

CHISAGO LAKES LAKE IMPROVEMENT DISTRICT

**Chisago County board document proposing
the re-establishment of the
Chisago Lakes Lake Improvement District
consistent with the
Chisago Lakes Chain of Lakes Watershed
Boundary**

August 19,
2015

CHISAGO LAKES LAKE IMPROVEMENT DISTRICT

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6115.0970 CREATION OF ADJUSTED CHISAGO LAKES LAKE IMPROVEMENT DISTRICT.

Subpart 1. County Board document. A Chisago County board document proposing the creation of, or a petition to create, a lake improvement district shall contain the following elements:

Subdivision A. A written statement of lake problems and objectives.

As stated in By-Laws of the Chisago Lakes Lake Improvement District as amended February 2, 2015, Article I, Overview:

The purpose of the Chisago Lakes Lake Improvement District is to make recommendations to the Chisago County Board of Commissioners, appropriate local units of government, state agencies and the general public on all matters pertaining to the management of land and water resources in order to maintain the quality of the Chisago Lakes Chain of Lakes Watershed.

The role of the Chisago Lakes Lake Improvement District Board of Directors is to responsibly assert the power and authority that is statutorily available and duly delegated to the Chisago Lakes Lake Improvement District and its Board of Directors by the Chisago County Board of Commissioners; and in all actions and endeavors to conscientiously move toward fulfillment of the goals and objectives of the Chisago Lakes Lake Improvement District in its interaction with the County, other local and state agencies and the general public.

The major lakes in the Chisago Lakes Chain of Lakes watershed are:

Bloom	Kroon	North Center	School
Boo	Linn	North Lindstrom	South Center
Chisago	Little	Ogren	South Lindstrom
Ellen	Little Green	Pearson	Spider
Emily	Martha	Peterson	Swamp
Green	Mattson	Pioneer	Wallmark

The Chisago Lakes Chain of Lakes Watershed is approximately eleven miles long and averages three and a half miles in width.

The Mission of the Chisago Lakes Lake Improvement District is to protect and restore the surface water resources of the Chisago Lakes Chain of Lakes Watershed.

The goals of the Chisago Lakes Lake Improvement District are to:

- Preserve, protect and enhance water quality within the Chisago Lakes Chain of Lakes Watershed.
- Maintain the ditch and weir system in order to control water levels during high water events.
- Encourage environmentally sound land use practices for urban and agricultural areas to protect water quality within the Chisago Lakes Chain of Lakes Watershed.
- Support safe and balanced recreational use of surface water.
- Restore, improve and maintain navigation channels between the lakes.
- Protect, encourage and restore native shoreline to improve fish and wildlife habitat.
- Promote environmental education, awareness and stewardship within the Chisago Lakes Chain of Lakes Watershed.
- Promote the reduction of non-native aquatic invasive species.

Subdivision B. The proposed type or types of water and related land resource management programs to be undertaken by the proposed district. This shall include a detailed statement of intended studies, management programs, remedial actions, and construction projects.

As stated in By-Laws of the Chisago Lakes Lake Improvement District as amended February 2, 2015, Article II, Power and Authority:

Section A. Power

As set forth in Minnesota Statutes 103B.551, Subdivision 3, (1) through (14), and as authorized by the Chisago County Board of Commissioners and delegated to the Chisago Lakes Lake Improvement District Board of Directors by Chisago County Resolution No. 09-0225-1, the power(s) of the Chisago Lakes Lake Improvement District Board of Directors specifically includes the authority to:

1. Acquire by gift or purchase an existing dam or control works that affects the level of waters in the district;
2. Construct and operate water control structures that are approved by the commissioner of natural resources under Minn. Stat. [§103G.245](#);
3. Undertake projects to change the course, current or cross section of public waters that are approved by the commissioner of natural resources under Minn. Stat. [§103G.245](#);
4. Acquire property, equipment, or other facilities, by gift or purchase to improve navigation;
5. Contract with a board of managers of a watershed district within the lake improvement district or the board of supervisors of a soil and water conservation district within the district for improvements under Minnesota Chapters 103C and 103D;
6. Undertake research to determine the condition and development of the body of water and the water entering it and to transmit the results of the studies to the Minnesota Pollution Control Agency and other interested authorities;
7. Develop and implement a comprehensive plan to eliminate water pollution;
8. Conduct a program of water improvement and conservation;
9. Construct a water, sewer, or water and sewer system in the manner provided by Minn. Stat. [§ 444.075](#) or other applicable laws;

