

**LAKE MINNETONKA CONSERVATION DISTRICT
AQUATIC INVASIVE SPECIES (AIS) TASK FORCE MEETING
MINUTES**

8:30 a.m., Friday, December 10, 2010

LMCD Office, 23505 Smithtown Road (Suite 120), Shorewood, MN 55331

Present: Dick Woodruff, LMCD Board; Lisa Whalen, LMCD Board; Chris Jewett, LMCD Board; Chip Welling, Minnesota Department of Natural Resources (MN DNR); Brittany Hummel, MN DNR; Sean Sisler, MN DNR; John Barten, Three Rivers Park District (TRPD); Rich Brasch, TRPD; Dick Osgood, Lake Minnetonka Association (LMA); Kelly Dooley, Minnehaha Creek Watershed District (MCWD); Tony Brough, Hennepin County Environmental Services (Hennepin County); Greg Nybeck, LMCD Executive Director. Also present: Gabriel Jabbour; Lili McMillan, Orono City Council; Tom Fletcher, Greenwood City Council; Jack Kimball, Phelps Bay resident; Kevin Kennefick, Carmans Bay resident; Thomas Lowe, Carmans Bay resident; Bob Pillsbury, Grays Bay resident; Mary Drazan, Carmans Bay resident; Rob Roy, St. Albans Bay resident.

Approval of Agenda

The agenda was approved as submitted.

Minutes

The minutes from the 10/8/10 AIS Task Force Meeting were accepted as submitted.

2010 Coordinated Herbicide Treatment Project

Woodruff stated that a draft Report has been received from the U.S. Army Corp of Engineers, as well as written recommendations from the MN DNR for 2011. He asked Welling to provide an overview of this information.

Welling stated that the MN DNR was concerned about the 2009 herbicide treatments because there was some evidence that there was a reduction in native plants. In 2010, native plants appeared to have improved and this recovery was encouraging. He pointed out there appears to have been a shift in some of the native plants, with some too low and some have increased in levels since 2007. A Final report from the Army Corps of Engineers is pending in the near future, pointing out that this work is being done at no cost to the MN DNR, LMCD, and LMA.

Woodruff asked Welling for feedback on the effectiveness of the treatments in 2010. Additionally, he asked for feedback on water concentrations since this was not included in the draft Army Corps Report.

Welling made the following comments:

- The draft Report from Army Corps is based off of frequency of occurrences, which he described in greater detail. He stated that using frequency of occurrences can be a challenge for both invasive and native plants.
- One of the shortfalls of the 2010 project was that there was not as much data collected as the MN DNR would prefer, citing the agency's interest in collecting bio-mass data in future projects.
- Water concentration data was not included in the draft 2010 Report because this was not collected. However, the Army Corps is conducting further work on water concentration of herbicides in Wisconsin and better data is becoming available.

Osgood commented on the effectiveness of 2010 project, with a summary as follows:

- Grays Bay- There were limited late season treatments. Eurasian Watermilfoil (EWM) was becoming more noticeable as the season went on, although he did not believe it was problematic.

- Carmans Bay- There were a few areas where EWM was problematic, although not as significant as past years.
- Phelps Bay- The treatments were not as effective as he had hoped for. EWM came back in mid season, similar to 2008. In response to this, late season treatments on a spot basis took place.

Limited feedback was received from bay captains on Carmans and Phelps Bays, with a summary as follows:

- Carmans- The comments focused on the north end of the bay. Although it was not reduced as much as the residents would like, it was reduced and it appeared that natives increased.
- Phelps Bay- In 2009, the bay was EWM free. In 2010, 20 acres were treated early and a consensus was that the funds invested were a waste. A recommendation was to allow for a treatment protocol similar to 2009, not 2010.

Jabbour asked whether anyone was monitoring the fish population in the three bays. Some of the fishing stakeholders have commented in past meetings that fishing has declined on these bays, possibly as a result of the herbicide treatments. He believed that there was a need to better answer this question because the fishing stakeholders are a powerful lobby group. He suggested that there is a need to engage them in the future.

