

505. Floating Bog Removal Projects - UPDATED/ADOPTED 9/21/2022

Old policy date: 9/20/2017

Purpose

The following policy has been adopted by the Clearwater River Watershed District (CRWD) Board of Managers to define criteria, guidelines, procedures and requirements for all projects involving the use of CRWD funding for the removal of floating bogs in lakes and rivers within the boundaries of CRWD.

History

Following record rainfall and the resultant flooding in the Clearwater River chain of lakes in 1983, large chunks of floating cattail bogs were torn loose from the shorelines of area lakes and floated around area lakes smashing into docks and causing other property damage. The problem was especially bad on Augusta, Clearwater and Grass Lakes, where the bogs also jammed into the lake outlets exasperating the flooding. The CRWD took emergency measures to excavate the worst of these bogs and established formal Projects for these three lakes. In 1985, two funds were established to be used for future floating bog issues, one for Lake Augusta and one for Clearwater and Grass Lakes. All shoreline owners on these three lakes pay into these funds. The Lake Augusta project was set up to cost \$7,950, and the Clearwater/Grass Lakes project was established at \$9,000. Additional fund levies are only allowed when the balance of the fund falls below 20% of the original levy.

Roles

In 1985 it was envisioned that homeowner's associations would take the lead on deciding what floating bogs should be removed. The CRWD has informal partnerships with the Lake Augusta Association, the Clearwater Harbor Property Owners, and the Clearwater Lake Property Owners Association (CLPO) to deal with bog removal on Augusta, Clearwater and Grass Lakes. The CRWD administrator is responsible for working with these groups and deciding which bogs can be removed, what approvals are needed, and which group is responsible for what work using one of the bog funds.

Requirements

1. Only Floating bogs that threaten to impede water flow out of the lakes, endanger multiple landowners' shoreline facilities, or block navigation between the lakes or bays of the lakes may be removed. Bogs that are not actively moving around the lake should not be controlled using CRWD funding.
2. Funds from the CRWD may generally only be used to remove bogs that are over 600 square feet in size, as detailed in the original Engineers Report.
3. The CRWD will not be directly involved in the pushing/pulling of floating bogs to shore. Any such work must be directed by the Lake Associations.

4. All floating bog removal requires a permit from the Department of Natural Resources (DNR). Either the CRWD or the Lake Associations may obtain the permit. No reimbursement using the Bog funds will be allowed, unless the work undertaken is in accordance MN DNR permit requirements.
5. Preferred bog removal locations are the Bayview Rd/Nevens Ave NW Bridge (Augusta / Clearwater Channel), the shoreline of Timberwoods Resort (via agreement between the Lake Augusta Association and the resort), the Wright County 128/Stearns County 144 Bridge (Clearwater/Grass Channel) and the Grass Lake Dam. Removal at other locations may be done on a case-by-case basis with the approval of the CRWD Administrator.
6. The CRWD may need to obtain permanent easements or approvals for the preferred bog removal locations. Bog disposal is to be handled by the hired contractor, though the CRWD may assist in getting necessary approvals for disposal. Costs for obtaining such approvals may be paid from the appropriate bog fund.
7. All removal activities to be paid by the CRWD must be reviewed by CRWD staff, to assure that all requirements are being met.
8. In the case of Augusta, Clearwater or Grass Lakes, the appropriate representatives of the lake associations and the CRWD must be jointly involved in all bog removal work. The CRWD bog funds may not be used unless approved by the appropriate staff of both the affected association and the CRWD.
9. For any waterbody within the CRWD other than Grass, Clearwater or August Lakes, any bog control work performed by the CRWD can fall under the CRWD's Emergency Powers (MN Statutes 103D.615), or be financed by the general fund as one-time special work. If bog control on one of these lakes becomes a recurring problem, the CRWD may establish a formal project following the procedures listed in state statute.
10. Bogs that become lodged at the Grass Lake Dam are the responsibility of the dam owner, which is the MN DNR. The CRWD will contact the MN DNR when it determines that a bog(s) lodged at the dam could cause problems to outflow. The CRWD may assist the MN DNR with such bog removal and bog funds may be used, if needed.

Procedures

Should a lake resident or group of lake residents feel a floating bog is threatening to impede flow, block navigation or damage multiple properties they should first report their concern to their lake / homeowner's association. The lake or homeowner's association must then contact the CRWD Administrator to discuss possible removal options and permitting, if they wish to be eligible for CRWD funding for the removal.

Possible options for dealing with the issue are as follows:

1. The association could elect to move the bog to the shore of a willing landowner, where the bog is staked to the shore. The CRWD is not involved in this option. Note: The association and/or individual will need to have a permit from the MN DNR to move the bog.
2. If the association and the CRWD disagree on whether the bog fund may be used to pay the cost of the removal, the association could still remove the bog using their own funding, provided the work complies with any MN DNR permit.
3. If the association is able to handle the bog removal on their own, and the CRWD agrees that the requirements of this policy are being met, the CRWD will reimburse the association for the costs of the project, subject to the following:
 - a. The association should contact CRWD staff to discuss the proposed work if there is any question as to whether the requirements of this policy are being met.
 - b. Copies of invoices, receipts, photos, and/or other appropriate documentation of incurred expenses must be submitted to the CRWD for review before payment by the CRWD will occur.
 - c. Proof of sufficient levels of liability insurance coverage for the bog removal action must be obtained before work starts and submitted to the CRWD if requested.
 - d. The CRWD will not reimburse any costs for pushing bogs to removal locations.
 - e. The CRWD Board of Managers will be notified of this removal action at their next regular meeting and will authorize any necessary payments at that meeting.
4. If the association feels that removal of a floating bog is necessary, but are not able to provide any assistance in the removal, it may formally request that the CRWD Administrator handle the bog removal. Note that all staff time and costs will be billed against the appropriate bog fund, and that full CRWD Board approval will be needed before the start of any such work. The cost of the work and the time needed to complete the work will be significantly increased in these cases.
5. The association and the CRWD could elect to do nothing.