



CARVER COUNTY PARKS

11360 Highway 212 West, Suite #2
Cologne, MN 55322
Phone (952) 466-5250 Fax (952) 466-5223
www.co.carver.mn.us/parks

Division of Public Works

11360 Hwy. 212 West, Suite #1
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Carver County Park Commission Regular Meeting

7:00 p.m.

Wednesday, November 9th, 2011

*Public Works Building
11360 Hwy 212, Cologne, MN 55322*

Agenda

- 1) Call Regular Meeting to Order (7:00 p.m.)
- 2) Roll Call (7:01 p.m.)
- 3) Approval of the September 14th, 2011 Regular Meeting Minutes (7:02 p.m.)
- 4) Additions or Deletions to the Agenda (7:03 p.m.)
- 5) Approval of Agenda (7:04 p.m.)
- 6) Commissioner Liaison Report (7:05 p.m.)
- 7) Open to the Public
- 8) Old Business (7:10 p.m.)
 - a. Aquatic Invasive Species Inspections at Lake Minnewashta Regional Park
- 9) New Business (7:45 p.m.)
 - a. Policy and Direction for Future Capital Improvement Projects
(Information to be provided at meeting)
 - b. Legislative Platform Request Pertaining to Parks
- 10) Staff Reports (7:55 p.m.)
 - a. Dakota Rail Regional Trail
 - i. Phase I Construction
 - ii. Phase II Planning
 - iii. Depot Area Planning
 - b. TH 41 Trail and Underpass
 - c. Union Pacific Railroad Acquisition
 - d. Southwest Regional Trail Connections
 - i. Victoria
 - ii. Chaska/Chanhassen
 - e. Events and Activities
- 11) Commission Member Reports (8:00 p.m.)
- 12) Set Next Meeting Date (8:05 p.m.)
- 13) Adjourn Meeting (8:10 p.m.)

Please note if a Commission Member cannot attend the meeting, please call the Park Office at 466 – 5250.

Draft
Meeting Minutes
September 14th, 2011 Regular Meeting

- Members Present:** Neil Wingert, Jerald Moja, Thomas Hermann, Cindy Dobratz, Gail Von Bargaen, Myron Karki and Commissioner Tim Lynch
- Staff Present:** Marty Walsh, Lenny Klevan Schmitz
- Public Present:** NA
- CALL TO ORDER -** Moja called the meeting to order at 7:00 p.m.
- MINUTES -** Wingert motioned to approve the August 10th, 2011 minutes. Hermann seconded the motion. Motion passed 5-0.
- AGENDA-** Karki motioned to approve agenda. Wingert seconded the motion. Motion passed 5-0.
- OPEN TO THE PUBLIC-** No one was in attendance that wanted to speak on items not on the agenda.
- LIAISON REPORT-** Lynch reported that Carver County is still looking at options to finance the purchase of land for Lake Waconia Regional Park. Additionally, he noted that he met last Monday to discuss AIS as part of the city council work session.

DISCUSSION

- a. Aquatic Invasive Species inspections

Walsh briefly went through a PowerPoint presentation which was part of a stakeholders meeting back on 9/1/2011 on the topic of AIS which was put on by the DNR.

After the presentation the park commission had a lengthy discussion about AIS management.

At the end of the discussion the park commission formulated the following opinion on the topic of AIS:

After much consideration the Carver County Park Commission resolves to support the Lake Minnewashta Preservation Association (LMPA) in developing an AIS/Zebra Mussel prevention strategy for Lake Minnewashta Regional Park. The Park Commission does not support the installation of gates or the utilization of Lake Minnewashta Regional Park as a regional inspection location. Furthermore the Park Commission will not, at this time, recommend budgeting for funds to be used at Lake Minnewashta Regional Park for AIS inspections.

The Carver County Park Commission is supportive of the DNR in their funding requests and further supports the DNR's plans to expand AIS inspections on a statewide basis.

NEW BUSINESS

a. Onan Observatory Lease Agreement

Klevan Schmitz provided a memo regarding the desire to enter into a new 10 year lease with the Minnesota Astronomical Society (MAS) for the operation of the Onan Observatory at Baylor Regional Park. Klevan Schmitz discussed the history, public benefit and outlined most of the changes to the lease from the original lease which was over 20 years old.

