

**Environment and Natural Resources Trust Fund  
2010 Request for Proposals (RFP)**

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**LCCMR ID: 032-A3**

**Project Title:**

Revising Local Shoreland Ordinance for Water Quality Preservation

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**LCCMR 2010 Funding Priority:**

A. Water Resources

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**Total Project Budget: \$** \$309,200

**Proposed Project Time Period for the Funding Requested:** 2 years, 2010 - 2012

**Other Non-State Funds: \$** \$0

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**Summary:**

To train local government staff, private service providers, and consultants on new shoreland development standards and provide supporting technical information and resources for use in adopting the standards.

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**Sponsoring Organization:** DNR

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**Location:**

**Region:** Statewide

**County Name:** Statewide

**City / Township:**

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_____ Knowledge Base	_____ Broad App.	_____ Innovation
_____ Leverage	_____ Outcomes	
_____ Partnerships	_____ Urgency	_____ TOTAL

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# MAIN PROPOSAL

## **PROJECT TITLE: Revising Local Shoreland Ordinance for Water Quality Preservation**

To train local government staff, private service providers, and consultants on new shoreland development standards and provide supporting technical information and resources for local governments as they adopt the standards into their zoning controls.

### **I. PROJECT STATEMENT**

In 2007, the Minnesota Legislature directed the DNR to commence rulemaking to update the statewide minimum shoreland development standards. Local governments (counties, cities, towns) are responsible for the implementation, administration, and enforcement of shoreland zoning ordinances that meet or exceed the state's standards. These local ordinances affect shoreland property owners and the use and development of shoreland areas.

The shoreland development standards (Minnesota Rules 6120) were originally developed in 1970 and updated in 1989. A preliminary draft of new shoreland conservation rules has been developed through an extensive consultation process, and it is anticipated that new shoreland standards will be promulgated in 2010. Approximately 300 local governments currently have shoreland ordinances that will require updating; another 200 or so will be adopting ordinances for the first time under the new rules.

The proposed standards include, but are not limited to: better water quality protection standards achieved by improved rainwater runoff management, increased drainfield setbacks, and higher shoreline buffer standards for undeveloped lots; greater protections for vulnerable areas (e.g., sensitive lakeshore, trout streams, bluffs); improved planned unit development standards; specific resort standards that allow for expansion and improvements while addressing water quality and habitat concerns; higher standards for new developments and new lots (e.g., impervious surface, natural areas, shoreline buffers); advanced subdivision controls, including promotion of conservation subdivisions and other creative developments over conventional (lot & block) subdivisions; and revisions that allow easier local government implementation, while protecting natural resources and the interests of the general public.

The objective of this proposal is to train individuals that work for local governments, and contractors or private service providers that local governments use, to facilitate effective and efficient local ordinance revision and to provide technical resources for local units to use as they develop updated or original ordinances.

### **II. DESCRIPTION OF PROJECT RESULTS**

**Result 1:** *Workshops for Zoning Professionals*      **Budget:** \$155,200

Workshops will be used to increase efficiency in adoption of the new shoreland conservation standards into local zoning controls. Training materials will be developed, including model ordinances. The participants in the workshops will include local government planning, zoning and environmental staff, private service providers, and local government consultants. At least six workshops will be conducted in each year (winters of 2010-2011 and 2011-2012).

#### **Deliverable**

1. *Model ordinances and supporting materials development*
2. *DNR trains the trainers*
3. *Workshops for Zoning Professionals (12)*

#### **Completion Date**

*Dec 2010*  
*Jan 2011*  
*June 2012*

**Result 2: Provide Shoreland Maps to LGUs**

**Budget:** \$154,000

Detailed maps will be developed for use by local governments showing trout streams, public waters to be regulated by shoreland rules (basins and watercourses), and the associated shoreland class for these public waters. This result would create a statewide shoreland classification Geographic Information System (GIS) layer, which currently does not exist.

**Deliverable**

1. *Gather available digital data and shoreland classification information*
2. *Creation of GIS layers and integration with existing GIS layers*
3. *Production of maps and distribution to local governments*

**Completion Date**

*Nov 2010*  
*June 2011*  
*Apr 2012*

**III. PROJECT STRATEGY**

**A. Project Team/Partners**

DNR Project Team:

Peder Otterson, Project Manager; GIS specialist, Hydrologist 2

Partners:

Approximately 530 local governments who will be required to implement the new rules through ordinance.

