

City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

November 1, 2016

Ms. Sarah Beimers
Government Programs and Compliance
State Historic Preservation Office
Minnesota Historical Society
345 Kellogg Blvd. W.
St. Paul, Minnesota 55102-1903

RE: Request for Historic and Cultural Resources Database Review
Wayzata Lake Effect Project
Wayzata, Minnesota

Dear Ms. Biemers:

The City of Wayzata is proposing revisions to the park area along the shore of Lake Minnetonka in Wayzata, Minnesota (the property). Please refer to the attached map to clarify the property location and areas of expected direct impacts.

The project will include improvements to the beach area, bike trail head, and parking areas around Lake Minnetonka in downtown Wayzata. The existing building off Barry Street will not be changed. The project also proposes a boardwalk connecting the park area on the west side of the project to a new nature preserve to the east. The new nature preserve area will include docks and additional wetland/vegetated areas. One building is within the area of the proposed project – the Section Foreman House. This building would remain in place but may be renovated.

The Section Foreman House is located at 738 Lake Street East, Wayzata, Minnesota. The building was originally constructed in 1913. The house is constructed of wood, concrete block, with concrete foundation walls. The typical interior finished included sheetrock/joint compound, ceiling tile, wood flooring, and vinyl sheet flooring. The exterior of the house has wood siding with an asphalt shingle roof system. The building is currently vacant. A photograph of the building is provided below.



In addition to the lake property, an additional parcel located along Bushaway Road, may be excavated to offset the change in floodplain storage due to the construction of the boardwalk.

We are requesting that you please review the project area to determine whether there are known or likely cultural resources at the property. The information received from you will be used as part of the preparation of an Environmental Assessment Worksheet for the project. If you have any questions or require additional information, please contact me at 952-404-5312 or Jennifer Wolff at 952-995-2454.

Regards,

A handwritten signature in black ink, appearing to read "Jeffrey R. Thomson". The signature is written in a cursive style and extends across the width of the page.

Jeffrey R. Thomson
Director of Planning and Building

Attachments

- Site location topographic map
- Parcel outline map
- Limits of disturbance map



BRAUN
INTERTEC
 11001 Hampshire Avenue S
 Minneapolis, MN 55438
 PH. (952) 995-2000
 FAX (952) 995-2020

Base files provided by:

WAYZATA LAKE EFFECT EA BASE DATA SKETCH
 PROJECT NAME
 ADDRESS
 LOCATION

LEGEND

— Limits of Disturbance

0 125 250 Feet

Project No:	B1607634
Drawing No:	B1607634_DataSkch
Scale:	1 in = 250 ft
Drawn By:	CMF
Date Drawn:	09/01/2016
Checked By:	JW
Last Modified:	9/23/16
Sheet:	Fig.
1 of 1	X



