

What is a Watershed District?

Minnesota Board of Water and Soil Resources – updated 4/05

Water does not respect political boundaries

This saying lies at the heart of why Minnesota has made it possible to manage water resources on the basis of **watersheds**, areas of land that drain to a given lake, river, stream or wetland. Since water flows from place to place, a water resource problem in one community may be caused by another community's actions. By managing water resources on a watershed basis, communities can jointly plan to prevent problems, and coordinate and equably pay for projects to correct problems when they do occur.

Watershed district authority created in 1955

Recognizing the need to manage water on a broader basis than municipal or county boundaries, the Minnesota State Legislature established the **Watershed Act**¹ in 1955. This act provided the means to create **watershed districts** anywhere in the state. As outlined by statute, the purposes of watershed districts are:

To conserve the natural resources of the state by land use planning, flood control, and other conservation projects by using sound scientific principles for the protection of the public health and welfare and the provident use of the natural resources.

Watershed districts are special purpose units of local government whose boundaries follow natural watershed divides. Watershed districts have been given broad authorities, including the authority to:

- Adopt rules with the power of law to regulate, conserve, and control the use of water resources within the district.
- Contract with units of government and private and public corporations to carry out water resource management projects.
- Hire staff and contract with consultants.
- Assess properties for benefits received and levy taxes to finance district administration.
- Accept grant funds, both public and private, and encumber debt.
- Acquire property needed for projects.
- Acquire, construct, and operate, drainage systems, dams, dikes, reservoirs, and water supply systems.
- Enter upon lands within and without the district to make surveys and conduct investigations

Since the inception of the Watershed Act, 47 watershed districts have been created through a process of citizens or local governments petitioning to the state. They range in size from 40 to 6,000 square miles, and together they cover approximately 30 percent of Minnesota's land area.

The watershed management plan:

One of the first responsibilities of a new watershed district is to prepare a **watershed management plan**. The plan outlines existing and potential water resource issues and planned projects to be undertaken. A watershed management plan must be written by the watershed district and approved by the Minnesota Board of Water and Soil Resources before projects can be undertaken.

¹ Minnesota State Statutes Chapter 112, now repealed and reorganized in Chapter 103D

Watershed district governance:

A local board of managers numbering from three to nine members governs watershed districts. When a watershed district is first established, members of the initial board of managers are appointed by the Minnesota Board of Water and Soil Resources for a one-year term. Subsequent board of manager members are then appointed by the county board of commissioners that have territory in the watershed district. District managers must reside in the watershed district, and cannot be a county, state, or federal elected officials (soil and water conservation district supervisors do not fall under this restriction and may serve on board of managers).

Watershed district accountability:

Watershed district board of managers are accountable to the county board of commissioners that appointed them. Watershed districts file annual audit and activity reports to both the Minnesota Board of Water and Soil Resources and the Minnesota State Auditor's Office. Watershed management plans and changes in district boundaries need to be approved by the Minnesota Board of Water and Soil Resources.

Advisory committee:

Watershed districts are required to appoint an **advisory committee** of at least five members to advise and assist the district board on all matters affecting the interests of the watershed district. When practicable, advisory committees need to include representation from a soil and water conservation district, a county board, an outdoor sporting organization, and a farming organization.

Watershed management within the Twin Cities metropolitan area:

Because of the complexity of water management in urban areas, the Legislature has made the development and implementation of **watershed management plans** in the 46 Twin Cities metropolitan area² watersheds mandatory. This was done through the 1982 **Metropolitan Surface Water Management Act**³.

To carry out watershed management plans, the Metropolitan Water Management Act also required the formation of a **watershed management organization** (WMO) for each of the 46 watersheds. Watershed management organizations can be administered under three different frameworks: as watershed districts, as joint powers agreements among municipalities, or under county government (with the exception of Hennepin and Ramsey Counties, which are unable to administer WMOs under county government). Within the metropolitan area, 14 watershed management organizations are organized as watershed districts, 23 are organized as joint powers agreements, and several are organized under county government.

Watershed districts within the Twin Cities metropolitan area come under the guidance of both the Watershed District Act and the Metropolitan Water Management Act.

More information:

For more information on watershed districts, contact the Minnesota Board of Water and Soil Resources at (651) 296-3767 or visit the Minnesota Association of Watershed Districts at www.mnwatershed.org.

² Metropolitan Area Counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

³ Minnesota State Statutes, Chapter 103B, Sections 103B.201 to 103B.255.