



Lake Minnetonka Conservation District Annual Report (June, 2013 – May, 2014)




This and other aerial photographs are available on the LMCD's website, under "Save the Lake."

**5341 Maywood Road (Suite 200)
Mound, MN 55364
www.lmcd.org**

2014 LMCD BOARD OF DIRECTORS
(As of May 28, 2014)

The LMCD is governed by a Board of Directors comprised of one volunteer member appointed by each of the 14 cities surrounding Lake Minnetonka. Board officers include Chair, Vice Chair, Secretary, and Treasurer.



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LAKE MINNETONKA CONSERVATION DISTRICT

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Gregory S. Nybeck, EXECUTIVE DIRECTOR

May 29, 2014

TO: LMCD Member Cities
Lake Minnetonka Legislators
LMCD Stakeholders

FROM: Greg Nybeck, Executive Director 

SUBJECT: Annual LMCD Report

The Lake Minnetonka Conservation District (LMCD) is pleased to forward its Annual Report (June, 2013 to May, 2014). The LMCD Board of Directors and staff manage the use of Lake Minnetonka's surface waters (via State of Minnesota enabling legislation) since the LMCD's inception in 1967. Management is performed with the highest regard and to the best of abilities.

Management of Lake Minnetonka requires a great deal of cooperation and partnerships with a number of public and private sector organizations. A few of these include:

- 14 Lake Minnetonka Member Cities and their respective communities;
- Hennepin County Sheriff's Office/Water Patrol;
- Hennepin County Environmental Services;
- Minnesota Department of Natural Resources;
- Three Rivers Park District;
- Minnehaha Creek Watershed District;
- Commercial Stakeholders (i.e., marinas, charter boat operators, and dock installers);
- U.S. Army Corps of Engineers; and
- General Public.

This Report will provide you further information on the following:

- General background of the LMCD; and
- An overview of the LMCD's programs and activities.

Your feedback on this Annual LMCD Report would be greatly appreciated. Additionally, I welcome any questions you may have. I can be reached at gnybeck@lmcd.org or at 952-745-0789.

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GENERAL BACKGROUND

How the LMCD Began

- The LMCD was created by State of Minnesota (State) enabling legislation in 1967; Minnesota Statutes 103B.601 through 103B.645.
- The creation of the LMCD was a result of concerned citizens working for nearly a decade to improve Lake Minnetonka. Those efforts included:
 - In 1889, a special law of the State provided “...no person shall pollute or defile the waters of Lake Minnetonka...”;
 - In 1946, the Greater Tonka Council (composed of representatives of 100 civic organizations) was formed to conserve and improve Lake Minnetonka;
 - In the early 1950’s, the League of Minnetonka Municipalities (a voluntary quasi-governmental organization with representatives appointed by area municipalities) was formed to increase the 1946 efforts through more direct liaison with local government; and
 - A coordinated and more specialized authority (although still a cooperative local effort) was needed to “Save the Lake.” Therefore, the Minnesota legislature passed enabling legislation and the LMCD was organized in October of 1967.
- The LMCD was charged with the following two general responsibilities: 1) to regulate the use of the Lake and 2) to develop a comprehensive program to eliminate pollution.

How the LMCD Has Evolved

- Early on, Lake Minnetonka’s key issue was red algae blooms caused by untreated regional sanitary sewage. This was resolved in the 1970’s when sanitary sewers were installed.
- In the early 1970’s, the concept of authorized dock use area rules was created. This established reasonable riparian rights for the placement of dock structures and watercraft in a defined area.
- In the early 1970’s, the first Quiet Water Areas (QWA) were established on Lake Minnetonka (requiring watercraft to traverse at minimum wake) to address public safety and environmental concerns.
- In 1978, regulations for the storage of boat density were adopted, which included the current 1:50’ General Rule. Other regulations have been subsequently adopted.
- In 1987, Eurasian Watermilfoil (EWM) was discovered on Lake Minnetonka. In response to this, the LMCD purchased mechanical harvesting equipment and, have since, harvested EWM for public navigational purposes.

