

MAWD Legislative and State Agency Advocacy Update: August 2022

Polk County and Red Lake Watershed District (RLWD)

The RLWD took jurisdiction over a petition to improve Polk County Ditch 39 pursuant to Minnesota Statutes Section 103D.625. Landowners appealed to the district court, contending that Polk County had jurisdiction over the drainage proceeding, and RLWD did not. The [district court ruled](#) against RLWD, holding that a watershed district may have jurisdiction over a drainage improvement petition only if the county has formally transferred jurisdiction over the drainage system to the watershed district. This ruling conflicts with the legal position and practice of watershed districts operating throughout the Red River Basin and the state.

At their meeting on August 23, the MAWD Board authorized their legal counsel to file an Amicus Curiae (friend of the court) brief in support of RLWD in the Minnesota Court of Appeals, advocating for watershed district jurisdiction over drainage improvement proceedings. This will be a joint effort/cost sharing with the Red River Watershed Management Board (RRWMB). A single brief will be filed on behalf of both entities as friends of the court.

Legislative Update

At the Red River Partners Summer Tour, Louis Smith provided an overview of the [2022 Legislative Session](#). Rob Sip, RRWMB provided an update on [Regulatory Hot Topics](#).

Partner Meetings

Drainage Work Group (DWG) – The DWG met on August 11. Following the welcome and introductions, information was provided about drainage-related events. (Click [here](#) to read the meeting notes.)

Rob Sip, RRWMB gave a PowerPoint presentation entitled “Water Management Coordination and Communication Efforts in the Red River Basin of Minnesota”. Click [here](#) to review the presentation. A question-and-answer session followed the presentation.

Petition notice was the next topic of discussion Ray Bohn gave a historical perspective and a suggested path for moving forward. Proponents of the drainage registry will submit a position paper by the end of August that will be distributed to DWG members. Tom Gile, BWSR will provide the framework for decision-making at the September meeting.

Chuck Brandel, ISG gave a PowerPoint presentation entitled “Early Coordination with Landowners – Feasibility Study Process”. Click [here](#) to review the presentation. A question-and-answer session followed the presentation.

The next meeting will be held on September 8 from 11 a.m. to 2 p.m. at a location TBD.

BWSR – The BWSR Board met on August 25 in conjunction with the Red River Partners Summer Tour. The meeting information will be posted [here](#) when it is available.

Clean Water Council (CWC) – The CWC met on August 25. Following regular CWC business, the Council heard a presentation about local government implementation of the Clean Water Fund from Brian Martinson, Association of Minnesota Counties; LeAnn Buck, Minnesota Association of Soil and Water Conservation Districts; and Emily Javens, MAWD. Click [here](#) to review the presentation. Click [here](#) for the meeting packet. Click [here](#) for meeting notes. The recording can be found [here](#).

One Watershed, One Plan (1W1P) Update – Click [here](#) to read an update about BWSR’s 1W1P program. It includes a list of local government unites for each planning effort and the map of

participating watersheds. This will soon be updated now that the BWSR Board approved new planning grants and the Middle-Snake-Tamarac plan.

Also, a reminder of where to find the 1W1P Program Evaluation report completed by the State's Management Analysis and Development group. It's on the [1W1P main page of the BWSR website](#) (scroll down to the "program evaluation" tab).

BWSR Staff Update. Craig Engwall joined BWSR as their new Senior Legal and Program Advisor on August 22. Craig has served as the executive director of the Minnesota Deer Hunters Association for the past seven years and prior to that worked as a DNR Special Assistant to the Commissioner and Regional Director and served as legal counsel for BWSR while working at the Attorney General's office. In his role as Senior Legal and Program Advisor, Craig will be ready to work with all BWSR programs and conservation delivery partners to provide legal and related policy analysis to improve and protect Minnesota's water and soil resources. Please welcome Craig to his new role when you get the opportunity. His mobile phone # will be: (612) 398-2622.

Next Steps in MAWD's Legislative Program and Lobbying

MAWD staff will work with the chair of the Legislative Committee to schedule a meeting in September. The meeting will include the following topics: review 2022 results, recommend a preliminary 2023 lobbying platform, review legislative initiatives in the draft strategic plan, and discuss ways for members to connect with legislators in the current political climate and factors related to the upcoming election.

MAWD Resolutions

The request for resolutions packet was sent to administrators on June 30. The packet leads administrators and boards through the process of submitting resolutions that will be considered by the membership in December at our annual convention.

Please don't hesitate to contact MAWD with any questions or if you'd like someone to review your resolution before you send it to your board. We would certainly like to avoid wordsmithing the resolutions on site to get them passed. A second or third set of eyes never hurts! You will also be happy to know that the resolutions committee will be reviewing our hearing protocols this fall to make sure our hearing will go as smoothly as possible.

Although the bylaws state the deadline for submitting resolutions to the MAWD office to be 60 days before the annual meeting, we respectfully request you submit them by **August 31** if possible. The timeline gets tight to process them and get them back out to you in October so that you can discuss them at your November meetings.

The Resolutions Committee will meet in early September to review the resolutions.