

**MEMORANDUM**

TO: Board of Managers
FROM: Craig Dawson, Director of Research and Monitoring
DATE: April 23, 2015, Board of Managers Meeting
SUBJECT: Request of Christmas Lake Homeowners Association and City of Shorewood regarding AIS Watercraft Inspection Protocol

Based on a proposal developed with the Christmas Lake Homeowners Association, the Shorewood City Council adopted a resolution on April 13, 2015, that supports a two-year pilot project that would require all incoming watercraft to be decontaminated before being launched in Christmas Lake. The Association and the City are requesting the MCWD to indicate its support for this proposal.

They believe the apparently successful response to remove an infestation of zebra mussels from Christmas Lake in late 2014 should be validated by removing the possibility that any watercraft may introduce zebra mussels during a two-year time period necessary to confirm that all zebra mussels were indeed removed in 2014. “Thermal decontamination” – the use of high-pressure hot water (140°F) – on all watercraft would accomplish this goal.

DNR Role: Watercraft inspections may be performed by local units of government through an agreement (often called a “delegation agreement”) with the DNR. By statute, watercraft inspections involving required decontamination involve Level 2 inspectors. They have to determine whether, after inspection, a watercraft needs to be decontaminated based upon the conditions they find on it. Given this condition, it is questionable whether the DNR can delegate to another entity authority that is more strict than what the statute enables the DNR to perform.

In any case, the DNR is ultimately the entity that must approve this proposal for Christmas Lake, either through administrative latitude it may have or through new legislation. The District and the DNR have developed a good and respectful working relationship, and the District’s position with this proposal should take this relationship into account.

MCWD Goals: When it began the development of the AIS Management Plan, MCWD’s stated goal for the new program would be “to prevent the introduction and spread of AIS and manage existing AIS within the watershed to a level that does not significantly harm or alter native systems *while still maintaining access to public waterbodies.*” (Emphasis added.) The Plan itself states that “ultimately success in preventing and containing the spread of AIS relies on every resident and water-related business to take personal responsibility.”

It could be argued that the proposal for Christmas Lake that, while it maintains access to that public water, has the effect of discouraging access with requirement for thermal decontamination for every boat, whether it is already clean or not. The proposal has inconsistencies with the District's goal for personal responsibility – the District wants every watercraft user to properly clean their equipment prior to arrival at the public access. The required decontamination does not recognize or reward these desired behaviors.

To the extent that the District values good science and the Christmas Lake rapid response can be considered an experiment, a course of action like the one proposed does minimize the variable of a possible new introduction of zebra mussels when trying to determine whether the actions in 2014 were successful.

An alternative: For 2015 and subsequent years, Christmas Lake could be staffed to provide Level 2 inspections, where decontaminations could be ordered when necessary. Those persons whose watercraft are deemed clean would be allowed to launch without decontamination. Inspectors would need to be thorough and conscientious in every watercraft encounter. Following the Level 2 protocol is within the powers that the DNR already can delegate at Christmas Lake.

Considerations for the Board of Managers: The Board is being requested to indicate its support for the proposal. As suggestions, the Board could:

- Endorse the proposal and state that the MCWD will be an active partner to achieve its approval
- State that it believes the proposal has merits that should be supported, but finds that is not sufficiently consistent with the MCWD AIS Management Plan
- Not support the proposal as it is inconsistent with the MCWD AIS Management Plan
- Encourage the City of Shorewood to arrange for Level 2 inspections at Christmas Lake

CITY OF SHOREWOOD

RESOLUTION NO. 15-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHOREWOOD FOR A PILOT PROJECT OF 100% INBOUND THERMAL DECONTAMINATION AT CHRISTMAS LAKE

WHEREAS, the public access for Christmas Lake is located in Shorewood, MN; and

WHEREAS, the Minnesota Department of Natural Resources (MN DNR) declared Christmas Lake infested with zebra mussels, an aquatic invasive species, in August, 2014; and

WHEREAS, the Minnehaha Creek Watershed District (MCWD), the City of Shorewood, the MN DNR, the University of Minnesota's "Minnesota Aquatic Invasive Species Research Center" (MAISRC), and the Christmas Lake Homeowner's Association have worked cooperatively since August 2014 on first-of-their-kind efforts to eradicate the zebra mussels; and


WHEREAS, these experiments in zebra mussel eradication have required the expenditure of significant public funding and staff time, as well as private funding from the Christmas Lake Homeowner's Association; and

WHEREAS, thermal decontamination is believed to be the best method commercially available to stop the spread of aquatic invasive species; and

WHEREAS, the Christmas Lake Homeowner's Association is willing to dedicate their thermal decontamination unit to stop the further spread of aquatic invasive species into Christmas Lake;


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shorewood, that the City of Shorewood supports a two-year pilot project beginning in 2015 to consider all incoming watercraft as high risk and to decontaminate all watercraft coming into Christmas Lake with a thermal decontamination facility located on City property at the Christmas Lake public access.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD this 13th day of April 2015.



Scott Zerby, Mayor

ATTEST:



Jean Panchyshyn, City Clerk