



The COLA Update



Publication of Hubbard County Coalition Of Lake Associations

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President's Report

by Herm Bailey, COLA President

COLA extends warm greetings and best wishes for a good 1994 to all its members.

This is a good time to report on COLA's activities during 1993 and its plans for 1994.

The amendment of the 1991 Shoreland Ordinance was probably the most important development of 1993 for lakeshore property owners. Included in this issue of the *Update* is a summary of those amendments. Generally, COLA regarded the Shoreland Ordinance as a good set of standards governing use of properties on Hubbard County lakes. And generally COLA considered that the proposed amendments as a whole would have the effect of weakening the Shoreland Ordinance. We opposed most amendments, supported a few, suggested changes in others. Rich Rothermel and his committee gave many hours to analyzing the proposed amendments, developing positions to recommend to the COLA board. We are not entirely pleased with the final result. In the years ahead we will continue to take an active role in shaping the Shoreland Ordinance. If you have suggestions for specific changes you think we should support, let us know about them through your COLA representative.

A few lakes which are members of COLA have had employees of the Hubbard County Environmental Services Office inspect the septic systems of all developed properties of those lakes. Many of those septic systems did not meet code standards, and the property owners were directed to upgrade them, usually at considerable (\$2500 and up) cost. The Environmental Services Office reports that most property owners have been cooperative even though their bank accounts took a stiff hit. We feel good about the high level of cooperation from COLA members.

COLA now has about \$4000 on hand—that's \$4 for each property represented in COLA. Not a lot of money, but accumulating a lot of money is not our goal, so we expect to spend some of it in 1994. People we look to for advice—employees of the Environmental Services Office, the DNR, Minnesota Pollution Control Agency, Soil and Water Conservation District—all emphasize the need to know the present condition of our lakes. We need to have a benchmark, a standard against which to measure the extent of change in water quality. Some testing by the agencies has been done and will continue in 1994 and thereafter. But the agencies lack funds necessary to do as much as COLA thinks is

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Shoreland Ordinance Amended



The Hubbard County Board of Commissioners unanimously approved and adopted Amendment No. 2 to the Shoreland Management Ordinance at their regular meeting on December 1, 1993. After more than a year of discussions and four public hearings, the amendment became effective on January 1, 1994.

Some of the new provisions of this ordinance are summarized in the supplement included with this *COLA Update*. **These additions and changes should not be taken out of context. They must be interpreted in conjunction with the entire Shoreland Ordinance.** If you are planning any project which may require a permit or variance, seek the assistance of your Lake Advocate or the Environmental Services Office.

If you are buying or selling property within the shoreland be especially careful that the intended use of the land is allowed by the ordinance.

The complete Hubbard County Shoreland Management Ordinance dated January 1994 is available for \$3.00 in the Environmental Services Office in the courthouse in Park Rapids.

President's Report

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needed. So, working with these agencies, we plan to initiate our own testing program. Included in this issue of the *Update* is Bruce Paakh's article on lake monitoring. This outlines what we hope to do.

We will try to avoid duplication of effort; we will rely on volunteers from each lake who will receive training to gather the samples. We will have to pay lab fees for the testing. But we think we can accomplish a great deal for a modest amount. Then at some future date, say 1998, we'll do it again. Then we'll determine whether there have been any significant changes in water quality. We think most of you will approve of this use of your COLA dues.

I've had this president job only a few months. The pay is about what I'm worth. There is much more work than I'd realized, but also many more competent, cheerful workers than I'd realized. When I was elected, I wondered if there really was a need for COLA; if what COLA could do couldn't be done just as well by individual lake associations. I have concluded that there is a role for COLA, a very useful role.

The list of its past accomplishments is impressive. By sharing with each other their experiences, what they have learned, how to do things that need doing, the representatives from the lake associations take back to their members much of value. And while we didn't accomplish what we wanted at the hearings on the amendments to the Shoreland Ordinance, we made our presence—and our positions—known to the County Commissioners. Individual memberships in COLA now exceed 1000. Lake associations from Bad Axe and Hinds joined COLA in 1993. We will try to persuade other county lake associations to join us. We—you and you and all members of COLA—are the people most interested in the quality of our lakes and the use of our shorelands. Our interest should be recognized for what it is—the position of the people most involved, the voices of those who have committed resources and, more important, part or all of their lives to homes on these lakes. We will work hard to achieve that recognition and to see that the rules that govern the use of the lakeshores in Hubbard County are the rules wanted by the majority, and we certainly are the majority. ★

Local Water Task Force (LWTF) News

• The Education Committee of the Local Water Task Force approved the purchase of water course materials for two county schools. Science teachers Wayne Buckley of Laporte and Rusty Uscola of Nevis will receive teacher manuals and individual workbooks for each student for an Interactive Lake Ecology Course. The Park Rapids Middle School has not yet requested this course.

