

District Legal Authority

1883 - **Chapter 108** allowed county commissioners to authorize the construction of ditches within the county, including the drainage of "shallow, grassy, meandered lakes under four feet in depth."

1897 - **Chapter 257** created a state drainage commission to "have care, custody, control and supervision of all drainage ditches in the state," and the first statutory definitions of public and private waters. This law and the powers of the drainage commission were expanded by statutory amendments through 1917.

1954 - organized efforts began in support of a **Coon Creek flood control project**.

1955 - **Watershed Act** (M.S. 103D.351) authorized watershed districts to take over drainage systems within their boundaries, and then evaluate the environmental and natural resource consequences of proposed projects on their drainage systems.

1959 - **Coon Creek Watershed District was established** through petition to the Minnesota Water Resources Board. The District's primary responsibility was maintenance and repair of the public drainage system within the watershed.

1982 - **Metropolitan Water Management Act** (M.S. 103B.231) required the District to protect, preserve, and use natural surface and groundwater storage and retention systems, identify and plan for means to effectively protect and improve surface and groundwater quality, and protect and enhance fish and wildlife habitat and water recreational facilities.

1991 - **Wetland Conservation Act** (WCA) was enacted requiring a regulatory program to achieve a no-net-loss of wetlands.

Credits

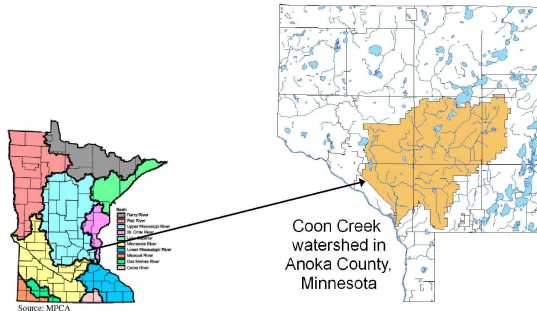
Historical ditch photo:
<http://www.bbe.umn.edu/history/drainage/>

Farm photo: <http://reflections.mndigital.org/u2/ach,10>

Other photos: Coon Creek Watershed District staff

WATER IQ #10

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Mission

To manage groundwater and surface water drainage systems to prevent property damage, maintain hydrologic balance, and protect water quality for the safety and enjoyment of citizens, and the preservation and enhancement of wildlife habitat.

Coon Creek Watershed District

Water IQ #10

Ditch Easements



Tenth in a Water Information Quest (WIQ) Series by Coon Creek Watershed District

Tel: 763.755.0975

Ditch Easements

The creek on your property may actually be a drainage ditch dug almost 100 years ago.



In Anoka County where our elevation change is only a few feet, obstructions could cause flooding upstream for miles.

Drainage ditches need periodic maintenance that requires inspection and possible repair. Otherwise flow gets obstructed, often causing flooding. Therefore, early in ditch law history, easements were established for monitoring, inspection & repair of the channel and spoil banks. These easements allow access rights, yet ownership is retained by the landowner (fee title).

All public ditches have ditch easements held by a drainage authority. Private ditches are privately owned and are therefore the responsibility of the landowner (including easements). Since its establishment in 1959, Coon Creek Watershed District (District) has had responsibility for all 125 miles of public ditches plus issues like erosion and wetland conservation within the District.

In 1988, a new Rule provided specific sizes for ditch easements within all new plats.

The Need for Access

Be aware that the District may need access to the creek/ditch for monitoring, inspection, or repair which may require use of heavy equipment by our contractor. While the District may not want to remove trees along banks, it may need to, and has the right to, remove them if they are obstructing repair access. So, it may be best to plant trees and shrubs where they won't obstruct the ditch or its repair; instead, consider keeping the banks in long-rooted native grasses or flowers for erosion control.



Unsure if you have a ditch or easement on your property? Call the city or watershed district.

Be sure to have your full address plus Section number (from a legal description or a topographic map).

Coon Creek Watershed District
763.755.0975
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Some History



1892, Peterson farm, Soderville (Ham Lake township)

Ditches are common in Anoka County because of our agricultural roots. Here in Anoka County, the soil tends to be *very* sandy intermixed with areas of other soil types. Sand is made of larger soil particles so is considered porous and good for drainage. The other soil types may not drain as well, and so can retain water. The numerous wetlands encountered by European settlers provided productive farmlands, if drained.

Over a century ago the Minnesota Legislature passed drainage laws “to enable the owners of land to drain and reclaim them when the same cannot be done without affecting lands of others.” As drainage became necessary for agricultural productivity, Coon Creek & Sand Creek were ditched. Farms sprouted up. Ditch construction peaked in the District and Anoka County in 1917. The area was farmed mostly

LEARN MORE!

www.cooncreekwd.org
Permit Information menu, Current Rules link
www.bbe.umn.edu/history/drainage/