

COON LAKE IMPROVEMENT DISTRICT - (CLID)  
REQUEST TO BE EXCLUDED FROM HERBICIDE TREATMENTS  
FOR AQUATIC INVASIVE SPECIES (AIS) CONTROL

ON January 28, 2008, the Anoka County Board of Commissioners created an "Order Establishing the Coon Lake Improvement District" in Resolution # 2008-10.

In that order, it was resolved that the boundaries of the district were defined as:

"The boundaries of the Coon Lake Improvement District shall include those parcels that abut Coon Lake, including the man-made channel."

The order further went on to say that "WHEREAS, the advisory report from the Minnesota Department of Natural Resources, which was read into the record at the public hearing, notes approval for the proposed boundaries with a request the county board consider limiting the authority of the lake improvement district to matters that can be addressed by the riparian property owners..."

Per the definition of Riparian Water Rights, under the riparian principle, all landowners whose property is adjacent to a body of water have the right to make reasonable use of it. If there is not enough water to satisfy all users, allotments are generally fixed in proportion to frontage on the water source. These rights cannot be sold or transferred other than with the adjoining land, and water cannot be transferred out of the watershed. Riparian rights include such things as the right to access for swimming, boating and fishing; the right to wharf out to a point of navigability; the right to erect structures such as docks, piers, and boat lifts; the right to use the water for domestic purposes; the right to accretions caused by water level fluctuations. Riparian rights also depend upon "reasonable use" as it relates to other riparian owners to ensure that the rights of one riparian owner are weighed fairly and equitably with the rights of adjacent riparian owners.

At the Annual Meetings of the Coon Lake Improvement District in July of each year, members at the meeting vote to approve and fund the districts activities for the coming year. An annual fee is determined and will be charged to eligible district properties via collection of fees by the county on the next years tax statements. These fees are currently used to fund the cost of herbicide treatments in areas identified as moderate to heavily infested with Curly Leaf Pondweed (CLP) or Eurasian Water Milfoil (EWM). This is determined by means of a delineation to locate and document sites to be re-inspected and/or approved by the MN DNR for treatment by a state licensed applicator contracted with the CLID. The chemicals normally used to control these are Endothall, Triclopyr and 2,4-D.

Sec. 78. Minnesota Statutes 2010, section 103G.615, has been recently amended by adding a subdivision to read: (in part)

Subd. 3a. Invasive aquatic plant management permits. (a) "Invasive aquatic plant management permit" means an aquatic plant management permit as defined in rules of the Department of Natural Resources that authorizes the selective control of invasive aquatic plants at a scale to cause a significant lake wide or bay wide reduction in the abundance of the invasive aquatic plant.

(b) The commissioner may waive the dated signature of approval requirement in rules of the Department of Natural Resources for invasive aquatic plant management permits if obtaining signatures would create an undue burden on the permittee or if the commissioner determines that aquatic plant control is necessary to protect natural resources.

(c) If the signature requirement is waived under paragraph (b) because obtaining signatures would create an undue burden on the permittee, the commissioner shall require an alternate form of landowner notification, including news releases or public notices in a local newspaper, a public meeting, or a mailing to the most recent permanent address of affected landowners. The notification must be given annually and must include: the proposed date of treatment, the target species, the method of control or product being used, and instructions on how the landowner may request that control not occur adjacent to the landowner's property.

Signatures for herbicide control of invasive species are no longer needed for Coon Lake as the MN DNR has waived the signature requirement as allowed by state statute. This is documented as an amendment to the Lake Vegetation Management Plan but does require notification on how to opt out of treatments. A letter with the C L I D Annual Meeting Notice will be sent by April 1<sup>st</sup> of each year will present the opportunity and explain to property owners how to submit this form to be excluded from herbicide treatments for any reasons they may have.

It is your right to request treatment not be done in front of your property in the case it is identified as necessary, but please bear in mind that this is a collective effort funded by each one of us and the quantity of control for these invasives should diminish with each year's successful results.

**SIGNING THIS FORM DOES NOT EXEMPT YOUR PROPERTY FROM THE ANNUAL CLID FEE CHARGED TO ALL PROPERTIES WITHIN THE DISTRICT**

Use this form each year to Opt Out of having herbicide treatments to control AIS within the 150' lake-ward zone from your shoreline:

Due to the distribution date of aforementioned information and when the treatments would occur, this signed form is only valid when signed between January 1<sup>st</sup> and May 31<sup>st</sup> and is valid only for that years Spring/ Summer season. If you plan to submit this form and wish not to have treatment for CLP, do so immediately as the treatment for CLP is temperature sensitive and could be applied as early as mid April. EWM treatments may occur as early as mid May. (FFI or clarification call Mike Bury @ 612 618 1372)

Submit a copy of the following to each of the two addresses listed below:

Coon Lake Improvement District  
PO Box 26  
East Bethel, MN 55011

Sean Sisler / Aquatic Plant Management Specialist  
Dept of Fisheries/ MN Dept of Natural Resources  
1200 Warner Rd  
St. Paul, MN 55125

I have read the annual letter sent on or before April 1<sup>st</sup> of this current year and reviewed this document. I request that no herbicide treatment occur adjacent to our property and 150' lake-ward of our shoreline. Only one signature is required.

Signed \_\_\_\_\_ Date \_\_\_\_\_

All requested information must be entered for verification and validation purposes.

Year: \_\_\_\_\_ Pin Number(s): \_\_\_\_\_

Property Owners Name(s): \_\_\_\_\_

Lake Property Address: \_\_\_\_\_

City / State / Zip \_\_\_\_\_

Phone Number(s) Home: \_\_\_\_\_ Cell: \_\_\_\_\_

Mailing Address (If different from Lake Property Address):

\_\_\_\_\_  
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