10. Receive financial assistance from and participate in projects or enter into contracts with federal and state agencies for the study and treatment of pollution problems and related demonstration programs;
11. Make cooperative agreements with the United States or state government or other counties or cities to effectuate water and related land resource programs;
12. Maintain public beaches, public docks, and other public facilities for access to the body of water;
13. Provide and finance a government service of the county or statutory or home rule city that is not provided throughout the county or, if the government service is provided, the service is at an increased level within the district; and
14. Regulate water surface use as provided in Minn. Stat. §§ [86B.205](#), [103G.605](#), and [103G.621](#).

Section B. Expenditure Authority

Pursuant to Resolution No. 09-0225-1 of the Chisago County Board of Commissioners, the Chisago Lakes Lake Improvement District by and through its Board of Directors shall have the authority to enter into all necessary contracts for the purchase of capital, real estate, and services, under the set value of \$5,000 per contract or transaction

Project spending requests in amounts greater than \$5,000 will be submitted to the Chisago County Board of Commissioners for consideration/approval.

Subdivision C. A statement of the means by which the programs will be financed.

As stated in the Resolution establishing Chisago Lakes Lake Improvement District, April 21, 1976, programs will continue to be financed by grants made available from state and federal governments, an ad valorem tax levied within the district, and special assessments upon benefitted property.

Minnesota Statutes 103B.555 provides the following options for funding the Chisago Lakes Lake Improvement District:

Subdivision 1. Revenue. The county board or joint county authority may undertake projects of improvement consistent with purposes of the district. To finance projects and services of the district, the county board or joint county authority may, only after seeking other sources of funding:

1. Assess the costs of the projects upon benefitted property within the district in the manner provided under chapter 429;
2. Impose service charges on the users of lake improvement district services within the district;
3. Issue obligations as provided in section 429.091;
4. Levy an ad valorem tax solely on property within the lake improvement district, to be appropriated and expended solely on projects of special benefit to the district; or
5. Impose or issue any combination of service charges, special assessments, obligations, and taxes.

Subdivision. 2. Tax additional to other levies. A tax under subdivision 1 may be in addition to amounts levied on all taxable property in the county for the same or similar purposes.

Subdivision. 3. Budgeting for operations. The county board or county boards forming the joint county authority shall include appropriate provisions in their budget for the operation of a lake improvement district.

Subdivision. 4. District obligations. The district, with approval of the county board or joint county authority, expressed in a resolution identifying each specific improvement to which the approval applies, may exercise the powers of a city under chapter 429 and section 444.075, including, but not limited to:

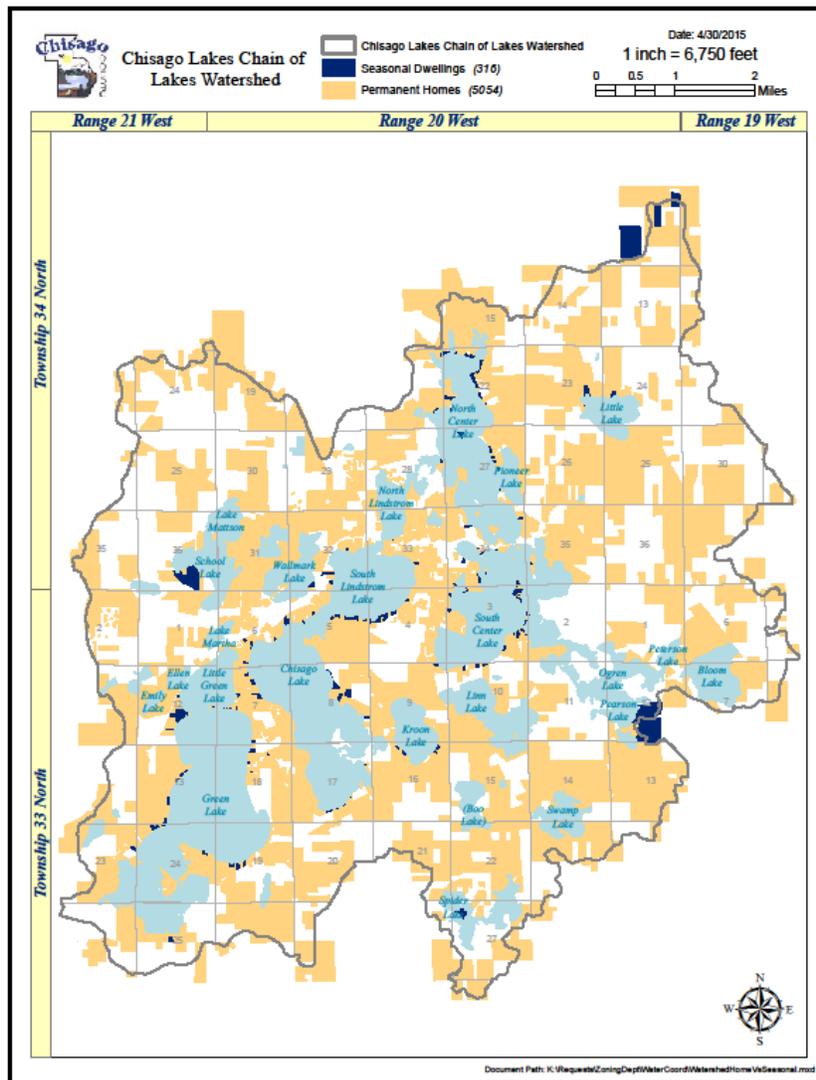
1. The levy of special assessments;
2. The imposition of rates and charges; and
3. The issuance of bonds

to finance improvements that the district may undertake.

Subdivision D. A map showing the boundaries of the proposed lake improvement district. The map shall show the number and location of permanent homes and seasonal dwellings in the district. The scale of the map, and basic geographical information, such as range, township, and section numbers, shall be clearly indicated on the map.

For parcels where the hydraulic boundary of the Chisago Lakes Chain of Lakes Watershed includes 50% or more of the parcel the entire parcel will be included in the Chisago Lakes Lake Improvement District.

For parcels where the hydraulic boundary of the Chisago Lakes Chain of Lakes Watershed includes less than 50% of the parcel the entire parcel will NOT be included in the Chisago Lakes Lake Improvement District.



Subdivision E: The number of directors proposed for the district.

Minnesota Statutes 103B.551 Board of Directors states that after a lake improvement district is established, the county board that established the district shall appoint persons to serve as an initial board of directors for the district. Subsequent board members must be elected by persons owning property in the district at the annual meeting of the district. The number, qualifications, terms of office, and method of election, removal, and filling of vacancies of directors shall be as provided in the order creating the board of directors. The initial and subsequent boards of directors must include persons owning property within the district, and a majority of the directors must be residents of the district.

As stated in By-Laws of the Chisago Lakes Lake Improvement District as amended February 2, 2015, Article III, Section A. Board Organization:

The Chisago Lakes Lake Improvement District Board of Directors shall consist of seven (7) persons. A majority of such Directors must be residents of the District.

The Board of Directors shall have representation as follows: Each Area Representative must own real property within that Area or be a buyer under contract for deed of property in the Area.

Area 1 – 1 Director. Bounded on the south by Highway 8, to the west by County Road 20 and includes the area to the northeast border of the Chisago Chain of Lakes watershed. North Center, Pioneer, and Little Lakes are included in this area.

Area 2 – 1 Director. Bounded by Highway 8 on the North, County Road 25 (Olinda Trail) to the West and includes the Southeast corner of the Chisago Chain of Lakes watershed. South Center, Ogren, Linn, Swamp, Pearson, Peterson, and Blooms Lakes are included in this area.

Area 3 – 1 Director. Bounded on the west by County Road 24, to the south by Highway 8, crosses the channel between South Lindstrom and Chisago Lakes at the public access and continues to the east at Mentzer Trail and 295th Street, and on the east at County Road 25 and County Road 20. This includes the area to the north central border of the Chisago Chain of Lakes watershed. North Lindstrom, South Lindstrom, and Wallmark Lakes are included in this area.

