

BY-- LAWS
SEBIE LAKE IMPROVEMENT DISTRICT

Article 1: Establishment

Section 1 Established under the Minnesota Statute 103B.501 by the Crow Wing County Board of County Commissioners'

Article 2: Name of District

The name of this organization is: Sebie Lake Improvement District.

Article 3: Definition of the Sebie Lake Improvement District

The Sebie Lake Improvement District is a nonprofit organization subject to applicable county, state and federal laws.

Article 4: Purpose

1. The lake improvement district is authorized to undertake long-term non-native aquatic plant management and water quality monitoring and improvement efforts as outlined in the LID's foundational documents and as determined necessary and appropriate by its Board of Directors and in cooperation with the Minnesota Department of Natural Resources and Crow Wing County. The duration of the district shall initially be set for five (5) years, pursuant to county policies.

2. The lake improvement district shall operate in accordance with Minnesota Statutes 103B.501 to 103B.581, Minnesota Rules 6115.0900 to 6115.0980, Crow Wing County Policies, and within the limitations of this Order.

3. The following powers are hereby delegated to the Sebie Lake Improvement District:

a. to undertake research to determine the condition and development of Sebie Lake and the water entering it and to transmit the results of the studies to the Minnesota Pollution Control Agency and other interested authorities;

b. to conduct a program of water improvement and conservation, focused on improving the quality of water in Sebie Lake and educating riparian landowners in good stewardship.

Nonnative aquatic nuisance control is allowed upon consent by the Minnesota Department of Natural Resources;

c. to make cooperative agreements with the United States or state government or other counties or cities to effectuate authorized water and related land resource programs;

d. to take actions necessary for the administration of the lake improvement district;

- e. to levy special assessments to finance implementation of the powers identified in this Order pursuant to Minnesota Statute 103B.555, Subd. 4.

Article 5: Membership

Section 1 Membership Qualification

1. Owners of properties within the District boundaries are members and the district shall include all riparian properties to Sebie Lake pursuant to county policies.

2. Crow Wing County, LID POLICY #9

Riparian properties per taxable parcel identification are eligible to sign the petition and vote on LID matters. Riparian contiguous lots in common ownership shall be allowed 1 vote if the lots are un-improved. All improved riparian contiguous lots in common ownership shall be allowed 1 vote for each improved lot. For the purpose of this policy, an improved lot shall be defined as having a structure that meets the requirements of a dwelling per the zoning ordinance.

Section 2 Voting Rights

1. Each Member is entitled to one vote at the annual Sebie Lake Improvement District meeting or any special Sebie Lake Improvement District meetings.

2. Individuals whose names appear as owners of Sebie Lake riparian property on the records of the Crow Wing County Recorder are eligible to cast votes for Board Members and on other lake improvement district matters. In addition, Common Interest Communities (CICs) and Planned Unit Developments (PUDs) have only one (1) vote, pursuant to county policies.

Section 3 Votes: Votes at all Membership meetings shall be cast in person.

Article 6: Funding

1. Projects of the lake improvement district will be financed by special assessments imposed on riparian landowners pursuant to county policies.

2. The initial assessment shall be set at \$250 per eligible property owner. The Board of Directors of the Sebie Lake Improvement District may, with the consent of the membership voting at the district's annual meeting, lower or raise the annual assessment as long as the maximum assessment does not exceed the initial assessment of \$250 per eligible property owner, as per Crow Wing County's LID Policies adopted in 2017.

Article 7: Board of Directors

Section 1. Initial Board of Directors

1. The lake improvement district will be managed initially by a five (5) person Board of Directors, subject to the bylaws of the district and Minnesota Statutes and Rules. Directors shall be property owners in the lake improvement district. The initial Directors shall be appointed to terms of one, two and three years, thereafter all officer positions shall serve for 3 year terms.

Section 2. Terms.

All directors/officers shall serve for three (3) year terms. At each regular meeting New board member(s) will be elected for a three year term.

Section 3 Nominating Committee

The Nominating Committee shall consist of retiring Director(s), and one person from the District, who will be selected at the Annual District Meeting. Their slate of nominees shall be submitted to the Board one month prior to the Annual District Meeting.

Section 4 Election of Directors

1. Directors shall be elected at the annual meeting to be held in May of each year on a date set by the Board of Directors. Changes to the date of the annual meeting may be changed at the previous year's annual meeting.
2. Voting for Directors will be by secret ballot. Ballots shall be mailed to each property owner within the district at least three (3) weeks prior to the annual meeting. Ballots may be sent or delivered to the Clerk of the Board prior to or on the date of the annual meeting, pursuant to county policies.

Section 5 Vacancies

Vacancies in the Board of Directors may be filled by a majority vote of the remaining Directors, subject to approval by a majority of votes of the property owners present at the next annual district meeting, subject to the bylaws of the district. A Director elected to fill a vacancy shall serve the unexpired term.

Section 6 Removal of Directors

Directors may be removed by a two-thirds vote of the remaining Board Members, or by a majority of the property owners present at an annual meeting, subject to the bylaws of the district.

Article 8: Board of Directors Officers:

Section 1 Officers

All officers of the Sebie Lake Improvement District shall be Directors.

Section 2 Officer Positions

The officers shall consist of: Chair, Vice Chair, Secretary, and Treasurer. These officers are the Executive Committee. The Executive Committee may meet from time to time without notice to other Board members for planning purposes and to facilitate the activities of the Board.

Section 3 Election of Officers

Officers will be elected by the Board of Directors from among their number at the first board meeting following an annual meeting at which new Directors are elected. Election will be by secret ballot if more than one person is nominated for any office.

Section 4 Duties of Officers.

1. The Chair shall preside over all the District Board meetings and the Sebie Lake Improvement District Annual Meeting.
2. The Vice Chair shall preside in the absence of the Chair and perform duties normally associated with this office.
3. The Secretary shall keep accurate records of all meeting of the Board of Directors, regularly submit minutes to the Board of Directors, and perform all other duties normally associated with this office. The Treasurer shall present a financial state at each meeting and shall perform all other duties normally associated with this office.
12. Directors may receive compensation for their services as determined by district members at the annual meeting and may be reimbursed for actual expenses necessarily incurred in the performance of their duties in the manner provided for county employees

Article 9: Directors Meetings.

Section 1 Meetings

Directors are to hold at least four quarterly meetings annually to include the Annual Meeting of the Membership, as shall be scheduled by the Chair, or in the Chair's absence, by a majority of the remaining members of the Executive Committee. Special meetings may be called by the Chair, or Vice Chair as directed by the Chair, or by three members of the Board of Directors, as may be from time to time required to carry out the activities of the Board.

Section 2 Notice of Meetings

There shall be at least ten days prior notice given in writing or by mail to each Director for any regularly scheduled meeting. In the case of special meetings, written or electronic notice shall be given to Directors not less than three days previously. In either case, any Director may waive such notice by written or electronic notice to the Secretary.

Section 3 Quorum

A majority of the Board of Directors duly serving shall constitute the necessary quorum for the transaction of business.

Article 10: Committees.

Section 1 Appointment and records The Chair with the approval of a majority of the members of the Board of Directors at any regular or special meeting may create and appoint such additional committees as deemed necessary. The Chair of each such committee, upon its organization, shall be designated by the appointing authority and each such committee or committee Chair shall report to the Board of Directors their committee's progress.

Section 2 Funds Should any committee require funds for purposes of its work, the committee shall make application to the Board of Directors in writing with a full statement of the funds required and the purpose for which such funds are to be expended. Upon request of the Board of Directors, the committee shall meet with the Board at any regular or special meeting thereafter to review the request and secure approval of the same. No committee shall expand any funds without the approval of the Board of Directors of The Sebie Lake Improvement District. All funds secured by any formed committee shall be turned over to the Board of Directors. All disbursement of funds, for any Committee shall be dispersed by the Treasurer of The Sebie Lake Improvement District only after such approval is given by the Board of Directors.

Article 11: Annual Meeting of District.

Section 1 Time

The Annual District Meeting shall be held in May of each year, unless changed by vote at the previous annual meeting.

Section 2 Agenda At the annual meeting the District property owners present shall:

1. Elect one or more Members to fill vacancies in the Board of Directors;
2. Approve a budget for the fiscal year;
3. Take up and consider other business that comes before them;

Section 3 Annual Report

Each year the Board of Directors shall prepare and file a report of the financial condition of the District, the status of the projects in the District, the business transacted by the District, other matters affecting the interest of the District, and discussion of the Director & intentions for the succeeding years. Copies of the report shall be transmitted to the county board or joint county authority, town board and city councils of the statutory and home rule charter cities wholly or partially within the District, the Commissioner of Natural Resources, and the Minnesota Pollution Control Agency by four months after the annual meeting.

Article 12: Fiscal Year.

The District fiscal year shall be a calendar year starting January 1 and ending December 31.

Article 13: Expenditure of District Funds.

Approval. All projects and expenditures must be submitted to the Board of Directors. All expenditures must be approved by a majority vote of the Membership at the District annual meeting, or a special meeting of the District.

Article 14: Amendment of By Laws.

These By-Laws may be amended at any annual or special meeting for which due notice has been given and when such amendment has been approved by the majority of the Board and approved by majority vote of the Members at any annual or special meeting.

Article 15: Rules of Order.

The rules contained in the current edition of Roberts' Rules of Order (Revised) shall govern the convention in all cases to which they are applicable, and which are not governed by the By-Laws of the District.

Article 16: Voting

For absentee ballots, acceptable voting can be by mail or electronic methods.

