



Minnesotans *for Healthy Lakes*

Dear Lakeshore Property Owner:

This is to alert you to the fact that the Minnesota Department of Natural Resources (DNR) has begun the process of changing the rules for treatment of aquatic weeds and algae, to limit the control area to one-half the length of an individual owner's shoreline, or 100 feet of shoreline, whichever is less! This will significantly reduce the amount of useable shoreline you have, and degrade the view of the lake from your property. This in turn can have the effect of reducing your property value!!

You, as a lakeshore (riparian) property owner are paying a disproportionate tax burden, and have a right to protect your investment.

In 2002, the DNR was directed by the State Legislature to undertake a review of the Aquatic Plant Management Program (APM) for the purpose of determining what improvements were needed. The APM is the governing document by which aquatic vegetation may, or may not, be controlled by mechanical or chemical means in the State of Minnesota.

After 3 years and thousands of man-hours, (not to mention the expenditure of untold taxpayer's dollars), the DNR has recently released the changes which they intend to implement in the APM. We are sorry to say that in virtually every area considered, the DNR is ***tightening*** the restrictions on what you as a property owner can do to control aquatic weeds. Both ***invasive*** (exotic) species (e.g., Eurasian Watermilfoil, Curley Leaf Pondweed, etc.) as well as native species, are seeing ***increased*** protection on the part of the DNR!! Essentially, the noxious invasive species are being treated with the same level of "***loving care***" as native species.

Throughout this APM review process, Minnesotans for Healthy Lakes (MHL) and others have been seeking to obtain the scientific data on which the DNR is basing these tightened restrictions. To this date, we have received none!

Examples of the changes that will negatively affect you are:

1. Existing Rule Language: "On all public waters...a maximum of 100 feet of shoreline per site belonging to an individual riparian owner may be treated for control of submerged vegetation."

New Rule if implemented: Maximum shoreline width (Which can be treated) : "One-half the length of an individual owner's shoreline frontage or 100 feet, whichever is less."

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Minimum shoreline width (Which will be allowed): “35 feet, or the width of an individual owners shoreline frontage, whichever is less. “

Again, no differentiation is made for exotic versus native species.

2. Existing practice: Lakes which were authorized by permit to treat more than 15% of their littoral area (that area within 15 feet of depth) prior to 1976, were covered under a “grandfather clause” to allow continuation of that practice when the arbitrary 15% rule was put into effect.

New Rule if implemented: All “grandfather clauses” would be terminated. Where lake property owners felt that they still needed to treat more than 15%, they would have to file a Lake Vegetation Management Plan (LVMP) to request special approval from the DNR.”

Our experience with the LVMP process is that it is complicated, time-consuming, requires special biological expertise, and is still subject to the bias of the DNR for minimum treatment.

3. Existing practice: No specific procedures are listed in rule when non-native, invasive plants are the focus of the management effort.

New rule if implemented: The APM permitting process would be applied up to the limits specified therein. (15% of the littoral area, further limited by _ shoreline or 100 feet per owner, whichever is less)

If a homeowner or lake association wished to more aggressively attack invasive species, the LVMP process would be the only recourse available. See comments above regarding the LVMP process.

Similarly, permit variance requests typically are ineffective because the same DNR personnel that rejected the permit in the first place are involved in the variance review process.

So, what can you, as a Minnesota lakeshore property owner do to defend against the continuing erosion of your property value by overly-conservative DNR rules?

1. Help MHL fight to maintain the property values of lakeshore owners throughout Minnesota. Join us by completing the enclosed Membership Application and returning it to us as quickly as possible;
2. Send a letter or call your state senator and representative (see attached contact information sheet) to tell them that you strongly oppose the attempts by the DNR to further restrict your ability to treat aquatic weeds on your shoreline. Ask them to protect your property value and oppose any efforts to bring about more restrictive rule changes in this area. Please let us know what they say!
3. Sign the enclosed Petition and return it to MHL at the address shown to help us gain the attention of our elected representatives in a collective fashion;
4. Visit the MHL website (www.mnhealthylakes.org) to obtain more information on MHL and this process. Talk with your lakeshore neighbors and get them involved!

Sincerely,

William F. Iacoe, Executive Director