F:\2016\B1607634\GIS\B1607634_DataSkch.mxd

Google

Imagery ©2016, DigitalGlobe, U.S. Geological Survey

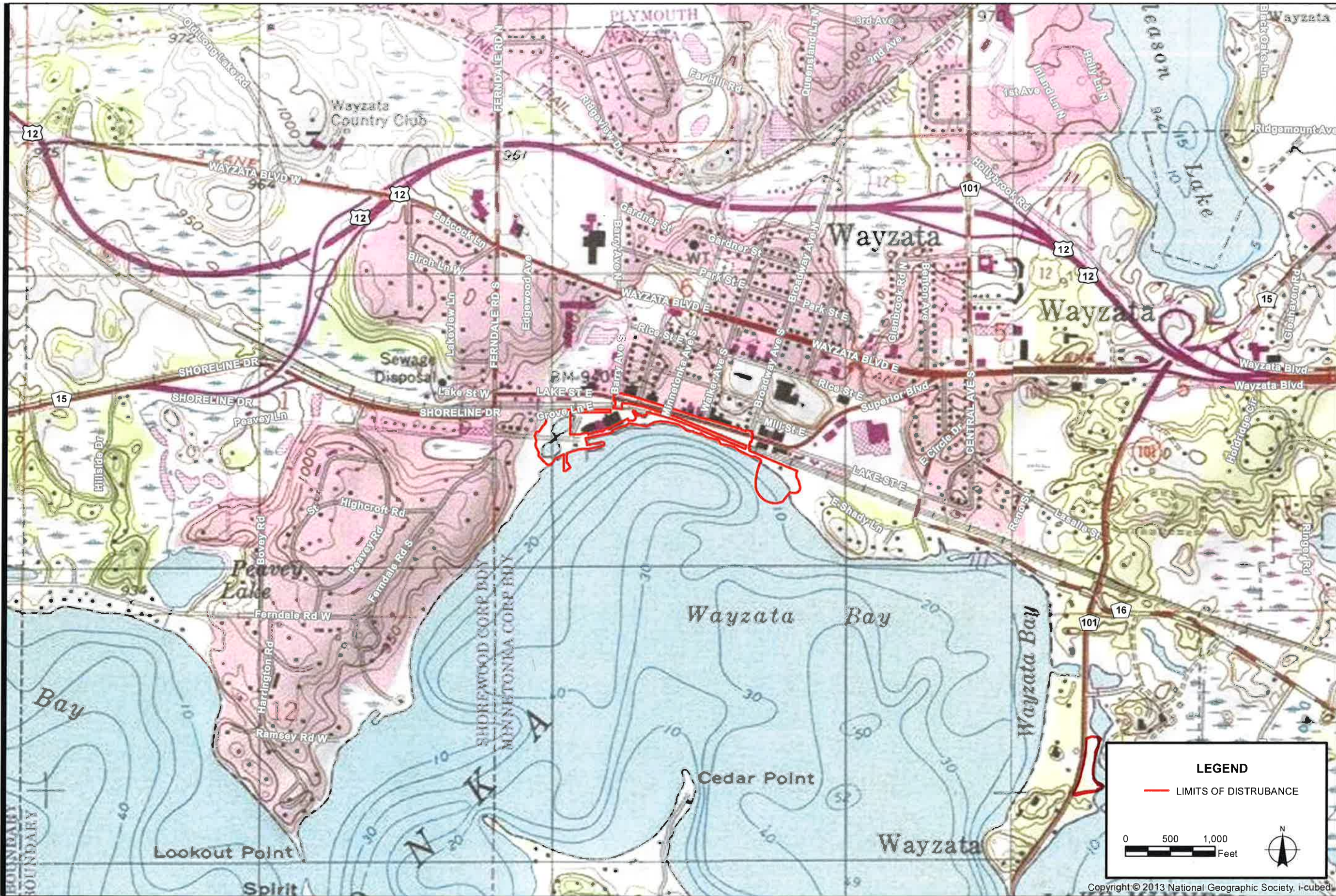
Wayzata Lake Effect

Legend

-  Limits of Disturbance
-  Wayzata



F:\2016\B1607634\GIS\B1607634_DataSketch.mxd



LEGEND

— LIMITS OF DISTURBANCE

0 500 1,000 Feet

N

Copyright © 2013 National Geographic Society, i-cubed

BRAUN INTERTEC

11001 Hampshire Avenue S
Minneapolis, MN 55438
PH (952) 995-2000
FAX (952) 995-2020

Base files provided by:

WAYZATA LAKE EFFECT EA BASE DATA SKETCH

PROJECT NAME
ADDRESS
LOCATION

Project No:	B1607634
Drawing No:	B1607634_DataSketch
Scale:	1 in = 1,000 ft
Drawn By:	CMF
Date Drawn:	09/01/2016
Checked By:	JW
Last Modified:	9/23/16
Sheet:	1 of 1
Fig:	X

MINNESOTA HISTORIC PRESERVATION OFFICE

December 8, 2016

Jeffrey Thomson
Director of Planning and Building
City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

RE: Wayzata Lake Effect Project
Improvements to Parkland along Lake Minnetonka
Wayzata, Hennepin County
MnHPO Number: 2017-0399

Dear Mr. Thomson:

Thank you for consulting with our office during the preparation of an Environmental Assessment Worksheet for the above referenced project.

We have completed our review of your letter dated 1 November 2016 which included baseline information regarding the City of Wayzata's proposed park improvement project along the shore of Lake Minnetonka.

Our records indicate the presence of both recorded archaeological sites and a historic/architectural property within the project area. Due to the location of the proposed project and proximity of known archaeological sites, we recommend that a Phase I archaeological survey be completed. The survey must meet the requirements of the Secretary of the Interior's *Standards for Identification and Evaluation* as well as our guidelines for completing archaeological surveys in Minnesota. The survey should include an evaluation of National Register eligibility for any properties that are identified. For a list of consultants who have expressed an interest in undertaking such surveys, please visit the website preservationdirectory.mnhs.org, and select "Archaeologists" in the "Search by Specialties" box.

We will reconsider the need for survey if the project area or more detailed park improvement plans indicate that project areas have been previously surveyed or disturbed. Any previous survey work must meet contemporary standards. **Note:** plowed areas and right-of-way are not automatically considered disturbed. Archaeological sites can remain intact beneath the plow zone and in undisturbed portions of the right-of-way.

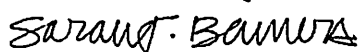
The **Great Northern Railroad, Wayzata Section House**, referred to in your letter as the "Section Foreman House", was previously determined by our office to be eligible for listing in the National Register of Historic Places (NRHP). Based on information included in the historic property file, it appears as though the City has been pursuing NRHP listing and has even completed a Historic Structures Report for the property (draft dated 2015). As you move forward with the park improvement project it will be

important for the City to either avoid direct impacts to this property (building and site) or, if any work on the property is proposed to be integrated into the park improvement project, then consideration should be given to appropriate preservation or rehabilitation treatment in accordance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties*.

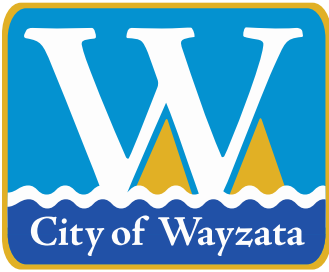
Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36CFR800, procedures of the Advisory Council on Historic Preservation for the protection of historic properties. If this project is considered for federal assistance, or requires a federal license or permit, it should be submitted to our office by the responsible federal agency.

Please contact me at 651-259-3456 or sarah.beimers@mnhs.org if you have any questions regarding our comments on this project.

Sincerely,

A handwritten signature in black ink that reads "Sarah J. Beimers". The signature is written in a cursive, slightly slanted style.

Sarah J. Beimers, Manager
Government Programs and Compliance



City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Dan Koch
Johanna McCarthy
Alex Plechash
Steven Tyacke

City Manager:
Jeffrey Dahl

March 7, 2017

Ms. Sarah Beimers
Government Programs and Compliance
State Historic Preservation Office
Minnesota Historical Society
345 Kellogg Blvd. W.
St. Paul, Minnesota 55102-1903

RE: Wayzata Lake Effect Project
Improvements to Parkland along Lake Minnetonka
Wayzata, Minnesota
MnHPO Number: 2017-0399

Ms. Biemers:

Thank you for your letter dated December 8, 2016, on the above-referenced project. In your letter, you made two recommendations:

1. Complete a Phase I archaeological survey
2. Appropriate preservation of the Section Foreman House

The purpose of this letter is to provide responses to these two recommendations, and to provide additional information regarding the project.