REQUEST FOR BOARD ACTION**Meeting Date**

Tuesday, August 14, 2018

Land Services

Gary Griffin

ORIGINATING DEPARTMENT

PRESENTER

AGENDA ITEM: Establishment of Sebie Lake Improvement District

PREVIOUS ACTION:

- 7/26/2018: A public hearing was held in consideration of forming a Sebie Lake LID.

COMMENTS:

- Pre-petition meeting held by County staff on 1/4/2016
- Petition to form a Sebie Lake LID and payment received by Crow Wing County on 6/15/2018.
- Petition reviewed for accuracy and completeness by County staff and verified signatures as accurate on 6/19/2018.
- As per Crow Wing County LID policies (item #7), a 60% “super majority” of property owner support is intended for the establishment of an LID.
- Verified signatures of petition property owners totals 25. There are 38 property owners within the proposed LID. The ratio of signatures to owners is 65%, which meets the minimum required County policy super majority and state statute minimum.
- The proposed property assessment is \$250.00 for each property owner within the LID boundaries.
- Both the Minnesota DNR and Minnesota Pollution Control Agency (MPCA) were notified that the County has received a petition to form a LID within 5 days of receiving said petition on 6/19/2018.
- Written comment (Advisory Report) received from MN DNR on 7/18/2018 concerning the proposed LID.
- As per State Statute, Fort Ripley Township was notified of both the intent to form a LID and encouraged to comment. They were also notified of the public hearing date/time on 6/29/2018 (103B.521 Subd. 1(d)).
- As per State Statutes, the County must hold a public hearing within 30 days of receiving a petition (103B.521) on 7/26/2018.
- As per State Statutes, within 30 days after holding a public hearing, the County Board shall establish or deny the petitioned LID (103B.521).
- Several changes to the Sebie Lake LID Management Plan were made following the public hearing including incorporating the recommendations identified in the MN DNR's Advisory Report dated 7/18/2018.

- If approved, assessment taxes will be collected in time to start funding the LID in July, 2019.

RECOMMENDED BOARD ACTION:

To approve Resolution (attached): ORDER ESTABLISHING SEBIE LAKE IMPROVEMENT DISTRICT

Approximate length of presentation:

NOTICE OF PUBLIC HEARING
ESTABLISHMENT OF SEBIE LAKE IMPROVEMENT DISTRICT

The Crow Wing County Board of Commissioners has scheduled a public hearing, pursuant to Minnesota Statute 103B.521, for 9:20 AM on July 24, 2018, in the County Board Room, 3rd Floor, Historic Courthouse, Brainerd, Minnesota.

The purpose of the public hearing is to consider establishment of the Sebie Lake Improvement District.

For further information regarding said hearing, contact the Crow Wing County Administrator's Office at (218) 824-1067

/s/

TIMOTHY J. HOULE, COUNTY ADMINISTRATOR
CROW WING COUNTY, MINNESOTA

Dated at Brainerd, Minnesota, this 27th day of June, 2018.

BOARD OF COUNTY COMMISSIONERS
Crow Wing County, Minnesota

DATE: August 14, 2018

Resolution

OFFERED BY COMMISSIONERS: and

ORDER ESTABLISHING SEBIE LAKE IMPROVEMENT DISTRICT

WHEREAS, Based upon testimony received at a public hearing held at the Crow Wing County Courthouse in Crow Wing County, Minnesota, on July 26, 2018, the comments of the Minnesota Department of Natural Resources, the recommendations of staff, and upon all files, records, and proceedings herein, the Crow Wing County Board of Commissioners makes the following:

Findings

1. Crow Wing County recognizes that its lakes and rivers are important natural resources. Various state and local government programs have encouraged lake lot owners and lake associations to manage water quality and exotic vegetation in the county lakes.
2. Curley Leaf Pondweed (CLP) is a non-native form of vegetation that has been spreading throughout Sebie Lake since its discovery there. Because of its invasive nature, this type of vegetation can choke out native vegetation and some forms of aquatic life and degrade recreation values.
3. On January 4, 2016, representatives of the Sebie Lake Association asked the county about the possibility of establishing a lake improvement district as a means of supporting past efforts by the association to manage Curly Leaf Pondweed.
4. To show support for a lake improvement district, letters of support were signed by 65% of the owners of property adjoining the lake (38 property owners total) and were submitted to the county asking that a lake improvement district be established for Sebie Lake.
5. The requested budget for the district for lake management, aquatic vegetation control and other water quality initiatives on Sebie Lake is \$9,500 per year, based on an assessment of \$250 per eligible property owner (38 property owners total) per year.
6. On June 26, 2018, the Crow Wing County Board of Commissioners recognized the receipt of a petition for a Sebie Lake Improvement District and gave notice of its intent to hold a public hearing on July 26, 2018.
7. Notice of the public hearing was published and posted as required by law.
8. On July 26, 2018, the Crow Wing County Board of Commissioners conducted a public hearing at the Crow Wing County Historic Courthouse concerning the creation of a Sebie Lake Improvement District. Oral and written comments were received by the Board.
9. A DNR Advisory Report was submitted by Julie Ekman of the DNR on July 18, 2018, which acknowledged the presence of Curly Leaf Pondweed in the lake and also approved the proposed boundaries of the LID to include those parcels riparian to Sebie Lake. The DNR recommended several actions to improve water quality not specifically addressed in the initial Sebie Lake LID management plan including (1) working collaboratively with other agencies to develop a plan to reduce and monitor phosphorus loading, (2) adopting projects identified by the MPCA's

forthcoming TMDL study to be published in 2019, and (3) working with the MN DNR's Aquatic Invasive Species specialists to develop a lake vegetation management plan. The Sebie Lake LID management plan has since been revised to incorporate these recommendations and is submitted into the record as part of the LID formation approval packet.

10. The DNR Lake Advisory Report dated 7/18/2018 was incorporated into the record.
11. The record reflected a range of views both supporting and not supporting the creation of the lake improvement district.
12. Funds from the DNR and voluntary contributions of interested individuals have not been enough to adequately control the aquatic plant nuisance.
13. The district is intended to contribute to the health and welfare of the greater public by improving water quality.
14. The district has proposed a number of specific projects with stated goals and objectives. These projects have measurable outcomes that can be monitored and assessed. Each project is manageable and attainable and can be adequately funded within the limits of the proposed five-year budget.
15. The program will be financed by special assessments imposed on riparian landowners.
16. The lake management program will be done under the direction of the Minnesota Department of Natural Resources and will not cause or contribute to long-range environmental pollution.
17. The primary program to be undertaken by the district will be long-term aquatic plant management but the district will also focus on improving water quality in Sebie Lake including those recommendations listed in the Minnesota DNR's Advisory Report dated 7/18/2018 and a forthcoming MPCA – Total Maximum Daily Load (TMDL) Plan to be published in 2019.
18. Crow Wing County Land Services will be the primary office responsible for supervising programs of the lake improvement district.
19. Delegation of the powers stated below to the district will assure that representatives of the people most directly affected by the actions of the district will determine its management.
20. The Directors shall meet the requirements of Minnesota Statute 103B.551.
21. Because of the county's residual financial responsibility under Minnesota Rule 6115.0980, the district will be required to maintain insurance and follow standard government accounting principles.

Conclusion

The establishment of a Lake Improvement District for Sebie Lake in Crow Wing County is warranted.

Wherefore, the Crow Wing County Board of Commissioners makes the following Order:

1. Sebie Lake Improvement District is hereby established.

2. The district shall include all riparian properties to Sebie Lake pursuant to county policies.
3. The lake improvement district is authorized to undertake long-term non-native aquatic plant management and water quality monitoring and improvement efforts as outlined in the LID's foundational documents and as determined necessary and appropriate by its Board of Directors and in cooperation with the Minnesota Department of Natural Resources and Crow Wing County.
4. Projects of the lake improvement district will be financed by special assessments imposed on riparian landowners pursuant to county policies.
5. The initial assessment shall be set at \$250 per eligible property owner. The Board of Directors of the Sebie Lake Improvement District may, with the consent of the membership voting at the district's annual meeting, lower or raise the annual assessment as long as the maximum assessment does not exceed the initial assessment of \$250 per eligible property owner, as per Crow Wing County's LID Policies adopted in 2017.
6. The lake improvement district will be managed initially by a five (5) person Board of Directors, subject to the bylaws of the district and Minnesota Statutes and Rules. Directors shall be property owners in the lake improvement district. The initial Directors shall be appointed to terms of one, two and three years. President and Vice President shall serve for two (2) years. All other officers shall serve for three (3) years. There shall be one (1) new Board Member elected for a three-year term at each regular annual meeting subject to the bylaws of the district.
7. Directors shall be elected at the annual meeting to be held in July or August of each year on a date set by the Board of Directors. Changes to the date of the annual meeting may be changed at the previous year's annual meeting. Nominees shall be elected by majority vote of the members present at the annual meeting of the Sebie Lake Improvement District. Property owners not present at the annual meeting may participate in the election of the District Board by absentee ballot.
8. Vacancies in the Board of Directors may be filled by a majority vote of the remaining Directors, subject to approval by a majority of votes of the property owners present at the next annual district meeting, subject to the bylaws of the district. A Director elected to fill a vacancy shall serve the unexpired term.
9. Directors may be removed by a two-thirds vote of the remaining Board Members, or by a majority of the property owners present at an annual meeting, subject to the bylaws of the district.
10. Individuals whose names appear as owners of Sebie Lake riparian property on the records of the Crow Wing County Recorder are eligible to cast votes for Board Members and on other lake improvement district matters. In addition, Common Interest Communities (CICs) and Planned Unit Developments (PUDs) have only one (1) vote, pursuant to county policies.
11. Voting for Directors will be by secret ballot. Ballots shall be mailed to each property owner within the district at least three (3) weeks prior to the annual meeting. Ballots may be sent or delivered to the Clerk of the Board prior to or on the date of the annual meeting, pursuant to county policies.
12. Directors may receive compensation for their services as determined by district members at the annual meeting and may be reimbursed for actual expenses necessarily incurred in the performance of their duties in the manner provided for county employees.

