

# 2014 ANNUAL SHORELAND ORDINANCE ADMINISTRATIVE ACTIVITIES REPORT

2014 Shoreland Block Grant Amount: \$ 2,647.00

**Directions:** Please answer the following questions for your county's 2014 activities within the shoreland area (1000 feet from lakes & 300 feet from rivers or the extent of the floodplain, whichever is greater).

## Variances

- List the number of shoreland variances you issued in 2014:

Variance Type	# Approved with Conditions	# Approved without Conditions	# Denied
OHWL setback	3	0	0
Bluff setback	0	0	0
Expansion of nonconforming structure	0	0	0
Combination of contiguous nonconforming lots of record in common ownership for sale or development as provided under MS Chapter 394.36, Subd. 5, item (d)	0	0	
Impervious surface	0	0	0
Subdivision of land not meeting lot area/width standards	0	0	0
Building height	0	0	0
Mooring spaces	0	0	0
Other (please specify):			

- For all variance requests, did your Board of Adjustment develop findings of fact for each of the five variance criteria in MS Chapter 394.27, Subd. 7? No (yes or no). If yes, do the findings include detailed explanation or rationale for how the criteria were/were not met?

- The Board of Adjustment did not have to meet in 2014. The Kittson SWCD is in charge of the County Zoning Program. There were some interested landowners who wanted to build within the DNR Shoreland zone, but after discussion with the Kittson SWCD at the time of the zoning/building application, these landowners decided to build farther away/outside of the DNR Shoreland protected areas or built up the ground to meet FEMA requirements and a LOMA-F was completed.

- If variances are approved with conditions, what are some examples of typical conditions?

-Area needs to be built up according to a Licensed Land Surveyor/FEMA recommendations and a LOMA-F needs to be completed.

- If variances are approved without conditions, why not?

-None were approved in 2014 or brought forward.

- For approximately what percent of variance inquiries in 2014 were alternative solutions found (thus reducing the actual number of variance applications)? 95%

- If alternative solutions are found, what are some typical examples?

-Build outside of the DNR Shoreland protected areas. Build up areas where structures will be built.

## Lots & Land Subdivisions

7. List the number of lots created in 2014:

Type of subdivision or conversion:	Total # of Lots Created	How many of these lots were part of Conservation Subdivisions?	How many of these lots were part of Resort Conversions?
PUD Plats	0	0	0
Non-PUD Plats	0	0	0
Lot Splits (administrative subdivision)	0	0	0

8. Does your county ordinance contain shoreland PUD provisions? No (yes or no)

9. Has your county updated its ordinance to comply with 2009 legislative changes regarding existing nonconforming lots in shoreland areas in Minnesota Statutes, chapter 394.36, Subd. 5?  
No (yes or no)

## Permits

10. How many land use permits were issued in shoreland areas in 2014?

- New construction on previously undeveloped lots: 0 (total # of permits)
- Redevelopment (e.g., expansion of structures, substantial improvements, new structures added to developed lots): 0 (total # of permits)

11. How many permits for grading, excavation, filling, or soil disturbance within the shore impact zone were issued in 2014? 3  
Do you generally inspect the work? Yes (yes or no)

## Planning and Enforcement

12. Did your county update or amend its comprehensive plan in 2014? No (yes or no)

13. Did your county update or amend its shoreland ordinance in 2014? No (yes or no)  
If yes, describe the nature of the change:

14. Does your county have any plans to update, amend, or adopt a comprehensive plan or shoreland ordinance in 2015? Yes, Ordinance (yes/no, and if yes, plan or ordinance)

15. Does your county notify the DNR at least 10 days prior to public hearings for variances, CUPs, and ordinance amendments, and within 10 days after final decisions? Yes (yes or no) If yes:

- Who do you notify? Stephanie Klamm (name of DNR staff person)
- How do you notify them? E-mail (mail, e-mail, other)
- What information do you provide? (notice, application, site plans, etc.):
  - Aerial Map, Building Plans, Township, Section, Body of water or what information Stephanie/DNR asks for.

### Shoreland Buffers

16. Please describe your efforts to achieve and maintain 50 foot buffers around streams and water bodies on agricultural land in 2014. Please check and describe ALL that apply (feel free to attach additional materials):

✓	Effort	Please describe:
<input type="checkbox"/>	No special effort	
<input type="checkbox"/>	Some action taken	
<input type="checkbox"/>	Condition variance and/or permit approvals with measures to establish/restore buffers	
x	Condition financial or other assistance with measures to establish/restore buffers	We promote CCRP Grass Filter Strips and in some areas of the county we promote CCRP with Clean Water Funds which pays up to \$150/acre/year for grass filter strips.
x	Specific program to achieve voluntary compliance including some/all of the following strategies (check all that apply): <input type="checkbox"/> Aerial mapping/inventory of buffers <input type="checkbox"/> Evaluation/assessment of compliance <input type="checkbox"/> Outreach to property owners (letters, literature, site visits, inspections, etc.) <input type="checkbox"/> Technical and financial assistance (with SWCDs and other resource agencies)	We promote CCRP Grass Filter Strips and in some areas of the county we promote CCRP with Clean Water Funds which pays up to \$150/acre/year for grass filter strips. We send out proposals to landowners throughout the year. We assist the NRCS in writing the conservation plans if a landowner wants to sign up for CCRP. We have a drill to rent to plant these grass filter strip areas. We promote grass filter strips and different educational events such as Kittson County Fair and Crop Improvement Day.
<input type="checkbox"/>	Code enforcement (penalties and/or legal action to achieve compliance/restoration)	
<input type="checkbox"/>	Other:	

17. What has your county found to be effective in achieving and maintaining 50 foot buffers?

- Good communication with landowners.
- Financial Incentives for landowners that is comparative to local commodity prices.