- Learning from the introduction of EWM, the LMCD has maintained that preventing the introduction of new aquatic invasive species (AIS) made more sense than only managing AIS after they had been introduced. Great efforts have been made on this since the early 2000's. Unfortunately, zebra mussels were discovered in Lake Minnetonka in 2010.
- The LMCD adopted regulations for the licensing and permitting of a number of activities on Lake Minnetonka. These include:
 - Multiple Docks (approved, legal storage of five or more restricted watercraft);
 - District Mooring Areas (sailboat buoy fields);
 - Watercraft for Hire (Charter Boats), including respective liquor licenses;
 - Permanent Docks (pile driven structures that remain year round);
 - Special Events (delegated, by resolution, to the Hennepin County Sheriff's Water Patrol); and
 - Winter De-icing (to prevent damage to docks [generally permanent] from shifting ice).
- The LMCD is governed by a Board of Directors comprised of one volunteer member appointed by each of the 14 cities surrounding Lake Minnetonka. Board officers include Chair, Vice Chair, Secretary, and Treasurer.
- LMCD consists of three full-time and one part-time staff members. This includes the Executive Director, Administrative Technician, Administrative Assistant, and a part-time Administrative Clerk.

LMCD Contact Information

Staff Members/E-mail Addresses

Greg Nybeck, Executive Director	gnybeck@lmcd.org
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Emily Herman, Administrative Assistant	eherman@lmcd.org
Tammy Duncan, Administrative Clerk	lmcd@lmcd.org

For further information or questions, please contact the LMCD at:

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LMCD Demographics

1. Lake Minnetonka Communities (14)

	<u>2010 U.S. Census Population Data</u>
• Deephaven	3,642
• Excelsior	2,188
• Greenwood	688
• Minnetonka	49,734
• Minnetonka Beach	539
• Minnetrista	6,384
• Mound	9,052
• Orono	7,437
• Shorewood	7,307
• Spring Park	1,669
• Tonka Bay	1,475
• Victoria	7,345
• Wayzata	3,688
• Woodland	437

2. Total Population: 101,585 (based on 2010 U.S. Census Population Data)

3. Lake Minnetonka Physical Features:
 - Shoreline- 125 miles
 - Surface Use Area- 14,043 acres
 - Number of Bays/Areas: 42
 - Mean Water Depth: 30 feet
 - Maximum Water Depth: 113 feet (Crystal Bay)
 - Water Depths of Less Than 15 Feet- Approximately 39% of Surface Use Area

4. Public Access Ramps (10)

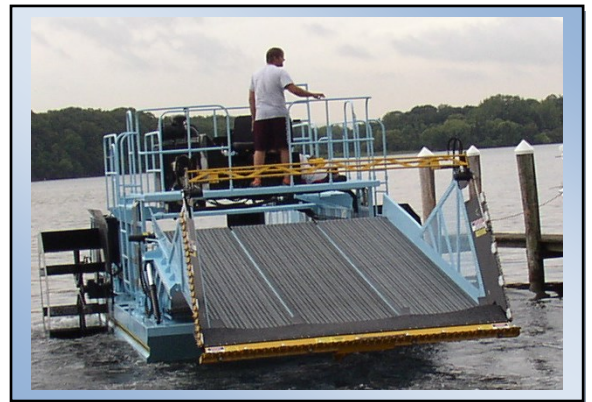
	<u>Managed By</u>	<u>Location</u>
Carsons Bay	City of Deephaven	City of Deephaven
Cooks Bay	City of Mound	City of Mound
Grays Bay	City of Minnetonka/MN DNR	City of Minnetonka
Halsted Bay	City of Minnetrista	City of Minnetrista
Lake Minnetonka Regional Park	Three Rivers Park District	City of Minnetrista
Maxwell Bay	MN DNR	City of Orono
North Arm	Hennepin County	City of Orono
Phelps Bay	City of Minnetrista	City of Minnetrista
Spring Park Bay	Hennepin County	City of Spring Park
Wayzata Bay	City of Wayzata	City of Wayzata

HIGHLIGHTS OF PROGRAMS AND ACTIVITIES

Aquatic Invasive Species (AIS)

