

LMKP/DLD MORATORIUM
Otter Tail County Resolution No. 2019-54

Commissioner Rogness offered the following and moved its adoption:

WHEREAS, Otter Tail County is the regulatory authority for all shoreland areas in Otter Tail County.

WHEREAS, the water levels at Little McDonald Lake, Paul Lake, Kerbs Lake and Devils Lake have been above the ordinary high water level.

WHEREAS, the LMKP/DLD outlet project began operation in November, 2018 to allow Little McDonald Lake, Paul Lake, Kerbs Lake and Devils Lake to return to their natural ordinary high water level, AND

WHEREAS, the Otter Tail County Board of Commissioners believes a methodical approach to shoreline restoration is prudent only once the water level has been drawn down to near the Ordinary High Water Level (OHWL).

NOW, THEREFORE, BE IT RESOLVED, a moratorium on the issuance of lot alteration permits and conditional use permits is in effect until the initial drawdown brings the elevation of each lake to within 12 inches of its OHWL.

Exceptions to this moratorium include the following:

1. Any permit that is not related to shoreline restoration.
2. Projects approved by the SWCD in accordance with the Shoreland Management Ordinance.

Once each lake's water surface has been drawn within an elevation range from 12 inches above its OHWL to its OHWL, a Special Permit is in effect with the following conditions:

1. Conditional Use Permits will not be required for work related to restoration of exposed shoreline.
2. Land & Resource Management staff may issue permits for any shoreline restoration.
3. The Special Permit requires a landowner to apply for a Lot Alteration Permit from Land & Resource Management for a permit fee of \$250 per permit.
4. The Special Permit is available to a homeowner only one time. If a permit is obtained by a homeowner and the permit expires, the homeowner then must go through Planning Commission to obtain a permit.

This Resolution supersedes Otter Tail County Resolution No. 2018-68

Commissioner Johnson seconded the motion and YEAS and NAYS are as follows:

<u>Commissioner</u>	<u>For</u>	<u>Against</u>	<u>Absent</u>
Wayne D. Johnson			
Betty Murphy			
John Lindquist			
Leland R. Rogness			
Doug Huebsch			

Adopted at Fergus Falls, Minnesota this 16 day of July, 2019

By: Doug Huebsch
Doug Huebsch, Board Chair

Attest: John Dinsmore
John Dinsmore, Clerk