SHPO recommendation: complete a Phase I archaeological survey

In your letter, you indicated that you will reconsider the need for a Phase I archaeological survey if the project area or more detailed park improvement plans indicate that project areas have been previously surveyed or disturbed. The City of Wayzata believes that the Lake Effect project would be located within previously disturbed areas. I have enclosed the map that was provided in my previous letter, which shows the project area, and two additional maps that show the proposed project. The following provides additional information about the extent of impacts for the proposed project, and a more detailed description of the work:

- Wayzata Beach: On the west end of the proposed project area, the proposed project will make modifications to the existing man-made beach by adding a dock/pier and potentially a floating platform. This activity may impact some existing beach area as well as areas below the ordinary high water level (OHWL) of Lake Minnetonka. In the existing beach area, the

shoreline may be modified by removing some of the existing sand and moving the beach edge 14 feet further upland. The maximum depth of the excavation is expected to be one foot.

- Wayzata Depot: In the area to the east of the Wayzata Depot, which is currently grass park land and shoreland rip-rap, a series of terraces would be constructed, leading down to the lake edge. The terraces will include excavation of up to two feet of the lake bottom along the lake edge.
- Lake Boardwalk: The terraces would connect to a new lake boardwalk that would be constructed on the lake, between the Depot and the existing community docks located at Broadway Avenue. The lake boardwalk will be 10 feet wide, 1,193 feet in length, and will be located within the lake, but above the OHWL. At the community docks at Broadway, the lake boardwalk would connect to the existing upland sidewalk/driveway. From the Broadway docks to the Section Foreman House, the lake walk would be located entirely within the footprint of the existing driveway/sidewalk.
- Lake Street: In the central area of the project, the project includes reconstruction of the existing Lake Street, including modifications to parking, drive lanes, sidewalks, and pavement. The Lake Street area has been previously disturbed with many City of Wayzata utilities located beneath the street.
- Shoreline Restoration: The central shoreline from the Depot to the Broadway docks consists of a constructed rip-rap lake edge. The proposed plans include restoration of the shoreline with aquatic vegetation. However, the shoreline restoration would not impact or disturb the existing rip-rap, which provides structural stability for the lake edge and adjacent railroad tracks.
- Broadway Docks: The City currently owns and operates public docks at the end of Broadway Avenue, which includes permanent docks and transient seasonal docks. The proposed project will include adding additional permanent docks and boardwalk/pier at this location, in place of the current transient docks.
- Railroad Crossings: There are two existing railroad crossings located at Barry Avenue and Broadway Avenue. The proposed project includes safety improvements to these existing crossings.
- Eco Park: On the east end of the proposed project the area around the Section Foreman House, the improvements would include improved ADA access to the renovated and restored house, and construction of a fishing pier out into the lake. In addition, an underwater linear reef would be constructed, allowing the shoreline in this area to return to a more natural vegetative state.
- Floodplain and Shoreland Mitigation: Finally, as part of potential mitigation for the impacts to the lake bottom and lake volume, a parcel along Bushaway Road would be impacted by

construction activities. The existing man-made stormwater pond would be deepened to create new lake volume to compensate for fill in other areas of the project. I have included two land cover maps to show you the area that would be disturbed. Portions of this area have previously been disturbed by road construction and the installation of the man-made stormwater pond.

In summary, the expected impacts for this project are primarily within the lake itself, with minor impacts in areas that have been previously disturbed (existing beach, park land, railroad crossings, and public street.) Based on this additional information, the City is requesting clarification on which areas of the project you feel a Phase I archaeological survey is warranted.

Please keep in mind that for the entire project, if buried artifacts, human remains, cultural sites, or ground features are unexpectedly unearthed during ground-disturbing activities, all construction in that area will immediately cease and the resources will be examined by a professional archaeologist. Additionally, appropriate authorities, including the State Historic Preservation Office will be notified.

SHPO Recommendation: Appropriate preservation of the Section Foreman House

As you noted in your letter, consideration should be given to appropriate preservation or rehabilitation treatment for the building or surrounding area, in accordance with the Secretary of the Interior's "Standards for the Treatment of Historic Properties". The proposed project is still in the planning stages, so exact details of the proposed project, other than the general description provided above, are not available at this time. The City agrees with this recommendation and consideration will be given to these standards.

If you have any questions or require additional information, please contact me at (952) 404-5312.

Regards,

A handwritten signature in black ink, appearing to read "Jeff Thomson", with a long horizontal line extending to the right.

Jeffrey R. Thomson
Director of Planning and Building

Enclosures

CC: Jennifer Wolff, Braun Intertec

PROPOSED LAKE EFFECT SIGNATURE PARK










PROPOSED PROJECT POST-CONSTRUCTION
WAYZATA LAKE EFFECT
WAYZATA, MINNESOTA

LEGEND

-  LIMITS OF DISTURBANCE
-  PROPOSED PROJECT


0 125 250 Feet 

Project No:	B1607634
Drawing No:	B1607634_Fig4
Scale:	1 in = 250 ft
Drawn By:	CMF
Date Drawn:	01/20/2017
Checked By:	JBW
Last Modified:	2/9/17
Sheet:	Fig.
1 of 1	4


