

**LAKE MINNETONKA CONSERVATION DISTRICT
BOARD OF DIRECTORS**

7:00 PM, Wednesday, November 12, 2008
Wayzata City Hall

1. CALL TO ORDER

Whalen called the meeting to order at 7:03 p.m.

2. ROLL CALL

Members present: Lisa Whalen, Minnetrista; Tom Tanner, Wayzata; Andrew McDermott, Orono; Tom Scanlon, Spring Park; Doug Babcock, Tonka Bay; Chris Jewett, Minnetonka; Steve Johnson, Mound; Keith Kask, Deephaven; Bill Olson, Victoria; Kelsey Page, Greenwood; Richard Siakel, Shorewood; Herb Suerth, Woodland. Also present: Charles LeFevere, LMCD Counsel; Greg Nybeck, Executive Director; Judd Harper, Administrative Technician; Emily Herman, Administrative Assistant.

Members absent: Dennis Klohs, Minnetonka Beach. The City of Excelsior has no appointed member.

3. APPROVAL OF AGENDA

MOTION: Tanner moved, McDermott seconded to approve the agenda as presented.

VOTE: Motion carried unanimously.

Babcock arrived at 7:05 p.m.

4. CHAIR ANNOUNCEMENTS, Chair Whalen

Whalen made a number of Chair announcements. First, Whalen stated that the annual meeting with the Hennepin County Sheriff's Water Patrol was scheduled for Tuesday, December 2nd at 7:30 a.m. at the Water Patrol office in Spring Park. Second, the LMCD will be hosting an Open House on December 3rd from 4:00 p.m. to 6:00 p.m. She welcomed all to stop in and view the LMCD's new location. Third, she stated that the City of Deephaven had recently appointed a new member to the LMCD Board. She welcomed Keith Kask on behalf of the Board and asked LeFevere to administer the oath of office. LeFevere administered the oath of office to Keith Kask and he was seated as representative for the City of Deephaven. Fourth, Whalen stated that the second Board meetings in November and December were typically cancelled due to the holidays. She entertained a motion to cancel those meetings.

MOTION: Siakel moved, McDermott seconded to cancel the 11/26/08 and 12/24/08 LMCD Regular Board Meetings due to the holidays.

VOTE: Motion carried unanimously.

5. APPROVAL OF MINUTES- 10/8/08 LMCD Regular Board Meeting
10/22/08 LMCD Regular Board Meeting

Whalen stated the October 8th minutes should reflect her as making the comment in the last sentence, 10th paragraph, on page four rather than Babcock.

MOTION: McDermott moved, Johnson seconded to approve the minutes from the 10/8/08 LMCD Regular Board Meeting as amended, making the change as recommended by Whalen on page four.

VOTE: Motion carried unanimously.

MOTION: Tanner moved, Johnson seconded to approve the minutes from the 10/22/08 LMCD Regular Board Meeting as submitted.

VOTE: Ayes (11), Abstained (1, McDermott); motion carried.

6. APPROVAL OF CONSENT AGENDA

Whalen requested that the appointment of auditor to conduct the 2008 LMCD Audit be removed from agenda item 6C. However, she believed that the remaining appointments for 2009 could be approved under the consent agenda.

Babcock moved, Olson seconded to approve the consent agenda as amended, removing the appointment of the auditor to conduct the 2008 LMCD Audit (agenda item 6C). Motion carried unanimously. Items so approved included **6A**, Audit of vouchers (11/1//08-11/15/08); **6B**, 8/22/08 and 9/9/08 EWM/Exotics Task Force Meeting Minutes, and **6C**, Appointments for 2009, as recommended in the 11/6/08 staff memo (excluding the 2008 auditor selection).

7. ITEMS REMOVED FROM THE CONSENT AGENDA

- 6C, Selection of auditor to conduct 2008 LMCD Audit.

Whalen stated that she did not believe that the LMCD had sent out a Request for Proposals (RFPs) to qualified accounting firms to conduct the LMCD audit for a number of years. She believed that this would re-establish a baseline for this professional service and might save the LMCD a few dollars. She entertained discussion from the Board.

