

# Minnesota Watershed Districts

## General Information

Minnesota has forty seven watershed districts in the state. Each district's boundaries follow the natural boundaries of the watershed and range in size from 43 square miles to 5990 square miles.

Watershed districts are local units of government that work to solve and prevent water-related problems. Watershed districts identify the problems within their area and utilize resources within the state, counties, cities and soil and water conservation districts for water and wetlands protection and management. Projects and activities vary based on the watershed district but may include stream bank restoration, flood control structures, nutrient loading reduction, dredging and channel excavation, local cost-share programs, erosion control projects, storm water management, conducting water quality surveys, wetland restoration, feedlot pollution reduction, agricultural land buffering, and best management practices.

## History

Watershed districts were created in response to the 1954 federal Watershed Protection and Flood Protection Act. This Act provided financial assistance to local agencies responsible for the management of secondary watersheds. These local agencies had the power of eminent domain and the ability to levy for support of their activities, powers the existing Soil and Water Conservation Districts in Minnesota declined to assume. In response, the Minnesota Legislature approved the Watershed Act, M.S. Chapter 103D in 1955 which allowed for the establishment of watershed districts.

According to the act, a watershed district has the power to:

- Sue and be sued
- Incur debts, liabilities and obligations
- Exercise the power of eminent domain
- Levy property taxes and special assessments
- Issue certificates, warrants, bonds
- Acquire and dispose of property
- Hire staff and consultants
- Regulate development

The first watershed district was established in 1957. Though the original objectives focused on water quantity, watershed districts now work on many concerns including wetlands and groundwater management.

## **Governance**

Watershed districts are formed by petitions from local residents, cities, or county boards to the Minnesota Board of Water and Soil Resources. Often water management problems become too great for one community to handle and citizens want a broader approach to flooding or water quality issues. If approved, the Boards of County Commissioners within the area appoint a Board of Managers to govern the watershed district. The legislation chose appointment of the Board instead of an election process because of the politically sensitive and sometimes unpopular projects necessary.

The Board of Managers of a watershed district is composed of three to nine people, each of whom must live within the district and cannot be a county, state, or federal government public official. The managers help direct activities of the district, set policy, guide staff, and make decisions on district priorities. Other responsibilities include annual presentations to county boards and city councils, setting long term and short term goals for the District, maintaining program and project priorities, promoting watershed district services, and reviewing permit applications. The term of a manager is 3 years.

The Board hires a District Administrator, who oversees all projects, presents watershed plans, projects, budgets, solutions and recommendations, maintains a working relationship with local, state, and federal agencies as well as the media, and is responsible for hiring, supervising and firing district employees. The District Administrator reports to the Board. The position may be full or part-time salaried or by contract. Depending on the size of the district, the District Administrator may be the only staff for the district.

The Board is required to appoint a Citizen Advisory Committee annually, whose responsibility is to advise and assist managers on all matters affecting the interests of the watershed district and to make recommendations on proposed projects. The committee must consist of at least five members and if possible should include representatives from each SWCD in the district, each county in the district, a sporting organization and a farming organization.

## **Watershed District Plan**

Watershed districts are required to create a watershed management plan that identifies problems within the watershed district as well as long and short term goals. After the original plan is approved, plans must be revised once every ten years. With each revision the watershed district must include updates on statistical data for the watershed, projects to be completed, description of problems for future action, and a summary of completed studies on projects. Plans must be submitted to the county boards of counties affected, the Minnesota Board of Water and Soil Resources, the director of the Division of Waters of the Department of Natural Resources, municipalities in the district, SWCDs in the District, and the metropolitan council if the district is in a metropolitan area. In metropolitan areas, individual cities must also create local watershed management plans which must then be approved by the metropolitan watershed district.

## **Funding**

Watershed districts are primarily funded through ad valorem taxes, which assign taxes over the entire taxing district based on property value. When a district is formed it may levy for organizational start up funds for the first year. The district may also levy annually for a general fund. There are assorted funds with different taxing percentages as well as different requirements for the ability to levy within each fund. Watershed districts may also generate money through permit fees, inspection fees, engineer review fees, and wetland delineation fees. Government agencies also offer financial assistance through grants, loans, and cost-share programs. Information on the amount of each funding source that contributes to the total budget was not available.

Since watershed districts rely at least in part on ad valorem taxes, the money available to each district varies based on population and the value of property. While in some cases larger districts do have more money available to them because of size, size is not an accurate indicator of the expenditures for a district. According to the 2005 available data, expenditures for districts vary from \$98,000 to \$5,000,000. Information on financial expenditures was available for thirty two of the forty seven watershed districts. Fourteen districts spent below \$500,000. Seven districts spent between \$500,000 and \$1,000,000. Eleven districts spent over \$1,000,000.

