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A COOPERATIVE PROGRAM FOR PROVIDING
PUBLIC-ACCESS SITES ON METROPOLITAN AREA LAKES

(Revised Edition - Approved January 19, 1988)

Final

Prepared by the
Metropolitan Water Access Committee

Member Agencies

Minnesota Department of Trade and Economic Development
Minnesota Department of Natural Resources
Metropolitan Council

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A COOPERATIVE PROGRAM FOR PROVIDING
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INTERIM AGREEMENT

"A Cooperative Program for Providing Public-Access Sites on Metropolitan Area Lakes" is an interagency agreement between the Minnesota Department of Natural Resources (DNR), Department of Trade and Economic Development, and the Metropolitan Council to guide coordinated planning and financing of public boat-launch facilities.

The following updated agreement is an interim document to be in effect for 1988 and 1989. Staff from the participating agencies will be studying two issues which may lead to further revisions of the agreement in 1990 and beyond. Those issues are:

1. The committee would review DNR's evaluation of public-access adequacy via a one car-trailer parking space per 20 acres of lake surface standard and any proposed changes to insure the the public gets its fair share of lake usage.
2. Review of monitoring public access sites by an access-operating agency in order to prevent launching of boats once the access parking lot is full.

INTRODUCTION

In 1978, the Legislative Commission on Minnesota Resources (LCMR) considered the issue of providing adequate access to Minnesota lakes and rivers. One recommendation from the Commission was to coordinate efforts of all public agencies which were providing funding, technical assistance and management of public water-access sites. (The term "public access" as used in this report means a site which provides facilities for launching trailered boats into the water.) Staff from the Minnesota Department of Natural Resources, State Planning Agency (The task force functions of that agency are now handled by the Outdoor Recreation Grants section of the Department of Trade and Economic Development) and the Metropolitan Council established the Metropolitan Water Access Task Force (now the Metropolitan Water Access Committee) to implement LCMR recommendations in the Metropolitan Area. A planning document entitled "A Cooperative Program for Providing Public-Access Sites on Metropolitan Area Lakes" was adopted by all three agencies in 1979. This report is a revised-updated version of that document. Changes made reflect experience gained in eight years of implementing the program.

BACKGROUND

The popularity of Minnesota lakes and the affinity that Minnesotans have for water-based recreation is borne out by statistics. Currently, Minnesota ranks second in the nation (behind Michigan) with more than 655,279 registered recreational boats in the state. In 1986, approximately 1.6 million fishing licenses were sold to residents of Minnesota. An additional 340,000 nonstate resident fishing licenses were purchased that year as well. Also, thousands of people are drawn to the state's lakes and rivers for picnics, swimming and other forms of outdoor recreation.

Minnesota is fortunate in having its water resources well distributed. Most citizens live fairly close to lakes or streams, which provide a diversity of high quality recreation opportunities. This is certainly true in the seven-county Twin Cities Area where roughly one-half of the state's population lives within a short travel distance of 81,000 acres of prime recreation water. There are about 100 lakes in the region which are 100 acres or more in size, the largest being Lake Minnetonka, the state's tenth largest inland lake with more than 14,000 acres.

Metropolitan Area lakes represent an enormous recreation potential which has been only partially utilized. This has been due partly to the traditional drawing power of out-state lakes and partly because of the lack of adequate public access to many lakes in the region.

Increased costs of transportation have resulted in Metropolitan Area residents depending more and more on the region's lakes and streams for outdoor recreation activities. This increased demand can create water surface use conflicts (e.g., between water skiing and fishing) and may reduce water quality if not adequately managed. Of the 655,279 registered boats in the state, approximately 42 percent are registered to residents of the region.

In recent years, providing public access to the region's surface waters, especially lakes, has received increased attention from the Minnesota state legislature and a number of public agencies. Examples of this increased emphasis are:

1. Since 1965, more than half of the park and recreation grants from the federal Land and Water Conservation Fund (LAWCON), the Legislative Commission on Minnesota Resources (LCMR) and state bonds have been for water-related projects.
2. In 1974, the Metropolitan Council adopted a Regional Recreation Open Space System Plan based on acquiring and developing large (200+ acres) tracts of land adjoining the lakes, rivers and streams of the region, which "because of their natural environment character, offer recreational opportunities that attract large numbers of people irrespective of political boundaries."

Regional park and park reserve locations were determined to a great degree by the availability of land tracts adjacent to water bodies that could provide for swimming, boating, picnicking, trails, camping and fishing. Of the 54 existing and proposed regional parks and park reserves planned for the regional park system, all but three provide access to water resources. Of the 38 regional park and park reserves open for public use in 1987, 33 are located on a major lake or river. Twenty-five of these parks and park reserves have access facilities today serving 30 lakes and the Mississippi River.

3. The Minnesota Department of Natural Resources (DNR) is mandated by Minn. Stat., Chap. 97.141, Subd. 2, to acquire, develop and manage water-access sites. DNR's policy is to acquire, develop and manage these sites either as individual units or enter into cooperative agreements with local governments. In addition, the DNR is authorized by Minn. Stat., Chap. 85.32 to mark, acquire, develop and/or maintain access to rivers designated canoe and boating routes. The DNR may also provide access to components of the Minnesota Wild and Scenic Rivers system under Minn. Stat., Chap. 104.37, subd. 2.

4. Since the adoption of the first "Cooperative Program for Providing Public-Access Sites on Metropolitan Area Lakes" in May 1979, the agencies, through funds provided by the legislature and Legislative Commission on Minnesota Resources (LCMR) have:
 - Invested approximately \$3.5 million to acquire 27 new access sites, developed 30 new boat launch/parking areas, and upgraded 27 existing sites, bringing the region's total number of sites to 156.
 - Designed, published and distributed a directory of public access sites entitled "Public Boat Launch Guide-Twin Cities Metropolitan Area." From 1981 to 1987, 231,000 copies of the guide have been printed and distributed to the boating public.
 - Established lake-specific task forces to deal with problem areas: for example, Lake Minnetonka, Medicine Lake, Prior Lake and a host of other individual problem areas.
5. Since 1979, a moderate amount of research has shed light on Metropolitan Area lake use, including the need for and effect of public access. The most important of the studies include a 1984 study of recreation development needs of Metropolitan Area residents; a 1984 study of lake surface use in the area; a 1986 study of the economic value of water recreation in the region; a 1986 update of the 1978 study of recreation participation in the region; and a 1987 study of St. Croix River use in the region.

More details of the accomplishments of the three agencies are found in the 1979 to 1987 editions of Public Water Access On Twin Cities Metropolitan Area Lakes--Annual Report, which are summarized in Table A. The remainder of this document deals with classifying lakes by physical characteristics, responsibilities for public management of access sites and water bodies, financing and program coordination. The term "Committee" refers to the Metropolitan Water Access Committee--representing the Department of Natural Resources, Minnesota Department of Trade and Economic Development (DTED) and the Metropolitan Council.

CLASSIFYING METRO AREA LAKES BY PHYSICAL CHARACTERISTICS

PHYSICAL CHARACTERISTICS OF METRO LAKES

The Committee considers the physical characteristics of lakes to be important factors in determining the type and amount of recreational use a lake or access site will receive.

Physical characteristics of metro lakes are defined by size and shape, fish type and water clarity.

The size and shape of a lake is a good indicator of the type and amount of recreation a lake can provide. For example, large, wide lakes provide more open water for powerboating than do lakes that are large and narrow or medium in size.

Categories of lake sizes and shapes are:

- a. extra large (over 500 acres) and 10 feet deep;
- b. wide, large (200-500 acres) and 10 feet deep;
- c. narrow, large (200-500 acres) and 10 feet deep;
- d. medium (100-200 acres) and 10 feet deep.

Fish type indicates the type of fish found in a lake and, to some extent, the ability of the lake to sustain a fish population. Active fisheries management can change both the type of species (roughfish control) and the size of the fish population (stocking). Some winterkill lakes can be "saved" by installing artificial aeration systems.

Fish type lakes:

- a. gamefish--most desirable
- b. gamefish/roughfish
- c. winterkill-least desirable

Water clarity is an indication of lake suitability for water sports requiring body immersion such as swimming, water skiing and skuba diving. A lake's water clarity can be improved through management programs.

<u>Lakes Are Classed As:</u>	<u>Depth of Secchi* Disc Reading</u>	<u>Depth to Which Rooted Aquatic Plants Grow</u>
a. very clear	10 ft & greater	20 ft & greater
b. clear	6-10 ft	12-20 ft
c. intermediate	2-6 ft	4-12 ft
d. turbid	2 ft and less	4 ft and less

*A black and white metal plate, 20 cm. in diameter, used to determine water clarity.

LAKE CLASSIFICATIONS

Each of the 95 Metropolitan Area lakes over 100 acres in size and over 10 feet in depth was evaluated using the characteristics of size/shape, fish type and water clarity. Based on their scores, the lakes were placed in one of four groups as shown in Table A. Remember that lakes are evaluated according to their current characteristics and that some characteristics can be changed through management. Lakes were also evaluated as to the adequacy of access in 1979 and have been reevaluated in 1987. Lakes having "adequate" public access had boat launches with a minimum of one car/trailer parking space for 20 acres of lake surface (see Parking Space Formula section). This information is also shown in Table A.

"Group one" lakes were high in all three characteristics. The six lakes in group one are extra large in size, have clear water and good gamefish populations. Their characteristics make them highly desirable for recreation.

"Group two" lakes were high in two of the three characteristics. Group two lakes are more diverse than group one lakes. For example, Forest Lake is large with a good gamefish population, but has lower water quality. Little Long Lake, on the other hand, has good fishing and clear water, but is smaller in size.

