



Shoreland Management

PROTECTING OUR RIVERS AND LAKES

SLM Fact Sheet

Basic History (What, Why, When)

SLM SERIES

June 2004

How did it all get started?

Minnesotans have long been drawn to our many lakes, rivers and streams. Ours is a “land of sky blue waters.” These waters have shaped the destiny of all who have lived here beginning with the Native Americans who first settled along the shores and used the waters for transportation and food needs.

To them and to us these waters also fulfilled a spiritual need, as shown by the many Native American place names, legends, pictographs and burial sites that are found close to water. The modern outdoor traveler or cabin owner may be removed from these earlier days and wilderness, but those who take the time to look or listen may still sense in the shadows the echoes from earlier times and the spirits of those who made them.

Humans along with all living things are shaped by the water resources upon which they depend. However, we also shape these resources through our use of them. Are we loving them to death?

We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect.

--Aldo Leopold—*A Sand County Almanac*



During the 1960's - 1970's, a booming economy gave many Minnesotans more money and free time to put into outdoor recreation. Better roads, more campgrounds and improved facilities contributed to make a trip to the lake an enjoyable experience. More and more seasonal cabins began popping up on some of the more accessible lakes. The Legislature commissioned the University of Minnesota to conduct an inventory of lakeshore development. The study found that between 1954 and 1967, there was a 90% increase in the number of houses (both seasonal and permanent) on lakes that were 150 acres or larger in size. This totaled some 63,000 structures.

As lakes became more developed, many began to recognize that both the quality of their experience and the lakes themselves were beginning to suffer. Responding to this concern, the Legislature enacted the Shoreland Management Act in 1969. This has provided the statewide template for all later shoreland development.

The Shoreland Management Act.

In the beginning, the Shoreland Management Act applied to only unincorporated lands (lands outside of municipal boundaries). It established the Shoreland District and directed the DNR to develop standards and criteria for the subdivision, use, and development of shorelands in unincorporated areas. Counties were required to adopt these standards into their zoning controls within a set period of time.



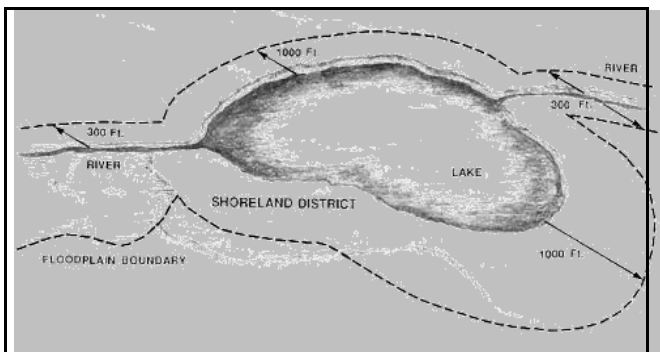
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What is the Shoreland District?

For counties, the Shoreland District applies to all public waters basins 25 acres or larger. The Shoreland District includes all land within 1000 feet of a lake's ordinary high water level (OHW). The OHW also marks the point for determining setbacks and lot sizes and sets the landward limit where DNR Waters permits may be required.

On rivers and streams having a drainage area of two square miles or greater, the Shoreland District extends 300 feet from the OHW which is usually the top of the stream bank. The Shoreland District can expand beyond 300 feet when part of a designated floodplain.



DNR established minimum statewide standards in the 1970 shoreland rules for land development within the Shoreland District. These are administered through local zoning ordinances that can be as strict or stricter than statewide standards. For many counties, the Shoreland Management Act marked their entry to planning and zoning. By 1973, most of Minnesota's counties had adopted shoreland management controls.

Lake and River Classifications.

Three lake and six river classifications help to determine the standards for development within the Shoreland District. These are based on existing physical characteristics of a lake or river and its developed shoreline (see *Guide for Buying and Managing Shoreland* on DNR web site:

www.dnr.state.mn.us/waters).

Act extended to Municipalities.

In 1973, the Legislature amended the Shoreland Management Act to include municipalities. Within cities, the Shoreland District can include basins as small as ten acres. DNR Waters set up a schedule to identify and assist municipalities in adopting the 1976 municipal shoreland rules into their local zoning ordinances. While similarities existed between the county and municipal standards, there were also certain differences such as building heights and sewer/non-sewered lots.

In 1983, the Legislature approved the *Shoreland Update Project* to evaluate the effectiveness of shoreland management and to expand the assessment to include smaller lakes (50 - 150 acres) and all rivers. Surveys and reports confirmed the effectiveness of the original rules and suggested how they might be improved to address emerging trends and issues. Shoreland development remained high from 1967 - 1982, increasing by about 74%. A significant change was that permanent homes outpaced seasonal dwellings during this period. There was also a growing trend in the conversion of seasonal cabins to permanent homes.

Properly built and maintained septic systems have always been a concern of shoreland management. The increase in permanent use meant more people using more of the lakeshore for more time. This, coupled with the trend of larger lakeshore developments, helped to drive the development of the 1989 shoreland rules.

An advisory committee made up of 22 different interest groups helped shape the 1989 rules. Shoreland grants and workshops provided assistance to local governments in understanding and adopting the new rules. Later, these grants were extended to assist in administration.

The 1989 Shoreland Rules combined the municipal and county standards into one set of minimum statewide standards for all local governmental units (county, city and township). These now administer over 250 shoreland ordinances across the state.

Once again, local governments, groups and citizens are expressing concern for development trends into areas previously considered unsuitable. With it comes a new look at old rules to see how they might be improved.