F:\2016\B1607634\GIS\EA\Stuffs\B1607634_Fig4.mxd


Wayzata Lake Effect EAW


Bushaway Road Parcel - Existing Land Cover

 Limits of Work

Existing Land Cover

 Wooded/Forest

 Brush/Grassland

 Lawn/Landscaping

 Impervious Surface

 Stormwater Pond

Data Sources:
- LMIC WMS server (2012 aerial)


AES Project Number: 16-0549

Date: 1/4/17

File Name: Wayzata EAW_bush_exist lc_2017-01-04



Applied Ecological Services, Inc.
21938 Mushtown Road
Prior Lake, MN 55372
952-447-1919
www.appliedeco.com

 Feet
0 25 50 100



Wayzata Lake Effect EAW

Bushaway Road Parcel - Proposed Land Cover

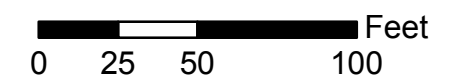
-  Limits of Work
- Proposed Land Cover**
-  Wooded/Forest
-  Littoral (Lakeshore) Wetland
-  Brush/Grassland
-  Lawn/Landscaping
-  Impervious Surface
-  Stormwater Pond

Data Sources:
- LMIC WMS server (2012 aerial)

AES Project Number: 16-0549
Date: 1/4/17
File Name: Wayzata EAW_bush_prop lc_2017-01-04



Applied Ecological Services, Inc.
21938 Mushtown Road
Prior Lake, MN 55372
952-447-1919
www.appliedeco.com



MINNESOTA HISTORIC PRESERVATION OFFICE

April 7, 2017

Jeffrey Thomson
Director of Planning and Building
City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

RE: Wayzata Lake Effect Project
Improvements to Parkland along Lake Minnetonka
Wayzata, Hennepin County
MnHPO Number: 2017-0399

Dear Mr. Thomson:

Thank you for continuing consulting with our office during the preparation of an Environmental Assessment Worksheet for the above referenced project. It has been reviewed pursuant to the responsibilities given the Minnesota Historical Society by the Minnesota Historic Sites Act (M.S. 138.665-138.666) and the Minnesota Field Archaeology Act (M.S. 138.40).

We last wrote to you on 8 December 2016 in response to your request that we review and provide comments as it pertains to the City of Wayzata's environmental review for a proposed Wayzata Lake Effect park improvement project (Project). Due to the presence of recorded archaeological sites, including sites on land and several in Wayzata Bay including the Wayzata Bay Wreck (21HE401), a historic property which is listed in the National Register of Historic Places (NRHP), our December 8th letter recommended that the City contract for the completion of a Phase I archaeological survey for the Project. Alternatively, the City could present to our office more detailed Project information and information as it pertains to previously disturbed areas within the Project. Your letter dated 7 March 2017 provides more detailed Project information and a statement that the City believes the Project would be located within previously disturbed areas. We have completed our review of your recent letter and supporting Project documents. Our comments are provided below.

Archaeology

The Minnesota Historic Preservation Office's National Register Archaeologist David Mather has reviewed your recent letter and additional Project documentation. His comments and recommendations are summarized below:

- Because it is surrounded by recorded archaeological sites, this Project is located in an area of high archaeological potential and cultural sensitivity. Recorded sites on land include mounds or other burial sites and there are several recorded sites in the water, including one that is listed in the NRHP (as noted above). There is no indication, either in our records or made by the City, that an archaeological survey has ever been completed for the park.

The new information submitted is helpful, but does not change our earlier recommendation that an archaeological survey of the park will need to be conducted for the Project. The consulting archaeologist should review Project plans, and determine the Area of Potential Effect, including areas needed for construction staging. They should then survey those locations where archaeological survey is appropriate, based upon research and field review. Since this is a small park, it may be most effective to simply have an archaeological survey done for the entire park. A comprehensive survey would ensure avoidance or appropriate treatment of any archaeological sites for the currently proposed Project as well as documentation the City could utilize for planning any future park improvements as well.

You mention in your letter that the City is committed to stop work, consult with our office and others, to address and appropriately treat any unexpected archaeological discoveries during project construction. We agree that an unexpected discoveries plan is beneficial for a Project such as this, but we caution the City that a plan for addressing unexpected archaeological discoveries does not substitute for completion of an archaeological survey during project planning. It has been our experience that the survey would meet the regulatory requirements in that it would identify any archaeological sites so that provisions in the Project design could be made in order to avoid effects to any archaeological sites prior to construction.

If you have not done so already, we recommend that the City initiate consultation with the Office of the State Archeologist as it pertains to their review role under both M.S. 138.40 and, as it pertains to human burials, M.S. 307.08.

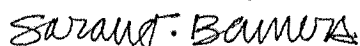
Historic Structures

As you are aware, the **Great Northern Railroad, Wayzata Section House**, referred to in your letter as the "Section Foreman House", was previously determined by our office to be eligible for listing in the National Register of Historic Places (NRHP). Your March 6th letter indicates that, although the proposed work to, and adjacent to, the historic property is still in planning stages, the City agrees with our previous recommendation that any work proposed on this historic property as part of the Project should be developed in conformance with the Standards. We look forward to additional consultation on this matter as Project plans are further developed.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36CFR800, procedures of the Advisory Council on Historic Preservation for the protection of historic properties. If this Project is considered for federal assistance, or requires a federal license or permit, including a U.S. Army Corps of Engineers permit for impacts to Waters of the U.S., it should be submitted to our office by the responsible federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

Please contact me at 651-259-3456 or sarah.beimers@mnhs.org if you have any questions regarding our comments on this project.