"Group three" lakes ranked high in only one resource characteristic. They are also diverse in nature and contain many lakes that could move to group one or two with intensive management.

"Group four" lakes range in size from 100 to 500 acres, but rank lower than others in water clarity and fish type. However, many of these lakes currently provide water-based recreational experiences and all are capable of providing such experiences. With proper management, these lakes could become group two or group three lakes.

REORGANIZATION TO CREATE METROPOLITAN WATER ACCESS COMMITTEE

Since the coordination of water access funding, technical assistance and management is an ongoing program, the Water Access Task Force is reorganized. The purposes of the reorganization are to maintain an ongoing level of effort, increase effective use of staff and policymakers' time; and improve communications between agency policymakers and staff, especially with regard to:

1. Budgeting staff and fiscal resources to implement the work program;
2. Informing policymakers on implementation status of the work program;
3. Discussing emerging issues and developing solutions.

The "old" Metropolitan Water Access Task Force is renamed "Metro Water Access Committee." The Committee consists of two groups--policymakers and administrative staff:

Policymakers:

- Department of Natural Resources Commissioner or delegated representative
- Department of Trade and Economic Development Commissioner or delegated representative
- Metropolitan Council member or delegated Metropolitan Parks and Open Space Commissioner

Administrative Staff:

- Department of Natural Resources, Trails and Waterways Regional Supervisor
- Department of Trade and Economic Development, Outdoor Recreation Grants Section
- Metropolitan Council, Parks and Open Space Program

Professional advisers from agency staff will provide input on:

- hydrology - water regulations and state permit requirements - DNR, Waters Division; Metropolitan Council
- fisheries management - DNR, Regional Fisheries Supervisor
- recreation research - DNR, Supervisor, Research Unit, Office of Planning; Metropolitan Council
- regional parks capital improvement program - Metropolitan Council
- DNR funding and state water access policy - DNR, Water Recreation Supervisor
- graphics and printing - Metropolitan Council
- river recreation - DNR, Mississippi River System Coordinator

Responsibilities of the policymaker group are: to set direction, review and recommend approval and implementation of the annual work plan to agency commissioners and the Metropolitan Council; to review and recommend adoption of policies affecting the program as needed.

Responsibilities of administrative staff are: to coordinate and implement the annual work program via meetings and telephone conference calls regarding status of water-access projects and implementation of other work plan elements; to inform the policymakers of on-going work (via written minutes), advise policymakers on emerging/crisis issues and carry out policy directions as needed; to supervise advisory groups needed to implement portions of the work plan.

The administrative staff group will be chaired by one person from each agency on a rotating basis. The chairperson will have a one-year term.

Responsibilities of professional advisers are: provide input via advisory groups to policymakers and administrative staff regarding annual work plan, work products and emerging issues.

Advisory groups (composed of individuals from administrative staff and professional advisers) will be formed for each initiative requiring inter-agency coordination which is contained in the annual work plan. The annual work plan will state:

- product/project description of the work group;
- deadlines for product/project;
- financial resources needed for the product/project;
- list of advisory group members for each project;
- responsibilities of advisory group and responsibilities of group members.

The advisory groups should meet as needed to accomplish their objectives and report to the administrative staff or policymakers on a predetermined schedule.

Policymakers will meet up to three times per year with administrative staff and professional advisers in:

- o March of even-numbered years--to be informed of proposed water access projects, especially construction projects for upcoming construction season based on appropriated funds.

- o June--to initiate budget planning for upcoming year regarding staff resources and printing of publications (e.g., Boat Launch Guide, Annual Report, etc.); to receive status reports on construction projects, discuss any emerging issues and review any special projects.
- o November--to review and recommend approval of Annual Report containing accomplishments of past year and proposed work plan for upcoming year, including proposed water-access projects and related capital improvement budget requests of each agency to the legislature when appropriate; to discuss any emerging issues and policy development for interagency coordination and direction.

Notices of these policymaker meetings will be sent to local governments and legislators using Metropolitan Council mailing lists. Notification and reporting of the meeting would be handled by each agency on a rotating basis each year.

The policymaker group would meet on other occasions, when necessary, to develop solutions to policy problems regarding the budget, implementing the work program, etc., when more than one agency is effected, even though only one agency may be "responsible" for taking action.

IMPLEMENTING THE METRO AREA LAKE ACCESS PROGRAM

PRIORITIES AND RESPONSIBILITIES FOR PUBLIC-ACCESS ACQUISITION

In determining priorities for access site acquisition and development on Metropolitan Area lakes, the administrative staff combined the results of the lake ranking procedure and the current adequacy of lake access (a minimum of one car/trailer space per 20 acres of lake surface). For instance, the largest and cleanest lakes with the best fishing which have inadequate access generally have the highest priority for access development (see Table A).

Overall coordination of the metro lake access program is conducted by the DNR for the following reasons:

1. The state, through DNR, is responsible for setting state-wide policy relative to public water management.
2. The DNR is the only member agency that has access acquisition, development, operations and maintenance authority.
3. Since the adoption of the original cooperative program, it has become apparent that the majority of the access development in the Metropolitan Area has been undertaken by the DNR.
4. DNR's activity has frequently been in concert with regional, county and municipal authorities and, as a result, the agency is in a unique position to integrate the plans and policies of the various substate jurisdictions with state policy.

PROCEDURE FOR PROGRAM COORDINATION

The Committee would carry out the following interagency coordination procedures:

1. In September of each year, administrative staff will analyze the status of water access in the Metropolitan Area. Administrative staff and professional advisers will confer on:
 - changing conditions of existing accesses, including extent of use;
 - need for additional accesses within priority lake groups;
 - progress in implementing the work plans in the preceding year and capital improvement programs;
 - proposed work plans, budgets and work group identification and responsibilities for upcoming year; and
 - two-year capital improvement programs (project and estimated cost) of DNR and Metropolitan Council funded water-access projects for the next two years.

An annual report prepared by administrative staff will be compiled from the September meeting and conferred on by committee policymakers in November. The annual report shall contain:

- a summary of work plan accomplishments by committee agencies during the past year;
- work plans for upcoming year including identification of work group members, responsibilities, deadlines and budgets; and
- two-year capital improvement program for water-access projects.

Review and approval by all three agencies will ensure coordination of projects and increased efficiency in resolving problems. Any disagreement between agencies regarding topics in the annual report shall be resolved prior to approval by policymakers. If necessary, approval will be postponed to December. Once acted on by the policymakers, the report will be submitted to state agency commissioners and Metropolitan Council for final approval.

2. A computerized "Water Access Status Report" will be prepared and updated monthly and printed on a calendar year basis by administrative staff. The master file will be maintained by DNR staff. The status report will include:

- lake name and location by county;
- lake size and current condition of water-access adequacy based on a minimum of one car-trailer parking space per 20 acres of water standard; and
- status of actions taken or to be taken to create adequate access or to improve existing access by month when action takes place.

Copies of this report will be distributed to administrative staff, professional advisers, policymakers and others at least once per year. Monthly updates will be provided to those who request them.

3. DTED will continue to provide the committee with an annual list of Metropolitan Area LAWCON/state grant applicants who are requesting funding for boat launches.

4. DTED will keep the committee informed as to the status of metro area LAWCON/state-funded grants which include public boat-access sites.
5. Administrative staff will meet monthly, or as needed, to:
 - update status report on water access,
 - monitor progress of work groups in implementing work plans, and
 - identify any emerging issues.
6. Policymakers will meet at least twice per year to review/approve the annual report (see no. 1 above), and as needed for monitoring work-plan accomplishments, developing budgets and developing solutions to policy problems when more than one agency is affected.

ASSOCIATED MANAGEMENT ISSUES

The wise management of public-access sites, the lakes on which they are located, and the lands around and near the lakes is key to the success of a Metropolitan Area area access program. While the primary goal of this program is providing access to Metropolitan Area lakes, it is equally important to emphasize comprehensive lake management to assure a safe, high quality recreational experience. Lake-oriented development will place additional demands on metro lakes and conflicts will result unless proper steps are taken.

Access Site Facilities

The range of facilities provided at, or in conjunction with, public-access sites on Metropolitan Area lakes will vary considerably. Some access sites will be "freestanding," offering no more than a ramp and off-street parking area. Others will be developed in conjunction with local, regional and state parks, where the visitor will find a broad variety of facilities.

Site Selection Criteria

In the Metropolitan Area, where many lakes are heavily developed and opportunities for acquiring access sites are scarce, there may be a temptation to buy any available parcel. It is the intent of the three Metro Water Access Committee implementing agencies to be as sensitive as possible to selecting the best site on a given lake in order to serve the public, minimize environmental impacts and diminish local opposition. The first consideration is given to assessing existing public property for access potential. While it is extremely rare to identify a site which is without problems, the task force recognizes the need to carefully assess a number of factors before arriving at a final determination. Unfortunately, the ever-increasing demand for lakeshore in the Metropolitan Area makes it impossible to establish hard and fast site selection criteria. However, some factors to be considered include, but are not limited to:

1. Proximity to major highways;
2. Relationship to residential and commercial neighborhoods;
3. Cost of acquisition and development;
4. Proximity to existing accesses;
5. Past use practices of the parcel under consideration, for example, is it currently in public ownership;
6. Protection from wind/ice;

7. Development considerations, such as, dredging, water depth;
8. Potential for multiple use;
9. Intensity of boater use near a potential access site; and
10. Ability to buffer access site from adjacent land uses.
11. Compliance with State of Minnesota water regulations and permit requirements.