Eurasian Watermilfoil (EWM) Harvesting Program

- Mechanical harvesting of EWM was conducted for 26 working days from late June through mid August. The first two weeks of the season were postponed due to minimal growth.
- EWM harvesting priorities were based on the accessibility of the harvesting equipment and impediment to public navigation, with a higher priority given to areas of the Lake that were matted. All areas that were accessible by the harvesting equipment were evaluated using this priority (the vast majority of Lake Minnetonka).
- The LMCD's fleet of equipment consisted of three harvesters and a transport barge.
- Approximately \$80,000 was spent on this program in 2013. Primary funding sources included the LMCD's AIS Management and Prevention Budget and a Minnesota Department of Natural Resources (MN DNR) grant.
- For further details, view the *2013 EWM Harvesting Report* on the LMCD's website at www.lmcd.org, under "Pamphlets and Reports."



LMCD Mechanical Harvester

Watercraft Inspections

- Since 2002, the LMCD has coordinated inspection of watercraft/trailers at public accesses on Lake Minnetonka. The 2013 program was a cooperative effort of the LMCD, Minnehaha Creek Watershed District (MCWD), Minnesota Department of Natural Resources (MN DNR), and Three Rivers Park District (TRPD).
- The goals of this program were to:
 - Inspect incoming watercraft/trailers, as well as educate watercraft owners and operators, to assist in preventing the introduction of new AIS into Lake Minnetonka; and
 - Inspect outgoing watercraft/trailers, as well as educate watercraft owners and operators, to assist in preventing the spread of AIS, in particular zebra mussels, from Lake Minnetonka.
- The MN DNR established Level 1 and 2 watercraft inspections throughout the state in 2012. In general both inspectors may:
 - Inspect watercraft for plants, other AIS, and contained water;
 - Notify a licensed, AIS trained peace officer of an alleged AIS violation;
 - Deny a launch or use of Lake Minnetonka (when deemed appropriate); and
 - Require AIS preventative action for problematic watercraft.

- There are two additional authorities provided to Level 2 inspectors. Those inspectors may:
- Respectfully complete a visual inspection of the inside of a watercraft; and
 - Conduct watercraft de-contamination procedures (when deemed appropriate).

The following highlights the 2013 Watercraft Inspection Programs for Lake Minnetonka:

- The MN DNR conducted Level 1 and 2 watercraft inspections on Lake Minnetonka (at no costs to the Lake Minnetonka community). Peak days and times covered by the MN DNR were coordinated to parallel coverage by LMCD inspectors (see below) at the Grays, Maxwell, North Arm, and Spring Park Bay public accesses.
- To compliment MN DNR inspectors, the LMCD contracted with Volt Workforce Solutions (Volt) to conduct Level 1 watercraft inspections at the Carsons, Cooks, Halsted, and Wayzata Bay public accesses.
- Watercraft inspections were conducted from Memorial Day weekend through Labor Day during the following days and times:
 - Fridays (11 a.m. to 7 p.m.);
 - Saturdays and Sundays (6 a.m. to 6 p.m.); and
 - Holidays (6 a.m. to 6 p.m.).
- The TRPD, through its gate attendants, inspected watercraft at the Lake Minnetonka Regional Park from early May through Labor Day. This was offered as an in-kind service estimated at 1,000 hours.
- Approximately \$33,472 was spent on this program. Funding sources included the LMCD, MCWD, and the MN DNR. This does not include the in-kind service from the TRPD.



MN DNR Inspector at Work; Copyright MN DNR

- For further details (including statistical findings), view the MN DNR's 2013 Summary Report of Watercraft Inspection Results at Lake Minnetonka on the LMCD's website at www.lmcd.org, under, "Pamphlets and Reports."

AIS Task Force

- The LMCD's AIS Task Force was established in 1989 (originally called the EWM Task Force). The primary goal of the Task Force is to provide guidance on a variety of AIS matters (including exploring other AIS management and prevention techniques).
- The Task Force is comprised of AIS professionals from various agencies, as well as other Lake Minnetonka stakeholders. In 2013, they met monthly.