**B. Timeline Requirements**

This is a 24-month project ending June 30, 2012.

**C. Long-Term Strategy**

Local governments will need monetary and technical assistance to update their ordinances after the new rules take effect. There may be future proposals to provide grant assistance similar to the shoreland implementation grants allocated to counties and cities after the 1989 rule revision.

## Project Budget

### IV. TOTAL PROJECT REQUEST BUDGET (2 years)

<b>BUDGET ITEM</b> <i>(See list of Eligible &amp; Non-Eligible Costs, p. 13)</i>	<b>AMOUNT</b>
<b>Personnel:</b>	
.25 FTE Hydrologist 3 - project management and policy review; will be backfilled by Uncl. Hydro 2 using non-project funds	43,000
.5 FTE Uncl. Hydrologist 2- model ordinance development and shoreland classification research; note: 50% of this position will be paid using non-project funds and will partially be used to backfill Hydro 3.	\$ 62,000
Unclassified GIS ITS2 (shoreland mapping)	\$ 120,000
<b>Contracts:</b>	
Contract for workshops to train LGUs	\$ 80,000
<b>Equipment/Tools/Supplies:</b> GIS capable computer and software	\$ 3,000
<b>Acquisition (Fee Title or Permanent Easements):</b> <i>In this column, indicate the proposed # of acres and who will hold title (e.g. DNR, Non-profit).</i>	\$ -
<b>Travel:</b> Instate travel to 12 training sessions	\$ 1,200
<b>TOTAL PROJECT BUDGET REQUEST TO LCCMR</b>	<b>\$ 309,200</b>

### V. OTHER FUNDS

<b>SOURCE OF FUNDS</b>	<b>AMOUNT</b>	<b>Status</b>
<b>Other Non-State \$ Being Applied to Project During Project Period:</b> <i>Indicate any additional non-state cash \$ to be spent on the project during the funding period. For each individual sum, list out the source of the funds, the amount, and indicate whether the funds are secured or pending approval.</i>	\$ -	
<b>Other State \$ Being Applied to Project During Project Period:</b> shoreland program staff and area hydrologist staff time		
<b>In-kind Services During Project Period:</b> <i>Indicate any in-kind services to be provided during the funding period. List type of service(s) and estimated value. In-kind services listed must be specific to the project.</i>	\$ -	
<b>Remaining \$ from Current Trust Fund Appropriation (if applicable):</b> <i>Specify \$ and year of appropriation from any current Trust fund appropriation for any directly related project of the project manager or organization that remains unspent or not yet legally obligated at the time of proposal submission. Be as specific as possible. Describe the status of \$ in the right-most column.</i>		
<b>Funding History:</b> <i>Indicate funding secured prior to July 1, 2010 for activities directly relevant to this specific funding request. State specific source(s) of funds.</i>	\$ -	

## **Project Manager Qualifications and Organization Description**

Peder Otterson is the project manager for the Department of Natural Resources Shoreland Rules Update Project initiated by the Minnesota Legislature in 2007. He is also shoreland supervisor for the shoreland management program that the DNR Division of Waters administers through the responsibilities given to it under Minnesota Statutes 103F.221.

Otterson has 30 years of experience with the DNR Division of Waters, both in the field (NE Minnesota area hydrologist) and Central Office. Much of this work has been in areas either directly or related to shoreland management. He has a M.S. in hydrogeology/limnology from Kent State University, Kent, Ohio, and a Fulbright Scholarship with the Max Planck Institut fuer Limnologie in Ploen, Germany, where he studied watershed/lake interactions.

Otterson was a team member of the North Central Lakes Pilot Project that led to the development of the voluntary alternative shoreland standards in 2005 and served as a starting point for the current rulemaking project.

Under the authority of the Shoreland Management Act of 1969, the DNR Division of Waters has administered the shoreland management standards since its inception in 1970. Oversight of local government shoreland management decisions is provided through DNR Division of Waters field staff.