Karki motioned to recommend approve of the lease agreement for the Onan Observatory. The motion was seconded by Wingert. Motion passed 6-0.

STAFF REPORTS-

a. Dakota Rail Regional Trail

Phase I

Walsh stated that the contractor is working on punch list items to complete the trail project including stripping the trail and minor fixes. Staff hopes to have the project completed later this fall.

Phase II

Walsh reported that the engineering consultant is working on the Project Memorandum which should be reviewed by staff this fall. Plans are still on schedule to bid the project this winter for 2012 construction.

b. Update on the Lake Minnewashta Regional Park/TH 41 Trail and Underpass

Walsh reported that the approval and review process is continuing. Staff will be attending a workshop session with the City of Chanhassen on September 26th to discuss the Joint Powers Agreement for the project. Plans are to bid the project after the first of the year when the bidding climate is typically most beneficial.

c. Union Pacific Railroad/Extension of the Minnesota River Valley Bluffs Regional Trail

Walsh reported that Union Pacific has finished the appraisal of the property and needs to accept the appraisal prior to closing. Walsh also indicated there are a few last minute items to wrap up but hopes to have a closing schedule sometime in the next 30-45 days.

d. Events and Activities

Klevan Schmitz provided a handout which had the upcoming events and program for the remainder of 2011 and into 2012. He noted the chili cook-off and invited the park commission to attend and assist with judging if possible. Klevan Schmitz also mentioned upcoming candlelight ski events at Baylor Regional Park and Lake Minnewashta Regional Park which have been popular and help is always welcome. Lastly, Klevan Schmitz talked briefly about some of the joint archery classes being offered this fall at Lake Waconia Regional Park and Baylor Regional Park.

e. Southwest Regional Trail Connection

Walsh reported that the initial kickoff meeting for this project is scheduled for Friday (9/16/11). The project includes two trail connections, one in Chaska from the Mn River Bluffs trail to Engler Road and another section in Victoria. Eventually these two trail sections will meet to form the SW Regional Trail Connection.

Commissioner Reports

Karki invited everyone out the Nickel Dickel Days in Waconia this coming weekend (September 17-18). Karki mentioned it is the 50th anniversary of this event!

NEXT MEETING - October 12th, 2011

ADJOURN - Von Barga made a motion to adjourn. Hermann seconded the motion. The motion passed 6-0. Meeting adjourned at 8:36 p.m.



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Memorandum

Date: November 2, 2011

TO: Carver County Park Commission
CC: Lyndon Robjent, County Engineer
FROM: Martin Walsh, Parks Director
RE: Pilot Program for Aquatic Invasive Species Inspection

At the July 11, 2011 park commission meeting, the commission was introduced to the topic of aquatic invasive species (AIS). The issue of preventing Zebra Mussels and other aquatic invasive species is challenging. While the Park Commission did not recommend approval of the requested pilot project at which would have involved the lakes of Minnewashta, Lotus and Christmas, they strongly encouraged the County to do what it could concerning the prevention of Zebra Mussels from entering area lakes and is supportive of inspections at Lake Minnewashta Park to obtain data which may assist with the development of a more comprehensive approach to reducing the spread of invasive species.

The County Board met in a workshop session on July 26, 2011. Steve Gunther, President of the Lake Minnewashta Preservation Association made a presentation to the County Board concerning the Pilot AIS (Aquatic Invasive Species) Prevention Project.

The Board was requested to participate in the pilot project and to budget a change to 2012 gate fees to provide sustainable ongoing funds for 100% AIS inspections at Lake Minnewashta Regional Park.

In the workshop session, the Board was unable to take action but gained a better understanding of the issues surrounding the proposed pilot project.

The Board had legal questions concerning the pilot program as presented and asked that the item be placed on the August 10, 2011, Park Commission Meeting Agenda.

August 10, 2011 the Park Commission review information pertaining to County's legal authority to administer use, allocation and control of waters of the State, ability to charge a fee for inspection of watercraft, ability to regulate surface water rules, preserve and protect a lake located entirely or practically in the County.

Park Commission tabled action on the proposed pilot program at the August 10, 2011 meeting.

