Drainage Work Group Members,

Many, but maybe not all of you are probably aware that the Legislature passed and Governor Dayton signed (on 4-25-16) MN Session Laws 2016, Chapter 85 (SF2503), which includes Buffer Law and associated clarifications, including the DWG recommendations regarding drainage system retroactive acquisition and compensation for public ditch buffer strips.

Two bills that definitely will need future DWG discussion, based on communication with a Chief Author and/or a requirement in one of the bills include:

**SF-2451 / HF-3956** (Chief Authors: Sen. Clausen; Rep. Hansen) about establishing requirements for installing surface and subsurface drainage on ag land; adequacy of the outlet.  

**HF-2365 / SF-2380** (Chief Authors: Rep. Backer; Sen. Westrom) about modifying drainage system petitioned repair procedures (Sec. 103E.715, Subd. 4) to enable update of benefits based on updating of land values. SF-2380 includes a provision requiring the DWG to report to the legislature by Feb. 1, 2017 on changes to more efficiently accomplish updating of benefits and any related measures to accomplish prudent management of public drainage systems. I’ll suggest that the DWG also needs to investigate the need for limitation in Subd. 4 of repair costs to benefits on the books.  

As you know, I and others have investigated the use of AgBMP Loans for drainage system acquisition and financing of public drainage ditch buffer strips. I had previously shared a new MDA fact sheet about this. A pair of bills (**HF-3734 / SF-3521**) (Chief Authors: Rep. Torkelson; Sen. Dziedzic) were introduced about creating a riparian improvement revolving loan program funded by bonding to help drainage authorities finance ditch buffer strips prior to a redetermination of benefits. I’ve had associated further coordination with MDA and bill proponents about the AgBMP Loan program and
these bills. I will try to stay connected to these discussions.

Other bills involving drainage include:

**HF-2011 / SF-2029** (Chief Authors: Rep. Lenczewski; Sen. Wiklund) about providing authority in Sec. 103E.011, Subd. 5 for drainage authorities to receive and use funds for watershed-based planning and implementation for drainage systems.

Do you know of any other bills that I may have missed here?

DNR continues to work on developing guidance to replace a 1980 DNR memo about the Public Waters Work Permit exception (or not) for Chapter 103E drainage projects (Sec. 103G.245, Subd. 2), and DNR permission for work in public waters (Sec. 103E.011, Subd. 3). I’m working with the DWG Public Waters and Drainage Subgroup via Doodle Poll to find a date and time to meet and discuss between the end of the Legislative session and the next DWG meeting on Thursday, June 9. I hope to have a meeting scheduled by the middle of this week.

The International Water Institute continues to work on developing a prototype runoff-based drainage assessment method. An update will be provided at the next DWG meeting.

**Please mark your calendars for the next DWG meeting on Thursday, June 9, 12:30 – 3:30 p.m.** Because the MN Farm Bureau training room is not available that day and the MN Farmers Union has new offices at I-35E and Roselawn Ave. with a large meeting room (and Thom Peterson has invited its use), **MFU is where we’ll plan to meet.** I’ll provide detailed location information with the upcoming meeting agenda and materials.