

Spring Lake Township, Scott County, MN

Floating Bog Policy

Policy Number: W-17-001

Purpose of Policy: The intent of this policy is to clarify responsibility for removal of a floating or grounded bog that creates a nuisance or a hazard situation.

Policy:

The Minnesota Department of Natural Resources (MDNR) advises that aquatic plants such as cattail, bulrush, water lilies, and other aquatic vegetation are important because they reduce wave action (thereby reducing the threat of shoreline erosion), provide fish and wildlife habitat, buffer shorelines from pollutants, and provide other environmental benefits. Water plants are the primary producers in the aquatic food chain and convert basic chemical nutrients in the water and soil into plant matter. This becomes food for other life. The MDNR encourages the use of aquatic vegetation to achieve these environmental benefits.

FLOATING BOGS

When aquatic plants, such as cattail bogs, become dislodged from the shoreline, they can become a navigational hazard, cause property damage if they collide with docks, or create the potential for flooding if they settle in an area that impedes existing drainage areas.

Scott County's Responsibility

The Scott County Sheriff's Office is responsible for determining whether or not a floating bog presents a navigational hazard and how to address the floating bog. If the Sheriff determines it is a navigational hazard, the Sheriff will relocate the bog. If it is believed that a floating bog may be posing a navigational hazard, the Scott County Sheriff's office at (952) 496-8300 should be called.

DNR's Responsibility

State law provides that the Minnesota Department of Natural Resources is responsible for the following:

- Provide advice and permitting approval on bog disposition.
- Obtain funds from the state agency involved when a floating bog has become lodged on the shoreline of state-owned lands.
- Remove any floating bogs lodged on state -owned dams or other DNR property.

The law further states that if a floating bog becomes grounded and "there is no evidence to identify the responsible party or parties, the local government must assume responsibility."

Public Property Owner's Responsibility

Floating bogs that have become grounded on public property, including the Spring Lake weir which is owned by Scott County, are the responsibility of the owner of the public property. The property owner will determine what action to take, if any. The property owner is under no obligation to remove the

bog unless the bog is blocking water flow and causing flooding. Spring Lake Township will not dispose of or remove bogs on public property.

Private Property Owner’s Responsibility

When a floating bog has broken free from the shoreline by natural causes and becomes grounded elsewhere on private property, including within the Spring Lake channel, the property owner where the bog becomes grounded has several options to address the situation.

1. Let it be. Bogs provide multiple environmental benefits. They reduce wave action (thereby reducing the threat of shoreline erosion), provide fish and wildlife habitat, buffer shorelines from pollutants, act as filters that protect water quality, and provide other environmental benefits.
2. Obtain a permit, and remove the bog material. Removing floating bog material that is free-floating or lodged in any area other than its place of origin requires a DNR Aquatic Plant management permit issued through the DNR Regional Fisheries Office where your shoreline property is located. Minnesota Rules-Chapter 6280 describes permit requirements relating to the removal of aquatic vegetation. There is no fee for the permit. DNR policy also includes providing advice on bog disposition if requested. Generally, bogs can be broken into smaller pieces and taken to a compost facility, such as the Shakopee Mdewakanton Sioux Community’s Organics Recycling Facility (smscorf.com/services). It is illegal to tow a bog from one property to another and doing so is punishable by law.

Contact for Aquatic Plant Management (APM) Permit:

APM specialist website <http://www.dnr.state.mn.us/apm/index.html>

3. Obtain a permit (as outlined in 2. above) and hire an outside firm to remove the bog material. The Prior Lake Spring Lake Watershed District maintains a list of potential service providers.

Adopted this _____ day of _____, 2017.

BY THE TOWN BOARD

Glenn Kelley, Town Board Chair

ATTEST

Kathy Nielsen, Town Clerk