The Board discussed the recommendation of Whalen, including the Board's overall satisfaction of the LMCD audits conducted by Abdo, Eick and Meyers since 1996. The Board directed Nybeck to send out an RFP to qualified accounting firms to conduct the 2008 LMCD Audit, with a recommendation to be made at the January 14th LMCD Board meeting.

8. PUBLIC COMMENTS- Persons in attendance, subjects not on the agenda (limited to 5 minutes)

Mr. James Gilbert, legal counsel for Seahorse Condominium Association, stated that he was in attendance at the October 22nd LMCD Board Meeting when the Board directed LeFevere to prepare draft Findings of Fact and Order to deny their pending 2008 application for their multiple dock license. His client has re-considered their position on this matter and has commissioned their architect to provide a revised proposed site plan. The new proposed site plan will be drawn to a scale of 26,800 square feet for the overnight Boat Storage

Units (BSUs); which was a previous directive of the LMCD Board on May 28th. Two copies of the site plan have been delivered to the LMCD office and he believed that the change in his client's position was offered to the Board in the spirit of compromise. He requested that the Board: 1) consider rescinding the Board approval at the October 22nd meeting, and 2) direct the preparation of draft Findings and Fact and Order for approval of the pending 2008 application with the new revised site plan. He recognized that this matter was not on the agenda at this meeting; however, he encouraged the Board to consider his two requests. He stated that he was authorized to sign any extensions needed for the Board to consider such action.

Whalen recommended that this request be placed on the agenda at the December 10th meeting for consideration because the Board and staff have not had an opportunity to review the revised plan. She believed that the change in the position of Seahorse HOA was encouraging and she asked LeFevere to comment on whether there was a need to rescind the motion made by the Board at the October 22nd meeting.

LeFevere stated that he did not believe there was a need to rescind the motion made at the October 22nd Board meeting. However, if it was the Board's desire to review another site plan and postpone the consideration of draft Findings of Fact to deny the 2008 Seahorse HOA application, LeFevere stated that it would be helpful to him to get Board direction on whether preparation of these draft Findings should be postponed. In order to do this, Seahorse HOA would need to sign another 60-day extension form to the 60-day rule.

The consensus of the Board was for LeFevere to hold off on the preparation of the draft Findings of Fact and Order to deny the pending 2008 application, subject to the LMCD receiving a signed 60-day extension form to the 60-day rule by Friday, November 14th.

9. PUBLIC HEARINGS

A. Harborage HOA, new multiple dock (minor change) license and variance applications to reconfigure nine Boat Storage Units (BSUs) on 705' of continuous shoreline on Smithtown Bay.

Whalen asked for background on this agenda item from Harper.

Harper reviewed his staff memo, dated 11/6/08, which summarized the applications submitted by Harborage HOA. The applications have been submitted to replace a wooden 4" x 4" dock, with a standard "Crepeau style" seasonal dock. The following changes have been proposed: 1) replace the 3' wide docks with standard 3.5' wide docks, 2) lengthen the slips to use standard 8' long dock section (21' and 23' long to 24' long), and 3) lengthen the dock north of BSU 1 from 29' to 30'. He highlighted three LMCD Code Sections to evaluate the applications. These included: 1) Code Section 2.01, subd. 1- authorized dock use area requirements, 2) Code Section 2.03, subd. 7- the new multiple dock license application process, and 3) Code Section 1.07- outlines the variance from LMCD Code process, including an assessment of the variance application with decision standards. He recommended that the Board direct LeFevere to prepare Findings of Fact and Order for approval of the two applications for the 2009 season. He entertained questions and comments from the Board.

Three questions were raised by the Board, which Harper addressed. These included: 1) why the dock was being replaced, including the dock material, 2) further clarification on the apparent one-foot

encroachment into the navigational channel, and 3) whether the boats could overhang beyond the length of the BSUs.

Harper believed that the annual maintenance to repair the current dock in its normal state was costly. Therefore, the applicant has requested to replace this dock with a "Crepeau style" dock. He stated that this multiple dock license was originally established in 1981, which took into consideration the navigational channel leading to Lake Virginia. He confirmed that the proposed site plan had less than a one foot encroachment into the channel for the dock to the north of BSU 5, which does not take into consideration the overhang at BSUs 1-5. Additionally, the boats at BSUs 6 and 7 need to be fully contained within the end of each slip because of the 100' length restriction for authorized dock use area requirements.