Sincerely,



Sarah J. Beimers, Manager
Government Programs and Compliance



Alex Fiorini, P.E. (ND)
Manager Public Projects

BNSF Railway Company
80 44th Ave. NE
Minneapolis MN 55421
763-782-3476
alexander.fiorini@bnsf.com

February 3, 2023

Jeffrey Dahl
City Manager
600 Rice St. E
Wayzata, MN 55391
jdahl@wayzata.ord

Dear Mr. Dahl:

This letter is intended to acknowledge the planning discussions that have taken place between BNSF and the city of Wayzata related to the City's proposed boardwalk that parallels the BNSF Right-of-Way along lake Minnetonka in Wayzata, MN. The City has been working productively with BNSF to produce an acceptable design, and we will continue to participate in that effort.

BNSF and the City already have an executed agreement covering the terms and conditions for the construction and maintenance of active warning devices at the nearby railroad crossings affected by the proposed boardwalk. The City is actively working with BNSF to produce an acceptable design for the boardwalk as well as schedule, coordinate, and procure the required contractor right of entry agreements before any work may commence on property. BNSF looks forward to working with the City to continue to advance the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Fiorini", written in a cursive style.

Alex Fiorini
Manager Public Projects

David G. Schelzel
Attorney DIRECT 612.341.9719
dschelzel@bestlaw.com

BEST & FLANAGAN LLP
60 South Sixth Street, Ste 2700 Minneapolis, Minnesota 55402
TEL 612.339.7121 FAX 612.339.5897 BESTLAW.COM

BEST & FLANAGAN

April 19, 2023

Jeffrey Dahl
Wayzata City Manager
600 Rice Street E
Wayzata, MN 55391
jdahl@wayzata.org

Re: City of Wayzata Ownership of *Panoway* Lakefront Property

Dear Jeff:

You have asked us to summarize the City's ownership of the strip of land along Lake Minnetonka in downtown Wayzata (PID 0611722310001) that is the subject of the City's application before the Lake Minnetonka Conservation District (LMCD) for a boardwalk width variance and dock modifications associated with the City's *Panoway* project.

In sum, the rights held by the City in this particular property date back more than 150 years to the original plat of the village of Wayzata, and dedication to the public of Lake Street as laid out in that plat, with the shoreline of Lake Minnetonka serving as part of its southern boundary. The associated riparian rights have been administered by the City for the benefit of the public ever since, and we are not aware of the existence or attempted exercise of any other valid riparian rights in the property. Over the years, the public riparian interests have been acknowledged and affirmed by the Minnesota Supreme Court (1893) and, together with the City's fee title interests reflected in Hennepin County property records, recognized more recently by the State of Minnesota as part of the major multi-million dollar grant awarded to the City for the *Panoway* project.

These long-standing rights are also the basis of the City's Broadway and Depot Docks that have been in place for years with LMCD licenses, as well as the planned boardwalk and docks associated with the next phase of the *Panoway* project.

The railroad's interests in the property are more narrow, as they are essentially limited to use and operation of the railway corridor right of way that runs east to west through the middle of the property and existing crossings in their established locations. That rail corridor right of way is the only area of the property where the railroad has exclusive rights. As you know, the City has communicated and worked directly with the railroad on several aspects of the *Panoway* project, including the expansion and safety enhancements of two crossings over the railroad right of way. In all of those communications, the railway has acknowledged and/or supported the City's plans for *Panoway* and in the case of the crossings, the City's ownership and the public's right to use the property to the north and south of the railway right of way for the project.

Jeffrey Dahl
April 19, 2023
Page 2

The next phase of the *Panoway* project involving the City's continued exercise of riparian rights in and to the property for the purposes of fostering, accommodating, and administering public use, access, and enjoyment of the shoreline area does not unreasonably interfere with the exercise of valid riparian rights by any other riparian owner, impede the railway's use or operation of its tracks, nor encroach upon the rail corridor right of way, which is approximately 15 feet or more from the shoreline.

Sincerely,

/s/ David G. Schelzel

BEST & FLANAGAN LLP
Wayzata City Attorney

cc: Robert Q. Williams, Best & Flanagan LLP



LAKE MINNETONKA CONSERVATION DISTRICT

5341 MAYWOOD ROAD, SUITE 200 • MOUND, MINNESOTA 55364 • TELEPHONE 952/745-0789 • FAX 952/745-9085

DATE: April 26, 2023 (Prepared April 19, 2023)
TO: LMCD Board of Directors
FROM: Maisyn Reardan, Administrative Coordinator
SUBJECT: Request for Funding: PIT Antenna Installation on Harrison Bay and Painter's Creek

ACTION

Board consideration of a funding request from Harrison's Bay Association to support the installation of two PIT Antennas on Harrison's Bay and Painter's Creek. The following motions are offered depending on whether the Board wishes to approve or deny the request.

Approval

I make a motion to authorize funding for Harrison Bay Association to support the installation of two PIT Antennas on Harrison's Bay and Painter's Creek and to authorize LMCD Staff to make payment upon verification and completion of the project <or other amount....>

Denial

I make a motion to deny the Harrison's Bay Association funding request for the two PIT Antenna installations for the following reasons...

BACKGROUND

In August 2022, the LMCD Board awarded funding to the Harrison Bay Association through the AIS Funding Program for a carp assessment in Harrison, Jennings, and West Arm Bay. In September 2022, Carp Solutions conducted three boat electrofishing surveys on Harrison, Jennings, and West Arm bays of Lake Minnetonka. In December 2022, a representative from Harrison Bay Association presented the results of the assessment as well as shared next steps in the process.