Area 4 – 1 Director. Bounded on the west by County Road 24/23/91, to the north by Highway 8, crosses the channel between South Lindstrom and Chisago Lakes at the public access and continues to the east at Mentzer Trail and 295th Street, and to the south at County Road 25. This includes the area to the south central border of the Chisago Chain of Lakes watershed. Chisago, Kroon, and Spider Lakes are included in this area.

Area 5 – 1 Director. Bounded on the east by County Road 24 and County Roads 24/23/91. This includes the eastern most portion of the Chisago Chain of Lakes watershed. Green, Little Green, Emily, Ellen, School, Swamp, and Mattson Lakes are included in this area.

At Large – 2 Directors. Must be owners of real property within the district boundaries or be a buyer under contract for deed of property in the district.

Subdivision F. Copies of local ordinances which regulate use of the lake or any public access.

Attachment A. An ordinance regulating the use of watercraft on waterways within Chisago County

Attachment B: Chisago County Shoreland Management Ordinance

Subdivision G. Any information indicating the degree of local interest and commitment to future management.

There is a strong degree of local interest and commitment to future management of the surface water resources within the Chisago Lakes Chain of Lakes Watershed. The existing Chisago Lakes Lake Improvement District has been in place since 1976 and more recently expanded its role to include protecting water quality, prevention and control of aquatic invasive species, and education/outreach. There are three active lakes associations within the Chisago Lakes Chain of Lakes Watershed including the Center Lakes Association, Chisago-Lindstrom-Kroon Lakes Association, and the Green Lake Association.

In addition, On May 20, 2015, the Chisago County Board of Commissioners showed support by passing Resolution No. 15/0520-1, Resolution of Intent to Re-Establish the Chisago Lakes Lake Improvement District consistent with the Chisago Lakes Chain of Lakes Watershed Boundary. The following statements were included in the resolution:

Whereas, the Chisago Lakes Lake Improvement District (LID) was legally designated as a Lake Improvement District pursuant to Minnesota Statute on April 21, 1976 by a resolution of the Chisago County Board of Commissioners. The LID was reactivated by resolution of the County Board August 21, 1984; and

Whereas, the major lakes in the Chisago Lakes Chain of Lakes Watershed are Bloom, Chisago, Emily, Green, Kroon, Linn, Little, Little Green, Mattson, North Center, North Lindstrom, Ogren, Pioneer, School, South Center, South Lindstrom, Spider, Swamp, and Wallmark; and

Whereas, the current LID boundary was approved in 1984 based on recommendations of the Minnesota Department of Natural Resources; and

Whereas, on February 25, 2009 the Chisago County Board of Commissioners delegated to the LID and its board of directors the powers available to the LID as set forth in Minnesota Statutes 103B.551, Subdivision 3, (1) through (14).

Whereas, on April 6, 2009, the LID Board of Directors passed a motion adopting an official watershed map of the LID consistent with the Chisago Lakes Chain of Lakes Watershed boundary, as established by the Minnesota Department of Natural Resources, resulting in operating on a watershed approach to projects rather than a taxation boundary approach; and

Whereas, the goals and objectives in the LID Water Resource Management Plan identify projects within the Chisago Lakes Chain of Lakes Watershed boundaries and are not limited to the taxation boundary; and

Whereas, the current boundary of the LID taxation area is inconsistent with the Chisago Lakes Chain of Lakes Watershed boundary; and

Whereas, on December 1, 2014, the LID Board of Directors passed a motion recommending to the Chisago County Board of Commissioners to adjust the current LID taxation boundary to include the entire Chisago Lakes Chain of Lakes watershed.

Whereas, public welfare will be promoted by the establishment of the district consistent with the Chisago Lakes Chain of Lakes Watershed boundary; and

Whereas, property to be included in the district will be benefited by establishing the district; and

Whereas, the formation and reestablishment of the district consistent with the Chisago Lakes Chain of Lakes Watershed boundary will not cause or contribute to long-range environmental pollution; and

Now, therefore, be it resolved the Chisago County Board of Commissioners authorizes the initiation and establishment of the Chisago Lakes Lake Improvement District consistent with the Chisago Lakes Chain of Lakes Watershed boundary

Subdivision H. The identification of any lands and waters which may be adversely affected by the implementation of district purposes, and a preliminary assessment of these adverse effects.

