

**Drainage Work Group
Drainage System Repair Cost Apportionment Option
Overview**

Purpose of the Option

To provide county and watershed district drainage authorities a **voluntary option** for drainage system repair cost apportionment under Chapter 103E drainage law, using current and future technology that can:

- 1) provide property owners more consistent, equitable, timely, and cost-effective repair cost apportionment; and
- 2) provide an incentive for property owners to adopt land use and cropping systems that reduce runoff and sediment contributions to a public drainage system.

Characteristics of the Option

- 1) Could only be used for Chapter 103E drainage system repair cost apportionment.
- 2) Would not change or replace the “viewing” provisions in Chapter 103E for “drainage projects” or redetermination of benefits and damages.
- 3) Would utilize current and future technology (such as GIS) and digital data to evaluate runoff and sediment contributions to a drainage system, together with appropriate on-site verification.
- 4) Could be used in combination with other provisions in Chapter 103E to equitably apportion drainage system costs of acquiring easements and compensating landowners for permanent ditch buffer strips.

Option Development History

- 1) In October 2011, the Drainage Work Group (DWG) first discussed this option as a utility-based approach for drainage system cost apportionment that could provide incentive for reduced runoff. The Smith Partners LCCMR project report “Minnesota Drainage Law Analysis and Evaluation, August 15, 2011” (Recommendation 2d) addressed this option.
- 2) In 2015, several water management entities presented information to the DWG that utilized GIS to assist drainage system viewing, as well as to determine runoff and/or sediment contributions from land parcels within sub-watersheds and drainage systems.
- 3) In September 2015, the DWG began discussions to provide an option in Chapter 103E drainage law for runoff and sediment based drainage system assessment, including a request for a proof-of-concept prototype method that was developed by December 2016.
- 4) Between October 2016 and March 2018, the DWG reviewed, debated and revised numerous drafts to develop recommendations for Chapter 103E revisions to enable this option for drainage system repair cost apportionment.