Local Involvement

Local communities and area property owners are provided information and given an opportunity to participate in the planning process as soon as possible. Under law (M.S. 84.0274), the implementing agency is prohibited from disclosing some details of a purchase during the acquisition process. While there is no requirement to hold a public hearing, it is often practical and helpful to hold a public information meeting about a particular project. It is not at all unusual for some opposition to occur. However, this should not preclude the opportunity for valuable information to be exchanged. Conceptual designs are often modified based on local input. Landscaping and fencing are other flexible variables. Details of maintaining and enforcing a site are often worked out with local communities.

Questions are frequently raised regarding compliance with local ordinances. While implementing agencies will attempt to take local regulations and/or restrictions into consideration, there may be times when the "greater public good" will be served by developing a site that local ordinances would prohibit.

Parking Space Formula

The standards for parking set by the Committee assume that the public should have free access and car-trailer parking to use a minimum of one-half of the available water space on a body of water. The Committee has further defined parking as free off-street and contiguous to the access ramp.

DNR-sponsored studies have shown that on lakes with no surface water regulation, motorboat user self-regulation occurs when in-use boat densities reach one boat per ten acres of water. Aerial surveys have shown that boaters will pull over and wait for the density to decrease rather than go out.

The policy historically used in this program is to have a minimum of one boat trailer parking space per 20 acres of water. This assumes the public has access to at least one-half the available water space of a lake in an unregulated condition.

There are additional car-trailer parking standards for Lake Minnetonka developed by the Lake Minnetonka Task Force (see "Report of the Lake Minnetonka Task Force," June 1983).

If a government body enacts surface management regulations such as slow, no-wake zones or direction of travel rules, active boat use densities can exceed one boat per 10 acres without creating "crowded" conditions. These density figures do not include anchored or stored boats.

Access Site Design

The DNR has typical designs for access and ramp construction, which the task force has adopted as guidelines for access construction. These are found in the appendix and provide a recommended plan for ideal access construction. Features to emphasize are:

1. Circulation pattern: The entrance road and turn-around is used as a waiting area to launch or retrieve boats. The launch area provides an opportunity for the vehicle and trailer to straighten out before backing up.
2. Parking lot: The size of each parking space is 10 to 12 feet wide and 45 to 50 feet long for a trailer with "pull-through" capability. Consideration should be given to provide some parking spaces as close as possible to the ramp to serve the elderly and handicapped.
3. Launch ramp: Note that each ramp is 12 feet wide. There should not be more than 25 parking places per ramp and water depth should be at least 2.0 feet, within 20 feet from shore, at the end of the ramp.
4. Buffer: There should be adequate buffer to screen the access from adjacent development.
5. Accessibility: Designing a site with handicap accessibility should be considered. Reducing the slope and distance between the parking area and launch ramp, plus providing handicapped-accessible toilets, should be included in designing a site.
6. Make-ready docks: Make-ready docks should be installed at high-use sites. These docks allow boaters to temporarily moor their boat to load and unload gear away from the launch ramp. These allow more boaters to launch in a period of time. These docks also increase handicap accessibility of the site.
7. Portable toilets: Portable toilets should be provided at high-use sites from May to September.

Access Site Regulations

The Metropolitan Council and Department of Trade and Economic Development encourage regional park agencies and other local governments to adopt the following regulations for public water access site projects funded with state/federal dollars administered by these agencies.

The Department of Natural Resources has adopted these regulations as mandatory requirements for any public water access funded with DNR assistance. Public water-access sites which are not managed under these regulations may be considered inadequate by the Department of Natural Resources.

Group one, two, three and four lakes:

- a. Open at least 16 hours a day between 4 a.m. and 12 midnight.

The committee recognizes there are a few specialized situations that make adherence to this standard extremely difficult. Boat launch ramps located

within state, county and/or regional parks with established opening and closing hours are a case in point.

While the 16-hour minimum is still the desired goal, the committee recognizes problems agencies might have in staffing contact stations earlier and later than the normal operating hours. However, it is the committee's understanding that where such circumstances exist, the responsible agency will be flexible enough to respond, should the public demand an extension of launching hours. The committee policy is to negotiate the most reasonable opening and closing time possible with cooperating agencies.

Negotiations that result in less than the recommended 16-hour minimum will be accepted, providing that all other criteria are met. However, these sites will be considered inadequate. Where deemed necessary, another site on the affected bodies of water will be established to provide additional hours of use.

- b. No special fees charged for launching any craft.
- c. Where an access is provided within a park, uniform fees shall be charged all users, regardless of residence.
- d. No special regulations that do not apply equally to the riparian boater.
- e. Provide a minimum of one car-trailer parking space per 20 acres of lake surface. The parking area should be off-street and contiguous to the launch ramp (see Site Design Typical).

Monitoring at Accesses

Under this agreement between the three agencies, guidelines were established that required a minimum of one parking place per 20 acres of lake surface for adequate access and that the access remain open to the public at least 16 hours per day. These guidelines are conservative in philosophy, based on the theory that safe boating can occur in an unregulated lake if the density of boats is one per 10 or more acres of lake surface. Even with public access, DNR studies show that lakes seldom reach one boat per 10 acres in the Metropolitan Area; and almost never outstate. By establishing water-surface use regulations, especially speed control, a lake's capacity for boating is increased.

With this backdrop the policy on access monitoring will be as follows:

- Access monitoring will be allowed to keep order in the access parking lot, such as ensuring car-trailers are parked in designated spaces and preventing road blockages.
- Under no circumstances shall any person be denied the opportunity to launch or retrieve a boat during the 16 hours between 4 a.m. and midnight that the water access site is open where access to legal parking is available.
- The Department of Natural Resources will not recognize any public water access as adequate if the access is monitored to restrict launching and retrieval of boats from a lake.

Water Surface Regulations

Currently, the power to regulate the use of a lake's water surface rests with the governmental unit in which the lake lies. If a lake spans two municipalities that cannot agree on controls, the cities may petition the county to adopt regulations. The purpose of these regulations is to promote the full use and enjoyment of waters of the state, to promote safety for persons and property in connection with such use and to promote uniformity of laws relating to such use.

With the amount of use increasing substantially on Metropolitan Area lakes, surface-use regulations are becoming a dominant trend. Currently, there are approximately 50 lakes in the Metro Area with some type of water surface-use regulations.

Metro Area lakes will be used heavily enough to result in some self-imposed user rationing. This results from the user's perception of over-crowded and unsafe boating conditions, which prompt boating elsewhere or at another time. This dramatizes the point that metro lakes will function as a system, whereby a change in use on one lake will have an impact on the use of others.

Because of heavy use expected on most Metro Area lakes, the committee recommends that public agencies not depend solely on the judgment of the user. Rather, it encourages local units to adopt reasonable surface regulations which optimize conditions for promoting public safety, to provide high quality recreation for the greatest number of users and to protect the lake resource. The DNR has statutory authority to work with local governments in designing and enforcing water surface regulations and is directed by law to promulgate regulations for the management of surface use.

The committee encourages local governments to adopt appropriate management techniques for Metro Area lakes. Local governments should base their approach on:

1. Physical characteristics of the lake;
2. Levels of current use and the additional pressure created by a public-access site;
3. Surface use management techniques preferred by both resident and nonresident users; and
4. User impacts on other lakes created by the management techniques.

Department of Natural Resources regulations (MN Rules 6110.3000-3800, in the Appendix) provide guidelines to local governments covering a range of management approaches including:

1. Zoning parts of the lake surface for different uses;
2. Zoning the lake surface for particular uses at particular hours of the day or days of the week;
3. Limiting motor size or type;

4. Limiting speed;
5. Limiting the type and size of watercraft, including eliminating all boats with motors; and
6. Establishing mandatory traffic circulation patterns.

Access Site Maintenance and Enforcement

The anticipated heavy use of Metro Area public-access sites and their close proximity to residential areas makes the operation and maintenance of access sites an important consideration.

The Metro Water Access Committee encourages a multi-agency approach to maintenance to take advantage of the operational capabilities and location of each of the involved local units. The DNR manages a number of their own sites--providing garbage pickup, access repair, mowing, portable docks and toilets at some sites. DNR also contracts with local units of government, other agencies or individuals to maintain sites.

Coordinated, multi-agency enforcement efforts should also be approached. DNR's conservation officers have the authority to enforce state rules and regulations at DNR-owned access sites, as do local enforcement officials, sheriffs and the highway patrol. For sites that are owned and operated by local units of government, the primary enforcement responsibilities lie with the local authorities. The regional park implementing agencies own and operate water-access sites in regional parks and park reserves. These agencies enforce any applicable ordinances on these sites.

Department of Natural Resources's conservation officers, as well as the county sheriff's water patrol, have the authority to enforce state laws and regulations (such as boating DWI, fishing laws, etc.). Conservation officers have the authority to enforce local water-surface use regulations and will respond to violations that occur in their presence.

The DNR provides funds to the county sheriff's water patrol for enforcement responsibilities, and boat and water safety programs. In 1987 there was approximately \$300,000 allocated between the seven counties in the Metropolitan Area for this purpose.

Fisheries Management

Fishing is one of the most popular recreational activities in the Metro Area. A Minneapolis Tribune poll (Dec. 28, 1980) found that fishing ranked number one among Metropolitan Area residents who were asked to name their favorite leisure activities. A 1980 federal survey of Minnesota anglers (1980 National Survey of Fishing, Hunting and Wildlife Associated Recreation--Minnesota, U.S. Fish and Wildlife Service and U.S. Census Bureau) revealed that nearly one-sixth of all fishing trips take place within the seven-county Metropolitan Area. Fishing is popular and use of our abundant water resource is high. However, fishing opportunities could easily be doubled given proper planning, development and management of this unique water resources.

