

Lake Minnetonka Conservation District
Board of Directors
Update to Tonka Bay City Council
October 13, 2015

June 1 – September 9, 2015

The Board approved an ordinance allowing storage of governmental watercraft at licensed multiple dock facilities (typically marinas) to not count against the facilities' approved Boat Storage Units (BSUs).

The Board continues developing an updated strategic plan with the assistance of an outside consultant, Craig Rapp, LLC. The plan will be completed later this year.

The Hennepin County Sheriff's Office (HCSO) provided an update on Lake Minnetonka activities. They stated that the additional deputy funded by donations from the LMCD Save the Lake fund was beneficial.

The Board approved an ordinance amending LMCD regulations relating to qualified yacht clubs and qualified sailing schools. The amendment defines dock extensions, boat storage density, and restricted and unrestricted watercraft storage allowances.

Three Boater Safety Education courses were held in 2015 with over 60 youths obtaining their Department of Natural Resources Youth Operators Permit.

A special meeting was held with the HCSO, local ambulance services and other stakeholders to discuss issues that occurred on Lake Minnetonka and Cruiser's Cove over the recent July 4 holiday weekend. The primary purpose of the meeting was to discover what situations occurred. The HCSO had over 75 contacts on July 4; a high number of which were minors or young adults. Some of the problems identified were 1) trash; 2) emergency access (safety lanes at Cruiser's cove and emergency off load on the north shore of Lower Lake; 3) alcohol; 4) private transportation to Big Island for a fee. A letter from Hennepin County Commissioner Jan Callison to Sheriff Rich Stanek said that a temporary site on the north end of the lake has been confirmed while work continues on a permanent access for public safety purposes.

The Board received several presentations on Electric Shock Drowning (ESD). ESD is drowning resulting from paralysis caused by electrical currents in the water. This happens when electricity that is installed around boats and docks leaks into the water. The link regarding ESD has been added to the LMCD website and handout materials are available.

The Board and representatives from Three Rivers Park District, Lake Minnetonka Association, Hennepin County Sheriff's Office, Minnehaha Creek Watershed District, Minnesota Department of Natural Resources, the City of Orono and other stakeholders discussed potential ways to reduce littering on Lake Minnetonka. Suggestions were summarized into four categories - education, enforcement, legislative, and physical projects. It was suggested that 1) a "zero waste" event be publicized for the Labor Day holiday; 2) E-coli testing be conducted at Cruiser's Cove before and after Labor Day; 3) the public safety lanes at Big Island need to be addressed; and 4) there is a need to explore funding for additional law enforcement at Big Island.

During a public comment period a Tonka Bay resident suggested the LMCD should regulate the size and not the number of restricted watercraft stored by riparian owners.

The Board approved a 2016 Multiple Dock and variance license for Driftwood Shores Association on Harrison's Bay.

The Board approved a limited change for municipal Planned Unit Development dock license ordinance. The ordinance will allow municipalities to extend their dock use area (DUA) to 200 feet within a carved out shoreline that would maintain a separate license, on the condition that only half of the DUA would be utilized. This clustering of docks would preserve half of the shoreline/DUA without any watercraft storage.

Jay Green resigned as the LMCD vice chair, but will remain the City of Mound's LMCD representative. It was agreed to delay nominations for a replacement, perhaps to the end of the year, until the Board and Executive Committee address the reasons for the resignation. Gregg Thomas will serve as both the LMCD vice chair and secretary until the seat is filled.

The LMCD completed their 2015 Eurasian Watermilfoil harvesting. All of the Upper Lake and a few areas of the Lower Lake were harvested twice.

Charlie LeFevere, indicated he will be retiring as LMCD's legal representative. The Board approved a Request for Proposal (RFP) and process for selecting a new civil and legal representative.

The Minnesota Court of Appeals filed their decision in the case of several neighboring landholders versus LMCD and EOF Investments (Brown's Bay Marina). The Court concluded that the neighbors' due process rights were not violated and that LMCD did not violate its Code. However, they reversed LMCD's grant of the variance and remanded for consideration of EOF's variance request under the "undue hardship" rather than the "practical difficulty" or "particular hardship" standard. Both parties will be asked to submit their interpretations of the term "undue hardship" for the Board's consideration.

The Board continued to discuss the Executive Director's performance review. It was agreed to hire a human resources consultant to assist in finalizing the review and help establish a review process for the future.

The Board approved submittal of an Environmental Assessment Worksheet (EAW) for Bean's Greenwood Marina. The EAW is mandated by the State when any proposed expansion exceeds 20,000 square feet.

Submitted by Gregg Thomas
September 22, 2015