There are no anticipated lands or waters that may be adversely affected by implementation of district purposes.

Subdivision G. A statement outlining the adequacy and ownership of public accesses, including public lands and beaches.

There are 8 public water accesses, 2 public beaches, and multiple parks, schools, and government buildings in the Chisago Lakes watershed. There is adequate public access to the lakes. The following statements describe the public water accesses and beaches.



Public Water Accesses:

Bull Lake: No public water access directly on lake. DNR owned public water accesses on North and South Center Lakes and the channel between Chisago and South Lindstrom Lakes. Low canoe and kayak usage.

Chisago Lake: DNR owned public water access on channel between Chisago and South Lindstrom Lakes. High watercraft useage primarily on weekends and evenings.

Green Lake: DNR owned public water access on southeast end of lake. High watercraft useage primarily on weekends and evenings.

Kroon Lake: DNR owned public water access on southeast end of lake. High watercraft useage primarily on weekends and evenings.

Linn Lake: No public water access on lake. Low watercraft useage primarily on weekends and evenings. Not managed for fishing.

Little Green Lake: Chisago City owned public water access on east end of lake. High watercraft useage primarily on weekends and evenings.

North Center Lake: DNR owned public water access on south end of lake. High watercraft useage primarily on weekends and evenings.

North Lindstrom Lake: DNR owned public water access on channel between Chisago and South Lindstrom Lakes. Low watercraft useage primarily on weekends and evenings.

Pioneer Lake: No public water access on lake. Low watercraft useage primarily on weekends and evenings. Waterski lake.

School Lake: No public water access on lake. Low watercraft useage primarily on weekends and evenings.

South Center Lake: DNR owned public water access on southwest bay of lake. High watercraft useage primarily on weekends and evenings.

South Lindstrom Lake: DNR owned public water access on channel between Chisago and South Lindstrom Lakes. High watercraft useage primarily on weekends and evenings.

Spider Lake: DNR owned public water access on east end of lake. Low watercraft useage primarily on weekends and evenings.

Wallmark Lake: No public water access on lake. Low watercraft useage primarily on weekends and evenings. Waterski lake.

Public Swimming Beaches:

Lindstrom Beach Park on north end of South Lindstrom Lake owned by City of Lindstrom.

Paradise Park on north end of Chisago Lake owned by Chisago City.

Public Lands:

Almensratt Park on channel between North Center and North Lindstrom Lakes owned by City of Lindstrom.

Center City Park on north side of South Center Lake owned by Center City.

Chisago County Government Center on east side of North Center Lake.

Chisago Lakes Middle School on south side of North Center Lake.

KiChiSaga Park on north end of Linn Lake owned by Chisago County.

Lakeside Elementary school on north side of Little Green Lake.

Lindstrom Beach Park on north end of South Lindstrom Lake owned by City of Lindstrom.

Ojiketa Regional Park on east side of Green Lake owned by Chisago City.

Paradise Park on north end of Chisago Lake owned by Chisago City.

Subdivision J. An estimate of the total equalized valuation of the property within the district.

Below is a high level calculation of the market value of the Lake Improvement District compiled by the Chisago County Auditor. Below are the unaudited results:

	Estimated Market Value Taxable	Estimated Market Value Exempt	Estimated Market Value Total	Local Net Tax Capacity	Approximate number of parcels
Existing District	972,653,500	146,591,600	1,119,245,100	9,253,978	5,541
Additions	176,710,400	3,999,600	180,710,000	1,661,316	1,136
Deletions	-10,158,700	-211,300	-10,370,000	-88,655	-62
Total	1,139,205,200	150,379,900	1,289,585,100	10,826,639	6,615
Border Area not addressed	23,496,900	114,300	23,611,200	187,482	122

For parcels where the hydraulic boundary of the Chisago Lakes Chain of Lakes Watershed includes 50% or more of the parcel the entire parcel will be included in the Chisago Lakes Lake Improvement District.