• The County Board of Commissioners has approved a position in the Environmental Services Office for a new person whose main duties will be the administration of the Wetland Conservation Act and the Local Water Management Plan. This should be an important step toward better management of our water resources and we thank the County Board for the action they took. ★



Growth of Eurasian Milfoil Slows

Kim Bogenschutz of the Minnesota Department of Natural Resources has advised COLA that new infestations of Eurasian water milfoil were fewer in 1993 than in prior years—good news indeed! When the final tally is available—probably in time for inclusion in the next *COLA Update*—we'll pass it along. ★



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224-2299

Vice President Ted Spencer

Secretary-Treasurer Mary Ann Bauler
224-2826

Lake Association Representatives

Bad Axe Tom Craig

Belle Taine Joel Haley

Big Mantrap Charles Gabbert

5th/6th Crow Wing Ted Spencer

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Fish Hook Lake Barb Peterson

Gilmore Lake Charles Kellner

Hinds Bob Bauman

Kabekona Lake Mary Ann Bauler

Little Sand Lake Wallace Vokes

Long Lake Milt Wisland

Palmer Lake Vern Schlong

Potato Lake Rich Rothermel

Spider Lake Lois Lawler

Stoney Lake Julien Helgeson

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Summary of Amendments

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to shore areas across delineated wetlands. Earthen fill strips must be authorized by a variance appeal to the Board of Adjustment and must comply with the Minnesota Wetland Conservation Act.

7. New subdivision provisions require platting when creating four or more lots of greater than five acres in size. Current rules require platting of three or more lots less than five acres in size.
8. A greywater system will be allowed in a garage that is defined as an accessory structure, provided a 2-inch building sewer line is utilized, toilet waste is excluded, the system is connected into the onsite sewage treatment system servicing the principal residential dwelling, the existing onsite sewage treatment system is of sufficient size to handle the additional wastewater, and the system meets or exceeds Chapter 7080 standards.
9. A section defining fences and establishing design criteria for fences has been added. A fence must be entirely located upon the property of the person building the fence; if constructed for privacy or confinement, the fence must meet all structure setbacks except for the side lot setback; fences may encroach upon the setback from ordinary high water if they are of open air construction and earth-tone colors.
10. Section 708, entitled "Non-conforming Lots of Record," has been extensively modified for purposes of clarification.
 - Commercial properties requiring large collector systems, multiple systems, or cluster systems for waste treatment will have three years from the date of notification to upgrade or replace a nonconforming septic system.
11. Property owners may repair damage to a shoreline from a single season of ice damage that occurred within the last 12 months when the ice ridge had been legally altered in prior years, providing such work is reported to the Office of Environmental Services.

Removal of an ice ridge in all other circumstances must be authorized by a variance. This means permanent ice ridges may not be removed.
12. New special provisions for agricultural uses outlaw new feed lots within the shoreland and set a minimum lot size of 5 acres for use as a pasture. Land shall be considered to be used for agricultural purposes if at any time during the ten years immediately preceding the enactment of the shoreland ordinance the land was primarily used for agricultural purposes.
13. Section 401 was amended to allow the operation of a group home within the shoreland provided that the applicant meets the specified conditions for this use as prescribed in the ordinance and secures a conditional use permit. Also, home occupations within the shoreland are allowed provided that all the requirements of the ordinance are complied

with including the special provisions added in Section 402. These special provisions are designed to preserve the residential character of the property.

14. The minimum depth on all remote, forested, and tributary river lots created after January 1, 1994, will be 267 feet.
15. The Zoning Administrator is authorized to permit a separate sanitary treatment facility for a guest cottage where topographic features result in practical difficulties during installation. ★

CONGRATULATIONS!

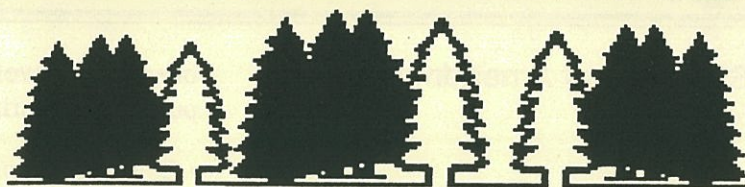
Mantrap Valley Conservation Auxiliary

The Hubbard County Soil and Water Conservation District nominated the **Mantrap Valley Conservation Auxiliary** for the *Distinguished Service Award* presented by the *Minnesota Association of Soil and Water Conservation Districts* at their annual convention last December in St. Cloud.