Since then, the AIS Committee has recently received and reviewed another application from Harrison Bay Association. The application submitted is a request for funds to install two PIT Antennas in Harrison Bay and Painter's Creek. These antennas will be set up to detect tagged carp in Harrison, West Arm, and Jennings Bays starting late March to late June 2023. The total cost of the project and the AIS Committee's recommended LMCD contributions are summarized in the table below:

Table with 3 columns: ACTIVITY, TOTAL COST, TOTAL LMCD GRANT. Row 1: Tracking Spring Migrations of Common Carp, \$7,000, \$5000

As of April 6, 2023, the AIS Committee approved to help fund the rental of the two PIT Antennas from Carp Solutions to track carp migrations in 2023 as part of the ongoing Westonka Carp Project. Therefore, the AIS Committee recommends that the LMCD Board approve the funding request.

CONSIDERATIONS

- Will funding these AIS prevention and management activities help protect the ecology of Lake Minnetonka and other lakes?
- Will additional AIS management projects help foster a safer and more enjoyable experience for those who use the lake?
- Does funding these initial projects have the potential of advancing bay-level organization and action for AIS prevention and management?

BUDGET

- Total LMCD Cost: \$5,000.
- AIS will use funds from the Equipment Fund to support the carp migration monitoring project.

STRATEGIC PRIORITIES

<input type="checkbox"/> Operational Effectiveness	<input type="checkbox"/> Clear & Timely Communications	<input type="checkbox"/> Effective Governance	<input checked="" type="checkbox"/> Lake Protection	<input type="checkbox"/> Other
--	--	---	---	--------------------------------

ATTACHMENT

- AIS Management Funding Request – PIT Antenna Installation Application
- Carp Solutions Carp Monitoring Proposal

Item 13A Attachment 1



LMCD Aquative Invasive Species (AIS) Project Funding Application

For LMCD Use: Date Received _____

1. Applications can be any of the following:

- Initial Baywide Chemical Application for AIS Treatment
- Initial Baywide Surveys required to obtain DNR lisencc or permits
- Others to be determined as program is further developed by LMCD

The purpose of this application is to provide the LMCD's AIS Committee relevant information about the AIS initiative being requested for funding. The application will be reviewed by the AIS Committee for approval. Full LMCD Board of Directors approval is required for successful funding.

2. Project Title:

3. Contact Information of Applicant

Name:		Title or Position:	
Address:			
Phone:			
Email:			

4. Project Location: description and attach a map of the lake area

5. Project Narrative: proposed project description, desired project timeline, other project partners (contractors, agencies, associations, stakeholders, professional service recommendations, etc.). Add additional information as appropriate.

6. Cost Estimate for project

I certify that the information provided herein and any attachments hereto are true and correct statements to the best of my knowledge. I agree to the conditions of the funding, if granted; and I consent to permitting officers and agents of the District to investigate at all reasonable times and to determine compliance with conditions of the funding.

Submitted by:	
Date:	

The purpose of this program is to encourage others to invest in AIS research, identification and removal activities directly associated with Lake Minnetonka. This program is intended to help initiate, promote and support AIS prevention and removal in Lake Minnetonka. This project support is intended to help incubate new projects around the Lake. Additional pages may be necessary.

ITEM 13A Attachment 2

Proposal for determining common carp spring migrations in Painter's Creek

March 22, 2023

Prepared by

Carp Solutions LLC

www.carpsolutionsmn.com

This proposal has two objectives:

1. Determine how many carp from Harrison, West Arm and Jennings bays migrate up the Painter's creek to spawn in the spring.
2. Determine if the fish barrier in Painter's Creek is able to stop the migrating carp.

These objectives will be addressed by installing two PIT antenna systems (one below the barrier and one above) in Painter's Creek and running them during late March-late June (3 months). These antennas will be set to detect the carp tagged in the three bays with PIT tags in 2022. Each of the carp has a unique ID/number so the data will be high resolution. The data will show: how many carp from each bay migrate, what percentage of each population migrates, how long is the migration season, do the carp from each bay migrate at the same time, how many carp migrate each day, how long the carp stay at the fish barrier, how many are able to cross the barrier. This data will be key in developing and accelerating future carp management strategies for this system.

At the conclusion of the study, we will analyze the collected data and submit a report with management recommendations.

This work will be conducted at a not-to-exceed budget of \$7,000. Detailed budget is presented below.

Tracking Spring migration of common carp in Painter's Creek	People	Hours	Rate	\$
Install and maintain PIT antenna to collect data March-June (below velocity barrier), 3 months	3	1	1000	3000
Install and maintain PIT antenna to collect data March-June (above velocity barrier), 3 months	3	1	1000	3000
Data analysis and Report with management recommendations				1000
Total				7000

11:44 AM

Lake Minnetonka Conservation District

Balance Sheet

As of March 31, 2023

04/20/23

Accrual Basis

	<u>Mar 31, 23</u>
ASSETS	
Current Assets	
Checking/Savings	
Alerus Checking	
1024M20 · Alerus Checking - STL	730.00
Alerus Checking - Other	40,560.43
Total Alerus Checking	41,290.43
1010M10 · Petty Cash	38.60
1090M10 · Alerus Bank - Savings	
1090M50 · Alerus Savings - Equip. Repl	125,652.32
1090M10 · Alerus Bank - Savings - Other	638,487.47
Total 1090M10 · Alerus Bank - Savings	764,139.79
Total Checking/Savings	805,468.82
Accounts Receivable	
1150M10 · Accounts Rec. - Gen	68,532.63
Total Accounts Receivable	68,532.63
Other Current Assets	
1300M10 · Due From Other Gov. - Gen.	1,820.00
Total Other Current Assets	1,820.00
Total Current Assets	875,821.45
Fixed Assets	
1640M90 · Fixed Assets	155,233.00
1645M90 · Accumulated Depreciation	-84,819.00
Total Fixed Assets	70,414.00
TOTAL ASSETS	946,235.45
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2090 · Accounts Payable	13,133.95
Total Accounts Payable	13,133.95
Credit Cards	
1087M10 · US Bank (Credit Card)	410.08
Total Credit Cards	410.08