Within the Metro Area, there are approximately 200 potential fishing lakes. These lakes, along with portions of the Mississippi, Minnesota and St. Croix Rivers, provide 81,000 acres of public water open space, which are the primary fishing and boating waters of the region. The DNR has responsibility for managing fish populations in public waters of the state.

With an annual budget of \$400,000, the DNR conducts various fish management activities on metro lakes. Fisheries surveys are conducted at regular intervals which provide physical, chemical and biological information on lakes and their fish populations. These surveys serve as a basis for assessing changes in water quality, implementing fish management activities and determining the status of fish populations. Water-recreation use surveys are conducted to measure fishing and boating use, as well as the impact of various projects.

In addition to protecting the natural resource, fisheries' managers can also manipulate fish populations within lakes by stocking fish, removing roughfish, rehabilitating lakes by using fish toxicants, and authorizing the installation of winter aeration systems. Intensive fish management efforts can improve fishing recreation. Because of improved water quality, other forms of boating and water recreation uses are often enhanced as well. Cooperative projects between the DNR and local governments have increased fishing opportunities. The DNR has furnished aeration systems, fishing piers and stocked over 20 "Kids' Fishing Ponds" where the local government has agreed to maintain the facility.

In cases where stocking is considered, priority is given to lakes based on public access conditions. Lakes with adequate access, or where progress is being made, receive priority over those with inadequate access.

Fish stocking is a management tool, which is restricted by state law. According to law, DNR cannot stock fish in any lake to which the public is denied free access and use. Furthermore, in the seven-county Metropolitan Area, the demand for stocking lakes exceeds the supply of fish available. In cases where stocking is considered, priority is given to lakes based on public access conditions. Lakes with adequate access, or where progress is being made, receive priority over those with inadequate access.

Fishing Piers: CORE Program

Fishing piers and enhanced shore fishing areas provide access for all anglers, especially the young, old, handicapped and those without a boat. The metro angler population differs from other Minnesota areas in that children under the age of 16, adults over 65 years old, and shore fishing comprise a much higher percentage of overall use. Fishing piers can be part of an overall park plan to enhance an area that is already receiving fishing pressure, or they can be placed in areas where fish populations can sustain increased fishing pressure. Careful consideration will be given to fishing pier sites to assure maximum recreational potential.

Through project CORE (Cooperative Opportunities for Resource Enhancement), the DNR will provide fishing piers or funds for the development of enhanced shore-fishing areas. Local units of government, lake associations and other organized groups may apply for CORE fishing pier projects through the DNR Area Fisheries Office. Proposed pier site inspections are conducted by both the DNR Fisheries, and Trails and Waterways staff. Proposals will be approved, prior-

itized and implemented based on funds available each year. (Fishing License Surcharge monies provide the funds for CORE projects.) A sponsoring organization must then agree to cooperate with the DNR on certain aspects of pier development and operation. The pier is constructed by the Trails and Waterways staff at the site. Enhanced shore-fishing areas will be handled on an individual basis.

Water Quality Maintenance

Twin Cities lakes provide a recreational resource unique among major metropolitan areas. Because of their location, all Metro Area lake basins are susceptible to development. Many basins are more or less completely developed, while others are in various stages of development. Urban development threatens to decrease water quality from soil erosion during construction, urban runoff rich in nutrients, gas, oil and other pollutants and, in some cases, sewage. In addition, the use of lakes and adjacent recreational facilities can contribute to a decrease in water quality through pollution, erosion and turbidity. Public agencies should use their respective legal authorities to assure that urban development and uncontrolled recreational use do not destroy or impair the quality of lakes.

All municipalities are required by the 1976 Metropolitan Land Planning Act to incorporate water quality protection measures into their comprehensive plans. Most of these plans have been reviewed by the Metropolitan Council for consistency with the Water Resources Management Development Guide/Policy Plan. In addition, municipalities are required to prepare shoreland ordinances consistent with the Shoreland Management Act and accompanying rules and regulations Minn. Regulations 6120.2500-6120.3900 promulgated in 1976 by DNR. The Shoreland Act requires DNR review and approval of municipal ordinances. Those ordinances should assure that water quality protection measures are incorporated and enforced. To date, many cities are still without ordinances. However, most high-priority cities have adopted them.

The Metropolitan Council has adopted a three-part policy plan on water resources management. Part 1 deals exclusively with controlling point sources of water pollution through wastewater management. Part 2 of the document focuses on nonpoint sources of pollution and stormwater runoff. Part 3 focuses on water supply and use. Legislation passed in 1982 requires local units of government in the Metropolitan Area to prepare storm water plans to protect the quality of lakes and streams.

The water quality of Metro Area lakes should continue to be monitored by appropriate agencies on a regular basis. State permit standards should be reviewed and, if necessary, revised to provide a level of protection commensurate with the public value of Metro Area lakes. Violators of water quality standards and permit provisions should be promptly prosecuted.

This section has intended to show that a public-access program for Metro Area lakes involves more than the acquisition and development of access sites. If the program is to succeed, important public management issues must receive attention. Some of these issues, such as water surface zoning, will be controversial. But unless these issues are addressed, the lake resource we enjoy today may be ruined and made unsafe by the demands of an increasing population.

FINANCING

Acquisition and development of water-access sites are financed primarily with funds generated from a state-wide base. Traditionally, DNR sources of funds for financing the state-wide public access program are from the LCMR, bonding programs of the state legislature, and the water recreation account--dedicated fund of boat license fees and gas taxes based on marine use. The Metropolitan Council receives state bond funds from the legislature to acquire and develop regional parks and special recreation use water access sites in the Metropolitan Area.

Funding for acquisition and development of access sites by local governments will be assisted by federal/state funding through the DTED, which can cover up to 50 percent of the costs. The remaining 50 percent will come from local revenue sources.

Operation and maintenance costs for access sites funded by DNR and operated by local governments will be shared between them and the DNR.

TABLE A
CLASSIFICATION OF METRO AREA LAKES

NOTE: THIS TABLE SHOWS THE RANKINGS OF 95 METRO AREA LAKES OVER 100 ACRES IN SIZE AND OVER 10 FEET IN DEPTH USING THE CHARACTERISTICS OF: A) SIZE/SHAPE; B) FISH-TYPE; AND C) WATER CLARITY.

THE TABLE ALSO SHOWS THE ADEQUACY OF CURRENT 1987 ACCESSSES UTILIZING THE 1987 PUBLIC BOAT LAUNCH GUIDE AND CURRENT ACCESS INFORMATION. ACCESS IS DEEMED ADEQUATE IF THE SITE:

- A) PROVIDES PARKING FOR A MINIMUM OF ONE CAR/TRAILER UNIT PER 20 ACRES OF LAKE SURFACE;
- B) IS PUBLICLY OWNED; AND
- C) HAS NO DISCRIMINATORY FEES.
- D) OPEN AT LEAST 16 HOURS A DAY.

LAKE	ACREAGE	MINIMUM	1979	DEVELOPMENT/ACQUISITION PROGRESS (3)									CURRENT NEED
		STANDARD SPACES(1)	ADEQUACY(2)	1980	1981	1982	1983	1984	1985	1986	1987		
P ONE LAKES													
MARINE (W)	1577	79	-						A-NR			71	
NETONKA (H)	14310	700	-	I-L					A-NR		D-NR	411(4)	
SWASHTA (C)	763	38	-					D-MC	D-NR/MC			ADEQUATE	
RIOR (S)	1146	57	-	I-NR		A-NR		I-NR	A-NR/TE			45	
CROIX (W)	3990	100	-			A-NR	A-NR		D-NR			80	
TE BEAR (R)	2410	121	-			D-TE/NR						69	
P TWO LAKES													
D EAGLE (R)	1046	52	-									28	
VARIA (C)	201	20	+									11	
ARNELIAN (W)	444	22	-	A-NR	D-NR	I-NR			I-NR		I-NR	8	
BUSH (H)	207	10	+									ADEQUATE	
LAOUN (H)	416	21	+									UNDER STUDY	
EDAR (H)	167	8	+									UNDER STUDY	
ISTMAS (H)	274	14	-						A-NR	D-NR		7	
AGLE (H)	470	24	-			I-NR						24	
T TWIN (A)	115	5	+									ADEQUATE	
ELMO (W)	317	16	-					D-MC				ADEQUATE	
OREST (W)	2206	110	-	A/D-NR	A-NR	D/I-NR					I-NR	64	
GEORGE (A)	542	27	-						I-NR/MC			ADEQUATE	
RIET (H)	337	17	+									ADEQUATE	
SLAND (A)	100	5	-									5	
JANE (W)	159	8	-	D-NR	I-NR							ADEQUATE	
HANNA (R)	211	11	+									ADEQUATE	
WOOD (A)	567	28	-						I-NR/MC			ADEQUATE	
LE LONG (H)	104	5	-				A-NR		A-NR		D-NR	ADEQUATE	
DICINE (H)	924	46	-				D-MC					ADEQUATE	
ERSONS (C)	340	17	+									7	
ARAH (H)	586	29	-									29	
NAIL (R)	195	10	+									5	
PRING (S)	690	35	+									19	

LAKE	ACREAGE	MINIMUM	1979	1980	1981	1982	1983	1984	1985	1986	1987	CURRENT NEED
		STANDARD	ADEQUACY(2)									
SQUARE (W)	193	10	+									ADEQUATE
TURTLE (R)	444	22	-								A-NR	22
CONIA (C)	3195	150	-	A-NR	D-NR		A-NR	A-NR		I-NR		120
BEAVER (H)	155	8	+									ADEQUATE
UMBRA (C)	221	11	+									ADEQUATE