We have known for a long time what great work they've been doing and are pleased that they are getting broader recognition. ★

Shoreland Ordinance

Summary of Amendments



Summarized below are amendments which COLA and the Environmental Services Office consider the most important.

1. Criteria has changed for additions or alterations to the outside dimensions of a non-conforming structure. Although they will be allowed by building permit, restrictions include:

- Additions or alterations may not exceed cumulatively 50% of the square footage of outside dimensions of the structure as it existed on April 15, 1991, as documented in records in the office of the Hubbard County Assessor, and for reasons of structural integrity allowing for basements under additions where a basement exists on the original structure.

- The lot size must meet the standards of a minimum of 12,000 square feet, 75 feet in width at the building line and, for riparian lots, 75 feet in width at the ordinary high water level.

- The height of the proposed addition, or completed structure, may not exceed the height of the existing structure by more than four feet.

- The roof, if present, may not be altered for use as a deck, storage area, or any other purpose for which roofs are not normally intended.

No additions shall be allowed to nonconforming accessory structures.

Nonconforming structures may be remodeled as defined in this ordinance without a permit. A definition of "remodel" has been added to the ordinance. Any grandfathered nonconforming structure or deck that is altered, replaced, or partially replaced beyond what is allowed for remodeling shall no longer be considered grandfathered.

Additions to rental units within Planned Unit Developments will not be allowed if units are located in shore or bluff impact zones **and** if the development exceeds density limitations as prescribed in the ordinance.

2. Definitions for decks and platforms have been added to the ordinance. A deck is now defined as a horizontal unenclosed platform extending more than three feet above ground level, whereas a platform is a horizontal unenclosed platform at or less than three feet above ground level. Railings, seats, and trellises are not allowed on platforms. New restrictions to deck and platform additions to non-conforming structures are:

- Platform encroachment toward ordinary high water level can not be closer than 30 feet and the platform encroachment does not exceed 400 square feet in size.

- The deck or platform must be constructed primarily of wood, and cannot be roofed or screened.

- Deck and platform additions are not allowed on accessory non-conforming structures.

3. If a bedroom or water-using appliance is added to a residence, the property owner may be required to upgrade the property's septic system.
4. The definition of a temporary structure has been amended to include the requirement that temporary structures must comply with all provisions of the shoreland ordinance including setback standards.
5. The definition of "Bluff Impact Zone" has been amended to include any bluff and all land located within 30 feet from the top of the bluff. The definitions of "Toe of the Bluff" and "Top of the Bluff" have been amended to allow a visual determination for setback purposes. Finally, a structure setback of 30 feet from top of bluff has been added. This means when there is a visible break in the slope, all structures must be 30 feet back from the break.
6. Rules and design criteria for boardwalks have been added. Boardwalks are the required alternative for achieving access

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Lake Monitoring for Phosphorus and Chlorophyll

by Bruce Paakh, MPCA

During the spring of 1993, I assisted the Becker County Coalition of Lake Associations in the design and implementation of a lake water quality monitoring program. The program was designed to analyze the lake water quality for total phosphorus and chlorophyll A, in addition to the Secchi disk monitoring that all the lakes participate in through the MPCA—Citizen Lake Monitoring Program (CLMP). The addition of both phosphorus and chlorophyll A data to the annual Secchi data base can assist us in better understanding the important relationships which occur in your lake between the three parameters, and can provide for the calculation of Trophic Status Index (TSI) numbers for each lake. The TSI can be used for predictive computer modeling, trend analysis, goal setting, etc. Following is a brief introduction to the three key parameters.

Chlorophyll is a pigment found in all algae. The three types of chlorophyll commonly found in planktonic algae (free floating—not attached) are, chlorophyll a, b, and c. Chlorophyll “a” constitutes approximately 1 to 2 percent of the dry weight of organic material in all planktonic algae. The measurement of chlorophyll “a” is the preferred indicator for algal biomass estimates. Algal biomass refers to the amount or quantity of algae living in a volume of lake water.

The Secchi disk is used to measure water clarity or transparency. The algae present in the water column act to block the light penetration into the water column which causes a reduction in the transparency of the water. Change in the algal biomass is typically the primary factor affecting water clarity. As algal densities increase, the water transparency or Secchi disk reading decreases. The continuation of annual Secchi readings at a frequency of once per week throughout the summer is crucial if long-term water quality trends are to be identified and assessed.