13. The following powers are hereby delegated to the Sebie Lake Improvement District:
 - a. to undertake research to determine the condition and development of Sebie Lake and the water entering it and to transmit the results of the studies to the Minnesota Pollution Control Agency and other interested authorities;
 - b. to conduct a program of water improvement and conservation, focused on improving the quality of water in Sebie Lake and educating riparian landowners in good stewardship. Non-native aquatic nuisance control is allowed upon consent by the Minnesota Department of Natural Resources;
 - c. to make cooperative agreements with the United States or state government or other counties or cities to effectuate authorized water and related land resource programs;
 - d. to take actions necessary for the administration of the lake improvement district;
 - e. to levy special assessments to finance implementation of the powers identified in this Order pursuant to Minnesota Statute 103B.555, Subd. 4.
14. The Sebie Lake Improvement District shall maintain general liability insurance in the amount of tort limits established by Minnesota Statute 466 and shall name Crow Wing County as an additional insured on such insurance policy. A copy of the insurance policy shall be filed annually with the Crow Wing County Auditor-Treasurer.
15. The County Auditor-Treasurer, or their designee, shall annually review the financial records for completeness, accuracy, and to ensure that expenses paid out are consistent with the terms of this Order, Minnesota Statutes, and Minnesota Rules governing lake improvement districts.
16. The lake improvement district shall, within four months after its annual meeting or November 1st (whichever is earlier), file an annual report with Crow Wing County, the Minnesota Department of Natural Resources, and the Minnesota Pollution Control Agency.
17. The duration of the district shall initially be set for five (5) years, pursuant to county policies.
18. The County Board will consider termination of the lake improvement district upon receipt of a petition signed by the majority of property owners in the district.
19. The lake improvement district shall operate in accordance with Minnesota Statutes 103B.501 to 103B.581, Minnesota Rules 6115.0900 to 6115.0980, Crow Wing County Policies, and within the limitations of this Order.
20. This Order will become effective thirty (30) days after its publication in Crow Wing County's official publication of record.
21. If any part of this Order is rendered void, invalid, or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Order.

This Order was approved by the Crow Wing County Board of Commissioners at its meeting on August 14, 2018.

**STATE OF MINNESOTA)
COUNTY OF CROW WING) ss**

I, Timothy J. Houle, County Administrator, Crow Wing County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Crow Wing County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on August 14, 2018, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 14th day of August 2018.

TIMOTHY J. HOULE
COUNTY ADMINISTRATOR



Land Services Department

CROW WING COUNTY

BRAINERD, MINNESOTA 56401

Lake Improvement District (LID)

PRE-PETITION MEETING CHECKLIST

PROPOSED LID CONTACT INFORMATION (PRIMARY):

NAME:

MAILING ADDRESS:

PHONE:

EMAIL:

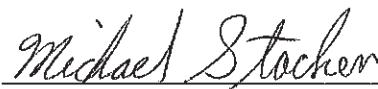
Other Association Members Present:

Name:	Address:	Phone:	Email:
Mike Stacken	1800 Park Ridge Dr. Chaska	612-232-3620	stacken2@centurylink.com
Bob Grissom	13585 Elkwood Dr	678-4800	GRISBOB.SUE@JUNO.COM
	APPLE VALLEY MN	0350	
	55124		

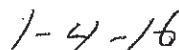
In the packet:

- LID Contacts
- Petition checklist
- Annual checklist
- County policies
- LID evaluation criteria
- Timeline
- Copy of the MN statutes / rules for LIDs
- Example Petition
- Auditor's request for information form
- Example DNR advisory report
- LID factsheets

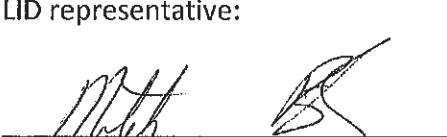
I hereby acknowledge that I have received and understand all information presented to me in the pre-petition packet.



LID representative:



Date



Crow Wing County Staff:



Date

Shaded boxes indicate CWC use only:

Date of meeting:	1-4-16
Staff present:	Mitch Brinks Chis Pierce, Jeannie Kabelbeck
Notes:	Goal: Curly-leaf treatment



Land Services Department
CROW WING COUNTY
 BRAINERD, MINNESOTA 56401

Lake Improvement District (LID)

PETITION CHECKLIST

PROPOSER INFORMATION

NAME: *Thomas J Gustafson*
 MAILING ADDRESS: *12479 Elm Parkway, Rogers, MN 55374*
 PHONE: *612-802-5321* EMAIL: *tgustafson@graco.com*

Name of proposed LID

Document including:

- Explanation of the lake's problems
- 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
- Necessity of the district to promote public health or welfare
- Objectives of proposed LID
- Benefits to property within the proposed district
- Intended studies
- Management programs
- Remedial actions

Construction projects (inc. technical feasibility)

- Analysis of and monitoring plan for potential long-term environmental effects
- Explanation of coordination among other special purpose districts
- Identification and consideration of conflicting interests
- Information about adequacy of public accesses, public lands, and beaches
- Statement explaining the financing of the programs/projects & info on outside funding
- Request for establishing the district as proposed

Map showing boundaries of proposed LID as well as the number and location of permanent homes and seasonal dwellings and other relevant geographic information

Number of Directors proposed for the district

Copies of local Ordinances which regulate use of the lake or any public accesses

Information indicating the degree of local interest and commitment to future management

Identification of any lands and waters which may be adversely affected by the implementation of district purposes, and a preliminary assessment of those adverse effects

Estimate of the total equalized valuation of the property within the proposed district

Insurance information showing liability coverage to the current tort limits – *ONCC approved*

A procedure in place with the Auditor's office as to how the financial transactions of the district will occur

Signatures along with name, address, phone number, and email of signers (local gov't parcels are eligible)

Please remember: Before LID activities can be paid for, they need to be on the tax rolls (often a 1 year delay)

Also, the proposer must notify the DNR et. al. within 5 days of the petition being officially certified below

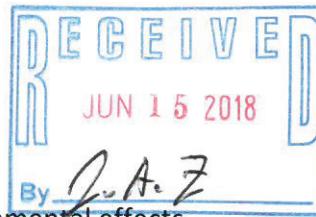
Shaded boxes indicate CWC use only:

Date petition received:	<i>6/15/2018</i>	Submitted by:	<i>Tom Gustafson</i>
Petition received by:	<i>Jacob Frie</i>	Petition reviewed by:	<i>Jacob Frie & Debsy</i>
Date of pre-petition meeting:	<i>1/4/2016</i>	Notes / Other Info:	<i>Eric</i>

I hereby acknowledge that the information required above has been provided and is accurate to the best of my knowledge and the number of signatures represents a majority of landowners in the proposed LID.

Thomas J Gustafson
 Applicant

Crow Wing County Staff



Crow Wing County

Date: 6/15/2018 11:15 AM
 Office: Aud-Treas Mach ID: CH1118D15
 Cashier: AmyG
 Batch: 27612 Tran #: 1

Lake Improvement District
 Receipt #: 00839889

Name: SEBIE LAKE AREA CONSERVATION A

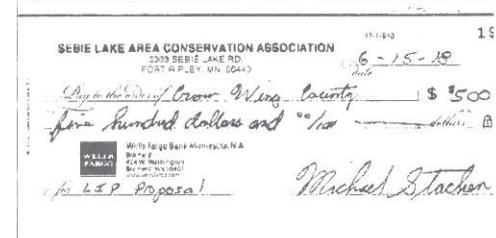
Cashier: ARG
 Info: LID PROPOSAL
 Parcel ID: 63

08700 LID Application \$500.00
 Org: 01510511 Object: 51570

Payment Total: \$500.

Transaction Total: \$500.
 Check Tendered: \$500.

Checks presented:



DISCLAIMER:

Please verify that all parcels intended to be paid are included on your receipt. Crow Wing County will not be liable for penalty, interest, or costs for taxes not paid in a timely manner.

Your opinion is important to us.
 Please take a moment to tell us how we did today by completing a short survey at: www.surveymonkey.com/r/FinCustServ

Thank you for your payment.
 Have a nice day!

Petition for Lake Improvement District

For

Sebie Lake, Crow Wing County, Minnesota

We the undersigned, representing the owners of record of more than (60%) of the total riparian owners on Sebie Lake, hereby petition the Crow Wing County Board to create a Lake Improvement District for the purpose of improving water quality of Sebie Lake through lake management, aquatic vegetation control and related services. The proposed Lake Improvement District is legally described as follows:

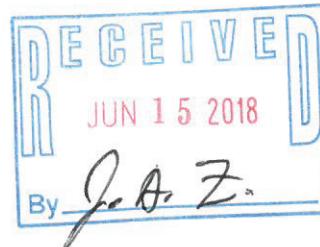
Proposed Legal Name: Sebie Lake Improvement District

We propose the district be called: Sebie Lake Improvement District. We propose a board of five (5) members elected from the residents around the lake. The boundaries of the proposed LID include only properties that are riparian to Sebie Lake. If an individual owns two adjacent, riparian properties with only one improved dwelling (one that can be resided in) they will be assessed as one property.

Each riparian owner of land abutting Sebie Lake (developed or undeveloped) will be assessed as one unit. Owners of adjacent parcels will be assessed as one unit UNLESS more than one property has been developed (has a residential dwelling on it.) Owners of two, noncontiguous parcels will be assessed as two units. The Lake Improvement District (hereby known as LID) will be equally allocated among all property owners with an annual amount of \$250.00 for each property owner with land that abuts Sebie Lake. This is the maximum amount and shall remain in effect for five years unless reduced or cancelled by the LID Board. The LID will expire after five years. See attached map.

