

**Lake Improvement Districts in Minnesota**  
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The Minnesota legislature first authorized the establishment of lake improvement districts (LIDs) in 1973. Since then, there have been minor amendments to the statute. A petition to the local government for the establishment of a LID must have a majority of the affected property owners within the proposed boundary. Before that, a petition could be acted upon with just 26 percent of the affected property owners. For details on statute requirements, see Minnesota Statutes 103B.501 – 103B.581.

The legislature assigned the commissioner of natural resources to administer the program and adopt permanent rules to provide guidelines, criteria, and standards for the establishment of LIDs. Details can be found in Minnesota Rules 6115.0900 – 6115.0980. Until now, this responsibility has rested with DNR Waters.

A LID is a form of government that is subservient to the local government that established it, has no taxing powers of its own, and is limited to just those authorities that the parent government gives to it. Most often, the parent government is a county. There are currently 24 active LIDs in Minnesota. The three primary reasons for their establishment are for the purpose of managing water quality (8), water level control (8) and aquatic vegetation (8). Details on when they were established are as follows:

<b>Manage Water Quality</b>	<b>Manage Water Level</b>	<b>Manage Aquatic Vegetation</b>
1976, 1980, 1981, 1990, 1991, 1993, 1999, 2000	1977, 1980, 1990 (2), 2000, 2001 (2), 2003	2004, 2005 (4), 2006 (3)

Two things stand out from the above table. First, until 2005, the number of LIDs formed in any given year was two or less, with an average of less than one a year. In the last two years, this number has increased to over three a year with three new LIDs already in process for 2007.

The second major change is in the primary purpose of the LID. LIDs formed to manage water quality were focused mainly on improving sewage treatment around the lake by upgrading failed septic systems or the development of larger sewage treatment systems. LIDs formed to manage water level control were related to the establishment and maintenance of some form of outlet control structure. Both of these are directly related to DNR Waters programs (shoreland management and public water permits). Since 2004, all the LIDs that have formed are for the primary purpose of managing invasive aquatic plants, most notably, curlyleaf pondweed. The affected programs rest with DNR Fisheries and Ecological Services.

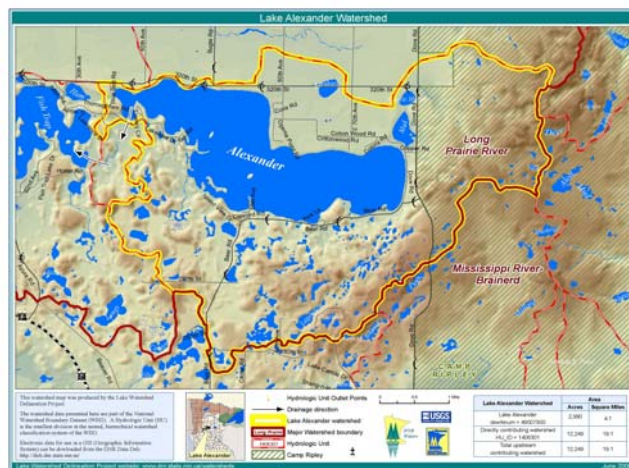
The formation of a LID can be done in three ways: by petition to the local government, by resolution of the local government and by the commissioner after denial by local government. Of these, there has never been a LID approved by DNR after being denied by local government.

In the past, many local governments were hesitant to approve petitions for LIDs because of the added responsibility and cost involved in oversight of their funding and complexities of program administration and public/political acceptance. However, this, too, is changing. In areas of the state where there are actively engaged lake associations or coalitions of lake associations and where the Heritage Foundation has provided assistance through its Healthy Lakes Program, there is greater acceptance. The successful LID is likely a lake association that is already well-organized and active in various aspects of lake and shore management. Often, it has already conducted detailed aquatic vegetation surveys and has a DNR approved aquatic vegetation management plan. Crookneck LID in Morrison County is a good example. Although control of exotic species may be the primary reason for its establishment, the LID also stresses the importance of education and other methods to manage water quality impacts.

Morrison County is unique in that it is now willing to initiate the approval of LIDs through county resolution rather than through petition, the more common way in which they have been initiated in the past. Crookneck and Sullivan LIDs were approved by resolution in 2005. Alexander LID was approved in 2006. All of these had support of the Healthy Lakes Program and good participation by local DNR fisheries and ecological services staff.

One of the main requirements for DNR on the formation of a LID is the preparation and submission of a DNR advisory report to the local government so that it can be read into the hearing on the LID. Statute and rule specify what the DNR should address. It is appropriate to comment on the stated need, boundary, purposes, and feasibility of the proposed plans and programs, as well as monitoring, potential environmental effects and coordination with other special purpose districts like SWCDs or watershed districts. DNR provides a map of the lake's immediate watershed to accompany the advisory report:

As LID coordinator, I gather information from the respective field offices and DNR programs that may have a say or interest in the formation of the LID. I have worked with program managers to provide “boilerplate” to the advisory reports on aquatic plant management and the management of invasive species. If water quality is a specific concern, I also contact PCA for their input.



Because of its advisory nature, the DNR advisory report is intended to provide the local government with technical information it may need to make an informed decision on the establishment of the LID. In addition, it provides program and permitting information that may be required if the LID is approved. A sample advisory report and map is attached.