Welling reviewed MN DNR requirements for the 2011 project on these three bays. First, there is a need to revise the Lake Vegetation Management Plan (LVMP) to bring it in line with the current work. Second, water samples need to be analyzed by the Army Corps for concentrations of herbicide, although the MN DNR will collect the water samples if necessary. Third, there is a need for bio-mass samples from time of second, late season point intercept survey. Bio-mass samples will be collected by the MN DNR. Two other recommendations include: 1) hydroacoustics for bio-volume (possibly conducted by the Army Corps), and 2) additional sampling to evaluate possible effects on water lilies (possibly conducted by the Army Corps).

The Task Force discussed how to initiate the treatment project for 2011. The general consensus was that there is a need for the LMA (and its bay captains) to meet with the MN DNR and to define the recommended treatment protocol for 2011. Additionally, there is a need to discuss how to amend the approved LVMP, with a few Task Force members expressing reservations about this. The LMA is to come back with recommendations on how to amend the LVMP. Both of these topics will be discussed at the next Task Force Meeting.

Welling also provided a brief overview of MN DNR requirements (and recommendations) to permit a coordinated herbicide treatment projects on Gideon and St. Albans Bays. The Task Force briefly discussed this, with a consensus that these two bays would not be included in the five-year pilot project for three bays (Carmans, Grays, and Phelps).

Update from MCWD Relating to Minor Plan Amendment to Managing and Prevention of AIS

Woodruff stated that the MCWD has proposed a Minor Plan Amendment to assume a more active role in the management and control of AIS within the watershed district. This would have a specific impact on Lake Minnetonka. The MCWD is collecting comments through January 7th and he questioned whether Task Force members would like to have a discussion on it.

Whalen stated that the LMCD Board of Directors recently discussed this at its December 8th meeting. She summarized the Board discussion, which will be included in a letter to the MCWD on behalf of the LMCD. A number of Board members expressed concern about the MCWD's late involvement in this effort since the LMCD, and others, have been requesting their participation for a number of years. The LMCD has jurisdiction over a number of activities on Lake Minnetonka, which appear to be duplicated in the Minor Plan Amendment. Concern was raised about multi-layering and redundancies (permitting of docks as an example) and this would need to be

worked out between the two agencies. Questions were also raised with regards to: 1) whether this was a Minor or Major Plan Amendment, and 2) whether had the MCWD had the legal authority to conduct the activities proposed. Both of these questions will need to be answered by the Board of Water and Soil Resources.

A summary of the discussion was as follows:

- Brough stated that Hennepin County was aware of the Minor Plan Amendment. Since it appears that the program would involve a number of stakeholders, this should have been done up front. If the program involves user fees at public accesses, Hennepin County cannot do this because of federal funding received for public accesses (North Arm and Spring Park Bay). Additionally, efforts would be more effective if done on a statewide basis.
- Barten stated that the TRPD is aware of it, with a comment letter to be discussed at the next Board of Commissioners meeting. It appears that the described program has issues that are contrary to TRPD policies, in particular free and available public access. He concurred with Brough that the AIS Task Force should have been engaged up front.
- Welling stated that he believed something would be forthcoming from the MN DNR.
- Kimball applauded the first step of the MCWD.
- Jabbour stated that he was happy that the MCWD was moving forward with something, although he expressed concern about not using current information. In particular, he talked about usage fees, which are unconstitutional, and believed that more homework should have been done upfront.
- McMillan stated that the public get turned off when there discussion of permits and fees. She believed that greater emphasis should be placed on education and monitoring.

Discussion of Action Items from the 8/27/10 AIS Task Force Meeting

The Task Force received an update on Action Items established at the October 8th AIS Task Force Meeting. The following attachment provides further details on this discussion

Additional Business:

There was no additional business.

Next AIS Task Force Meeting

The next AIS Task Force Meeting was scheduled for Friday, 12/14/10, at 8:30 a.m. at the LMCD office.

Adjournment

There being no further business, the meeting was adjourned at 10:25 a.m.

Respectfully Submitted,

Greg Nybeck
Executive Director