We the petitioners understand that the improvements shall be conducted in accordance with plans for the same to be prepared, reviewed and approved by the Crow Wing County Board and the costs thereof, including expenses associated with engineering, planning, treatment and legal costs will be assumed by the LID budget. The petition is submitted pursuant to Minnesota Rule 6115, Minnesota Statute § 103B.521, and Crow Wing County Lake Improvement District Policies.

WARNING – A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT QUALIFIED, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF MINNESOTA LAW.



Date: Print Name/Signature: Lake Address: Email: Phone: (612220) 15

6-2-18 1. Kimberly Miller 3915 S. Sebie Lake Rd kimmiller966@gmail.com 952-937-8157

6/2/18 2. James Merrick 3869 S. Sebie Lake Rd jimmerrick@q.com 612-384-9667

6-2-18 3. Richard Miller / Richard Miller Parcel # 610254301 M 00009 sebilelake@gmail.com 612-384-9667

6-2-18 4. DAVID A. SHONSHAN / David A. Shonshon 3531 SEBIE LAKE RD DSHONSHAN@GMAIL.COM 612-579-5211

6-2-18 5. John Regan / John Regan 3803 S. Sebie Lake Rd jregan3@gmail.com 651-487-4188

6-2-18 6. Evelyn Gildart 3491 SebileLake Rd egildartelive.com 218-83115

6-2-18 7. Steve Neu / Steve Neu 3717 Sebile Lake Rd Steve.Lneu@Q.com 320-4835018

8. JEROLD W. HUNTER 3641 SEBIE LAKE Rd JEROLD.HUNTER@GMAIL.COM 612-703-1503

6-2-18 9. Neal Loidolt 3777 Sebile Lake Rd Neal.Loidolt@gmail.com 612-815

6-2-18 10. Eugene R. Wanner 3853 S. Sebile Lake Rd EC-3739@Juno.Com 612-703

6-2-18 11. Michael Stocken / Michael Stocken 3581 Sebile Lake Rd stocken2@centurylink.net

6-2-18 12. Tom Gustafson / Tom Gustafson 3291 Sebile Lake Rd tgustafson@grace.com 612-802-5115

6-2-18 13. Greg Kasperec / Greg Kasperec 3521 SEBIE LAKE RD , GREG.KASPERC@YAHOO.COM 612-803-7515

14. Darleen Gohl 3613 SEBIE LAKE RD. Darleen Gohl 763-786-0115

15. Jason Smrecek 3683 Sebile Lake Road Jason Smrecek 218-319-431-6550

6-3-18 16. Cynthia Madsen 3245 Sebile Lake Rd Cynthia.Madsen@msn.com 612-7018360

6-8-18 17. Tim LEONARD S. G. 3817 S. SEBIE LAKE RD TimLEONARD@CHOICEINSURANCE.MC 612-7018360

6-8-18 18. Clarence Kuhn 3337 Sebile Lake Rd CJKuhn@Co 612-8608257

6-9-18 19. Todd Schendzielos Todd.SCHENDZIELOS-3837 SEBIE LAKE-South 612-8608257

6-9-18 20. GRAHAM GUSTAFSON 3183 S SEBIE LAKE ROAD 320 360 4/3/1 graham_gustafson@hotmail.com 320-250-2000

6-10-18 21. TIMOTHY M. CAREY 3751 S SEBIE LAKE ROAD TCAREY17@COMCAST.NET 763-785-2759

6-11-18 22. Deanna D. Gordon Deanna D. Gordon 3223 Sebile Lake Rd. dgordon@iphouse.com 952-544-5684

6-11-18 23. JERRY PILKENTON 3451 SEBIE LAKE RD jerryp@toyotaequipment.com 612-919-1983

6-11-18 24. Donna M. Mrozek Donna M. Mrozek 3797 S. SEBIE LAKE RD dmrozek@yahoo.com

6-12-18 25. Lc Roy J. Puse Lc Roy J. Puse 3215 SEBIE LAKE RD. 320-616-6843

6-12-18 26. Vincent E. Kline 3413 Sebile Lake Rd. 218-851-7099

ie: Print Name/Signature: Kimberly Miller Lake Address: Email: Phone: (612-209-457)

181. Kimberly Miller 3915 S. Sebie Lake Rd. kimmiller967@gmail.com
 12-18 2. James Merrick 3869 S. Sebie Lake Rd. jimmerrick@q.com 952-937-1
 6-2-18 3. Richard Miller / Richard Miller Parcel # 610254301 M 00009 612-386-966 sebileake@gmail.com
 6-2-18 4. DAVID A. SHENKMAN David A. Shenkman 3531 SEBIE LAKE RD. ASHMINHAK@gmail.com 612-578-50
 6-2-18 5. John Regan / John Regan 3803 S. Sebie Lake Rd. jregan3@gmail.com 651-489
 6-2-18 6. Evelyn Gildart Evelyn Gildart 3491 SebileLake Rd. egildart@live.com 218-8
 6-2-18 7. Steve Neu / Steve Neu 3717 Sebile Lake Rd. SteveLNeu@Q.com 320-4
 8. JEROLD W. HUNTINGTON JEROLD W. HUNTINGTON 3641 SEBIE LAKE Rd. JEROLD.HUNTINGTON@Q.GOV
 6-2-18 9. Neal Loidolt / Neal Loidolt 3077 Sebile Lake Rd. Neal.Loidolt@gmail.com 612-8
 6-2-18 10. Eugene R. Marcher Eugene R. Marcher 3853 S. Sebile Lake Rd. EC-37390 June, Com 15 612-70
 6-2-18 11. Michael Stocken / Michael Stocken 3581 Sebile Lake Rd. stocken2@century
 6-2-18 12. Tom Gustafson / Thomas Gustafson 3241 Sebile Lake Rd. tgustafson@gmail.com 612-802-5
 6-2-18 13. GREG KASPER / Greg Kasper 3521 SEBIE LAKE RD, GREG.KASPER@YAHOO.COM 612-803-7
 14. Darlene Gohl Darlene Gohl 3613 SEBIE LAKE RD. Darlene.Gohl 763-786-1
 15. Jason Smieczek Jason Smieczek 3683 Sebile Lake Road Jason.Smieczek 218-8
 6-3-18 16. Cynthia Madsen Cynthia Madsen 3245 Sebile Lake Rd. Cynthia.Madsen@msn.com 319-431-6552
 6-8-18 17. Tim LEONARD S. GORDON 3817 S. SEBIE LAKE RD. TimLEONARD@CHOICEINSURANCE.COM 612-701-836
 6-8-18 18. Clarence Kuhn Clarence Kuhn 3337 Sebile Lake Rd. CJHKuhn@C
 6-9-18 19. Todd Schendzielos Todd SCHENDZIELOS - 38237 SEBIE LAKE SOUT 612-860-8357 612-8
 6-9-18 20. GRANAM GUSTAFSON Granam Gustafson 3783 S SEBIE LAKE ROAD 320-360-4131 graham_gustafson@hotmail.com 320-950-2000 7000 E ML SCHENDZIELOS
 6-10-18 21. TIMOTHY M. CAREY Timothy M. Carey 3751 S SEBIE LAKE ROAD TCAREY17@COMCAST.NET 763-785-2759
 6-11-18 22. Deanna D. Gordon Deanna D. Gordon 3223 Sebile Lake Rd. dgordon@iphouse.com 952-544-5684
 6-11-18 23. JERRY PILKENTON Jerry Pilkenton 3451 SEBIE LAKE RD jerryp6@toyotaequipment.com 612-919-1983
 6-11-18 24. Donna M. Mrozek Donna M. Mrozek 3797 S. SEBIE LAKE RD. dmrozek@yahoo.com
 6-12-18 25. LEROY J. PUSE LEROY J. PUSE 3215 SEBIE LAKE RD. 320-616-684
 6-12-18 26. Vincent E. Kline Vincent E. Kline 3413 Sebile Lake Rd. 218-851-7099

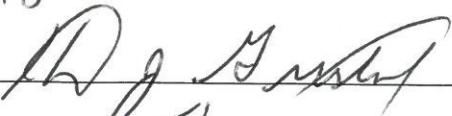
25 Verified Signatures.

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the petition asserts that each signature on the petition was signed in his or her presence and that to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing the owner of property within the proposed assessment district and qualified to sign the petition.