THREE LAKES

RYANT (H)	199	10	-									ADEQUATE
MLESSBY (D)	1480	74	-			I-L						49
EDAR (S)	749	37	-	I-NR				A-NR		D-NR		3
COON (A)	1507	75	+							A-NR		52
CRYSTAL (D)	290	15	+									ADEQUATE
ERVAIS (R)	234	12	+									ADEQUATE
HAM (A)	193	10	+									5
YDES (C)	212	11	+									6
PENDENCE (H)	828	42	+									ADEQUATE
E ISLES (H)	157	8	+									UNDER STUDY
ARION (D)	489	24	+							I-L		ADEQUATE
CHARD (D)	243	12	-	I-SP								ADEQUATE
ETER (R)	338	17	-									17
WASSO (R)	360	18	+									13
HALEN (R)	193	10	-						D-MC			ADEQUATE
EASANT (R)	585	29	-									29
NDEAU (A)	594	30	-									30
BECCA (H)	290	15	+									ADEQUATE
CHUTZ (C)	140	7	-									7
EIGER (C)	281	14	+									ADEQUATE
ONNAIS (R)	477	24	-									24
LETAIL (H)	582	29	+				D-NR					15

FOUR LAKES

ANN (C)	120	6	-			A-TE			D-TE			ADEQUATE
UBURN (C)	356	18	-							I-NR		6
BASS (H)	175	9	-									9
BONE (W)	206	10	-							I-NR	D-NR	ADEQUATE
RANDT (C)	138	7	-									7
ERVILLE (A)	464	23	-						I-MC	I-L/NR		ADEQUATE
LEAR (W)	400	20	-		A-NR						D-NR	ADEQUATE
COKE (A)	130	7	-	A-NR		D-NR/TE						ADEQUATE
TREVILLE (W)	156	8	-				A/D-NR	D-NR	I-NR			ADEQUATE
UTCH (H)	170	9	-									5
AGLE (C)	230	12	-				A-NR	D-NR				ADEQUATE
FISH (S)	221	9	+	A-MC						I-NR		ADEQUATE
FISH (H)	175	11	-	A-MC								11
LEN (H)	180	9	-									9
EPHINE (R)	110	6	-							D-NR/L		ADEQUATE
NGDON (H)	168	8	-									8

LAKE	ACREAGE	MINIMUM STANDARD		1979	1980	1981	1982	1983	1984	1985	1986	1987	CURRENT NEED
		SPACES(1)	ADEQUACY(2)										
LONG (H)	279	14	-									I-L	9
LONG (R)	184	9	-					D-MC		I-MC		I-MC	ADEQUATE
LOTUS (C)	254	13	-							A-TE	D-L/TE		1
LUCY (C)	137	7	-										7
MARTIN (A)	218	11	+										ADEQUATE
MAHON (S)	136	7	+										ADEQUATE
MILLER (C)	245	12	-										12
SCHELL (H)	116	6	-					A-TE					6
SETTA (A)	162	8	-										8
WOMIS (H)	199	10	+										ADEQUATE
WOODS (S)	256	13	+										ADEQUATE
WILSON (W)	100	5	-										5
WILLEY (C)	470	24	+										24
WILSON (A)	483	24	-								I-MC/L/NR		ADEQUATE
WILSON (W)	174	9	-										9
WITZ (C)	111	5	+										ADEQUATE
WILLEY (H)	296	15	-					D-TE		A-TE, I-NR			5
WILSON (H)	155	8	+					I-NR					ADEQUATE
WILSON (W)	124	6	-										6
WILSON (S)	131	7	-				A-NR				D-NR		ADEQUATE
(UPPER)(H)	201	10	-										10
WILSON (C)	118	6	-				D-NR						ADEQUATE
WILSON (C)	277	14	+				A/D-NR	I-NR					ADEQUATE

(1) THE STANDARD FOR MINIMUM ACCESS ADEQUACY IS ONE CAR/TRAILER PARKING SPACE PER 20 ACRES OF LAKE SURFACE.

(2) ACCESS ADEQUACY IDENTIFIED IN 1979 COOPERATIVE AGREEMENT:

(+) = ADEQUATE (-) = INADEQUATE

(3) DEVELOPMENT/ACQUISITION PROGRESS:

ACTION TAKEN:

A=ACQUISITION

D=DEVELOPMENT

I=IMPROVEMENT

PRIMARY FUNDING AGENT:

NR=DEPARTMENT OF NATURAL RESOURCES

MC=METROPOLITAN COUNCIL

TE=DEPARTMENT OF TRADE & ECONOMIC DEVELOPMENT

SP=STATE PLANNING AGENCY

L=LOCAL

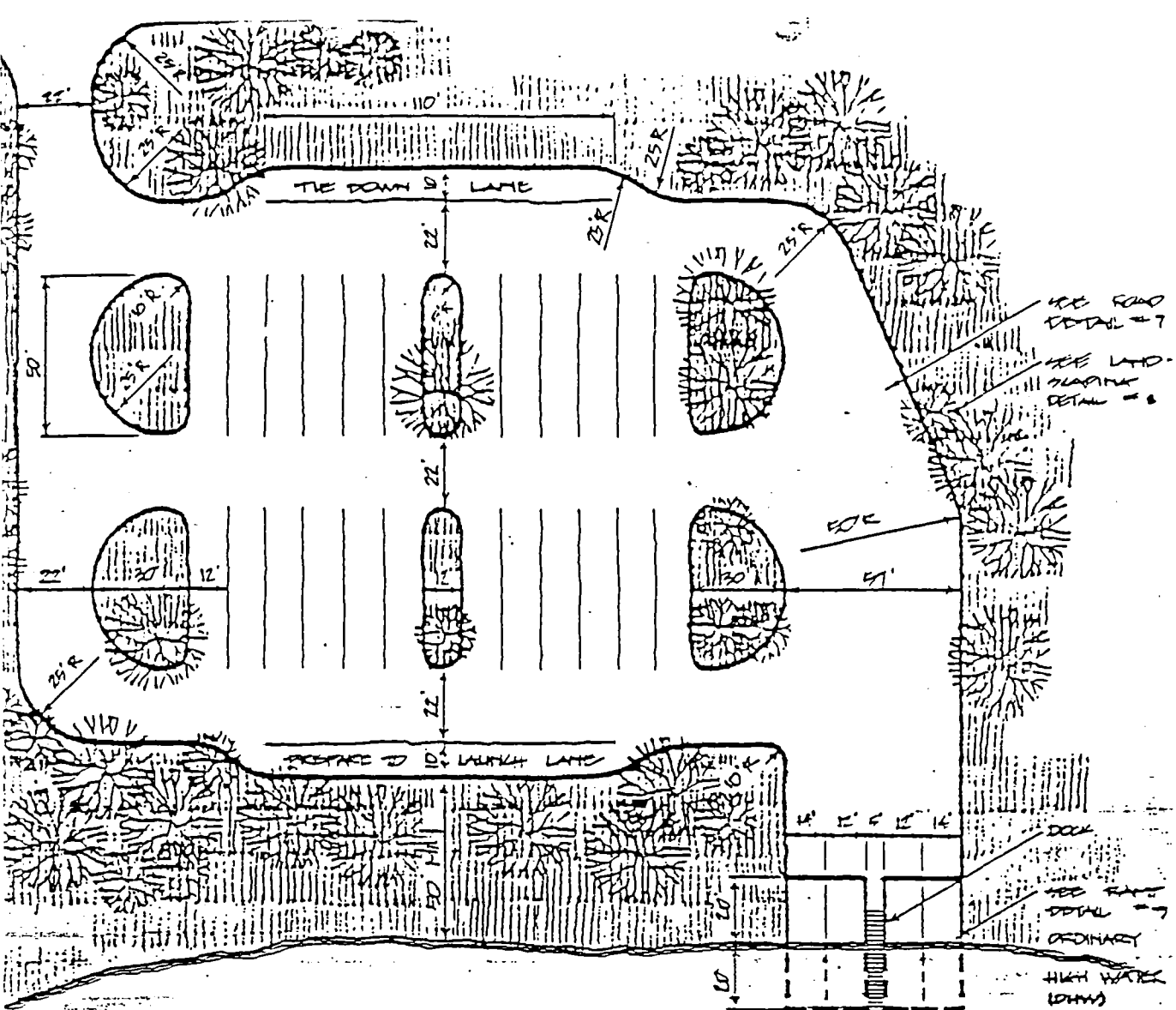
(4) CURRENT ACCESS NEED FOR LAKE MINNETONKA IS BASED UPON THE LAKE MINNETONKA TASK FORCE REPORT PREPARED IN 1983.

A=ANOKA COUNTY
C=CARVER COUNTY
D=DAKOTA COUNTY
H=HENNEPIN COUNTY

R=RAMSEY COUNTY
S=SCOTT COUNTY
W=WASHINGTON COUNTY

APPENDIX 1
WATER ACCESS SITE DESIGN TYPICALS

The following water access site design typicals are excerpts from the Minnesota Department of Natural Resources policy manual on water access sites (Commissioner Orders #1828). They are shown here to illustrate how good quality water access sites should be designed. Modifications to these design guidelines will be necessary to take into account specific site characteristics. But a site should be designed to provide adequate parking and maneuvering space for car-boat trailer units.



