

# Minnesota Department of Natural Resources

DIVISION OF ECOLOGICAL AND WATER RESOURCES

1509 1<sup>st</sup> Ave N  
Fergus Falls MN 56537  
218-739-7576



February 13, 2012

Riverview RV Park  
Ken and Helen Foltz  
14799 State Hwy 59S  
Detroit Lakes MN 56501

Dear Mr. and Mrs. Foltz:

DNR Amended Permit 2006-0370, Tram Replacement, Pelican River, Becker County

Enclosed is amended permit 2006-0370 authorizing the replacement (After the Fact) of the Tram Trolley and Tram Rails to transport boats from your inland marina to the Pelican River. The dock authorization on the original permit, for temporary mooring, remains unchanged.

Read all conditions of the permit, taking note of condition 12 referring to possible river obstruction.

If you have any questions, please feel free to contact me. Thank you.

Sincerely,

A handwritten signature in black ink that reads 'Janel Miersch'.

Janel Miersch  
Area Hydrologist

JM/mc  
Encl.

ec: City of Detroit Lakes  
Brad Grant, Becker County SWCD  
Tera Guetter, Pelican River Watershed District  
Patty Swenson, Becker County Zoning  
Robert Maroney, USACE  
Peter Buesseler & Barry Stattleman, EWR  
Detroit Lakes EWR  
Jim Wolters, DNR Fisheries  
Blane Klemek, DNR Wildlife  
Joe Stattelmann, DNR Conservation Officer  
DNR Central Office Permits Unit

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# AMENDED PUBLIC WATERS WORK PERMIT

Permit Number  
**2006-0370**

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made a part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform the work as authorized below:

<b>Public Water</b> Pelican River (03038a)	<b>County</b> Becker (03)
<b>Name of Permittee</b> Riverview RV Park, Ken and Helen Foltz, owners	<b>Telephone Number (Include Area Code)</b> 218-847-1223
<b>Address (No. &amp; Street, RFD, Box No., City, State, Zip Code)</b> 14799 State Hwy 59 S, Detroit Lakes MN 56501	
<b>Authorized Work:</b> Permit amended to install new tram rails and trolley on footprint of original tram - 9 ft wide X 230 ft long (original permit was issued July 27, 2006). The tracks must span the muck and silt so that no sediment will be suspended in the water column when boats are launched. River navigation shall take precedence and have the right-of-way over boat launching. The tram and boat dock location shall be in accordance with the Pelican River Watershed District Easement. RV Park boat traffic shall be restricted to the dock and tram, motorized traffic in the muck shelf shall not be allowed.	
<b>Purpose of Permit:</b> Boat launching	<b>Expiration Date of Permit</b> February 13, 2017
<b>Property Described As:</b> NW¼ NE¼ Section 9, T138N, R41W	

This permit is granted **subject to** the following **CONDITIONS**:

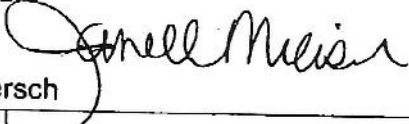
1. The **permittee** is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning. This permit does not release the **permittee** of any permit requirement of the St. Paul district, U.S. Army Corps of Engineers, Army Corps of Engineers Centre, 190 Fifth Street East, St. Paul, MN 55101-1638.
2. This permit is not assignable by the **permittee** except with the written consent of the Commissioner of Natural Resources.
3. The **permittee** shall notify the Area Hydrologist at least five days in advance of the commencement of the work authorized hereunder and notify him/her of its completion within five days. The Notice of Permit issued by the Commissioner shall be kept securely posted in a conspicuous place at the site of operations.
4. The **permittee** shall make no changes, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.
5. The **permittee** shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.
6. This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.



## AMENDED

7. Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project, stating the reason thereof, upon written request to the Commissioner of Natural Resources.
8. In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.
9. This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.
10. Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.
11. Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.
12. If an enforcement officer determines that either structure (tram or boat dock) is obstructing river navigation, Riverview RV Park management shall take immediate action to either remove or correct the structure.

cc: City of Detroit Lakes  
Brad Grant, Becker County SWCD  
Tera Guetter, Pelican River Watershed District  
Patty Swenson, Becker County Zoning  
Robert Maroney, USACE  
Peter Buesseler & Barry Stattleman, EWR  
Detroit Lakes EWR  
Jim Wolters, DNR Fisheries  
Blane Klemek, DNR Wildlife  
Joe Stattelmann, DNR Conservation Officer  
DNR Central Office Permits Unit

Authorized Signature	Title	Date
Janell Miersch 	Area Hydrologist	February 13, 2012