



Minnesota Department of Natural Resources

500 Lafayette Road
St. Paul, Minnesota 55155-40__

November 17, 1997

Dear Boathouse Resident:

On November 25, 1997, I will be meeting with the Winona boathouse community members to address the Department of Natural Resource's position on agreements being negotiated by the City of Winona, the DNR, and the Winona Boathouse Association (WBA).

In the past, the department has taken a position of limiting and eliminating the boathouses located on public waters over time. It was felt that this position best fulfilled on our responsibility to protect public water resources and the public health, safety and welfare. Over the last three years, we have taken a more cooperative stance to see what agreement the city, the WBA, and the DNR could develop for managing the boathouse community while fulfilling our responsibilities. This stance recognizes that the city and the WBA share in these resource management responsibilities and should have a say in how those responsibilities are met.

The City of Winona, the WBA, and the DNR are negotiating agreements that would allow the boathouse community to continue. As a part of the agreement, the DNR would issue a permit to the city to operate a facility that includes boathouses, under a license agreement to the WBA. The term of this permit is based on the requirements of Minnesota Statutes 103G.315, Subdivision 13 concerning the maximum term of a permit which is 5 years. As with many other types of DNR permits for things such as permanent docks, marinas and harbor facilities that are permanently located in or on public waters, that 5-year term is ordinarily and generally extended.

It is our intention to allow the permit to continue as long as all the parties continue to agree. If a party to the agreement would cease to agree, we would not immediately revoke the permit, but would seek to reestablish the agreement so the permit can continue. To my knowledge, DNR has never had to revoke a permit for marina or harbor operations; rather, if any problem arises, we have sought to reach agreement with the affected parties so that a permit can continue. If the permit to the city were revoked for some reason, the DNR would have to take up permitting needs with individual boathouse owners.

In order to clarify our commitment to resolving this situation, the DNR proposed and supported the final passage of legislative changes during the 1997 Legislative Session (House File No. 276 and Senate File No. 385). That legislation makes it clear that the DNR has permitting authority for floating boathouses. It also makes it clear that the DNR can issue permits for boathouses that existed prior to January 1, 1997; are in areas of historic use; and, when the boathouse proposal is approved by the local government unit (the city of Winona in this case).

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The law also clarifies that once a boathouse is permitted, it may be repaired or replaced as long as it is consistent with the permit. The DNR recognizes Latsch Island as an area of historic use.

We see real benefits in working with the boathouse community and the city, rather than taking an adversarial position. Although we may disagree on some resource management issues, we believe that boathouse owners, the city, and the DNR have many common interests and visions for the Mississippi River. We believe that by working together we can more readily make those visions a reality. My personal interest in the river is to work to reduce the artificial manipulation caused by the lock and dam system that has severely altered the river from its natural character. I value the river for its scenery, diversity and its unique history and stature among America's rivers. I believe that many of you share in these same feelings.

I recognize that the WBA is made up of a diverse group of individuals and I respect each member's right to express their views openly. I am looking forward to meeting with the WBA members on November 25th when I will answer as many of the members' questions as I can.

This effort of searching for common ground has led us closer to agreement. I look forward to finalizing our agreement and putting our past differences completely behind us.

Sincerely,



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