ACCESS - CLASS I
 MINIMUM OF 25 PARKING SPACES WITH TWO RAMP. FOR EACH INCREASE OF 25 SPACES, ONE
 ADDITIONAL RAMP SHALL BE CONTRIBUED UP TO A MAXIMUM OF 4 RAMP.
 RAMP PLANK OR POURED CONCRETE RAMP TO BE USED.

SEE LOT TO BE TAVED WITH PARKING SPACES MARKED
 AS OFFICIAL AND QUANTITY DETERMINED BY HSD

10' x 12' = 120' x 12'

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

ION OF ENGINEERING

Drawn	9-79
Checked	9-79
Approved	9-79

STATEWIDE
 LAYOUT - TYPICAL

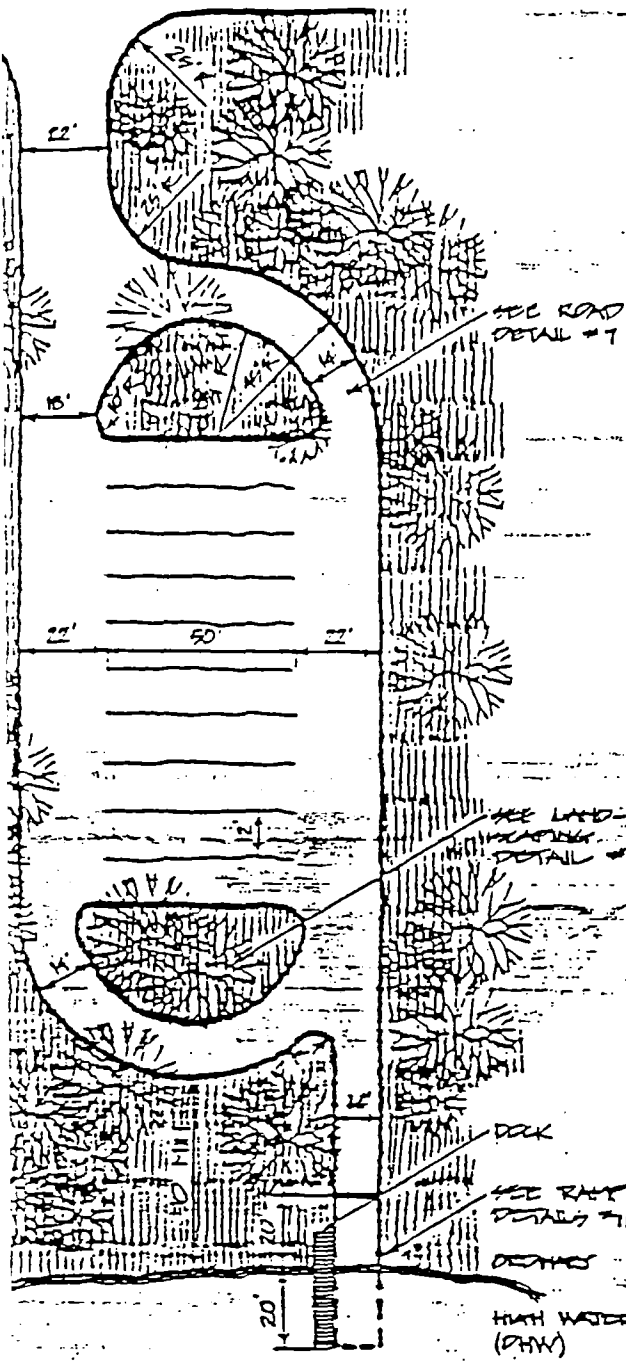
ACCESS - CLASS I



Keith C. Engleby
 -12-79 ACTING Administrator

Sec. I. N. E. W.
 Dept. Code Reg. Sheet

File
 T-026



ACCESS - CLASS II

- FROM 5 TO 25 PARKING SPACES WITH ONE RAMP
- PRE-CAST PLANK OR POURED CONCRETE RAMP TO BE USED.

- PAVED PARKING LOT WITH UNMARKED SPACES.
- DOCK INSTALLATION OPTIONAL

SCALE: 1"=50'-0"

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENGINEERING

STATEWIDE

LAYOUT - TYPICAL

Drawn	9-79	BRUCE	9-79
Checked		LYNN	9-79
Revised	7-82	BRUCE	

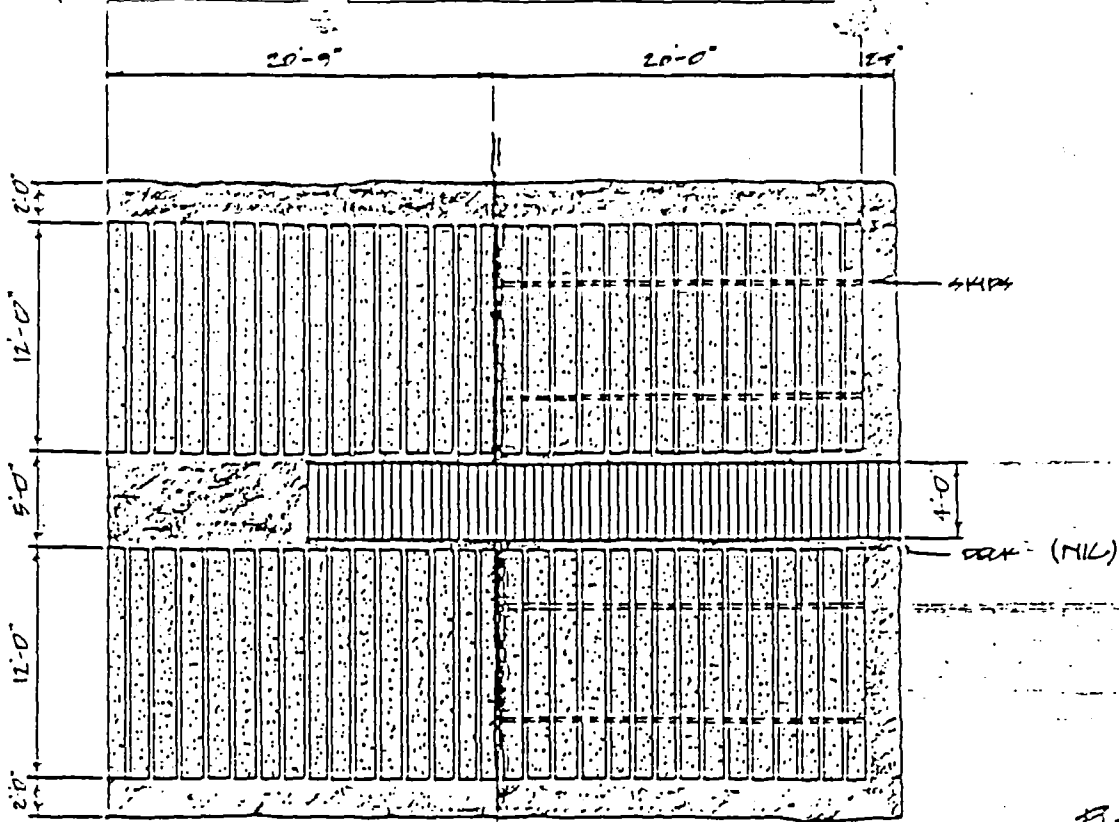
ACCESS - CLASS II



Keith C. Emery
12-79 ACTNC Administrator

Sec.	I	N.	L.	W.
Dept. Code		Req.		Sheet
				2

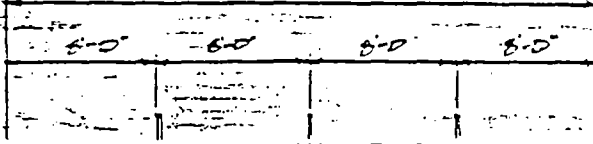
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T-026



PLAN

ORDINARY HIGH WATER (DHW)

RAMP APPROACH -
NOTES FOR 50'
BT TO EXCEED 5%



EXCAVATION LINE

CRUSHED ROCK MATTE
FILTER FABRIC

ORDINARY HIGH WATER (DHW)

ORIGINAL LAKE BOTTOM

CONCRETE PLANKS - 2 FEET LONG, 12 INCHES WIDE, AND 5 INCHES THICK. (USE STANDARD CODES)
KIDS = 2-4" x 12" x 12" TIMBERS Laid END TO END AND STAYED SLIGHTLY ABOVE THE 6" CRUSHED ROCK MATTE.
12" x 2" CRUSHED ROCK TO BE USED FOR THE RAMP SHOULDER, MATTE, AND TO FILL THE SPACE BETWEEN PLANKS.
BE 2" STEEL THROTTLES ONLY IN CRITICAL SITUATIONS FOR STABILIZATION.
USE FILTER FABRIC UNDER CRUSHED ROCK MATTE.