Whalen invited the applicant to address the Board, which they provided no further background or comments. Whalen opened the public hearing at 7:31 p.m. There being no comments, she closed the public hearing at 7:32 p.m.

The Board discussed whether restrictions, if any, were appropriate in considering approval of the applications. This discussion focused on: 1) whether canopies should be allowed, 2) whether there should be watercraft length restrictions at BSUs 1-5 because of the navigational channel, 3) watercraft storage at BSUs 6 and 7 need to be contained within the authorized dock use area, and 4) whether there should be watercraft length restrictions at BSUs 8 and 9. It was noted that the applicant's by-laws had a 23' length restriction for watercraft storage.

MOTION: Babcock moved, Johnson seconded to direct LeFevere to prepare Findings of Fact and Order approving the Harborage HOA new multiple dock (minor change) license and variance applications, subject to: 1) no canopies allowed, 2) a prohibition on the length of watercraft stored at BSUs 1-5 extending into the existing navigational channel, 3) the watercraft stored at BSUs 6 and 7 must be fully contained within the 100' authorized dock use area length, and 4) a 28' watercraft length restriction, length overall, at BSUs 8 and 9.

VOTE: Motion carried unanimously.

- A. City of Deephaven**, new multiple dock license, special density license, and variance applications for 225 BSUs on 3,829' of non-continuous shoreline.

Whalen asked for background on this agenda item from Harper.

Harper reviewed his staff memo, dated 11/7/08, which summarized the applications submitted by the City of Deephaven. The following changes have been proposed: 1) to reconfigure and replace the old 4' x 4' wooden dock portion of the main dock with pile driven permanent docks, 2) to move the access dock to the center of the dock, 3) to add three additional BSUs (slips) to this dock, 4) to move some of the slides to accommodate the relocation of the access dock, and 5) to renew approval of the pier over the breakwater structure south of the beach. He highlighted a number of LMCD Code Section to evaluate these applications. These included: 1) Code Section 2.01- authorized dock use area requirements, 2)

Code Section 2.02- the number of restricted watercraft that may be stored at a site based on the amount of shoreline, 3) Code Section 2.03- multiple dock license allowances and requirements, 4) Code Section 2.05- special density license allowances and requirements, and 5) Code Section 1.07- the variance from LMCD Code process. Based on the Board's comfort level of the proposed public amenities, he recommended that the Board direct LeFevere to prepare draft Findings of Fact and Order for approval of the new multiple dock license, variance, and special density license applications for the 2009 season, subject to: 1) all watercraft to be stored in BSU's 18-44 shall be fully contained within the 100' contour from the 929.4' shoreline, and 2) the submittal of a revised site plan that documents the north extended side site line, including the proposed 48 degree angle of deflection. He entertained questions and comments from the Board.

McDermott asked if the applicant historically de-iced these docks.

Harper stated that he believed the applicant de-iced these docks after March 15th without a permit, which is allowed by LMCD Code.

Tanner asked what would happen if the City of Deephaven secured approval to increase their BSUs but did not construct the docks.

Harper stated that those docks would be deemed abandoned if not constructed because of a two-year, must construct clause in LMCD Code Section 2.05.

Babcock asked Harper if the City of Deephaven provided their approved public amenities during the 2007 and 2008 boating seasons. If not, he believed that they should be corrected as part of this process.

Harper stated that he believed the vast majority of the public amenities were provided in 2007 and 2008 because they physically exist. With regards to swimming lessons and other amenities, he could not comment on that.

Page asked for clarification of how three new BSUs can be added to the current dock with no changes to the footprint.

Kask stated that some changes to the existing dock allows for the proposed dock to remain within the existing footprint.

Babcock proposed moving the dock slightly to the south as the current proposal provides for the watercraft in the 14 BSUs to exit to the north into a side setback area that requires a variance from LMCD Code; providing for that type of traffic pattern becoming problematic for the abutting neighbors.

Whalen invited the applicant to address the comment made by Babcock.

