



Water Governance Evaluation

How is water managed in Minnesota, and is our system a sustainable one? The Water Governance Evaluation project is an effort by the MPCA to evaluate Minnesota's water-related laws, rules and programs in order to streamline, strengthen, and improve sustainable water management.

September 2012



Minnesota Pollution Control Agency

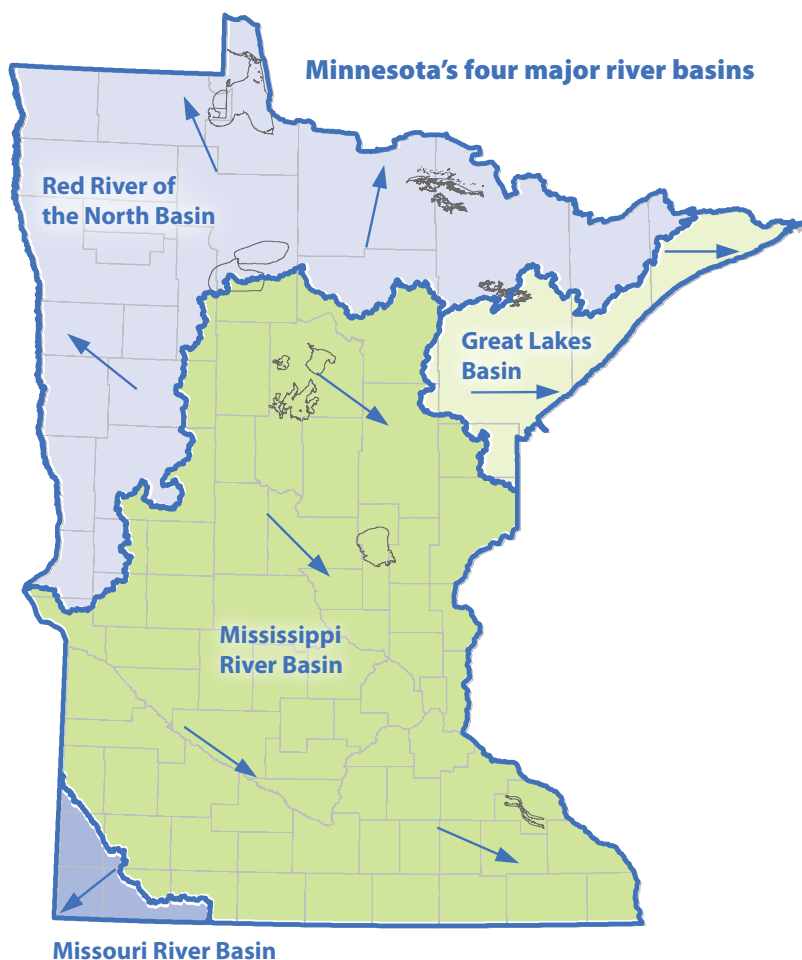
How and why should we streamline water management?

Minnesota's water governance structure includes at least six state agencies that are charged with distinct but overlapping water management roles.

In recent years, the Legacy Amendment and the Clean Water Fund have served as powerful incentives for state agencies to collaborate and improve the integration of their programs. However, at the local level, the complexity of programs and permit requirements often frustrates landowners and local governments.

This study represents an effort by the state water management agencies to **turn the spotlight on ourselves** and seek opportunities to improve our policies, processes and requirements.

The study is still in the information-gathering and issue identification phase, and we are actively seeking input, opinions and ideas.



Minnesota, uniquely located at the headwaters of four continental-scale river basins has historically been known as a "water-rich state," but one where growing water demands and localized or seasonal shortages create challenges for a sustainable water supply.

Who's involved?

The study is being conducted through the MPCA Commissioner's Office, directed by Commissioner John Linc Stine and Assistant Commissioner Rebecca Flood. Suzanne Rhees is project coordinator. An interagency work group of senior staff from MPCA, the Board of Soil and Water Resources, the Departments of Health, Agriculture and Natural Resources, and the Metropolitan Council is developing recommendations. The University of Minnesota's Water Resources Center is assisting with research and evaluation.

What is "sustainable water management"?

Sustainable water use has been defined by the legislature as that which "does not harm ecosystems, degrade water quality, or compromise the ability of future generations to meet their own needs."

We can look at the concept of sustainable water management through the three-part lens of *environment, economy, and community*. Sustainable water management would therefore:

- ▶ Ensure sufficient supplies of clean surface and groundwater
- ▶ Protect and restore healthy water and land-related ecosystems
- ▶ Enhance economic opportunity through the availability of water for multiple uses
- ▶ Enhance community well-being, including the use of water for recreation and to sustain and enhance quality of life.