- A summary of some of the topics discussed (with some remaining on the forefront) include the following:
 - Investigated the idea of creating a West Metro AIS Coordinating Committee (for the purpose of providing a more consistent message on AIS prevention and management techniques throughout);
 - Preliminarily reviewed prospective new AIS risks and preparations for the prevention or management of;
 - Reviewed 2013 watercraft inspection results for Lake Minnetonka and within the watershed (including options for 2014);
 - Reviewed 2014 AIS educational materials for Lake Minnetonka;
 - Reviewed and provided input to the MN DNR on a Lake Vegetation Management Plan submitted by the Lake Minnetonka Association for certain bays on Lake Minnetonka; and
 - AIS training for local law enforcement agencies (required to enforce AIS State laws).

LMCD Code of Ordinances

Qualified Commercial Marinas

- In September, the LMCD Board coordinated a workshop with Lake Minnetonka commercial owners at Tonka Bay Marina. At this meeting, the commercial marina owners expressed some concerns about certain aspects of the LMCD Code and requested that the Board consider amendments to it. Feedback from the LMCD Board was for the commercial marinas to firm up their requested changes in writing.
- At a February 12th Board workshop, the commercial marinas submitted a written proposal requesting three changes to the LMCD Code. These included: 1) allowing commercial sites to construct docks out to 200 feet from the shore, 2) to exempt them from needing to provide public amenities for approved special density licenses, and 3) to expedite the application process for "minor changes" to their facilities, by providing the LMCD Executive Director greater authority to administratively approve the applications (with conditions) rather than the LMCD Board.
- The LMCD Board discussed the commercial marina owners' proposal at its February 26th Regular Board Meeting. At this meeting, the Board agreed to support the idea of considering the changes proposed by the commercial marinas. In an effort to provide a streamlined and efficient review process, the Board also agreed to consider the changes for commercial marinas first, with yacht clubs and other commercial docks (i.e., municipal and transient docks) to be considered in the future.
- At its April 23rd Regular Board Meeting, the Board received public input and adopted an ordinance for "Qualified Commercial Marinas." This ordinance was a slightly modified version of the changes proposed by the commercial marinas (as recommended by the 2014 LMCD Executive Committee in conjunction with the commercial marinas).

Proactive Residential Code Enforcement Program

- Since 2006, the LMCD has coordinated the Proactive Code Enforcement Program for the purpose of enforcing watercraft storage ordinances at residential sites on Lake Minnetonka.

- The primary enforcement efforts established for the Program are to identify and/or re-inspect sites storing: 1) five or more restricted watercraft that do not have a multiple dock license and 2) those storing three or four larger, restricted watercraft that do not comply with the 1:50' General Rule.
- The following 2013 enforcement priorities were established: 1) to take the necessary steps to resolve problematic sites from 2006 forward, 2) document new violations, 3) continue with the previously established communication process, and 4) re-inspect and define sites where necessary (working with LMCD prosecuting attorney when warranted).
- The LMCD encourages voluntary compliance for all sites identified as being out of compliance with LMCD's watercraft density ordinances. This process is offered via a two-part, non-sequential written communication process; both of which offer staff's assistance and provide educational material to further assess their storage needs.
- If compliance efforts are exhausted, staff documents the watercraft storage three days within a 14 day period, at which time a Complaint is filed with the LMCD prosecuting attorney.
- For further details, view the *2013 Proactive Code Enforcement Program Report* on the LMCD's website at www.lmcd.org, under, "Pamphlets and Reports."