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

AU OF ENGINEERING

STATEWIDE

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Checked	9-79
Approved	9-79

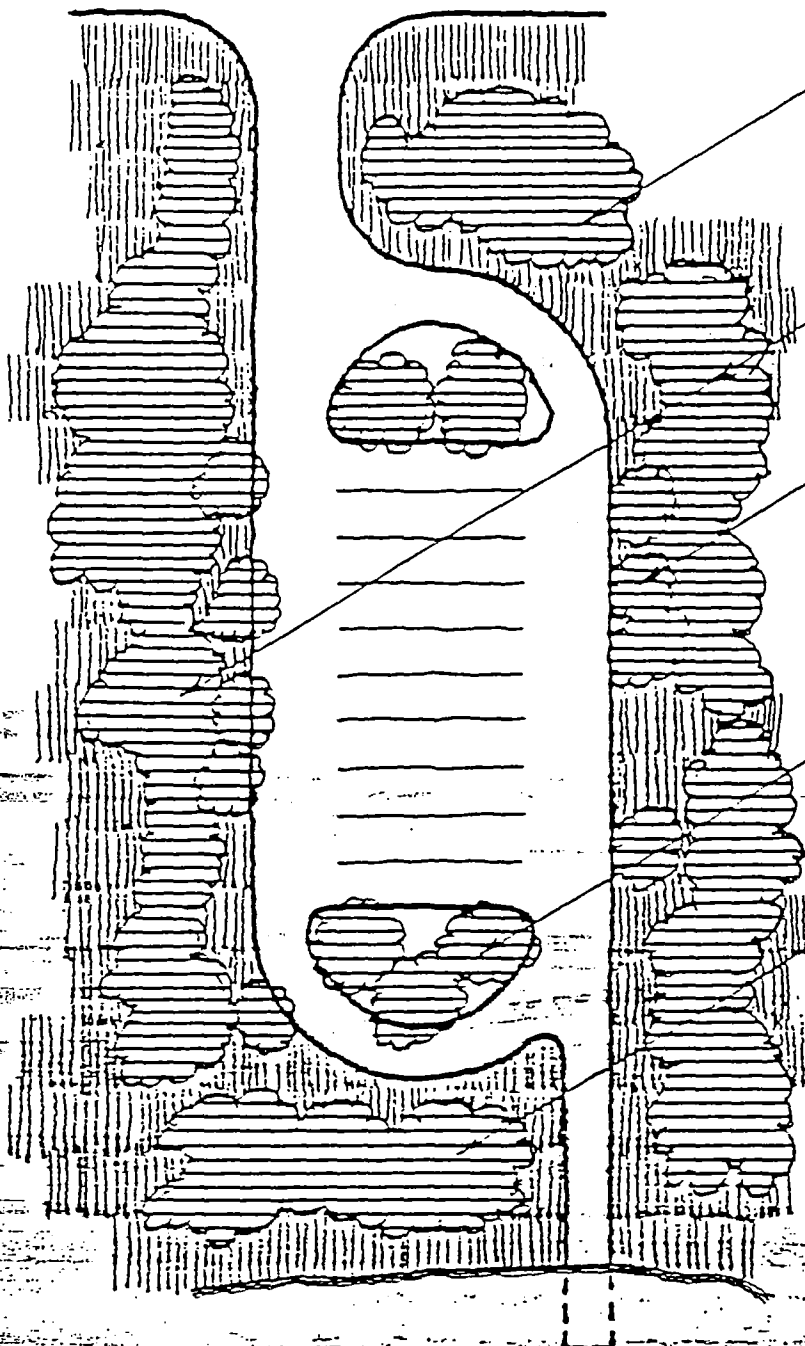
CONCRETE PLANK
SEPARATED DOUBLE RAMP



Karl C. Enos
-12-79 ACTING Administrator

Supl. Comm. Aug. 9

File T-046



SCREEN FROM ROAD OR HIGHWAY - PRIMARILY UNDERSTORY WITH SOME OVERSTORY.

SCREEN FROM ADJACENT PROPERTY OWNERS - PRIMARILY UNDERSTORY WITH SOME OVERSTORY.

LARGE SHADE TREES - BOTH SIDES OF PARKING AREA.

PLANT PLANTS WITH LARGE TREES FOR SHADE AND UNDERSTORY TO VISUALLY BREAK UP PARKING AREA.

SCREEN FROM LAKE - PRIMARILY UNDERSTORY WITH SOME OVERSTORY.

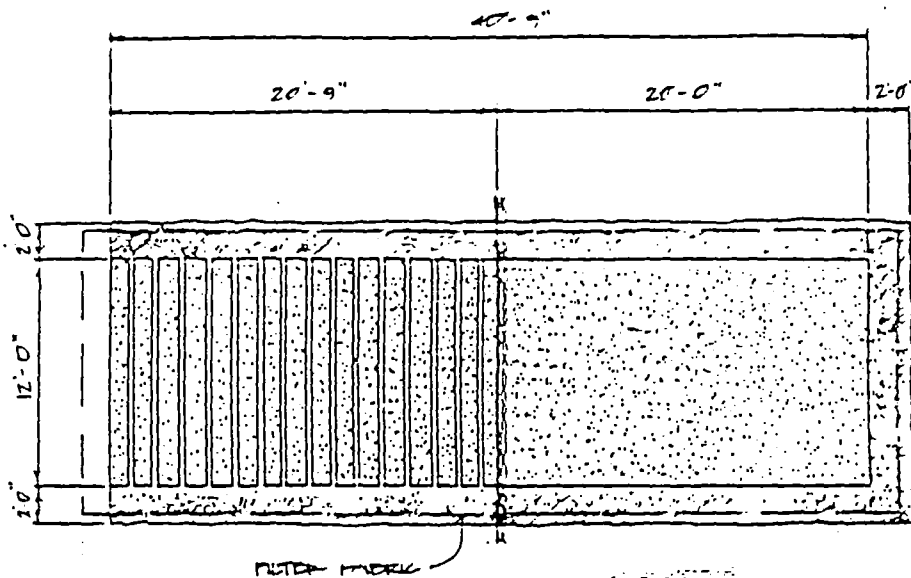
NOTES - MATCH PLANT MATERIAL WITH SPECIES THAT EXIST ON OR NEAR THE ACCESS ETC.

SEE PLANT MATERIAL INSTALLATION TYPICALS, T-011, SIDES 1, 2, 3, & 4.

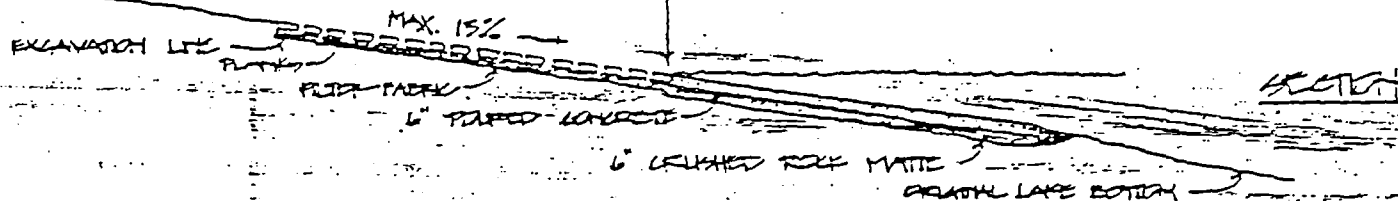
SCALE 1" = 30'-0"

MINNESOTA - DEPARTMENT OF NATURAL RESOURCES

BUREAU OF ENGINEERING		STATEWIDE					
Designed BRAYNE 9-79	Drawn BRAYNE 9-79	SCREENING TYPICAL					
Survey	Checked LISKA 9-79	LANDSCAPE PLAN					
Date 12-12-79	Revised 7-62 DEWITT						
Keith C. Engleberry ACTING Administrator		Sec.	T.	N.	L.	W.	
Date 12-12-79		Depl. Code	Aug.	Sheet	8		File T-011



RAMP APPROACH
SLOPE FOR 50'
NOT TO EXCEED 10%



NOTES:

- REINFORCED PRECAST CONCRETE PLANKS - 12 FEET LONG, 12 INCHES WIDE, AND 5 INCHES THICK (SEE DETAIL # 16)
- TAPERED CONCRETE PORTION OF THE RAMP MAY BE CONSTRUCTED BY DIFFERENT METHOD; THE RAMP MAY BE TOWED ON DRY LAND AND PUSHED INTO POSITION BY DREDGER OR ALTERNATE METHOD. WOULD BE TO DE-WATER AND POUR THE RAMP DIRECTLY INTO ITS FINAL LOCATION. (THIS OPTION)
- 1 1/2" - 2" CRUSHED ROCK TO BE USED FOR THE RAMP SHOULDERS, MATES, AND TO FILL THE SPACE BETWEEN THE PLANKS.

PLACE FILTER FABRIC UNDER CRUSHED ROCK MATES.

THIS RAMP STYLE MAY BE ADAPTED WITH PLANKS IN THE WATER AND THE MATES OUT OF THE WATER.

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

BUREAU OF ENGINEERING

STATEWIDE

Designed BRALKE 9.79	Drawn BRALKE 9.79
Survey	Checked LISKA 9.79
Station	Revised 7.12.80

CONSTRUCTION TYPICAL

PLANK AND TAPERED CONCRETE SINGLE RAMP



Keith C. Enslin
Date 12-12-79 ACTING Administrator

Sec. T. N. E. W.
Capt. Lt. Col. Eng. Sheet 12 File T-DW

APPENDIX 2
DEPARTMENT OF NATURAL RESOURCES WATER SURFACE USE MANAGEMENT

MN RULE 6110

3000 Policy. It is the policy of this state to promote full use and enjoyment of waters of the state, to promote safety for persons and property in connection with such use, and to promote uniformity of laws relating to such use.

3100 Scope. As part of implementing that policy, Minn. Stat. 378.32 and 459.20 authorize counties, cities and towns to regulate by ordinance the use of surface waters by watercraft, upon approval of any such ordinance by the commissioner. Minn. Stat. 361.26, subd. 2a authorizes the commissioner to regulate such use by rule, upon request of a county, city or town, and after the rule is approved by the majority of the counties affected. These rules, however, shall not apply to units of government other than counties, cities and towns, or to counties, cities or towns adopting ordinances identical to and on the same body of water as a lake conservation district ordinance.

