

Water Regulation: Watershed Approach

The State of Minnesota has been a pioneer in the concept of watershed-based water management, adopting the Minnesota Watershed District Act in 1955. The Minnesota Watershed District Act, now codified in Minnesota Statutes Chapter 103D, provides for the establishment of watershed districts "to conserve the natural resources of the state by land use planning, flood control, and other conservation projects . . . using sound scientific principles for the protection of the public health and welfare and provident use of the natural resources." The Minnesota Watershed District Act recognizes several fundamental concepts in the effective management of water resources:

A. Hydrologic Focus. The law recognizes that water does not adhere to political boundaries and, thus, allows for the establishment of watershed districts as local government units bounded by hydrologic divides as opposed to political borders. As a result, lakes and streams, and the land draining into them, are regulated by one local entity with a central comprehensive vision for managing the entire water resource.

B. Land Use. The law recognizes that regulation of land use within a watershed is an essential component in protecting and preserving the water resources within the watershed. Watershed districts supplement municipal land use regulation with an exclusive focus on water quality and flood control in a manner designed to avoid the problem of pushing the detrimental effects of development downstream.

C. Financing Water Resources Improvements. Watershed districts provide a more workable and rational means of financing improvements for water resources. Typically, local municipal jurisdictions lack the necessary resources to fund critical improvements designed to restore water quality or provide flood control for local lakes and streams. Assessing the costs across the entire watershed that contributes drainage to these lakes and streams provides a more equitable and effective approach.

D. Engaging Citizen Ownership. Watershed districts, as local entities with boards comprised of local citizens, provide an effective means of engaging citizen ownership and management of valued local water resources.