11:44 AM

04/20/23

Accrual Basis

Lake Minnetonka Conservation District
Balance Sheet
As of March 31, 2023

	<u>Mar 31, 23</u>
Other Current Liabilities	
2020-LT · Payroll Liabilities - UNUM	-61.44
2020 · Payroll Liabilities -	3.14
2020M30 · Accounts Payable - AIS	6,800.00
2050M10 · Accrued Payroll - Gen	5,068.00
2150M90 · Accrued compensated absenses	10,593.00
2151M90 · Current portion of comp absens	7,865.93
Total Other Current Liabilities	<u>30,268.63</u>
Total Current Liabilities	<u>43,812.66</u>
Total Liabilities	43,812.66
Equity	
Retained Earnings	951,514.89
2910M10 · Fund Balance - Admin.	48,727.51
2910M20 · Fund Balance - S/L	226,468.17
2910M30 · Fund Balance - EWM	40,088.85
2910M50 · Fund Balance - Equip Repl	79,004.07
2910M90 · Fixed Assets - Conversion Fund	-585,732.00
Net Income	142,351.30
Total Equity	<u>902,422.79</u>
TOTAL LIABILITIES & EQUITY	<u><u>946,235.45</u></u>

Lake Minnetonka Conservation District
Session 2: May 24th, 3PM – 6PM

Workshop Purpose & Objectives:

- to review strategic plan and discuss committee structure.
- continue to develop high performing and cohesive board.
- provide clarity on the work of the agency and priorities.

Agenda

- 1) Check in and update (30 min)
 - a. What has happened since we last met?
 - b. What are some signs of living our agreements?
 - c. Where do we still have more room for learning and growth as a group?

Outcome: bring everyone up to speed, share observations and experiences, warm up for the work!

- 2) Review current strategic plan (30 min)
 - a. How close are we to achieving success in these areas?
 - b. What barriers exist?
 - c. What is still relevant?
 - d. What is missing?
 - e. What is no longer relevant?

Outcome: evaluate the status of the plan and decide on strategic priorities for the next 12-18 months

- 3) Review current committee structure (60 min)
 - a. What is working well? What should we keep doing?
 - b. What is not working well? What should we change?
 - c. What are we not doing, but need to?
 - d. What are we doing that we no longer need to do/what should we stop?
 - e. Who is going to do what by when?
 - i. Assign to existing committees, staff, or a new committee.
 - ii. If needed, prioritize actions.

Outcome: confirm or adjust the committee structure to ensure strategic plan is being carried forward with clarity and commitment

- 4) Competencies necessary for Executive Director (60 min)
 - a. What are the competencies & qualities that will be necessary for an Executive Director to be successful in our organization?

Outcome: agreed upon qualities and competencies that can be used for recruitment and assessment of candidates.



AIS COMMITTEE MEETING LAKE MINNETONKA CONSERVATION DISTRICT

Wednesday, August 10, 2022
6:00 p.m., In-person
Wayzata Community Room

1. CALL TO ORDER

- The meeting was called to order at 6:00 pm.

2. ROLL CALL:

- Members Present: Ben Brandt, Rich Anderson, Denny Newell, and Jake Walesch
- Members Absent: Bill Cook, Deborah Zorn

3. CHAIR ANNOUNCEMENTS

4. APPROVAL OF MINUTES (06/20/2022 LMCD AIS Committee Meeting Minutes)

- Approved

5. COMMITTEE STRATEGIC INITIATIVES

- A) Carp Population and Spawning Assessment (West Arm, Jennings, and Harrisons Bay)
- a. the proposal was reviewed thoroughly.
 - b. all agreed that the proposal was well prepared and though different from projects the AIS Committee has previously funded, that this program was within the scope of our Committee.
 - c. Jake said the formula (25% / 35% support from LMCD) that we have used previously, should be used for this CARP project with a "not to exceed" limit of \$8,007.
 - i. as before, payments to be made to service providers after proof of completed work
 - d. Richie made a motion to pass this proposal with the "not to exceed" limit of \$8,007.
 - i. Ben seconded the motion; the motion was approved by all.

6. OTHER BUSINESS

7. ADJOURNMENT

- The meeting was adjourned at 6:25 pm.

Respectfully submitted,

Denny Newell

AIS Secretary

COMMUNICATIONS COMMITTEE MINUTES

LAKE MINNETONKA CONSERVATION DISTRICT (LMCD)

March 22, 2023

8:30 AM, LMCD Office meeting

1. CALL TO ORDER

The meeting called to order at 8:35 a.m.

2. ROLL CALL

Members Present: Ann Hoelscher, Mike Kirkwood, Dan Baasen, Jim Brimeyer

Members Absent: Dennis Klohs, Jake Walesch

3. CHAIR ANNOUNCEMENTS

4. APPROVAL OF MINUTES

- Minutes from 01/10/2023 were approved unanimously.

4. TOPICS DRIVEN FROM STRATEGIC INITIATIVES

A) Goff Update

- a. Working on Summer Rules – final draft by email to committee

- i. Goff working on draft message on wake rule change; information on 300 ft and education campaign (where are two buoys now? Jim to poll staff)

- ii. Hoelscher to attend Goff call

B) Website

- a. Key word search improvement: Board members should use the website, and report any glitches; Brimeyer to review with Maisyn Reardan.