Mr. David Paulson, Chair of the Deephaven Boat Committee, stated that they had reviewed every conceivable option available. He stated that one of the reasons why the dock had not been proposed to move to the south was the potential impact that it might have on the variance already approved by the

LMCD. Additionally, moving the walkway to the middle of the dock would reduce the length of the walk for some of the public to their slips.

The Board and Deephaven representatives discussed a number of docking options, within the context of traffic flow patterns and the exiting of watercraft towards the north.

Whalen opened up the public hearing at 8:08 p.m.

Mr. Kenneth Heithoff, 3705 Northhome Road, stated that he lived on the west side of St. Louis Bay across from this multiple dock. He expressed concern about how the proposed dock plan would add traffic in the area where he resided. He asked whether the 12 slips added in 2007 were an increase in density.

Harper stated that 12 slides were converted to slips in 2007.

Heithoff questioned whether similar requests could be made in the future by Deephaven to increase density, which he expressed a concern about.

Harper stated that Deephaven has a special density license with a BSU density of 1:17'. Deephaven could make application to increase their BSU density to 1:10', subject to providing necessary public amenities.

Heithoff stated that he strongly opposed a BSU density greater than 1:17'.

Mr. Alan Diamond, 3665 Northholm Road, concurred with Heithoff's comments on density. He believed that added density would add to an environmental issue that already exists concerning trash that floats up to abutting shores.

Heithoff stated that the reason why the traffic is currently not a concern is that the docked boats have to exit at a very slow speed. If part of the dock were to change by opening towards the north, he believed that action would create a negative impact of boats exiting through the moored sailboats.

Paulson stated that the Deephaven Boat Committee was cognizant of the concerns raised by lakeshore owners. In Deephaven, there are approximately 1,414 residential properties, with 274 properties owning shoreline and an additional 75 parties owning access to the Lake. Because of this, a larger number of residents do not have access to Lake Minnetonka and this is a balancing question for the City of Deephaven.

Deephaven Mayor Paul Skrede addressed the BSU density by assuring Heithoff that density was not increased in 2007 when 10 slides were converted to 10 slips. The change in the main walkway being discussed this evening was a combination of discussion with the neighboring property owners, who did not have a concern as to the placement of the walkway. Based on the discussion at this meeting, he agreed to amend the plan and move the walkway to the north, to mitigate some of the traffic flow concern, provided this will need a final review by the Deephaven Boat Committee. He did not believe that further density increase would be proposed in the near future.

There being no further public comments, Whalen closed the public hearing at 8:22 p.m.

Kask stated that he served on the Deephaven Boat Committee and he wanted to provide background as to why the original proposal was offered. This included: 1) The City of Deephaven's reluctance to see any more dock construction to the south due to their strong belief in maintaining good winter access to the lake and, 2) a concern about heavy milfoil growth in this area and the intent for boat traffic to keep it down.

Whalen thanked Kask for his comments and stated that moving the main walkway to the north would address the concerns raised by the Board and the public. She commented on the public amenities offered and felt it was important for the Board to document those public amenities that are and are not acceptable. Some of the public amenities for the Board to discussed included: 1) B1- Riprap along the south half of the St. Louis Bay Marina, 2) C4- Walking path adjacent to the Lake, 3) C5- Meeting rooms, and 4) C6- Children's playground at St. Louis Bay.

Babcock stated that the goal of public amenities was to improve the overall experience of the lake. When a new application utilizes the use of existing rip rap for shoreline erosion, he questioned whether the applicant should be given credit for public amenity points for that year of dock construction.

MOTION: Babcock moved, Siakel seconded to direct LeFevere to prepare draft Findings of Fact and Order approving the City of Deephaven's new multiple dock license, special density license, and variance applications, subject to the following: 1) moving the main walkway north to the original location (north of BSU 72), 2) the submittal of an updated site plan, and 3) the deletion of amenities B1, C5, and C6; providing for a total of 79 public amenity points.

VOTE: Motion carried unanimously.

The meeting was recessed at 8:31 p.m. and reconvened at 8:38 p.m.