CIRCULATOR – DO NOT SIGN OR DATE UNTIL AFTER CIRCULATING PETITION

DATE: June 12th, 2018

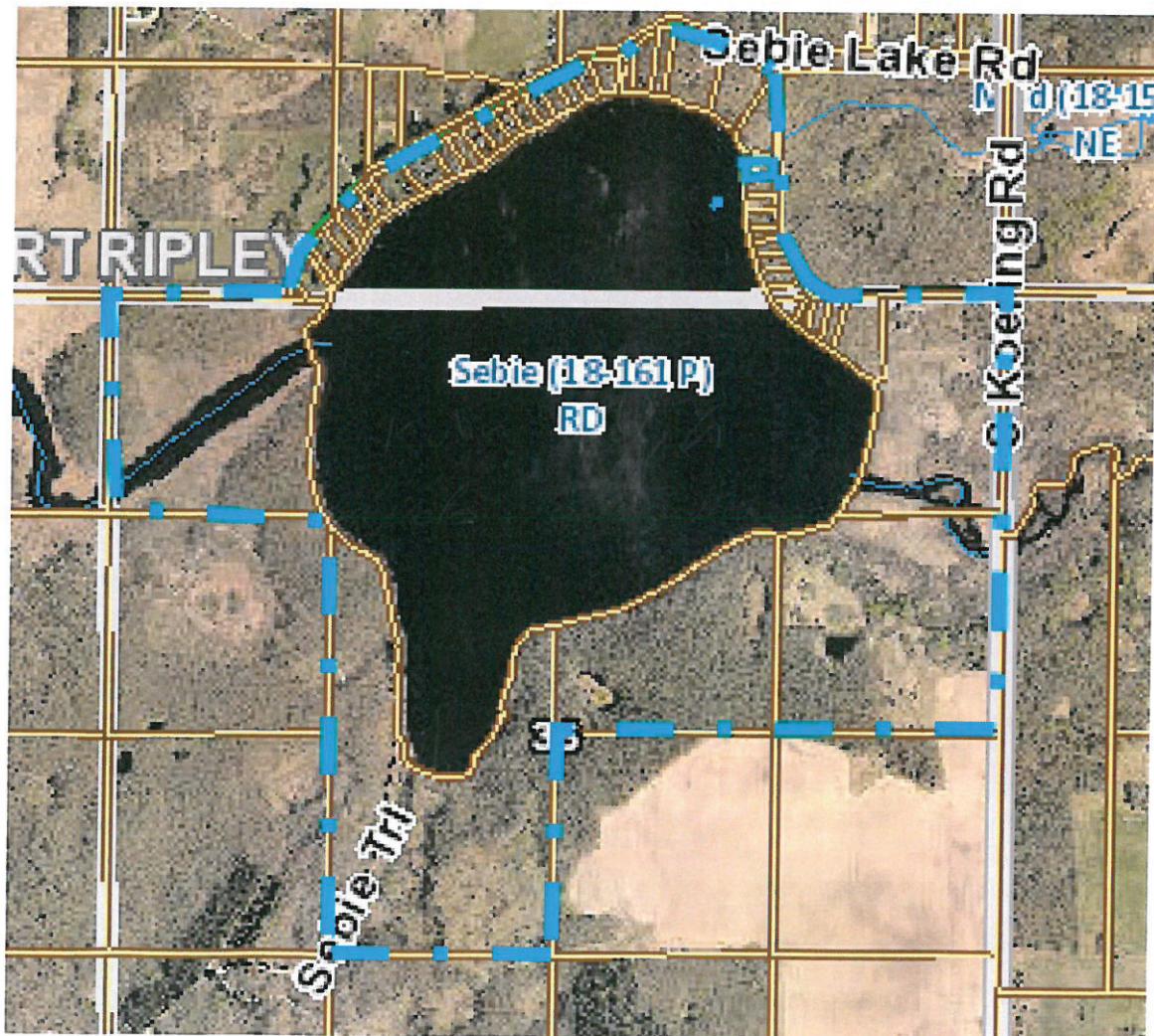
SIGNATURE OF CIRCULATOR: 

PRINTED NAME OF CIRCULATOR: Thomas J. Gustafson

ADDRESS OF CIRCULATOR:

12479 Elm Parkway
Rogers, MN 55374

Map: Proposed Sebie Lake Improvement District



Petition by the Citizens of Sebie Lake to

Create

Sebie Lake
Improvement District

Crow Wing County Board of Commissioners:

Citizen Petition to Create *Sebie Lake Improvement District*

To the Crow Wing County Board of Commissioners:

Attached is a petition from the property owners of Sebie Lake to form a lake improvement district. We request your approval to ensure the quality, clarity, and enjoyment of Sebie Lake is improved for the public and for those who reside on the lake by reducing curly-leaf pondweed; a non-native invasive, submerged aquatic plant and better understanding water quality issues in the lake.

Sebie Lake is a eutrophic lake with evidence of declining water quality. Total phosphorus, chlorophyll and transparency ranges are worse than comparable lakes in the ecoregion. Curly-leaf pondweed has caused problems in the lake by producing mats and subsequent algae blooms. This has interfered with the clarity and quality of the water and the recreational use of the lake.

Property owners addressed the presence of curly-leaf pondweed beginning in 2004 and each year thereafter through 2013. Treatments were funded by a fishing contest fundraiser and voluntary donations. A treatment did occur the summer of 2017 funded solely by voluntary contributions to address the recurring issue of the curly-leaf pondweed.

At this time it has become clear the recurring issue of curly-leaf pondweed cannot be funded solely by voluntary contributions and fund raisers. The need has exceeded the lake association's ability to continually raise the needed funds to sustain the effort.

We therefore respectfully request your approval to form a Sebie Lake Improvement District consistent with MN. Statute 103B.501.

Respectfully,

Mike Stacken, President Sebie Lake Association

Sebie Lake

Mission Statement

- To improve and protect the quality of the lake for residents and the public by addressing invasive plant species and declining water quality issues
- On an annual basis and more frequently if necessary, inform and represent members in regards to matters of mutual interest
- To collaborate with local government agencies to improve and protect the lake environment by applying for appropriate grants and assistance
- To educate property owners in regards to best practices to protect and improve the quality of the lake and protect and prevent shore erosion

Petition for Lake Improvement District

For

Sebie Lake, Crow Wing County, Minnesota

We the undersigned, representing the owners of record of more than (60%) of the total riparian owners on Sebie Lake, hereby petition the Crow Wing County Board to create a Lake Improvement District for the purpose of improving water quality of Sebie Lake through lake management, aquatic vegetation control and understanding declining water quality and issues addressed in the DNR advisory report, dated July 18, 2018. The proposed Lake Improvement District is legally described as follows:

Proposed Legal Name: Sebie Lake Improvement District

Each riparian owner of land abutting Sebie Lake (developed or undeveloped) will be assessed as one unit. Owners of adjacent parcels will be assessed as one unit UNLESS more than one property has been developed (has a residential dwelling on it.) Owners of two, noncontiguous parcels will be assessed as two units. The Lake Improvement District (hereby known as LID) will be equally allocated among all property owners with an annual cost of \$250.00 for each property owner with land that abuts Sebie Lake. This amount shall remain in effect for five years. At the end of year 5 the LID will automatically dissolve. A petition with 60% favorable signatures will re-enact the LID for an additional 5 years. Budgets for subsequent years shall be determined at the annual meeting during the last year of the assessment and will be subject to a public hearing.

We the petitioners understand that the improvements shall be conducted in accordance with plans for the same to be prepared, reviewed and approved by the Crow Wing County Board and the costs thereof, including expenses associated with engineering, planning, treatment and legal costs will be assumed by the LID budget. The petition is submitted pursuant to Minnesota Rule 6115 and Minnesota Statute § 103B.521.

Sebie Lake Facts and Description

Lake Characteristics:

- I.D. # 18016100
- Lake Area in acres: 176 acres
- Littoral Area in acres: 117
- Maximum depth: 27 feet
- Lake Clarity Range: (1975 – 2008) 3.8 ft – 6.8 ft.

Public Access Information:

- Ownership: DNR
- Type: Dirt and sand
- Description: Gravel road
- Short dock/fishing pier

Watershed Characteristics:

- Little Nokassippi River watershed that includes Sebie Lake: 16,239 acres
- Watershed Area: Lake Surface Area Ratio: 96:1

Demography:

- There are approximately 39 property owners on the lake
- A significant amount of shoreline along the south side of Sebie Lake is owned by Crow Wing County as part of the Crow Wing Memorial Forest
- There are not any public beaches, campgrounds or RV parks
- There are no resorts on the lake

Taxable Market Property Values:

- \$4,343,600 based on 2016 assessments payable 2017
- 55% of the land abutting Sebie Lake is government owned and the value is NOT included in the above amount

Sebie Lake Association Board Members

President Mike Stacken stacken2@centurylink.net

Phone: 612. 232. 3650

Address: 1800 Park Ridge Dr. Chaska, MN 55318

Vice President Neil Loidolt Neal.loidolt@gmail.com

Phone: 612-875-1537

Address: 7556 103rd Circle N Brooklyn Park, MN 55445

Treasurer Kim Miller kimmiller9667@gmail.com

Phone: 612.220.9667

Address: 1007 6th Ave. N.W. Buffalo, MN 55313

Secretary Tom Gustafson Thomas_J_Gustafson@graco.com

Phone: 612-802-5371

Address: 12479 Elm Parkway, Rogers, MN 55374

Alternate Gene Gardner EG3739@juno.com

Phone: 612-703-0072

Address: 6350 172nd Lane N.W. Ramsey, MN 55303

Sebie Lake Problems

Background

Sebie Lake is a peaceful, secluded lake with only 38 property owners and a public boat launch. People enjoy fishing, skiing, sailing, cruising around on pontoon boats, paddle boarding, swimming and watching the world go by. It is a good bass lake and fishermen and women keep their favorite fishing spots secret. All of this is at risk because of the lake's problems. Sebie Lake is a shallow lake and the invasive species; curly-leaf pondweed has invaded the lake. This has caused a brown mat to form on the lake at times. Algae blooms form. Curly leaf pondweed wraps around boat propellers, reducing performance, blocking engine water inlets and causing overheating. Swimmers can't swim through it, paddle boarders can't paddle through it and water skiers become entangled in it.

A report from RMB Environmental Laboratories, Inc. compiled in 2015 (see attached) outlines the issues with the lake including:

- Total phosphorus exceeds the impaired water standards and are worse than the expected range for the Northern Lakes and Forests Ecoregion
- Sebie Lake is a eutrophic lake with declining water quality
- Transparency has declined over time

The presence of curly-leaf pondweed impacts the recreational use of the lake and if it continues to grow unfettered, property values will suffer. It is the goal of the Sebie Lake Improvement District to restore and improve the quality of the lake for the benefit of everyone; residents and the public alike.

