
Chapter 2:
North Shore Management Board Operations



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2.1 INTRODUCTION

The purpose of this section of the North Shore Management Plan Update is to discuss the organizational and funding issues facing the North Shore Management Board (NSMB). A strategy will be formulated to address these issues, which includes future activities for the NSMB, new operating procedures, a new Joint Powers Agreement, and finally, an updated Memorandum of Understanding with the Department of Natural Resources. All of these items will reflect the long-term goal that the NSMB provide strategies for orderly growth and resource protection along the North Shore. A copy of the operating procedures, Joint Powers Agreement and the Memorandum of Understanding can be found in Appendices C-E.

The long-term role of the NSMB was not clear in the previous plan. It is clear that the short-term goal was to create shoreland management standards that met the criteria outlined in Memorandum of Understanding between the NSMB and the DNR. For the NSMB to continue as an entity, it is important the NSMP Update move beyond these still important standards and offer goals, actions, and implementation steps more commonly found in a traditional comprehensive land use plan.

In discussions with citizens, local officials, state agencies, and others, there were many areas identified where the NSMB could provide assistance to local units of government. There was a general view that the NSMB has suffered to some degree since its inception from a lack of direction. There also were comments that people were unfamiliar with the purpose and role of the NSMB.

In summary there are three critical questions for the NSMB that will chart their future:

- 1) Is there a reason for the NSMB to exist?
- 2) If there are reasons for the NSMB to exist, how can the NSMB structure their future activities to meet the needs of local units of government?
- 3) What are funding sources for continued operation of the NSMB?

These questions will be discussed in more detail in the sections below.



2.2 IS THERE A REASON FOR THE NSMB TO EXIST?

Oversight of Shoreland Regulations:

Despite uncertainties over future funding, the NSMB has indicated that they wish for the NSMB to continue following the plan update. If the NSMB dissolved, there are a number of issues that would have to be addressed.

Technically, if the NSMB dissolved after finalizing the new plan, the state statute that refers to the North Shore Management Plan would still be fulfilled. The statute makes no mention of a continuing role for the NSMB, it only states that the NSMP shall serve as the state shoreland regulations for the North Shore of Lake Superior. The oversight responsibilities of the NSMB, however, as outlined in the Memorandum of Understanding, could be transferred back to the DNR. Essentially, the DNR would serve in the same oversight role they currently have for all lakes in Minnesota other than Lake Superior.

While the relationship between North Shore communities and the DNR has improved in recent years, the NSMB still prefers that local control be preserved through the NSMB. In addition to their oversight responsibilities, a reenergized NSMB that takes a leadership role in key North Shore issues can be seen as an excellent way to ensure continued positive relations with state and federal agencies.

Long Range Planning Activities in a Growing Corridor:

With so many natural amenities and with continued development pressure in the corridor, it makes sense to have a body that can gather information and facilitate discussion among local jurisdictions. In larger cities and counties, it is common to have a member of the planning staff who works solely on long-range or comprehensive planning issues. These staff members are free from the day-to-day tasks that other planners must perform in order for a local unit of government to operate efficiently. The NSMB could assist in long-range planning for the jurisdictions along the North Shore. Facilitating orderly growth and resource protection is one of the key goals of the NSMB in the original plan. It clearly makes sense to strongly take a role in stating that economic development and resource protection can both be achieved

NSMB staff could also represent the needs of North Shore communities on relevant planning projects that may be taking place in and around the North Shore Management Planning Area. Staff can also help to add a regional context to these discussions.

Coordinating the flow of Information from Studies to Local Units of Government:

Finally, there is a multitude of data and studies that are taking place along the North Shore. The NSMB can play an important role in analyzing these studies and determining how local units of government can best utilize this data. In addition, the NSMB can seek grant funds to complete projects that will address pertinent data needs along the North Shore. It should be noted that demonstration of regional and multi-jurisdictional approaches is a benefit when seeking funding to complete projects.



2.3 FUTURE ACTIVITIES OF THE NSMB

Four tasks have been identified which the NSMB will aim to consistently achieve following the plan revision:

- 1) EXAMINATION OF IMPORTANT NORTH SHORE LAND USE ISSUES- At the beginning of each fiscal cycle, staff will work closely with the NSMB, local land use officials, and the CAC to set aside key issues to be examined. The number of issues addressed will be dependent on funding availability. The process would be to create a workgroup that would develop a policy document on the issue at hand. This document could contain a model ordinance and/or suggestions for comprehensive plan amendments to address the particular issue. The work group would consist of members of the CAC, local land use officials, technical experts on the issue, and relevant non-profit organizations dedicated to dealing with the issue.

- 2) DATA COLLECTION AND COORDINATION- At the present time, there is a myriad of state, federal, and local agencies collecting land use data, conducting planning studies, and gathering GIS data, to name just a few examples. All of this information has relevance for local units of government, but the question of how to use this data effectively needs to be addressed. Minnesota's Lake Superior Coastal Program (MLSCP), the Natural Resources Research Institute, MPCA, SeaGrant and ARDC are just a few of the organizations that are currently working on studies that have the potential to provide valuable information to North Shore communities.

NSMB staff will serve as directed by the NSMB as a liaison between these agencies and local units of government. Staff would serve, as necessary, on task forces for shorewide planning efforts to ensure that the interests of local units of government are represented. In addition, staff can serve to represent the shorewide goals outlined in the North Shore Management Plan. A key goal in this process would also be to ensure consistency in shoreland management policies as much as possible and to facilitate the exchange of information among the members of the NSMB regarding shoreland management related issues. Federal and state agencies should identify the NSMB as a valuable partner in ensuring that plans that reach local units of government are usable and pertinent.