## **Local, State, and Federal Partnerships**

### **Local**

Both *cities* and watershed districts have regulatory authority on projects that impact water resources. If cities want to initiate local water management plans, they must be approved by the watershed district. Likewise, several cities may be located within a watershed district and projects initiated by the district may require cooperation from the cities. It is important that cities and watershed districts work together to determine regulation enforcement responsibilities and when it is in the best interest of both parties to partner on projects.

*Soil and Water Conservation Districts* (SWCDs) locally administer a number of state programs and manage and direct conservation programs with state, federal, and private resources. They are a valuable resource to the Watershed District for partnering on projects.

*Counties* manage resource-related activities through planning and zoning laws. They locally administer many state programs, including the Comprehensive Local Water Management Program where counties can receive grant money from the state for local water plans. Each county has a local water planning coordinator, a position that may be the SWCD or someone designated within the county. They serve as another resource for watershed districts.

### **State**

The *Minnesota Board of Water and Soil Resources* (BWSR) is the state administrative agency for ninety one soil and water conservation districts, forty seven watershed districts, twenty three metropolitan watershed management organizations and eighty county water managers. The BWSR has authority over the Watershed Districts and provides technical and financial assistance.

The *Minnesota Department of Agriculture* is responsible for protecting Minnesota's food supply, cultivating the agricultural economy, but also protecting Minnesota's natural resources. They are the lead state agency in all aspects of pesticide and fertilizer regulatory functions and develop, promote, and evaluate best management practices.

The *Minnesota Department of Health* is the state's lead health agency, and one of its core functions is to reduce health hazards by identifying and evaluating potential health hazards in the environment. It provides technical and financial assistance to agencies, including watershed districts, to promote this function.

The *Minnesota Department of Natural Resources* is required to manage water resources to ensure an adequate supply to meet long-range seasonal requirements for domestic, agricultural, fish and wildlife, recreational, power, navigation and quality control purposes. The MDNR's water operating division monitors all phases of the hydrologic cycle and manages impacts on wetland, lake, river, and groundwater phases of the hydrologic cycle. The MDNR serves as a resource, with such programs as the floodplain management program, shore land management program, and lake management program. They provide technical and financial assistance as well.

The *Minnesota Pollution Control Agency* (MPCA) monitors the environment and provides information to agencies for the protection and improvement of natural resources as well as information on developing and enforcing environmental regulations. The MPCA has seven divisions and through them provides many functions. A few include regulatory services to sources of air, water, and land pollution including permitting, compliance and enforcement, monitoring and evaluation of the physical, chemical, and biological conditions of Minnesota's environment, helping develop permit limits, and providing information on environmentally beneficial behaviors, technologies and products.

### **Federal Agencies**

The *Natural Resources Conservation Service* partners with communities as well as private landowners to conserve their soil, water, and other natural resources providing technical assistance. They also manage natural resource conservation programs that provide technical and financial benefits.

The *US Army Corp of Engineers* is responsible for regulating activities in wetlands and water courses. Most of Minnesota is within the St. Paul District of the Army Corp, which is responsible for operating 13 locks and dams, helping local communities with flooding damage reduction, permitting for work in wetlands and navigable rivers, operating 16 reservoirs, and environmental restoration programs among other responsibilities.

The *US Department of Agriculture Farm Service Agency* works to help farmers conserve land and water resources, among other responsibilities. State and County offices administer the programs of the FSA, delivers information about programs and loans, and builds and maintains working relationships with farm and agri-business constituencies, and worker unions among others. Each FSA has a State Environmental coordinator who provides support and training to watershed district and county personnel to ensure that compliance to the National Environmental Policy Act is implemented.

The *United States Environmental Protection Agency* works with state agencies to develop and enforce regulations that implement laws, provide support through grants, performs environmental research, sponsors voluntary partnerships and programs on pollution prevention, and promotes environmental education among other responsibilities.

The *United States Fish and Wildlife Service*, among its other responsibilities, enforces federal wildlife laws, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetland and protects endangered species. They partner with agencies, organizations, entities or individuals to accomplish their mission of conservation through programs, grants, and information.

*All information was researched through Minnesota State Code, the Watershed District Handbook, and the Watershed District Guidebook. Materials located at [www.mnwatershed.org](http://www.mnwatershed.org).*