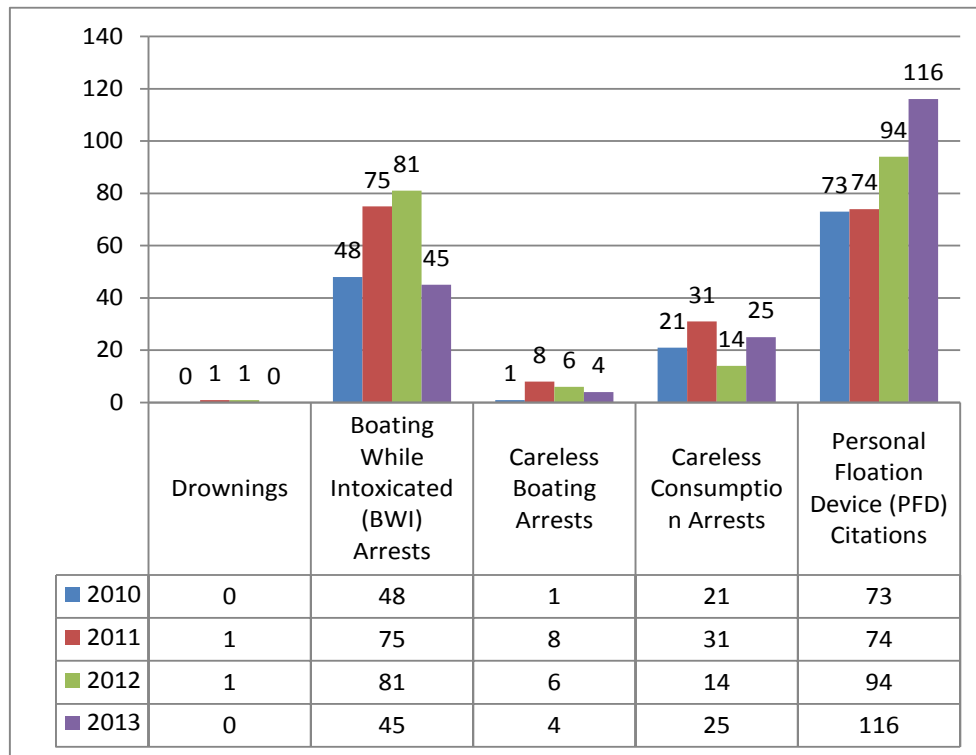
Hennepin County Sheriff's Office Water Patrol

- Enforcement of the majority of LMCD regulations relating to surface use activities was done so by the Hennepin County Sheriff's Office Water Patrol (Water Patrol). Representatives from the LMCD and the Water Patrol meet annually to update a Joint and Cooperative Agreement that provides for this.
- The Water Patrol's 2013 full-time staffing consisted of a Lieutenant, a Sergeant, six Deputies, and support staff.
- Staffing was supplemented by 28 Special Deputies (volunteers) in 2013, which are required to go through an extensive training program. The LMCD (through Save the Lake) annually recognizes one of the Special Deputies for their dedication to Lake Minnetonka (see page 10 under, "Public Outreach").
- The Water Patrol provides enforcement for bodies of water within Hennepin County, with Lake Minnetonka receiving the majority of its patrol time. Approximately 7,465 hours of patrol time were logged on Lake Minnetonka in 2013, up from 4,360 hours in 2012.



Hennepin County Sheriff Water Patrol

- Educational safety programs are a high priority for the Water Patrol. A Hennepin County Ice Awareness Detail was initiated in 2013 to better educate on the dangers of the poor ice conditions (contributing to the increase in patrol time from 2012).
- A summary of key Lake Minnetonka enforcement statistics (from 2010) are as follows:



Financial

- The LMCD’s operating budget is comprised of both a General and AIS Management and Prevention Fund. The budget is funded, in most part, by a levy through the 14 Lake Minnetonka member cities. The 2013 and 2014 levies were \$330,604 and \$340,615, respectively. The levies have remained relatively flat since 2009 (based on the LMCD’s recognition of the economic challenges that face the member cities).

Budget Year	Total Levy (General & AIS)
2009	\$330,649
2010	\$330,649
2011	\$330,649
2012	\$322,208
2013	\$330,604
2014	\$340,615

- The Save the Lake Fund was established in the 1970’s. It is a non-profit initiative of the LMCD to provide supplemental funding from privately raised, tax-deductible contributions.

The contributions received fund projects that benefit the environmental and recreational needs of Lake Minnetonka, which are not funded through the LMCD's budget.

- Some of the projects fully or partially funded by Save the Lake in 2013 and 2014 included:
 - Expansion and replacement of red and green solar lights (see page 10 for further details);
 - Establishing a Lake Minnetonka Boater Safety Education Program (see below);
 - Purchase of "No Anchoring" buoys for Hennepin County Environmental Services for Big Island; and
 - Purchase of public safety equipment for the Mound Fire Department.

