What is a public water?

Public waters include all natural and altered watercourses with a total drainage area greater than two square miles.

What is the Public Waters Inventory?

The Public Waters Inventory ("PWI") is a list of the streams and rivers of Minnesota that meet the definition of a public water. The legislature tasked the Department of Natural Resources ("DNR") with creating and maintaining the PWI.

Why does an accurate PWI matter?

An accurate PWI is essential to protecting Minnesota's water resources.

Limbo Creek, pictured above, is a case study for the PWI's importance. *Photo: West Central Tribune*

Despite meeting the definition of a "public water," Limbo Creek has been omitted from the PWI. This omission leaves Limbo Creek vulnerable to becoming a ditch, with the County taking the position that a water that is not on the PWI does not need a public waters work permit. Limbo Creek is only one example of the current deficiencies of the PWI.

TIMELINE OF THE PWI

- **1976 –** The legislature addresses confusion over public waters by instructing DNR to create the PWI.
- **1979 –** The legislature adopts a new and expansive definition of public water.
- **1979 –** The legislature makes DNR's completion of the PWI mandatory. Over the next few years, DNR completes the process.
- **2005 –** The legislature gives DNR authority to correct errors in the inventory.
- **2017** – DNR removes over 640 miles of waterways, including Limbo Creek, from the PWI in order to correct a supposed procedural error in the original process. DNR explicitly retains authority to revisit and include those waters in the PWI.
- **2018** – DNR releases a framework to return public waters to the PWI by 2019.
- **2020** – DNR starts the process of returning public waters to the PWI. DNR begins the process in Renville and Polk counties.

Where does the PWI stand?

Currently, the PWI erroneously leaves off waters that meet the definition of public waters. According to its framework, DNR will systematically review these errors for each county and restore waters to the PWI.

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