10. OTHER BUSINESS

- A. **Ordinance Amendment**, second reading of an ordinance limiting the size of boats and Watercraft for Hire on Lake Minnetonka; amending LMCD Code Sections 3.01, Subd. 22 and 3.02, Subd. 1, and adding LMCD Code Section 3.07, Subd. 11.

Whalen asked for background on this agenda item from LeFevere.

LeFevere stated that the first reading of the draft ordinance amendment was approved at the October 22nd Board Meeting, subject to making two changes. These included: 1) inserting the word "and" in the place of "or" in Subd. 11c, and 2) to add language that would require Watercraft for Hire over 70' in length to be operated at low or no-wake speed. With regards to the speed of such watercraft, he referenced documentation provided by Al and Alma's that documented wake sizes at various speeds for 85' and 96' long boats. Utilizing this documentation, LeFevere chose a speed limit of 10 MPH for Watercraft for Hire that exceed 70' in length, for clear and enforceable purposes. He stated that the

Board always has the ability to amend that speed. He entertained questions and comments from the Board.

The Board had a number of questions and comments, which LeFevere addressed. These included: 1) the clarification of Subd. 11a that provided for the size of the watercraft to not exceed either 90' in length or 22' in width, 2) reasoning as to why Subd. 11b provided for a maximum capacity of 149 passengers, excluding crew, 3) confirmation that the average cruising speed for boats of this size is 1100 RPMs (6-8 MPH), and 4) confirmation on the use of MPH vs. knots for the purpose of enforcement and consistency to the speed limit rules already in existence.

Whalen stated that Greenwood Mayor Bob Newman was in attendance and has asked to address the Board.

Mayor Newman stated that he initially had some concerns with the proposed ordinance amendment because he was not up-to-date on the discussion. Originally, he hoped that it was not a knee jerk reaction and that further deliberation might be needed. All but two of his concerns have been addressed after speaking with his constituents; Chair Whalen and Jay Soule from Al and Alma's. First, he discussed the various profiles of charter boats on Lake Minnetonka, such as the longer and lower profile boats that are visually less obtrusive (The Minnehaha). However, he believed that taller and wider boats are more massive and less tasteful. Second, he addressed the speed of charter boats and the wakes that they create, ranging from negligible to massive. There are some occasions, in particular, when boats are not planing and wakes become a problem. He questioned whether a 10 MPH speed restriction would address this situation.

The Board discussed: 1) how the draft ordinance amendment addressed the two concerns raised by Mayor Newman, and 2) confirmation from the Board that the LMCD would continue to monitor those matters in the future.

MOTION: Jewett moved, Tanner seconded to approve second reading of the draft ordinance amendment as submitted, to waive third reading, and adopt it.

Babcock proposed a friendly amendment to add the word "either" under Subd. 11a. after the word "exceed", which would read "The size of the watercraft may not exceed either ninety (90) feet in length or twenty-two (22) feet in width." Jewett and Tanner agreed to this.

VOTE: Ayes (11), Nays (1, Page); motion carried.

B. Lake Minnetonka Association, update of 2008 Herbicide Treatment Project on Carmans, Grays, and Phelps Bays.

Whalen asked for an update on this agenda item from Nybeck.

Nybeck stated that John Skogerboe from the U.S. Army Corps of Engineers was in attendance to provide an overview of a draft Report that he prepared on the 2008 Herbicide Treatment Project.

Additionally, there are representatives from the Lake Minnetonka Association (LMA) in attendance to provide their comments on the 2008 project, including plans for 2009.

Mr. John Skogerboe, Research Biologist, provided the following overview from his draft Report:

- He reviewed the bays and acreages treated during the project. This included: 1) Grays Bay- 160 acres, 2) Carmans Bay- 95 acres, and Phelps Bay- 150 acres.
- He reviewed, in detail, the three objectives for this project. These included: 1) the control and/or reduction of Eurasian watermilfoil (milfoil) in the three bays, 2) the prevention of curlyleaf pondweed from replacing milfoil, and 3) the protection and increase of the native plant community.
- He reviewed the herbicide used, including the dosage rates. A combination of endothall (curlyleaf pondweed) and triclopyr (milfoil) was used in 2008. The application of endothall (1 mg a.i./L), combined with triclopyr (0.25 to 0.5 mg a.e./L), was applied in early spring when water temperatures $\geq 12^{\circ}\text{C}$ (54°F). The combination of both herbicides has provided for historical success in other herbicide treatment projects.
- He reviewed the data collected by utilizing a point intercept method, which provided for quantifying what plant species were present at each of the grid points. This methodology was used in 2007 to collect pretreatment data and 2008 data, pre and post treatment.
- He reviewed herbicide residues collected for the day of treatment, one day after treatment, two days after treatment, three days after treatment, four days after treatment, and long-term. He concluded that concentration exposure times were insufficient to achieve effective control of milfoil for two reasons. First, the initial herbicide half-lives were less than 12 hours, which is very short and generally less than what is needed for an effective control of milfoil. Second, the triclopyr residue was less than what was thought, based on the set application ratios. He stated that a typical ratio would be three parts endothall to one part triclopyr. However, the ratio was six to one in Grays Bay.
- There was no change in the presence of milfoil documented in Carmans and Phelps Bays. However, there was a decline in milfoil on Grays Bay, primarily due to the logistics of the bay being enclosed, with a longer exposure time. There was a decline of curlyleaf pondweed in all three bays, with no significant change in the native plant community.
- In comparing the outcomes to the established objectives, 1) there was no change in milfoil occurrence in Carmans and Phelps Bays, 2) there was a decline in milfoil occurrence from greater than 80% to approximately 50% in Grays Bay, 3) there was a decline of curlyleaf pondweed on all three bays, and 4) there was no significant change in the native plant community.
- He entertained questions and comments from the Board.

Whalen stated that the early season water temperatures in 2008, compared to 2006, were quite different. She questioned what affect this might have had on the 2008 project.

Skogerboe stated that there was an early spring treatment in 2006 in Carmans Bay to manage milfoil and curlyleaf pondweed. He believed that the herbicide treatment was more effective in 2006. Although he did not believe that the water temperatures during the spring had a direct effect in 2008, it could have created a thermal presence that was not anticipated.

Tanner asked if results of the 2008 project would have been better if granular herbicides were used instead of liquid herbicides.

Skogerboe stated that he believed exposure times, rather than the type of herbicide used, was the primary problem in 2008. Application of the herbicide later in the season is currently being discussed for 2009, as well as how to better deal with the water movements and application ratios.

Suerth asked if the granular herbicide would take more time to dissolve with colder water temperatures.

Skogerboe stated that the scientific data does not support that.

Babcock asked if there was anything that could be done different to the herbicide formula to improve the length of exposure time.

Skogerboe stated that some things that could be done to improve exposure time included: 1) calm periods of weather, which was present in 2008, 2) the treating of larger areas, 3) the consideration of a more conventional style of treatment; possibly granular or liquid later in the season, and 4) the possibility of a combination treatment.

Whalen asked if the apparent transition areas from the littoral zones to the deeper water in Carmans Bay had an impact on the results in Carmans Bay.

Skogerboe stated a higher concentration rate was used in 2008 due to the deeper water in Carmans Bay.

Jewett asked if there would be safety risks to the public, such as for swimming, if the herbicide treatments were to occur later in a season.

Skogerboe stated that there were not safety risks with these herbicides for swimming. However, there are some lawn irrigation restrictions.

Whalen asked for comments from the LMA.

Mr. Richard Glidewell stated that he, and President Amanda Walsh, were in attendance to speak on behalf of the LMA. He commented on the feedback of the residents, in particular Grays Bay, compared to the discussion held at the EWM/Exotics Task Force level. Based on questionnaire feedback, a number of the Grays and Phelps Bay residents were quite happy with the 2008 project.

Suerth cautioned the use of visual evidence as a means of determining the success of the 2008 herbicide treatment. He believed that there was need for more scientific data to support that.

Nybeck stated that when considering the feedback on the 2008 questionnaires, the Board should understand that the return rate from residents on the three bays was quite low, around 15 or 16.