Phosphorus is typically the limiting nutrient for algal production. The greater the phosphorus level, the greater the algae production. Data generated throughout a summer monitoring program will likely show this general relationship:

Phosphorus increases = Chlorophyll increases = Secchi decreases

As each lake is unique in many different ways (i.e.; size, mean and maximum depth, land use within watershed, soil type, surface and ground water interactions, etc.), the above relationships will vary from lake to lake. By monitoring these parameters we can define what is occurring within each lake.

A monitoring program such as the one performed by the Becker COLA involved the collection of phosphorus, and chlorophyll A samples once per month from May through September. Other data were also collected during the sampling runs (i.e.; Secchi, recreation suitability, observed recreation activity, physical condition, water color, etc.). Rainfall and lake level information were also collected during the summer on each lake. The water samples were collected by lake association volunteers with the use of 2-meter integrated samplers. The samples were preserved and shipped immediately to a contract testing laboratory. Sample locations were determined by the MPCA to assure that samples were taken at representative sites. Training was provided to the volunteers to ensure that the samples were collected, handled, preserved and shipped in a fashion that maintained sample integrity.

The Hubbard COLA is considering the implementation of such a program during the summer of 1994. If you are interested in seeing this type of monitoring performed on your lake, or interested in assisting with such a program, please contact your COLA representative or lake association president. ♣

Zoning Director Kluthe Honored

Hubbard County Zoning and Environmental Services Director, Beth Kluthe, has been awarded the *Park Rapids Jaycees Distinguished Service Award for 1993*. The award was presented at a dinner on November 16th and was a complete surprise for Beth—who was lured there by her husband (in on the secret) on the premise that hubby, Al, was to get an award! Several lake association and COLA friends were tipped off and were present to see Beth honored.

Officially, the award was presented for her “outstanding community involvement” and Beth is involved. She brings high ability and commitment to her position and is highly respected at the courthouse. She finds time to serve her church, the Girl Scouts, the Hockey Association, and most recently was elected clerk of the Nevis Township Board. Add to this her role as wife, and mother of two delightful children (they were present when Beth received her award), and you can appreciate how much she is giving of herself.

Beth is probably best known for the development of the County Shoreland Ordinance and her role in administering it, her involvement with the Hubbard County Water Task Force, and the County Planning Committee. But few people realize that she spearheaded the “Lake Advocate Program” to success and that as a result Hubbard County is far ahead of other counties in Minnesota.

Because of her involvement and speaking engagements with lake associations in the county, Beth is probably, for us on the lakes whose lives are affected by her work, the best known and highest respected county official.

Upon being presented the award, Beth responded that she was “speechless”—which many know is very unusual for her! ♣

Survey of Lake Associations Completed

In the spring of 1993 a survey of lake associations belonging to COLA was completed by Ted Spencer of 5th/6th Crow Wing Lake Association. Almost all groups contributed data. The survey illustrates the differences between lake associations and perhaps affords some ideas for possible activities.

The survey data reveals that

- The average lake association has 55% of lakeshore property owners as members; median membership annual dues are \$10, but two are \$20, one is \$25 and two are \$5. (The survey was done before some annual meetings, so there may be some changes in 1993.)
- All of the lakes were taking Secchi disk readings regularly.
- Only 5 of 11 were doing regular precipitation readings.
- Almost all were doing milfoil checks (which indicates the training by the local agencies to recognize milfoil may be paying off). However, less than half were doing milfoil checks of boats coming into their lakes at accesses.
- Most lake associations reported they published and distributed two newsletters per year. Three reported they had no newsletter at all; two were getting out quarterly newsletters, and one group had them out monthly.

COLA board members were asked for extra comments to add to the survey and these were generally in support of COLA and continuing its efforts. ♣

Mary Ann Bauler New COLA Secretary

Mary Ann Bauler is the new secretary-treasurer of COLA. She and her husband Ken live full-time on the south side of Kabekona Lake.

Her predecessor was Cleo Ritter. Cleo had agreed to serve on an interim basis, and the "interim" stretched out to a long year. COLA thanks Cleo for her dedicated, professional service.

Mary Ann Bauler's address is HC 70, Box 465, Laporte, MN 56461. Her phone number is 224-2826. Any communications with COLA, unless for some reason you wish to direct it to another person, should be directed to Mary Ann. ♣

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