



Protecting Our Rivers and Lakes

Shoreline Management: How Did It All Get Started?



Minnesotans have long been drawn to our many lakes, rivers, and streams. 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 supply.

“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*

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 associated with water. Today’s vacationer or lakehome owner may be removed from these earlier days, but those who pause to look or listen may still sense in the shadows the echoes and spirits from earlier times.

Humans and all living things are shaped by the water resources on which they depend. However, we also shape these resources through our use of them. We are degrading these water resources, whether intended or not. This has led to impaired water use.

During the 1960s and 1970s, a booming economy gave many Minnesotans more money and free time to invest in outdoor recreation. Better roads, more campgrounds, and improved facilities contributed to make a trip to the lake an enjoyable experience. More seasonal cabins began popping up on 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 percent increase in the number of houses (seasonal and permanent) on lakes that were 150 acres or larger. This totaled some 63,000 structures.

As lakes became more developed, Minnesotans recognized 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.

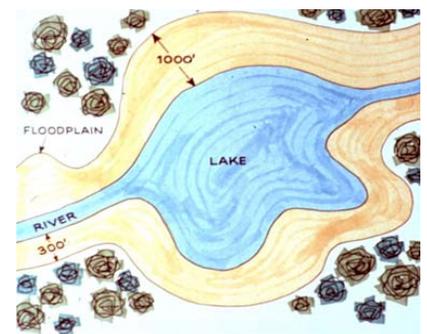
Elements of the Original Shoreland Management Act

At first, the Shoreland Management Act applied only to unincorporated lands (lands beyond municipal boundaries). It established the “shoreland district” and directed the Minnesota Department of Natural Resources (DNR) to develop standards and criteria for the use, subdivision, and development of shorelands in unincorporated areas. Counties were required to add these standards to their zoning controls within a specified period.

What Is a Shoreland District?

For counties, the “shoreland district” label applies to all public waters basins 25 acres or larger. It includes all land within 1,000 feet of a lake’s ordinary high water level (OHWL). The OHWL 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 2 square miles or greater, the shoreland district extends 300 feet from the OHWL, which is usually the top of the streambank. The shoreland district can expand beyond 300 feet when it is part of a designated floodplain.



Dimensional standards for a shoreland district on rivers and lakes.

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Additionally, the 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.

Other Important Changes through the Years

Establishing 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 the DNR website: www.mndnr.gov/waters).

Adding Municipalities to the Act. In 1973, the legislature amended the Shoreland Management Act to include municipalities. Within cities, the shoreland district can include basins as small as 10 acres. Municipal shoreland management standards were established in 1976, and DNR Waters began to identify and notify cities on the need to adopt the standards into their local zoning ordinances.

Assessing Shoreland Rules and Emerging Trends. In 1983, the legislature approved the Shoreland Update Project to evaluate the effectiveness of shoreland management. Surveys and reports confirmed the effectiveness of the original rules and suggested improvements to address emerging trends and issues. Shoreland development remained high from 1967 to 1982, increasing by about 74 percent. A significant change was that construction of permanent homes outpaced seasonal dwellings during this period. There was also a growing trend of converting seasonal cabins to permanent homes.



Since the 1970s, the Shoreland Management Act has protected urban lakes.

A continuing concern of shoreland management has been the proper building and maintenance of septic systems. The trend of increased permanent use lakehomes meant more people were using the lakeshore longer. This, coupled with the trend of larger lakeshore developments, led to the development of the 1989 shoreland rules.

Providing Assistance to Local Governments. An advisory committee helped shape the 1989 shoreland 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 of local shoreland ordinances. 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). There are more than 250 local shoreland ordinances across the state.

Minnesota's Alternative Shoreland Standards. In 2005, an advisory committee concluded that accompaniments to the 1989 shoreland management rules were warranted. The alternative standards were developed as a set of voluntary provisions that local governments could use to address local conditions and concerns.

Updating the Shoreland Rules. In 2007, the legislature directed the DNR to commence the rulemaking process to update the shoreland management rules.

The comments in this brochure address jurisdictional matters and concerns of the DNR, Division of Waters. Please contact your DNR Area Hydrologist to discuss issues relating to your project or this brochure. More information is available at this website: <http://mndnr.gov/waters/shoreland.html>