Lake Use and Recreation

Lake Minnetonka Boater Safety Education Program

- The LMCD Board of Directors supported the Save the Lake Committee's recommendation to establish a Lake Minnetonka Boater Safety Education Program whereby youth (ages 12 to 17) work directly with presenters in obtaining their MN DNR Youth Operator Permit.
- Participants not only receive their Operator's permit but also knowledge of Minnesota boating laws through practical teaching, key on-board safety best practices, and the understanding and awareness of Lake Minnetonka's unique boating experience.
- Guardians were encouraged to attend to enhance the value of training.
- In November, a pilot course was coordinated by the Save the Lake Committee. Training for this course was provided by Committee member Jay Soule (with assistance from committee member Tom Skramstad and Board member Gary Hughes). Eight youth and six guardians attended this course. All youth, plus two adults, took the on-line MN DNR course and received either their MN DNR Youth Operator or Boating Safety Certificate.
- In April, the first of three 2014 coordinated sessions' were held. Training again was provided by Committee member Jay Soule. Fifteen youth and seven guardians attended this course. All youth, plus four adults, took the on-line MN DNR course and received either their MN DNR Youth Operator or Boating Safety Certificate.
- This project has been a true public-private partnership. Partners have included the LMCD (through Save the Lake), Marine Max, Mound Fire Department, Brian Roath, St. Boni Motor Sports, and the Water Patrol.
- Expenses for these two training courses were paid through the Save the Lake Fund.



April, 2014

Lake Minnetonka Boater Safety Education Training

Solar Light Program



- Since 2002, red and green solar lights have been installed on navigational buoys on Lake Minnetonka to assist in nighttime navigation.
 - This program has been highly successful and has expanded over the years; more recently 98 red and green solar lights in 2012 to 102 in 2013.
- Save the Lake funds 100% of the program costs (including the expansion and on-going replacement/maintenance costs for both the lights and respective brackets).
 - This important safety program has provided for the development of many positive partnerships. For many years now, the Lake Minnetonka Charter Boat Association, who not only contributes to Save the Lake, but also provides volunteers (primarily Al & Alma's and Paradise Charter Cruises) on an annual basis to install and remove the lights from Hennepin County's navigational buoys.

Public Outreach

- In February, the LMCD coordinated its annual Save the Lake Recognition Banquet at the Lafayette Club. The program for that evening included the following:
 - Recognition of the Water Patrol Special Deputy of the Year (awarded to Special Deputy Sgt. Steen Erickson);
 - An update from the Hennepin County Sheriff's Water Patrol on the recently purchased Remotely Operated Vehicle (partially funded by the Save the Lake Fund);
 - A salute to retiring LMCD Board members (Keith Kask- Deephaven and Mark Sylvester- Shorewood);
 - An update from State of Minnesota AIS Advisory Committee member Jay Green (who also serves on the LMCD Board; more recently as Vice Chair);
 - An update from Save the Lake Committee member Jay Soule on the 2013 Lake Minnetonka Boater Safety Education Pilot Program (as well as plans for 2014); and
 - An update from the City of Wayzata on their Lake Effect Project.
- The LMCD annually publishes two newsletters that summarize spring/summer and fall/winter projects and activities. The newsletter is distributed to over 6,000 Lake Minnetonka stakeholders.
- In 2011, the LMCD created a new and improved website. The goal of this project was to improve public awareness while providing a more efficient navigational tool. The LMCD



*Special Deputy Sgt. Steen Erickson Receives
Special Deputy of the Year Award*

regularly updates the website so that all can be kept up-to-date on current projects as well as general information. More pertinent information is highlighted under the “Hot Topic” section of the website, found on the front page.

- The LMCD continued partnering with the Lake Minnetonka Communications Commission (LMCC) on the taping of Board of Director meetings for public viewing. Cable subscribers in the Mediacom viewing area can view these meetings on their Government Channel 20. Air times are listed on their website at www.lmcc-tv.org. Additionally, you can view the meetings on their website, under “Video on Demand.”