3200 Goal. The goal of water surface use management shall be to enhance the recreational use, safety, and enjoyment of the water surface of Minnesota and to preserve these water resources in a way that reflects the state's paramount concern for the protection of its natural resources. In pursuit of that goal, an ordinance or rule shall:

1. Where practical and feasible accommodate all compatible recreational uses.
2. Minimize adverse impact on natural resources.
3. Minimize conflicts between users in a way that provides for maximum use, safety and enjoyment.
4. Conform to the standards set in MN Rule 6110.3700.

3300 Authority. These rules are required by Minn. Stat. 361.25. They provide procedures for the development and approval of rules and ordinances for resolving water surface use conflict by regulating:

1. Type and size of watercraft.
2. Type and horsepower of motors.
3. Speed of watercraft.
4. Time of use.
5. Area of use.
6. The conduct of other activities on the water body where necessary to secure the safety of the public and the most general public use.

3400 Jurisdiction.

1. The commissioner shall exercise his discretion under Minn. Stat. 361.26, subd. 2 to regulate a waterbody when so requested by a county, city or town only when the water body,
 - a. is traversed by a state or international boundary; or
 - b. is within the jurisdiction of two or more counties which cannot agree on the content of ordinances; and
 - c. regulation is necessary to achieve the goals in MN Rule 6110.3700.

2. In all other cases, water surface use regulation shall be by county, city or town ordinance as specified in Minn. Stat. 378.32 and 459.20. If a body of water is located within the jurisdiction of two or more cities or towns which cannot agree on the content of ordinances, any such city or town may petition the county in which they are located to adopt an ordinance.

3500 Existing ordinances and rules. All existing ordinances and rules adopted on or after Jan. 1, 1975, affecting water surface use shall be brought into compliance with these rules within a reasonable timeperiod after promulgation of these rules.

MN RULE 6110.3600 - ASSESSMENT OF CONDITIONS.

- A. Factors to consider. The commissioner or any governmental unit formulating, amending or deleting controls for surface water shall acquire and consider the following information, noting factors that are not relevant:
 1. Physical characteristics.
 - a. Size--normal surface acreage, if available, or the basin acreage listed in the Division of Waters Bulletin No. 25, "An Inventory of Minnesota Lakes."
 - b. Crowding potential--expressed as a ratio of water surface area to length of shoreline.
 - c. Bottom topography and water depth.
 - d. Shore soils and bottom sediments.
 - e. Aquatic flora and fauna.
 - f. Water circulation--for lakes, the existence and locations of strong currents, inlets, and large water level fluctuations; for rivers and streams, velocity and water level fluctuations.
 - g. Natural and artificial obstructions or hazards to navigation, including but not limited to points, bars, rocks, stumps, weed beds, docks, piers, dams, diving platforms, and buoys.
 - h. Regional relationship--the locations and the level of recreational use of other water bodies in the area.
 2. Existing development.
 - a. Private--to include number, location and occupancy characteristics of permanent homes, seasonal homes, apartments, planned unit developments, resorts, marinas, campgrounds, and other residential, commercial, and industrial uses.
 - b. Public--to include type, location, size, facilities, and parking capacity of parks, beaches, and watercraft launching facilities.
 3. Ownership of shoreland--to include the location and managing governmental unit of shoreline in federal, state, county, or city ownership as well as private, semi-public, or corporate lands.
 4. Public regulations and management--to include federal, state or local regulations and management plans and activities having direct effects on watercraft use of surface waters.

5. History of accidents which have occurred on the surface waters.
 6. Watercraft use--to include information obtained in the morning, afternoon, and evening on at least one weekday and one weekend day, concerning the number and types of watercraft in each of the following categories.
 - a. Kept or used by riparians.
 - b. Rented by or gaining access through resorts or marinas.
 - c. Using each public watercraft launching facility.
 - d. In use on the waterbody.
 7. Conflict perception and control preferences--to include opinions gains by surveys or through public meetings or hearings of riparians, transients, local residents, and the public at large.
- B. Written statement. Any governmental unit formulating, amending or deleting controls for surface waters shall submit to the commissioner the following:
1. The information requested in MN Rule 6110.3600 A., portrayed on a map to the extent reasonable.
 2. A statement evaluating whether the information reveals significant conflicts and explaining why the particular controls proposed were selected.
 3. The proposed ordinance.
 4. A description of public hearings held concerning the proposed controls, including an account of the statement of each person testifying.
- C. Commissioner review and approval.
1. The commissioner shall require the ordinance proposer to provide additional information of the kind described in MN Rule 6110.3600 A., when needed in order to make an informed decision. The commissioner shall approve the ordinance if it conforms with these rules.

MN RULE 6110.3700 - WATER SURFACE MANAGEMENT STANDARDS.

To promote uniformity of ordinances or rules on the use of watercraft on surface waters of this state, to encourage compliance and to ease enforcement, the commissioner and any government unit formulating such ordinances or rules shall follow these standards. When formulating an ordinance or rule, it is not required that all the standards listed below be incorporated into every ordinance or rule. Rather, the commissioner or governmental unit shall select from the standards listed below such standard(s) as are needed to regulate the surface use of waters.

- A. Watercraft type and size. Controls may be formulated concerning the type and/or size of watercraft permissible for use on surface waterbody(ies) or portions thereof.

- B. Motor type and size. Controls, if any, concerning the maximum total horsepower of motor(s) powering watercraft on surface waters shall utilize one or more the following horsepower cutoffs or motor types.
1. 25 h.p.
 2. 10 h.p.
 3. Electric motors
 4. No motors
- C. Direction of travel. Directional controls, if used, shall mandate watercraft to follow a counter-clockwise path of travel.
- D. Speed limits. Controls, if any, concerning the maximum speeds allowable for watercraft on surface waters shall utilize one or more of the following miles-per-hour cutoffs:
1. Slow-No Wake. "Slow-No Wake" means operation of a watercraft at the slowest possible speed necessary to maintain steerage and in no case greater than 5 mph.
 2. 15 mph.
 3. 40 mph.
- E. Effective time.
1. Controls must use one or more of the following time periods.
 - a. Sunrise-sunset or sunset-sunrise the following day.
 - b. 9:00 a.m.-6:00 p.m. or 6:00 p.m.-9:00 a.m. the following day.
 - c. Noon-6:00 p.m. or 6:00 p.m.-noon the following day.
 - d. All 24 hrs. of the day.
 2. Controls must be in effect during one of the following calendar divisions:
 - a. All year.
 - b. Memorial Day weekend through Labor Day weekend.
 - c. On all weekends and legal holidays occurring within period b.
 3. Controls governing the use of watercraft may be adopted which are placed into effect based upon specific water elevations.
- F. Area zoning.
1. Controls shall clearly specify which portion of the water body is affected by such controls.
 2. Area controls may be formulated concerning any of the subject matter covered in the water surface management standards A-H.
 3. Controls concerning a "Slow-No Wake" shall be established for the entire waterbody or portion thereof according to the following criteria:
 - a. Within 100 ft. or 150 ft. from the shore; or
 - b. Where watercraft speed or wake constitutes a hazard to persons, property or the natural resources; or

- c. Where it has been determined that such control(s) would enhance the recreational use and enjoyment of the majority of users.
- G. Conduct of other activities on a body of water. Controls formulated by a governmental unit which restricts other activities (such as swimming, or SCUBA diving) shall conform to MN Rule 6110.3700 C.
- H. Emergencies. In situations of local emergency, temporary special controls may be enacted by a county, city or town for a period of not more than five days without the commissioner's approval. The commissioner shall be notified, however, as soon as practicable during this five day period.
- I. A government unit may submit additional evidence if it feels that variance from the afore stated standards is necessary to best address a particular problem. The commissioner will review such evidence and shall grant a variance if there are circumstances peculiar to the body or bodies of water in question of such magnitude as to overshadow the goal of uniformity.

MN RULE 6110.3800 - ADMINISTRATIVE PROVISIONS.

A. Enforcement and penalties.

- 1. Any government unit adopted ordinances pursuant to Minn. Stat., Sec. 378.32 and 459.20 shall provide for their enforcement and prescribe penalties for noncompliance. Rules established pursuant to Minn. Stat., Sec. 361.26 shall be enforced by conservation officers of the Department of Natural Resources and the sheriff of each county.
- 2. Rules or ordinances shall contain a provisions exempting authorized resource management, emergency and enforcement personnel when acting in the performance of their assigned duties. They may also provide for temporary exemptions from controls through the use of permits issued by the unit of government adopting the ordinance or rule.

B. Commissioner's approval.

- 1. Any governmental unit formulating ordinances or desiring amendments and deletions to existing ordinances shall submit the written statement required by these rules with the proposed ordinance to the commissioner pursuant to Minn. Stat., Sec. 378.32 for his approval or disapproval. Determination of approve or disapproval shall be based upon the written statement and the compatibility of the ordinance with these rules. If the proposed ordinance is disapproved by the commissioner and a satisfactory compromise cannot be established, the governmental unit may initiate a contested case hearing to settle the matter.
- 2. The commissioner shall notify the governmental unit in writing of his approval or disapproval of proposed ordinances within 120 days after receiving them pursuant to Minn. Stat. Sec. 378.32. Failure to so notify shall be considered approval.

C. Notification.

1. Any governmental unit adopting ordinances shall provide for adequate notification of the public, which shall include placement of a sign at each public watercraft launching facility outlining essential elements of such ordinances, as well as the placement of necessary buoys and signs. All such signs and buoys shall meet requirements specified in Minn. Stat. Sec. 361, and DNR 204-207.
2. The commissioner shall publish and update at his discretion a listing of watercraft use rules and ordinances on surface waters of the state for distribution to the public.

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