One of the recommendations posited on page 20 is to treat curly-leaf pondweed with an aquatic herbicide to try and decrease its presence in the lake. This is the purpose of the LID formation.

An advisory recommendation from the Minnesota DNR, in its advisory report dated July 18, 2018, is that the LID be broad enough to address the declining water quality that is likely to be a recommendation from the MPCA's forthcoming TMDL study.

Monitoring and Measuring Progress:

On an annual basis the LID organization will produce records of accomplishment as well as financial reports and submit to Crow Wing County all items required by the checklist for existing LIDs.

Sebie Lake Improvement District goals and objectives include the requirement to measure progress on an annual basis. Data collected will include resident satisfaction surveys, global GPS pictures, and water quality testing.

Cooperation with Other Agencies

The Sebie Lake Association on its own cannot sustain efforts to improve the quality of Sebie Lake. The presence of so few property owners is both a blessing and a curse inasmuch as they enjoy the privacy of the lake but the cost is shared by few and is therefore higher per owner. Voluntary contributions cannot be sustained over time. The only way to ensure adequate funding to care for the lake that has been entrusted to us, is through the development of a LID. The Sebie Lake Improvement District is seeking \$250 per year from each riparian owner for an annual total of \$9,500 for a period of five years.

Members of the association have sought advice and counsel from the following agencies and its representatives:

Chris Pence, Land Service Supervisor

Tim Plude, Aquatic Invasive Species Specialist Mn DNR

Wayne Mueller and Kevin Martini, Aquatic Plan Specialists DNR

Heidi Lindgren and Kathleen Metzker, Hydrologists Mn DNR Mike

Knapp, Assistant Area Fisheries Supervisor, Mn DNT

Darren Mayers, District Technician, Crow Wing Soil and Water Conservation District

It is the intent of the members of the LID board to continue to seek advice and counsel from Crow Wing County and the DNR. It is the intent of the LID board to seek out and apply for grants and assistance that may benefit the lake, its watershed, inlets and shoreline.

Potential Conflicts

Since members of the board have been in contact with specialists in Crow Wing County and the DNR, no conflicts have been identified. The only conflicts identified could be with those lake property owners that are concerned about an increase in taxes and those that don't realize an immediate improvement to their shoreline. Property owners will have the opportunity to express their agreement or disagreement through the democratic process. Property owners can also address their own shorelines by applying for individual treatment permits.

The LID will ultimately benefit residents, the tax base of Crow Wing county because property values will be maintained and enhanced, and the public who will be able to enjoy the lake for many years to come. This citizen driven initiative is the highest example of Minnesota citizens working together to accomplish what individuals alone cannot do.

Map of Boundaries of the LID

Boundaries of the proposed LID include only properties that are riparian to Sebie Lake. If an individual owns two adjacent, riparian properties with only one improved dwelling (one that can be resided in) they will be assessed as one property.



Problems and Solutions

Description of Water and Land Problems

The Sebie Lake Improvement Association believes that a Lake Improvement District is the best way to fairly and effectively address and sustain our existing lake problems. With this mechanism, Sebie Lake will be able to address curly leaf pondweed without relying on unpredictable voluntary donations. The association will be able to address curly-leaf pondweed and sustain that effort until it is no longer a nuisance and the LID will also allow for a better understanding of the declining water quality. A LID provides a responsible, cost effective approach that is citizen driven.

Funding Goals and Objectives

The goals and objectives of this LID are modest because it is a small lake with few property owners. Included in the budget is the required \$500.00 initial application fee, annual \$250.00 administrative fee, and the required Liability Insurance Coverage.

The LID committee is confident that the reduction on curly- leaf pondweed will produce positive results for the lake, its residents and the public who enjoy it. We would also like to be postured to address issues identified in a future “Mississippi River-Brainerd,” one watershed, one plan when it is finalized.

Management Program

Invasive Species Treatment:

- Pretreatment Survey of Curly-leaf Pondweed. Beginning in May, the contractor will begin monitoring the growth of curly-leaf pondweed and map the locations of densest growth. The contractor will delineate proposed areas for treatment (17 acres annually). Maps and data collected will be submitted to the DNR for approval prior to treatment.
- Application of approved Herbicide
- July – Summer survey, water clarity testing
- Late August – Late summer survey and delineation, water clarity testing
- Early September – administration of resident satisfaction survey

Declining Water Quality

- Review and understand the MPCA’s forthcoming TMDL study
- Consider inlet phosphorus monitoring stations
- Consider nutrient reduction strategy

LID Project and Budget Year 1

Project	Description	Budget
LID Application Fee	This is a required fee in regulation	\$500.00
Annual Administrative Fee	This is a required administrative fee in regulation	\$150.00
Curly-leaf pondweed Control	Resume treatment of this invasive species as per the recommendations of the control specialists. With approval of the LID, the association will treat up to 17 acres per year.	\$6,100
Purchase Liability Insurance	Required by Crow Wing County	\$750
Vegetation Assessment and Management Plan	Contract with specialists to prepare a report on the aquatic vegetation in Sebie Lake and submit a plan for treatment	\$2,000
Available Budget	38 X \$250.00 = \$9,500	\$9,500

LID Project and Budget (Year 2, 3, 4, 5)

LID Annual Fee	This is a required administrative fee in regulation	\$250
Purchase Liability Insurance	Required by Crow Wing County	\$770
Curly-leaf Pondweed Control	Continue to treat maximum acreage as per recommendation of the control specialist	\$6,330
Administrative Costs	Administer satisfaction survey, conduct annual meeting, distribution of minutes, postage, paper	\$150
Implementation of Vegetation Management Plan Assessment		\$2,000
Available Budget	38 X \$250.00 = \$9,500	\$9,500

A small carryover of funds from year to year will accommodate cash flow and unforeseen costs.

LID Monitoring and Measurement

Project	Benefit	Measurement	Year 1 of LID	Year 2	Year 3
Curly-leaf Pondweed Control	Reduce and prevent further spread of CLPW	Inspection by contractor, DNR, Annual Vegetation Assessment	Reduction and control as per management plan	Reduction and control as per management plan	Reduction and control as per management plan
Aquatic Vegetation Assessment	Provide data as suggested by DNR in “protocols” for the collection of pre-treatment data accepted by the MN DNR for MN DNR grant programs	Annual Contractor Report, report to residents, Crow Wing County, DNR and public upon request	Provide data for Vegetation Management Plan	Provide data for Vegetation Management Plan	Provide data for Vegetation Management Plan
Vegetation Management Plan		Annual Contractor Report, report to residents, Crow Wing County, DNR and	Provide data for management and control of invasive species	Provide data for management and control of invasive species	Provide data for management and control of invasive species
Water quality improvement plan	Improved water quality	Annual report to residents and Crow Wing County	NA	Establish monitoring stations	Actions consistent with Mississippi River – Brainerd one watershed plan

Summary:

Sebie Lake has been addressing curly-leaf pondweed since 1997. Treatment has varied greatly based on funds available. 17 acres were treated in 2017, the last previous treatment occurred in 2013. We cannot wait any longer to address this growing problem.

Attachments:

- Petition Checklist
- Individually signed ballots including address and phone numbers of those voting yes
- RMB Environmental Laboratories, Inc. Report 2015
- Aquatic Invasive Species Curly Leaf Pondweed Flyer MNDNR
- Sebie Lake Aquatic Vegetation Plan 2004 - 2010
- Sebie Lake Vegetation Management Plan 2011- 2015

July 18, 2018

Crow Wing County Board of Commissioners
Crow Wing County Historic Courthouse
326 Laurel St., Suite 13
Brainerd, MN 56401

Re: DNR Advisory Report on the Formation of the Sebie Lake Improvement District in Crow Wing County

Dear Commissioners:

I am writing to inform you that the Minnesota Department of Natural Resources has reviewed the petition submitted to create the Sebie Lake Improvement District (SLID) and prepared this Advisory Report in accordance with Minnesota Rules, part 6115.0970, subp. 5. We conclude that:

- we approve of the proposed boundary for the Sebie Lake LID for the purpose of aquatic plant management and in-lake water quality projects;
- we advise that the proposed management plan, which focuses on the removal of Curly-leaf Pondweed (*Potamogeton crispus*, CLP) to reduce phosphorus, will not be effective in attaining the LID's stated purpose of improving water quality; and
- we recommend that the LID proposers work with the MN DNR aquatic invasive species specialist to develop a Lake Vegetation Management Plan (LVMP) before further herbicide application to reduce CLP, and wait until the MPCA has completed the TMDL plan currently underway for Sebie Lake to evaluate the lake's needs and devise feasible programs to reduce nutrients, and then build the LID's objectives and programs around the activities specified in the TMDL plan. This would be a much more effective strategy to manage vegetation and improve water quality than that currently proposed in the Lake Sebie LID management plan.

Goals of the Proposed Lake Improvement District

The stated purpose of the Sebie Lake LID is to "improve the water quality of the lake through lake management, aquatic vegetation control, and related services." The accompanying management plan proposes to accomplish this primarily by reducing Curly-leaf Pondweed (CLP) through herbicide application.

Residents of Sebie Lake have treated the lake with herbicides for CLP since 2004. In the past, funding for treatments has been raised with proceeds from a fishing contest fundraiser as well as donations, but reliance on these funding methods is insufficient to sustain CLP management. Therefore, the lake association is proposing to found a LID to provide a reliable funding source.