For parcels where the hydraulic boundary of the Chisago Lakes Chain of Lakes Watershed includes less than 50% of the parcel the entire parcel will NOT be included in the Chisago Lakes Lake Improvement District.

Subdivision K. Any other information demonstrating accordance with the criteria and standards for establishment as contained in part 6115.0960.

This document demonstrates consistency with the criteria and standards for re-establishment of the Chisago Lakes Lake Improvement District as contained in 6115.0960.

6115.0960 CRITERIA AND STANDARDS FOR ESTABLISHMENT OF LAKE IMPROVEMENT DISTRICTS.

Subpart 1. In general. Proposals for the establishment of lake improvement districts shall be evaluated based on the extent to which they demonstrate the following.

Subp. 2. Local need for district. The proposal shall demonstrate the need for the district and why another unit of government with similar powers, or a voluntary lake association, cannot or will not satisfactorily accomplish the district's proposed purposes.

Subp. 3. Appropriateness of proposed boundaries. The proposed boundaries shall be consistent with district boundaries as defined in part 6115.0920. The proposed boundaries shall include all lands and waters within the lake's direct drainage basin, unless justification is provided for including a lesser area and approved in writing by the commissioner. The proposed boundaries shall include a sufficient amount of the lake's watershed and related land to develop and implement feasible solutions to the identified problems. The proposed boundaries shall include those lands and waters which can reasonably be considered adversely affected by the proposed actions of the district. The proposed boundaries shall be delineated so as to provide appropriate public representation and the equitable distribution of benefits and levying of costs.

Subp. 4. Appropriateness of proposed purposes. The proposed purposes shall be consistent with existing state, federal, regional, and local laws, policies, objectives, and plans pertaining to water and related land management, fish and wildlife habitat, surface and ground water quality, natural beauty and unique scientific values, economic and recreation values, and the quality of life. The proposed purposes shall be consistent with the public rights in the public waters of the state. When a district is proposed for the purpose of conducting a feasibility study of the sources of and solutions to lake problems, the proposal shall demonstrate an understanding that subsequent lake restoration measures may require modification of the district's boundaries and statement of purposes, pursuant to part 6115.0980, subpart 1, and Minnesota Statutes, section 103B.575.

Subp. 5. Technical feasibility of proposed plans and programs. The proposal shall demonstrate the technical feasibility of the proposed plans and programs, or provide for the determination of technical feasibility.

Subp. 6. Adequacy of proposed means of financing. The proposal shall demonstrate capability of raising sufficient funds to meet district purposes, to ensure continuity of district operations, and to meet the requirements of these parts.

Subp. 7. Adequacy of procedures for planning, decision-making, and public involvement. The proposal shall assure consideration of the interests of concerned citizens both within and outside the boundaries of the proposed district. The proposal shall include the identification of varying and often conflicting interests regarding water and related land management in and around the proposed district, and procedures to assure the consideration of such diverse interests so that decisions are made in the best overall interests of fairness and public health, safety, and welfare.

Subp. 8. Public access. The proposed plan shall provide for public access when adequate public access consistent with size of the lake, the extent of public interest in using the lake, and the combined uses of the lake is unavailable. Service charges may not be imposed on the use of a public access if other units of government cost share the acquisition, development, or maintenance of the public access.

Subp. 9. Adequacy of long-range monitoring of environmental effects of district programs. The proposed plan shall demonstrate an understanding of potential environmental effects of the proposed district plans and programs, and provide for a long-range monitoring of such effects.

Subp. 10. Coordination with other special purpose districts. The proposal shall demonstrate how the proposed district programs will be coordinated with existing special purpose districts formed for water and related land management. Examples of such units of government are watershed districts, sanitary districts, drainage and conservancy districts, lake conservation districts, and soil and water conservation districts. Lake improvement districts shall not be established where a special purpose unit of government for water and related land management exists which can implement the purposes of the proposed lake improvement district, unless written approval is acquired from such unit of government or from the commissioner. The proposal should demonstrate efforts in good faith to resolve at the local level any conflicts between an existing special purpose district and the proposed lake improvement district.