Laws 2011, 1st Special Session, Chapter 2, Article 4, Section 33. EVALUATION REQUIRED

(a) The Pollution Control Agency, in conjunction with other water agencies and the University of Minnesota, shall evaluate water-related statutes, rules, and governing structures to streamline, strengthen, and improve sustainable water management.

(b) The Pollution Control Agency must submit the study results and make recommendations to agencies listed under paragraph (a) and to the chairs and ranking minority party members of the senate and house of representatives committees having primary jurisdiction over environment and natural resources policy and finance no later than January 15, 2013.

What have we learned so far?

- ▶ Minnesota's position at the headwaters of major river basins means that over 99% of the state's water comes from rainfall on our own lands. It is our responsibility to protect these waters.
- ▶ Water management in Minnesota is highly effective in many respects, but also complex. Different state, local and federal agencies play significant roles in:
 - Water use and appropriation
 - Pollution prevention and control
 - Water quality monitoring
 - Shoreland management for lakes and rivers
 - Groundwater protection
 - Wetland conservation
 - Public waters regulation
 - Drinking water safety and supply
 - Public health risk assessment
 - Water well construction
 - Drainage for agriculture
 - Flood control and flood damage reduction
- ▶ Many inconsistencies exist among goals and authorities for water management. Programs came into being at different times, under differing mandates, so it isn't surprising that they are not always consistent.
 - Example: wetlands regulation and drainage law. Wetland permitting requirements differ among state and federal agencies, and frequent amendments to the Wetlands Conservation Act add to the confusion. The laws governing drainage for agriculture, dating back to the 19th century, have also been updated repeatedly, but still make it difficult to incorporate conservation drainage or wetland restoration into drainage systems.
- ▶ The patchwork of local government units, including soil and water conservation districts, watershed districts and other local entities can be confusing. Although the system makes sense to those who operate from "inside" state agencies and local government units, it is often confusing for landowners. This complexity at the ground level can breed mistrust among those who must navigate the system.
- ▶ Substantial progress has been made in coordination and collaboration among state agencies, through structures such as the Clean Water Council, Clean Water Fund

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Water in an agricultural landscape



Southwest Minnesota: The First and Second Fulda Lakes in Murray County exemplify some of the challenges of improving water quality and fisheries in an intensively managed agricultural region. A multi-year effort by many partners has resulted in watershed improvements and restoration efforts. The lake has been restocked with walleye and other sport fish. The project received a 2012 Environmental Initiative Award.

Development around a suburban lake



Metro Area: Upper Prior Lake in Scott County shows extensive shoreland development, which is regulated by local governments in compliance with DNR guidelines. High levels of phosphorus in the lake resulted in its placement on Minnesota's list of impaired waters. This designation requires a Total Maximum Daily Load (TMDL) plan for improving water quality. Photo © Metropolitan Design Center

Study timeline



Interagency Teams, and integration of water data among agencies and data users.

- ▶ Local governments, watershed districts, and watershed management organizations are asked carry the load of water planning. However, because water management authority is so fragmented, it is difficult to take a “systems” view of water; one that crosses political boundaries to focus on the health of the watershed.

Share your ideas

The water governance evaluation is being conducted primarily within state water management agencies. It includes a broad literature review, interviews of key informants within and outside state government, and a series of focus groups with agency and university policy analysts.

A short on-line survey was conducted between July and mid-September. The results will be used to refine and evaluate the project’s findings and recommendations. If you have comments or questions, or would like to be added to an e-mail list for occasional project updates please contact the project coordinator: suzanne.rhees@state.mn.us.

Minnesota River valley



Southern Minnesota: This segment of the Minnesota River upstream from St. Peter shows sandbar deposition and nearby sand and gravel mining. Streambank and bluff erosion are major sources of sediment in the Minnesota River basin, surpassing field erosion. The main channel of the Minnesota River has widened in the past 70 years by about 50%, contributing 100,000s of tons of gross sediment per year.



Drainage ditches in Northwest Minnesota: There are about 1,200 miles of county and state drainage ditches within the Thief River watershed and approximately 50% of the original wetlands have been drained. Judicial Ditch 11 discharges large quantities of sediment into the pools of the Agassiz National Wildlife Refuge, causing loss of water depth and degradation of high quality waterfowl habitat. The Marshall County Soil and Water Conservation District is working with area landowners to establish filter strips, side-water inlets and other conservation techniques along the ditch. Photo U.S. Geological Survey

To learn more about the water governance evaluation project, visit www.pca.state.mn.us/water-gov



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