Background Information on Sebie Lake

1. Sebie Lake (Lake ID Number 18016100) is classified as Recreational Development (RD). In Crow Wing County, RD lakes have structure setbacks of 100 feet above the Ordinary High Water Level (OWHL).
2. Sebie has an area of approximately 180 acres with a littoral area (15 feet deep or less per M.R. part 6280.0100, sub 9) of 117 acres, or 63 percent of the surface area. Generally, the littoral zone is the part of a lake where rooted aquatic plants can grow, though the maximum depth at which plants can grow depends on water clarity and so varies from lake to lake and even from year to year within the same lake. Its maximum depth is 27 feet.
3. The ratio of land to water in Sebie Lake's watershed is fairly large. The immediate catchment has an area of approximately 10,650 acres, and the total upstream watershed as an area of approximately 18,400 acres. These yield land:lake ratios of approximately 60:1 for the direct catchment and 105:1 for the total watershed. These large land:water ratios indicate that Sebie Lake is vulnerable to watershed disturbances.
4. Animal species of special concern identified in or near the lake include the bald eagle (*Haliaeetus leucocephalus*) and the Eastern hognose snake (*Heterodon platirhinos*). Blanding's turtle (*Emydoidea blandingii*) has been observed in the lake's catchment. Plants of special concern identified in or near the lake include butternut (*Juglans cinerea*), White Adder's Mouth (*Malaxis monophyllos* var. *brachypoda*), and Georgia bulrush (*Scirpus georgianus*)¹.
5. MN DNR Wildlife has identified Sebie Lake as a Wild Rice Lake².
6. Two aquatic invasive species have been documented in or near the lake. CLP was first reported in 1995 and has been addressed since 1997³. Purple loosestrife (*Lythrum salicaria*) was first observed in 1987.
7. Sebie Lake is in the Northern Lakes and Forests Ecoregion.
8. Most of the landscape in the lake's catchment is either forested or used for agriculture. Forested land (both upland and wetland) covers approximately 45%; pasture and grazing land about 20%; and row crops 12% of the catchment area. An additional 3% of the catchment is developed in some other fashion (residential or commercial properties, for example)⁴. In addition, there are three feedlots in the catchment. This level of development exceeds the 25% threshold for disturbance beyond which water quality tends to decline⁵.
9. Mean total phosphorus and chlorophyll *a* concentrations (43.2 and 16.8 µg/L, respectively) exceed the impaired waters standard and is outside the expected range for the Northern Lakes and Forests Ecoregion⁵.
10. The lake is considered an impaired water for mercury, and the Minnesota Pollution Control Agency (MPCA) has issued a consumption advisory for fish caught in the lake.
11. MPCA recently completed its assessments for lakes and streams in Lake Sebie's watershed and determined that the lake is impaired for excess nutrients. A TMDL plan will be prepared for this lake in 2019⁶.
12. Crow Wing County administers the only public water access on the lake, on the southwest shore. This site has a dock and concrete ramp for launching boats but no public beach.
13. Secchi depth readings have been showing a trend of decreasing water clarity over the last several years. From 2007 to 2014, this decrease averages approximately 2.95 feet per decade. Average summertime water transparency over this interval ranged from approximately 7 feet in 2007 to about 4 feet in 2014, with an overall mean of approximately 5.2 feet. This exceeds the impaired waters standard of 6.5 feet⁵. The lake's trophic status is eutrophic⁷.
14. The proposed method of the Lake Improvement District formation is by citizen petition.

1: Natural Heritage Information System, MN DNR- EWR

2: Wild Rice Lakes and Rivers in Minnesota Shapefile, MN DNR-Division of Fish & Wildlife- Wildlife Unit

3: Sebie Lake LID Management Plan

4: National Land Cover Database 2011- U.S. Geological Survey

5: 2015 Report on Sebie Lake, RMB Environmental Laboratories, Inc.

6: MPCA website; <https://cf.pca.state.mn.us/water/watershedweb/wdip/waterunit.cfm?wid=18-0161-00>

7:Bonnie Finnerty, MPCA Watershed Project Manager, Personal Communication

Issue Analysis

Aquatic Invasive Species Management

CLP was discovered in Sebie Lake in 1995. CLP can grow in dense patches, interfering with surface recreational use. The Sebie Lake Improvement District and the Sebie Lake Association have adopted the goal of reducing CLP coverage to non-nuisance levels to improve surface water use and water quality.

The most recent aquatic vegetation survey available for the lake was conducted in 1995. At that time, the aquatic plant community was diverse and abundant. An aquatic plant survey conducted by the Minnesota Biological Survey in June 1995 found 39 native aquatic and wetland plant species and one non-native plant species in the lake. Submerged, emergent, free floating, floating leafed, and wetland shoreline species were present. In addition, wild rice was documented in the lake in 1999. This abundant and diverse plant community provided good and varied habitat for the lake's fauna. It is essential to protect and maintain these plants as they are important for shoreline protections, maintaining water quality, and providing critical fish habitat. Because the DNR was not provided with any additional information from any more recent surveys, we cannot comment on the current diversity of the lake's aquatic plant community.

The Sebie Lake Association has been treating CLP with herbicides since 2004. No documentation of previous aquatic plant surveys, delineations of treatment areas or CLP patches, or reports of acres treated were submitted with the LID proposal, so it is not possible to evaluate the extent of the CLP problem or the efficacy of past treatments. No evidence has been presented to support the conclusion that CLP is present at nuisance levels in the lake, and, according to the local MN DNR aquatic invasive species specialist, the CLP population in Sebie Lake is insignificant⁸. It therefore has not been established that there is a need to treat CLP in this lake. It also appears that the Sebie Lake Association has not yet adopted a Lake Vegetation Management Plan (LVMP) under the guidance of the MN DNR. According to the proposal, it appears that the LID is relying on its contractor to delineate proposed areas for treatment and conduct pre-and post-treatment vegetation surveys, with plans submitted to the DNR for approval prior to treatment. If this LID is approved, the DNR strongly encourages it to contact Tim Plude (timothy.plude@state.mn.us, 218-203-4354) to develop an AVMP suitable for the lake. CLP has unique life history patterns (emergence and growth early in the spring, followed by midsummer senescence) that must be taken into account when treatments and monitoring surveys are conducted. Any long-term herbicide management of CLP should be conducted in accordance with a DNR-approved AVMP and be monitored with regular CLP surveys.

The petition does not discuss monitoring, cleaning stations, or educational efforts at the public access site on the lake, but such efforts are a key component in managing and limiting the spread of AIS, and MN DNR encourages the LID to adopt such activities as part of its AIS management strategy. Crow Wing County AIS Prevention Program classifies the risk of AIS infestation from Sebie Lake's public access as 'moderate', based on overall usage, proximity to AIS infested waters, and infested status⁹. Crow Wing County and the DNR Watercraft Inspection Program can provide additional guidance to the LID or the lake association on AIS monitoring and prevention of additional AIS infestations in Sebie Lake. The local contact for the DNR's Watercraft Inspection Program, Keri Hull (keri.hull@state.mn.us, 218-203-4357), can provide guidance on establishing and staffing cleaning stations at these sites. In addition, the DNR AIS Grants Coordinator Wendy Crowell (wendy.crowell@state.mn.us, 651-259-5085)

8: Timothy Plude, DNR Invasive Species Specialist- Personal Communication

9: Crow Wing County 2018 AIS Prevention Plan

or DNR Ecosystem Management and Protection Section Manager Ann Pierce (ann.pierce@state.mn.us, 651-259-5119) may be able to provide information on possible funding opportunities for AIS prevention and monitoring efforts.

The petition only addresses management efforts aimed at CLP. However, it is possible that additional AIS may be introduced into Sebie Lake in the future, and the DNR suggests that the LID also consider monitoring and, if necessary, management for possible additional AIS as part of its mission. If this occurs, the LID should coordinate with the DNR to devise, adopt and carry out any additional management actions needed.

Water Quality

Sebie Lake has elevated total phosphorus and chlorophyll *a* concentrations. The primary stated goal of CLP management is to reduce phosphorus levels, but no evidence has been provided that this problem can be mitigated via management of CLP. Although the presence of CLP can increase the concentration of available nutrients in the lake during the latter part of the growing season, due to CLP's distinctive seasonal cycle of very early season growth followed by dieback and concomitant release of nutrients sometime during the summer, it has not been established that this is a factor in this lake. According to DNR Fisheries, there are no scientific studies that show that applying herbicides to lakes to control any type of aquatic vegetation improves water quality¹⁰. In addition, according to the local DNR aquatic invasive species specialist, CLP is not dominant, representing about 15% of the littoral area of the lake, so the negative impact of CLP dieback on water quality in this lake would be minor at best. A decade of large-scale CLP control effort from 2004-2013 has not slowed or reversed undesirable trends in water clarity and total phosphorus over the same time period. Clearly the driver of water quality decline is from some other source.

There are several other sources for phosphorus and other nutrient accumulation in Sebie Lake. These include internal loading, input from the watershed and riparian properties, and noncompliant septic systems. All of these need to be evaluated before a feasible phosphorus management plan can be developed. Sebie Lake has two inlets, which carry runoff from a very large upstream watershed (105:1 watershed:lake ratio) with more than 25% disturbance (agriculture, including three feedlots; forestry; and various types of development). 25% is commonly viewed as the threshold at which water quality begins to show deterioration from disturbance and because this watershed exceeds this threshold, it is quite possible that the elevated phosphorus concentrations in the lake are due, at least in part, to input from the watershed. However, the two inlets are not being monitored for phosphorus concentrations so it is not possible to evaluate this scenario at this time. The lake may also have elevated external phosphorus inputs or internal release from lake sediments, which can easily happen in shallow lakes such as Sebie when wind or temperature changes mix the lake water. Other possible sources of phosphorus input into the lake include effluent from noncompliant septic systems and runoff from riparian properties. Right now, there is too little information to evaluate whether any of these are major factors. More information and a more comprehensive understanding of phosphorus in Sebie Lake is necessary to develop a tenable phosphorus reduction plan.