Glidewell rated the success of the treatment results as follows: 1) Grays Bay was extremely well, 2) Phelps Bay was slightly under Grays Bay, and 3) Carmans Bay was rated extremely well in June and July, with unmated milfoil in August. All three bays have started the 2009 campaign, with two of the

bays already holding meetings. He expects the contributions to be at or above last year's amount in Grays and Phelps Bays, and he was unsure of the outcome of Carmans Bay.

Jewett stated that he is a Grays Bay resident and did not receive a questionnaire from the LMA that Glidewell was commenting on.

Glidewell stated that he would follow-up with Osgood on this matter.

Nybeck updated the Board on activities occurring on the EWM/Exotics Task Force relating to this project for 2009. Request for Proposals (RFPs) are currently being prepared by the LMA for discussion at the December 5th EWM/Exotics Task Force meeting. He believed that better feedback would be available after that meeting and that the Board could be provided an update.

Suerth questioned whether there was good handle at this time on the herbicide treatment protocol to justify long-term investment in this program on all three bays. He asked Skogerboe to comment on the scientific data collected on these three bays in 2008.

Skogerboe stated that there was a reduction of milfoil occurrence on Grays Bay from 80 percent to 50 percent. However, there was no significant reduction of milfoil occurrence on Carmans and Phelps Bays.

Whalen stated that the next step in the project will be for the EWM/Exotics Task Force to discuss this project, including recommendations that will be brought back to the Board.

Walsh asked if the LMA would need to make formal application for 2009 "Save the Lake" Funds.

Nybeck stated that formal applications for "Save the Lake" Funds were due in the LMCD office by December 5th.

The consensus of the Board was that the LMA needed to submit a formal 2009 "Save the Lake" Fund application.

C. Eric Lindberg, review of 2008 Environmental Sentry Protection, LLC (ESP) Internet Landing Installed Device Sensors (I-LIDS) Report.

Whalen asked Lindberg to provide an overview of his Report.

Lindberg stated that 2008 was the second full season for monitoring boat launch activities at the Grays and Maxwell Bay public accesses. He reviewed the seven project goals and the contract deliverables for the 2008 project. He summarized the activity at the Grays Bay public access, which started on May 10th at a new location that provided closer viewing of boats and trailers. An external solar panel was added to the unit to allow for continuous footage. He summarized the activity at the Maxwell Bay public access, which started on May 10th with footings on the west side of the launch ramp for viewing of all three lanes. An external solar panel, with sensor, was also utilized at this launch ramp. He provided an overview of contractual improvements that were made from the 2007 boating season.

There were an estimated 14,000 boat launches reported at the Grays and Maxwell Bay public accesses, with monitoring provided for 59% of those launches. Findings included the following: 1) the percentage of boats launching weeds was measured at 0.10%, noting that this was lower than the control period in 2006 (7.4%) and still lower than in 2007 (0.3%), 2) cameras were of high enough resolution to capture near lane launches and, at times, secondary lane registration numbers, and 3) boaters provided the visual intent to slow their launch down to allow camera inspection. He reviewed cost and data statistics. Recommendations for 2009 included: 1) the expansion to additional high risk launch sites, 2) the sharing of project results with the MN DNR, 3) the implementation of audio notification for the full boating season, 4) the addition of launch installed clean-off tools, 5) the distribution of inspection resources to other launches, and 6) to evolve methods to require boater inspections. He entertained questions and comments from the Board.

Page asked Lindberg to confirm how many of the captured launches documented potential violations.

Lindberg stated 4,686 launches were captured for the weeks that he reviewed video sequences, with five potential violations. He did not have prior data present to provide a statistical analysis of the percentage change.

Babcock stated that he appreciated Lindberg's work because he believed that the technology had greatly improved.

Suerth recommended continued video technology improvements so that the MN DNR can consider the information enforceable.

Lindberg stated that that he would continue to work with staff on that matter.

Olson commented on conversations he heard from residents at a Leach Lake public access regarding the use of I-LIDS on Lake Minnetonka and that launching of watercraft and trailers were being monitored, which he believed provided for the change of boater behavior.

Whalen thanked Lindberg for his presentation.

11. EXECUTIVE DIRECTOR REPORT

There was no Executive Director Report.

12. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:54 p.m.

Lisa Whalen, Chair

Andrew McDermott, III, Secretary