At the meeting of the Park Commission on September 14, 2011 the topic of aquatic invasive species was placed on the agenda as a discussion item. No formal action was taken, however commission members did state they were supportive the Lake Minnewashta Preservation Association (LMPA) in developing an AIS/Zebra Mussel prevention strategy for Lake Minnewashta Regional Park. That the commission

was not supportive of the installation of gates or the utilization of Lake Minnewashta Regional Park as a regional inspection location. They further stated the Park Commission will not, at this time, recommend budgeting for funds to be used at Lake Minnewashta Regional Park for AIS inspections.

Commission members were supportive of the DNR in their funding requests and the DNR's plans to expand AIS inspections on a statewide basis.

Staff has prepared a resolution for the commission to consider at the November 9, 2011 Park Commission meeting. The resolution was formulated with the below considerations in mind and is included in the packet of information for the meeting.

- The pilot program is not recommended. Setting up a pilot program which would not incorporate the other lakes of the County would likely be viewed as inequitable. Other lake shore owners will request similar considerations.
- Funding for a large scale AIS inspection program across the County is not contemplated. The State administers boat license fees for over 800,000 water craft. License fees often support programs pertaining the activity the license fee is charged.
- The County does not have the authority to increase fees for AIS inspections at Lake Minnewashta.
- The proposed pilot program would gate public access points but not private access points. Because there would not be barriers at private access points, members of the public would likely view those living on the lake as having special privileges and there is no guarantee that all homeowners would comply.
- The development of a program for AIS needs to be consistent throughout the state. The way to ensure consistency is to have the state oversee the program so it is administered in a consistent manner. A boat user could expect to be treated similarly from one access to another in the state. Information would be distributed state wide through existing means.
- The proposed pilot program puts the County in an awkward position. The County lacks legal authority to implement the program. Logistically there would be a number of issues that are not easily overcome.
- The proposed pilot program is cumbersome enough to deter people from accessing the lakes.

Steps that have been taken at Lake Minnewashta to prevent the spread of AIS include:

- Replacing signage at boat accesses informing boaters to remove AIS. Installed new signage to facilitate inspections.
- Worked with DNR staff and the Lake Minnewashta Preservation Association on inspections and a location within the park for inspections.
- Gate attendants have distributed literature from DNR and Minnehaha Creek Watershed District on how to prevent the spread of AIS.

Steps that can be continued or taken:

- Continue to facilitate DNR inspection programs including related grant programs to educate the public and work to prevent the spread of Zebra Mussels to Lake Minnewashta.
- Continue to distribute literature and remind boaters about ways to prevent the spread of AIS.
- Recommended to the County Board that it adopt as a part of its 2012 legislative platform an AIS legislative priority to have the DNR develop and implementation plan to prevent the spread of AIS for the 2012 boating season. The resolution could include:
 - Implement a system of boat tracking, inspections and decontamination to prevent the spread of AIS
 - Supporting the DNR in securing funding to help off-set the cost for inspections
 - Consider implementing a statewide effort to prevent the spread of AIS through license centers, marinas and other businesses which sell licenses, bait and gas or provide lake services

- Support a certification system for frequent users of lakes to be certified AIS compliant
- Authorize the DNR to be able to delegate authority to local units of government the ability to implement AIS prevention program consistent with the state statutes.

Additional, the County received a letter from the Minnehaha Creek Watershed District asking for a resolution of support for them to lead on the issue of AIS for the Minnehaha Creek District area. There is not a lot of detail as to what solutions may be introduced or how a proposed pilot program would or would not affect Lake Minnewashta Regional Park.

Recommendation: It is recommended that the County continue to facilitate DNR inspection programs including related grant program to educate the public and work to prevent the spread of Zebra Mussels to Lake Minnewashta. Further, literature would be distributed to remind boaters about ways to prevent the spread of AIS. Additional it is requested that the Park Commission recommend to the County Board a resolution adopting as a part of the Board's 2012 legislative platform an AIS legislative priority to have the State DNR develop and implementation plan to prevent the spread of AIS for the 2012 boating season. It is not recommended that the County increase fees or provide general funds for inspection at Lake Minnewashta. It is not recommended that a resolution of support be provided to the Minnehaha Creek Watershed District at this time.