The DNR strongly encourages the LID, or the Lake Association, to start monitoring both inlets for phosphorus. If the lake is receiving elevated concentrations of phosphorus from one or both of these inlets, then additional actions would be necessary to reduce phosphorus input into the lake. Because this LID is very small (less than 40 landowners, and including only the private riparian parcels on the lake), the LID's direct ability to address phosphorus input from the watershed is highly constrained. The LID would need to work with the MPCA, Crow Wing County, or the Soil and Water Conservation District to come up with a collaborative plan to reduce phosphorus loading from the watershed.

10: Kevin Martini, DNR Aquatic Plant Management Specialist, personal communication

The 2015 RMB Environmental Laboratories, Inc. report for Sebie Lake includes findings and recommendations that should be carefully considered prior to concluding that the management of curly leaf pondweed or any vegetation will improve water quality. There are monitoring recommendations, specific project implementations and future studies that are included within the plan and targeted toward improving the water quality in Sebie Lake.

MPCA has recently listed Sebie Lake as impaired for excessive nutrients and is working on a TMDL plan, but this will not be available until next year. When this is available, the MPCA and local property owners should be in a better position to evaluate the lake's needs and devise feasible programs to reduce nutrients, and then build the LID's objectives and programs around the restoration activities specified in the TMDL plans. This would be a much more effective strategy to reduce nutrients in the lake than the one currently proposed.

Recommendations/Conclusions

Proposed LID Boundaries

The boundaries of the proposed LID include only private properties riparian to Sebie Lake. MR Part 6115.0920 subpart 5 requires that the boundaries include all lands and waters within the direct drainage basin of the lake (shown on the attached map). However, this rule also allows the County Board or City Council to create a boundary less than the entire drainage basin with written Commissioner approval if the boundary selected includes a sufficient amount of the lake's watershed to develop and implement feasible solutions to the problems the LID intends to address. Restriction of the district's boundary to the private riparian properties is sufficient to address the CLP management for which the LID is being proposed. Therefore, in accordance with these rules, the DNR approves the proposed boundaries identified in the resolution.

Advisory Comments & Recommendations

To effectively manage and monitor CLP long-term, we recommend that the LID proposers work with the MN DNR aquatic invasive species specialist to update Sebie Lake's Lake Vegetation Management Plan (LVMP) before undertaking further herbicide treatment. Furthermore, Sebie Lake's more fundamental problem is its elevated phosphorus concentrations, which is not addressed in the Sebie Lake LID management plan, except for reducing CLP. However, the proposed plan of action of removing CLP will probably result in little to no improvement in water quality. On the contrary, the DNR is not aware of any scientific studies that show that applying herbicides to control aquatic vegetation improves water quality in lakes. DNR Fisheries does not support the concept that treating curly-leaf pondweed is going to improve water quality in this lake.

The MPCA is currently working on Sebie Lake's water quality problem, and the LID should be in a much stronger position to pursue programs to improve water quality in this lake, alone and in coordination with the MPCA and other entities, after the MPCA devises its strategy. The DNR therefore strongly encourages the LID to use every feasible nutrient reduction method available to them, and we urge the LID and Crow Wing County to expand the stated mission of this LID to include these additional projects, which will be much more effective for reducing phosphorus than CLP management. We also strongly encourage Crow Wing County to give the LID flexibility to adopt any additional projects suggested by the MPCA's forthcoming TMDL study. The LID proposers and Crow Wing County may also want to consider delaying the formation of this LID for a year and revising its goals to take advantage of the additional information that will be available to it when the MPCA completes the TMDL study.

Thank you for consideration of these comments. Please contact Kathy Metzker, DNR Land Use Hydrologist at 651-259-5694, if you have any questions. If approved, please provide the name and address of the primary contact of the Board of Directors for the LID and remind the LID of its obligation to provide DNR notice of annual meetings and copies of annual reports per MS § 103B.571.

Sincerely,
DIVISION OF ECOLOGICAL AND WATER RESOURCES

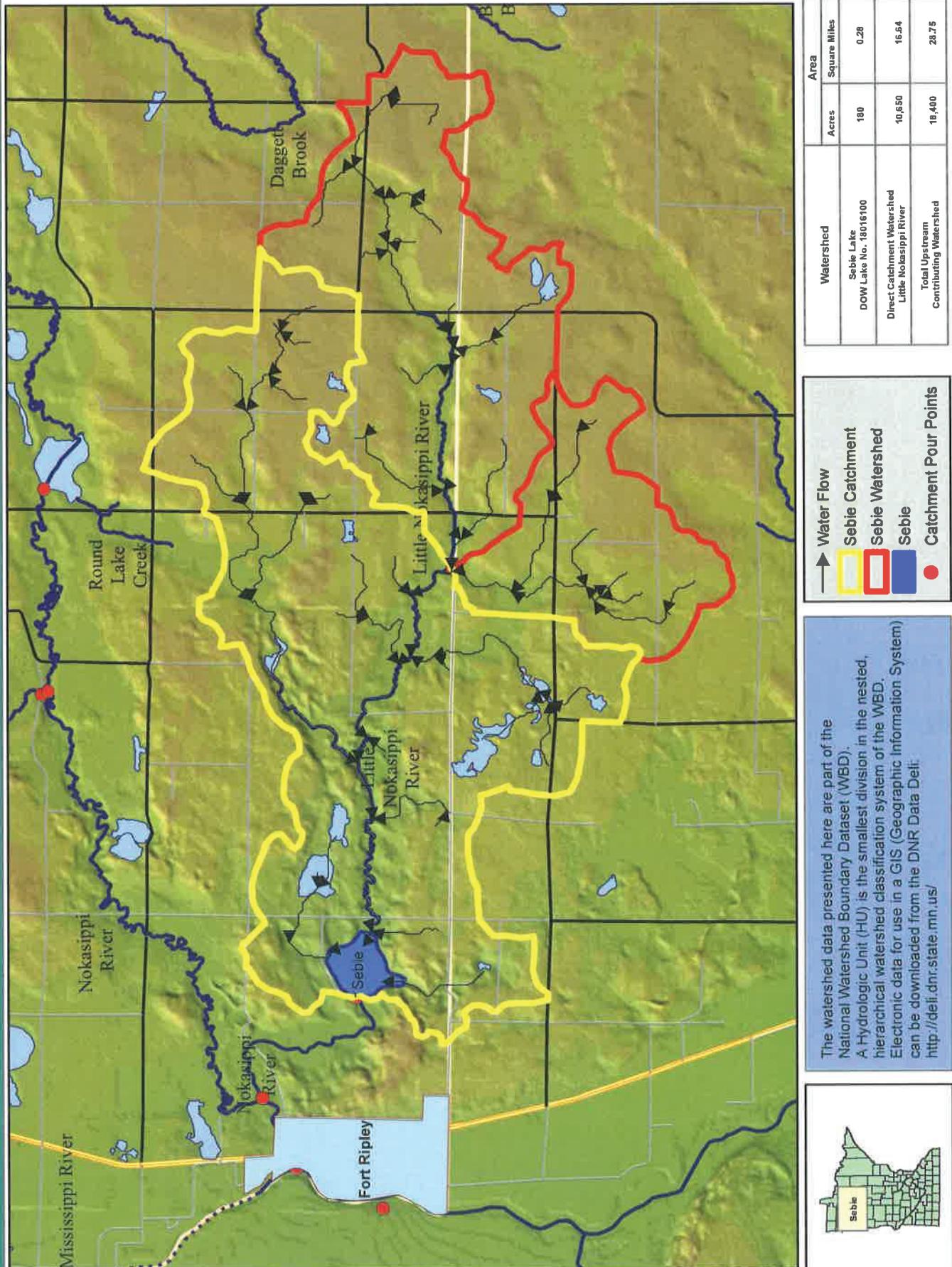


Julie Ekman
Manager, Conservation Assistance and Regulations (CAR) Section

Attachments

c: Jennifer Shillcox, Land Use Programs Supervisor
Heidi Lindgren, Area Hydrologist (Crow Wing County)
Jacob Frie, Environmental Services Supervisor (Crow Wing County)
Tim Plude, DNR Aquatic Invasive Species Specialist
Daniel Petrik, Land Use Specialist
Bonnie Finnerty, Watershed Project Manager- MPCA
Kevin Martini, APM Specialist- DNR Fisheries
Michael Duval, DNR EWR NE-West District Manager
Mike Stacken, Sebrie LID representative
Bob Grissom, Sebrie LID representative

Sebie Lake Watershed



Wild Rice Lake Survey Report

DOW Lake ID: 18016100 Lake Name: Sebie

Survey Date: 01/01/1999 Alt. Name:



Location Information

Legal Description

Township: 43 Range: 32 Section: 36

Primary County: Crow Wing

Work Area Name:

Wildlife Work Area: D212

General DOW Lake Information

Basin Area (Acres): 180

DOW Wetland Type: 5

Drainage Area (Acres): 0

Secchi Depth (feet): 6

PWI Class: P

Watershed ID: 10070

Number of Public Accesses: 1

USGS Quad: N12a

Miles of Shoreline: 2

Sounding Map ID: C1997

Shoreland Class Code: 2

DOW Maximum Lake Depth 27

DOW Mean Lake Depth: 0

Wild Rice Information

Wild Rice Present (Y/N): Yes

Structure (Y/N): No

Acres of Wild Rice: 2

Structure Type: None

Managed (Y/N): No

Structure Description:

Managed By:

Management Type:

Ownership:

Wild Rice Comments:

Mgmt recommendations:

Location of wild rice stands:

Density and condition:

History of harvests:

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Information Provided by: Minnesota Department of Natural Resources
Division of Wildlife
Shallow Lakes Program