C) Document access – Sharepoint; Brimeyer to explore: can we get set up on website?

D) Continue to develop relationships with and update cities, legislators, agencies regarding LMCD initiatives

- a. Special guests: contact legislators toward end of current session

- b. Legislative priorities: Representative Meyers trash bill support? Brimeyer to talk with Water Patrol about the issue, and report back to LMCD Board Officers for April 5 meeting

E) Continue to refine feedback mechanisms for stakeholder and partner initiatives.

- a. No Action

F) Communications Committee to set priorities and initiatives and develop recommendations to Board for annual budget (2022-\$25000/2023 - \$20,000)

G) Other Business

- a. Kirkwood appointed permanent secretary for communications committee.

- b. Hoelscher to invite Board member Ryan Nellis to the Communications Committee

6. ADJOURNMENT

- Meeting was adjourned at 9:30 am
- Next meeting April 13, 8:30 am.

March 22, 2023

Page 2

Respectfully Submitted,

Mike Kirkwood

LMCD Communications Committee Secretary



FINANCE COMMITTEE MEETING MINUTES LAKE MINNETONKA CONSERVATION DISTRICT

Thursday, April 6, 2023
9:00 a.m, In-person

LMCD Office

1. **CALL TO ORDER:** 9:05 a.m.
2. **ROLL CALL:**
 - A. Members Present: Rich Anderson, Bill Cook, Denny Newell, Nicole Stone
 - B. Members Absent: None
 - C. Others Present: Jim Brimeyer, Maisyn Reardan, Dan Gustafson
3. **CHAIR ANNOUNCEMENTS**
 - A. Rich Anderson was reelected at Chair for 2023
 - B. Denny Newell was reelected as Secretary.
4. **APPROVAL OF MINUTES** (12/07/2022 LMCD Finance Committee Meeting): approved
5. **COMMITTEE STRATEGIC INITIATIVES**
 - A. Explore investment options: Cash Flow and Investment Options (Balance Sheet Funds to use portions thereof)
 - Rich Anderson stated that previous bank yields were so low that "investment" of our reserve funds was not as attractive as it is now.
 - Current reserve fund balance is around \$714,000 and interest rates are attractive
 - all agreed we need guarantees for LMCD investments if we seek higher yield
 - keeping investments below \$250,000 was discussed for safety should there be a bank failure, Some said that other banks could show greater guarantees....
 - Jim Brimeyer will check with our bank for security guarantees v. investment size.
 - all agreed that we should try to find a better home for \$500,000
 - B. **Finalize and maintain a Capital Equipment Plan: Merged into General Budget**
 - Jim mentioned that the upcoming need for document scanning equipment will create an expense and a need for a reserve fund for replacement.
 - All agreed to let this evolve as we get a better idea of costs for this new technology
 - C. Create new funding sources analysis.... Money Market/CD's
 - Jim will explore options
 - D. Review LMCD fee structure
 - We discussed our \$500 fees for dock variances and if we should be rebating \$250 to the applicant after approval?
 - We admitted we don't have a good handle on the amount of staff time needed to process an application. We all acknowledged that some applications were simple / others very complicated.
 - Jim agreed to get a better handle on staff time. It was discussed that fees might be a function of time with a "cut off" for a \$500 application.
 - E. Assess legal fees and use of attorney.
 - Not discussed

Respectfully Submitted,

Denny Newell
STL Secretary

SAVE THE LAKE COMMITTEE MINUTES

LAKE MINNETONKA CONSERVATION DISTRICT

5 p.m., August 9, 2022

In-Person

1. CALL TO ORDER

The meeting was called to order at 5:05 p.m.

2. ROLL CALL

- Members Present: Denny Newell, Dan Baasen, Gregg Thomas, Jay Soule, and Mike Kirkwood
- Members Absent: Rich Anderson, Mark Kroll, Bill Cook

3. CHAIR ANNOUNCEMENTS – none

4. APPROVAL OF AGENDA – approved.

5. APPROVAL OF MINUTES – (07/12/2022 STL Meeting Minutes) approved.

6. TOPICS

A) Dan mentioned that the summer appeal should go out before early September to local business. To-date only a "rough list" of businesses had been created.

- there was also open discussion if it was appropriate to solicit from small businesses that probably did not benefit directly from Lake Minnetonka. It was generally agreed that soliciting from business (many of them small) was not a reliable way to annually fund SAFETY on the Lake.

- there was open discussion on the long-term viability (sustainability) of soliciting the large amounts needed to annually support HCWP and SAFETY on Lake Minnetonka?

- Jay and Dan both remembered the days that STL was used for special "one -time" projects that came up on the Lake and questioned if it was ever intended to support a program this large on an annual basis?

- Mike, Jay and others discussed if "SAFETY" should be the responsibility of the Cities that abut Lake Minnetonka and possibly paid for annually by them, through the LMCD levy process?

- Dan and Greg thought that might be worth Board discussion- Jay suggested that STL appeals be directed to the large LMCD mailing list and go out "ICE OUT" and "YEAR END" only.

7. NEW BUSINESS

A) Dan has yet to discuss with Troy the feasibility and legality of creating a "Save Minnetonka Foundation" and attracting key individuals from the community to serve on the Board.

8. ADJOURNMENT

- The meeting was adjourned at 6:10 p.m.

- F. Fund reserves of 30% to 50% (target 35% and distribute excess over 5 years)
- All agreed that 35% was reasonable and safe.

6. OTHER BUSINESS: none

7. ADJOURNMENT: 4:30pm

Respectfully submitted,

Denny Newell

Finance Committee Secretary