**BOARD OF COUNTY COMMISSIONERS
CARVER COUNTY, MINNESOTA**

Date: _____

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Draft

**A Resolution Adopting Aquatic Invasive Species (AIS)
Legislation as a part of the Carver County Board's 2012 Legislative Platform**

WHEREAS, Carver County recognizes the threat of Aquatic Invasive Species (AIS) to infest area lakes and diminish social, recreational and economic values of lakes populated with AIS and ,

WHEREAS, current legislation is inadequate to prevent the spread of AIS, and

WHEREAS, the State Department of Natural Resources (DNR) is developing a statewide plan to prevent the spread of AIS, and

WHEREAS, the County is supportive of increased measures to stop the spread of AIS which may include the following:

- Implementation of a system of boat tracking, inspections and decontamination to prevent the spread of AIS.
- Supports the DNR in securing funding to help off-set the cost for inspections
- Consider implementing a statewide effort to prevent the spread of AIS through license centers, marinas and other businesses which sell licenses, bait and gas or provide lake services.
- Support a certification system for frequent users of lakes to be certified AIS compliant.
- Authorize the DNR to be able to delegate authority to local units of government the ability to implement AIS prevention program consistent with the state statutes.

NOW, THEREFORE BE IT RESOLVED, the Carver County Board adopts as a part of its 2012 legislative platform a request to the State that it approve additional measures to prevent the spread of AIS for the 2012 boating season.

YES

ABSENT

NO

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the _____ day of _____, 2010, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2010.

Dave Hemze

County Administrator



The Minnehaha Creek Watershed District is committed to a leadership role in protecting, improving and managing the surface waters and affiliated groundwater resources within the District, including their relationships to the ecosystems of which they are an integral part. We achieve our mission through regulation, capital projects, education, cooperative endeavors, and other programs based on sound science, innovative thinking, an informed and engaged constituency, and the cost effective use of public funds.

10/5/11

Administrator David Hemze
Carver County
605 E 4th St
Chaska, MN 55318

Dear Administrator Hemze,

As you know, aquatic invasive species (AIS) are a significant threat to our region’s lakes, rivers and Minnehaha Creek. Left unmanaged, they will negatively impact local businesses, communities and the ability to enjoy boating, fishing, swimming and the valuable natural resources of this area. While AIS are a growing concern across the state, there is local urgency to find community solutions. Time is running out to prevent their spread to water that is not yet infested.

AIS are best handled on a statewide basis. However, given the challenges facing the state, the Minnehaha Creek Watershed District (MCWD) is in a position to help address this issue locally. If we are proactive in developing regional solutions, we may be able to reduce the spread of AIS while protecting our community’s most valuable natural resources in a way that could become a model for the rest of Minnesota.

In August, the City of Shorewood City Council took the first step toward supporting a regional approach by passing a Resolution asking the MCWD to lead the management of AIS control and prevention across the watershed. The Shorewood City Council firmly believes a single entity covering a more regional area is best suited to pursue potential solutions to this problem.

Although specific programs have yet to be determined, the MCWD has begun the process of amending its comprehensive plan which sets the framework to put AIS management plans in place. Prior to investing money in such an approach, the MCWD Board of Managers wants to know if you support a district-wide AIS management program.

With your support, the MCWD is ready and willing to lead on this issue – utilizing our staff, scientific expertise and financial resources. In keeping with our regional reach and MCWD’s mission to protect water quality, we will partner with local communities like yours to lead a transparent process, ensure public input is heard and implement a regional approach. If we act now, solutions and pilot projects could be introduced in time for the 2012 summer recreation season.

Please join us in developing a region-wide plan to protect the waterways in our community by passing a Resolution to address the spread of AIS. We respectfully request a response by November 30, 2011.

Whether or not your Council has approved a Resolution addressing the spread of AIS, I'd be delighted to come and speak to your Council about how the MCWD can help protect the region's lakes and streams from AIS. I'll be contacting you in the coming days to see if you'd be interested in a presentation.

Please contact me at 952-471-0590 with any questions you may have on this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Evenson", written over the typed name.