18. What challenges and barriers has your county encountered in achieving and maintaining 50 foot buffers? Please check and describe ALL that apply (feel free to submit additional materials):

✓	Challenges/Barriers	Please describe:
x	Too controversial	
x	Lack of staffing/funding/resources	DNR Shoreland grant is not enough to continually promote grass filter strips. Other sources, such as Contribution Work Agreements with NRCS and other various grants, helps but is not enough to send out proposals/promote on a continuous basis.
<input type="checkbox"/>	Lack of data/technical expertise	
<input type="checkbox"/>	Lack of clarity on what's required by law	
<input type="checkbox"/>	Lack of interaction/opportunity to interface with ag producers	
x	Level of financial assistance for landowners/ag producers	Usually CCRP Soil Rental Rates are too low to compete with commodity prices in the area. With the addition of Clean Water Funds to piggyback CCRP soil rental rates helps, but those are only for a select few minor watersheds in the county.
<input type="checkbox"/>	Other:	

19. What could DNR do to help your county with efforts to achieve and maintain 50 foot buffers?
- More funding for enforcement/promotion of the program is always nice or help with increased incentive payments to landowners such as CCRP.
20. Do you require compliance with vegetation management standards for non-agricultural properties?  
Yes (yes or no) If yes, describe 2014 activities in the space below:
- Kittson SWCD is the County Agricultural Inspector (CAI) for Kittson County. All noxious weeds in the county need to be eradicated on crop ground and on non-crop ground.

### Resources/Training

21. What shoreland-related training, guidance, or tools do your staff or Board of Adjustment need?  
Please describe below:
- Any Shoreland training would be welcomed. I would like all the Kittson SWCD staff to attend a beginners course on the DNR Shoreland Program. On 9/17/14, Kittson SWCD did attend a Floodplain Management Training in Thief River Falls. This training did include some DNR Shoreland materials but basically was on floodplain areas.
22. Do you feel that DNR staff is available for assistance when needed? Please describe below:
- Stephannie Klamm has always answered my phone calls/emails pertaining to the DNR Shoreland Program. She has been excellent to work with.

### Other

23. Does your shoreland ordinance contain “higher standards” that exceed the statewide minimums in Minnesota Rules, Chapter 6120? Please check and describe ALL that apply (feel free to attach additional information):

✓	Higher Standard Type	Please describe:
<input type="checkbox"/>	Use of a special protection district or lake classification for which higher standards apply	
<input type="checkbox"/>	Lot size & width	
<input type="checkbox"/>	Structure setback from OHWL	
<input type="checkbox"/>	Structure setback from bluff	
<input type="checkbox"/>	Septic system setback from OHWL	
<input type="checkbox"/>	Impervious surface coverage limits	
<input type="checkbox"/>	Special standards applied to nonconforming structures or lots	
<input type="checkbox"/>	Vegetation assessment/restoration	
<input type="checkbox"/>	Stormwater/land alteration	
<input type="checkbox"/>	Shoreland PUD (i.e. conservation design)	
<input type="checkbox"/>	Mitigation for variances	
<input type="checkbox"/>	50-foot vegetative buffer on public ditches	
<input type="checkbox"/>	Other:	

24. Has your county pursued or considered pursuing any special initiatives or outreach efforts to protect shorelands in 2014? Please describe below:
- The Kittson SWCD has obtained Clean Water Funds to use in combination with CCRP funds to establish grass filter strips. Also Side Water Inlets (SWIs) have been installed with CCRP/Clean Water Funds on DNR Shoreland protected ditches. These watersheds are the Lake Bronson Watershed and a few county ditches that lead directly to the Red River in Hill and St. Vincent Townships.

**Contact Information**

County: Kittson  
Contact Person: Darren Carlson Title: Kittson SWCD District Manager  
E-Mail Address: darren.carlson@mn.nacdnet.net  
Phone Number: 218-843-2619 Ext. 3

**To receive a shoreland grant in 2015, this form must be completed by March 2, 2015.**

*Any questions, please contact: Kathleen Metzker, DNR Land Use Hydrologist, 500 Lafayette Road, St. Paul, MN 55155-4032. Tel. 651-259-5694. Please e-mail the completed form to [Kathleen.metzker@state.mn.us](mailto:Kathleen.metzker@state.mn.us). Alternatively, you may fax it to 651-296-1811 or mail it to the above address. E-mail is preferred.*