



## Parks & Recreation

Ground Floor  
411 West First Street  
Duluth, Minnesota 55802

218-730-4300

parks@duluthmn.gov

May 29, 2024

Park Point Residents,

The City of Duluth Parks and Recreation Division recently applied for and received a shoreland permit that allows Park Point Residents impacted by windblown sand to move sand from their property, back to the publicly-owned beach, a distance of no more than 10 feet past your rear property line. At this distance, the sand you deposit will be clear of your rear property line and the Ordinary High-Water Line (OHWL) of Lake Superior, the latter of which fluctuates and is not a set or marked linear boundary.

### DETAILS AND CONDITIONS:

1. This is a short-term step to allow some immediate relief to the windblown sand issue. Long-term planning to address the beach erosion issue is underway by the US Army Corps of Engineers.
2. You will not need to apply for any permits for this activity, as long as the sand you move is less than 10 cubic yards (approximately one dump truck load) and it is deposited no greater than 10 feet beyond your rear (Lake Superior facing) property line.
3. The City had the rear property line surveyed and marked with wooden stakes with a pink ribbon.
4. You may move sand yourself or hire a contractor. The City of Duluth cannot assist with moving sand off of private property.
5. If you will be moving more than 10 cubic yards of sand (equivalent to a dump truck load), please contact the City as listed below.
6. When you deposit sand back onto the public beach, please do so in a linear fashion, parallel to your rear property line.
7. Please do not deposit sand that will block or hinder access from designated access points off of Lake Avenue.
8. The sand you move must be clear of any rocks or debris.
9. Beach grasses are protected and are integral to stabilize dunes, provide some protection for your property and contribute to a unique habitat. When moving sand, you may not trample, damage, or transplant any beach grasses. You may not deposit sand on top of beach grasses.
  - a. The entire length of beach from the Aerial Lift Bridge to S. 12<sup>th</sup> Street has been photo and video documented for beach grass preservation. Any damage caused may be subject to penalties.
10. In some cases, property owners have constructed or placed garages, decks, fences, walls etc. well beyond their rear property lines. In those cases, you may not be able to deposit sand within that 10-foot zone. In those cases, you will need to contact the City as listed below to review your situation. We may need to consult with the MN DNR on your specific circumstances.
11. This shoreland permit is good for one year. You may move sand at any time, however, once we install our new sand fencing (see below) we will provide additional instructions of how and where to place sand adjacent to the new fencing.
12. If you have any questions about this process, do not hesitate to contact the City as listed below.



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In addition to this shoreland permit, the City is also pursuing two permits with the MN Department of Natural Resources:

1. A general permit that allows for the movement of sand onto and within the beach area below the OHWL; and
2. A permit for sand fencing installation and beach grass planting as discussed at our Community Meeting on April 22<sup>nd</sup> at the Lafayette Community Center.

Both permits are currently under review and we do not have a specific timeframe for approval or implementation, but we are positioning ourselves to act quickly, having already ordered the fencing and selected contractors for beach grass seed collection and propagation. We hope that we can begin install of the fencing within the next 30 days. While fence design is not finalized, we can say that it will be placed in the same public beach zone between your rear property line and the OHWL. It will tie into existing dunes and privately installed fences. Also, we need these permits prior to addressing the public accesses off of Lake Avenue. **NOTE: Please do not install any additional fencing at this time.**

Once we have more details on fence permit approval and installation timeframe, we will send another correspondence by mail with those details.

Thank you for your patience with this issue. While it is certainly unique, we do recognize the difficulty many of you are experiencing.

Sincerely,

Cliff Knettel

Assistant Manager, Parks and Recreation

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