Eric Evenson
Administrator
Minnehaha Creek Watershed District

Enclosure



Issue #?? Lake Waconia Regional Park Land Acquisition

Background

Lake Waconia at 3000 acres is the second largest lake in the metropolitan area and a regional attraction for water based recreation activities. The existing public boat access on the northeast side of the lake is overwhelmed with use. Frequently long lines of vehicles with trailers park along the busy County Road 92 between St. Bonifacius and Waconia.

Carver County has an approved Regional Park Master Plan for Lake Waconia Regional Park. This master plan includes the creation of public boat access within the park boundary. Funding is requested to purchase land for the boat access and related property for Lake Waconia Regional Park. The proposed acquisition would improve public access to a regionally significant body of water, increase recreational opportunities and user satisfaction at an existing regional park. Additionally, funding is requested to develop the boat access entrance drive, aquatic invasive species inspection/removal station, launch and parking for 40 vehicles with trailers and 20 additional vehicle water access parking stalls.

The State has a long history in providing outdoor recreation and access to public bodies of water. Land need for the public boat access on Lake Waconia is available by a willing seller. Carver County has an approved park master plan which includes the land identified for the public boat access and related park activities. Legislative assistance is requested for this acquisition and development of the site.

Requested Position

It is requested that the State bond for a portion of the land acquisition and the development costs to acquire 19 acres of land needed for Lake Waconia Regional Park and develop a public boat access.



**Issue # ???: Eligibility for the Parks and Trail Legacy
Grant Program Administered through the State
Department of Natural Resources**

Background

The 2011 legislation pertaining to the Outdoor Heritage Fund removed Regional Park Implementing Agencies of the seven county metropolitan area from being eligible to compete for Parks and Trail Legacy Grant Program funds administered through the State Department of Natural Resources. This legislation declares that regional park implementing agencies are not eligible to apply for grant funds created by sales tax proceeds that are generated throughout the state.

Requested Position

Regional Park implementing agencies of the seven county metropolitan area be allowed to compete for Parks and Trails Legacy Grant Program funds administered through the State Department of Natural Resources for projects of state or regional significance.



Issue # ??: Preventing the Spread of Aquatic Invasive Species

Background

Aquatic Invasive Species (AIS) exist in numerous lakes in Minnesota. AIS presents a threat to the ecosystems of Minnesota Waters out competing native fish and other species, they threaten to impair recreational activities of Minnesota Waters of fishing, swimming and boating. AIS can pose economic hardships to pay for their removal from lakes, watercraft, docks and piers. Additional, local economies can be impacted by AIS when the desirable attributes of lakes such as fish population, beaches, shorelines are impacted by weeds, sharp mussel shells making these lakes less desirable to visit and thus impacting the local economy due to a reduction in user visits to an area. AIS are easily transported by boats, trailers, live wells, docks, boat lifts and bait containers.

Requested Position

It is requested that the Legislature provide the State Department of Natural Resources an increase funding to support aquatic invasive species inspection and approve additional measures to further prevent the spread of aquatic invasive species for the 2012 boating season. It is also requested that the DNR be authorized to develop aquatic invasive species prevention program which could be delegated to a qualifying local units of government to manage AIS. The local unit of government would need to obtain a permit from DNR for an approved AIS control plan.



Issue # ??: H.R. 3074 Management of Cormorant population on Lake Waconia

Background

The City of Waconia along with local land owners and businesses have been working with the Minnesota DNR, US Fish and Wildlife Service and the US Department of Agriculture to try and manage the increasing Double Crested Cormorant population on Lake Waconia. The Cormorant population is damaging the tree canopy on the 32 acres Coney Island of the West and impacting the natural ecosystem of the lake.

Due to the Migratory Bird Treaty Act of 1918, Minnesota and other states currently have a small role in the control of migratory birds which are damaging natural resources within an ecosystem. Congressman Kline, together with Congressman Peterson, introduced the “Cormorant Management and Natural Resources Protection Act” (H.R. 3074) which would allow states to have a larger role in determining the management of the Cormorant population by creating a plan that is reviewed by the Federal Department of the Interior. This bill would assist the states, and the local communities, in managing the damaging populations of the Double Crested Cormorants in the country.

Requested Position

It is requested that the Minnesota Legislature support the “Cormorant Management and Natural Resources Protection Act” (H.R. 3074).