Finally, the NSMB will be proactive in gathering and prioritizing the data needs along the North Shore. In coordinating with the agencies mentioned above, the NSMB should be able to identify what the specific data needs are along the North Shore. The NSMB can then write grant applications or support the grant applications of other agencies to address these specific needs.

In summary, the NSMB will function as forum that allows for discussion of shoreland issues and sharing of land use data and current planning studies affecting the North Shore of Lake Superior.



- 3) EDUCATION AND INFORMATION DISTRIBUTION- In order to provide for input on major land use projects proposed by federal, state, and local agencies, the NSMB will perform a number of tasks.
- a) Receive notices from local units of government for variances, plats, conditional uses, planned unit developments, and rezonings. The NSMB, CAC, and other interested citizens would receive this information via e-mail in addition to the information being posted on the proposed NSMB web site.
 - b) Receive notices from federal and state agencies on any construction projects they initiate and for projects that they have review authority.
 - c) Create a web site where meeting notices are posted for federal and state agencies, along with notices for public meetings held by member governments on the NSMB. This web site will also contain links to relevant land use and planning information.
 - d) Staff will produce monthly reports that detail all the coordination notices they have received. These reports will detail any trends that may indicate future issues that could be addressed by the NSMB.
 - e) A more detailed report will be completed at the end of each year that analyzes the data sets that have been identified as most important to the members of the NSMB, CAC, and local land use officials.
- 4) MEETING STRUCTURE- The NSMB will meet quarterly to receive updates on projects and to set overall policy goals. It is anticipated that issues will come up during the various planning processes on the North Shore where general policy statements are needed by the NSMB.

The CAC will meet as directed by the NSMB. Depending on funding, regular CAC meetings could be eliminated entirely. In response to this, the CAC could consider meeting informally without staff to discuss information or issues that may need to be brought to the NSMB. These informal meetings should take place at least on a quarterly basis in order to provide timely input to the NSMB.

In order to further preserve citizen involvement, CAC members will also be part of the task forces formed to address specific issues and part of the work plan group that sets priorities for each year. If held, quarterly CAC meetings can be used to discuss any new land use issues that the members are hearing from members of their community.

Finally, the NSMB will call a meeting of local land use and zoning officials at least once per year to discuss any common problems or issues they are facing in both the day-to-day administration of their zoning ordinances and also with long-term policy goals.



2.4 FUNDING

Since the NSMB began operation in 1988, they received \$100,000 each biennium from the Board of Water and Soil Resources (BWSR). In June 2001, BWSR allocated only \$50,000 for the next biennium and stated that no additional state funds would be allocated. Clearly, this presented a funding crisis for the NSMB. Local units of government had not contributed to the funding of NSMB until this point. It was clear that some support would be needed for the NSMB to continue operations.

In order to complete the plan revision, the NSMB sought funds from Minnesota's Lake Superior Coastal Program (MLSCP) in addition to contributions of \$1,500 from counties and \$500 from cities and townships toward the plan revision. Beginning with the 2004 work plan, the NSMB will ask each county for a yearly contribution of \$2,500, with each city and township being asked to contribute \$750.

With state funding eliminated, the primary funding for the NSMB now must come from local units of government and grant sources. The Minnesota Lake Superior Coastal Program (MLSCP) has a number of grant programs that could be used to fund NSMB activities for discrete projects. However, MLSCP cannot be used as source of ongoing funding of the administrative costs of the NSMB.

In the long-term, the relationship between MLSCP and the NSMB should be discussed. Both agencies have similar goals. There may be creative ways for both entities to utilize each other's strengths to achieve common goals.

To carry out the future tasks identified in this chapter, it seems reasonable that one staff person and/or organization work approximately 20 hours per week on NSMB-related issues. Approximately half of this time would be devoted to the items set out in Tasks 2, 3, and 4. Cost for this work program could fluctuate depending on the level of involvement the NSMB expects from the staff person to monitor and coordinate shore related developments.

The remainder of staff time (ten hours per week) could be used on the discrete projects identified by the NSMB during their yearly strategic planning sessions (Task 1: Examination of Important North Shore Planning Issues).

2.5 OPERATING PROCEDURES

Revised operating procedures were created by the NSMB early in the plan revision process. The goal was to clearly set out roles for members of the Citizens Advisory Committee, Technical Advisory Committee, Planning and Zoning Staff from local units of government, and NSMB staff. These procedures will be implemented at the onset of the 2004 work plan. A copy of the operating procedures can be found in Appendix C.



2.6 JOINT POWERS AGREEMENT

The Joint Powers Agreement (JPA) was reviewed and updated early in the process. The most important task with the revised JPA is to solidify the ongoing role for the NSMB in the process. The original JPA did not explicitly indicate the NSMB was to continue after the completion of the NSMP. The revised JPA offers clear guidance under Duties and Responsibilities that allow the NSMB to complete its ongoing work. A copy of the Joint Powers Agreement can be found in Appendix D.

2.7 MEMORANDUM OF UNDERSTANDING

The revised memorandum of understanding (MOU) changes statute references to ensure they are accurate. It also better clarifies the roles and responsibilities of the NSMB and the DNR. In addition, the MOU states that the DNR will assume the responsibilities of the NSMB should the NSMB dissolve. This means the DNR would be monitoring the implementation of the NSMP as they monitor the implementations of the state shoreland regulations in the rest of the state. A copy of the MOU can be found in Appendix E.