter 103E drainage system acquisition of ditch buffer strips required by Section 103F.48 and Chapter 103E;
- Chapter 103E revisions to add a Drainage System Repair Cost Apportionment Option.