



CITY OF ORONO
RESOLUTION OF THE CITY COUNCIL
NO. 6781

**A RESOLUTION APPROVING THE ESTABLISHMENT OF THE CARMAN BAY
LAKE IMPROVEMENT DISTRICT**

WHEREAS, the Orono City Council may agree the establishment of a lake improvement district under Minnesota statute section 103B.515; and

WHEREAS, the Orono City Council must adopt a resolution to establish a lake improvement district; and

WHEREAS, the resolution must:

- (1) specify the boundaries of the district, which shall be encouraged to be as consistent as practical with natural hydrologic boundaries;
- (2) prescribe the water and related land resource management programs to be undertaken in the district;
- (3) state how the programs will be financed;
- (4) designate the agency that will be responsible for supervising the programs; and
- (5) Specify the number, qualifications, terms of office, and method of election, removal, and filling of vacancies of the Board of Directors, including a method for property owners not present at the annual meeting to participate in the election of the district board.

NOW BE IT THEREFORE RESOLVED that city council of Orono, Minnesota hereby intends to establish a Carman Bay Lake Improvement District (CBLID) and that:

- (1) The boundaries of the CBLID shall be as shown on the Exhibit A map (attached). This boundary is consistent with the natural hydrologic boundaries of the bay and includes all properties that have lake rights to Carman Bay, Lake Minnetonka.
- (2) The water and related land resource management programs to be undertaken in the CBLID to include prevention and management of aquatic invasive species per the Exhibit B, (attached) which outlines the water and related land resource management program to be undertaken.
- (3) The prevention and management program will be financed by a levy on the property owners in the district plus grants and gifts. The actual levy and its distribution will be approved by the Carman Bay Lake Improvement District Board of Directors at their annual meeting which will be in July or August of each year and all property owners will be notified of the meeting. The cost to treat Carman Bay is estimated to be \$20,000 to \$30,000 per year plus lake monitoring, administrative costs and spot treatments in any non-treatment years. Exhibit C (attached) shows the proposed budget for the CBLID for 2018.



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- (4) The City of Orono shall oversee the operation of the CBLID.
- (5) The Board of Directors of the Carman Bay Lake Improvement District shall consist of 7 members serving 2 year terms except for the initial 7 members which shall include 4 members for 3 year terms and 3 members with 2 year terms. The initial members shall be appointed by the City Council with subsequent members elected at the annual meeting of the CBLID. The initial and all subsequent Board of Directors must include persons owning property within the district, and a majority of the directors must be residents of the district. All Carman Bay property owners at the annual meeting shall be allowed to vote. Property owners who cannot attend may submit their vote by mail which must be received by the City of Orono before the start of the Annual Meeting. Vacancies on the Board of Directors shall be filled by a vote of the remaining Board members.


NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Orono that the Mayor is authorized to send a copy of this resolution to the Department of Natural Resources Commissioner, the Minnehaha Creek Watershed District Board of Managers, the Lake Minnetonka Conservation District Board, the Secretary of State, and the Minnesota Pollution Control Agency.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Orono that this resolution shall be effective 30 days after it is published in the official newspaper of the City of Orono.

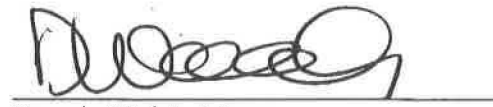
ADOPTED by the Orono City Council on this 24th day of July, 2017
on a vote of 3 ayes and 0 nays.

ATTEST:

CITY OF ORONO:



Anna Carlson, City Clerk

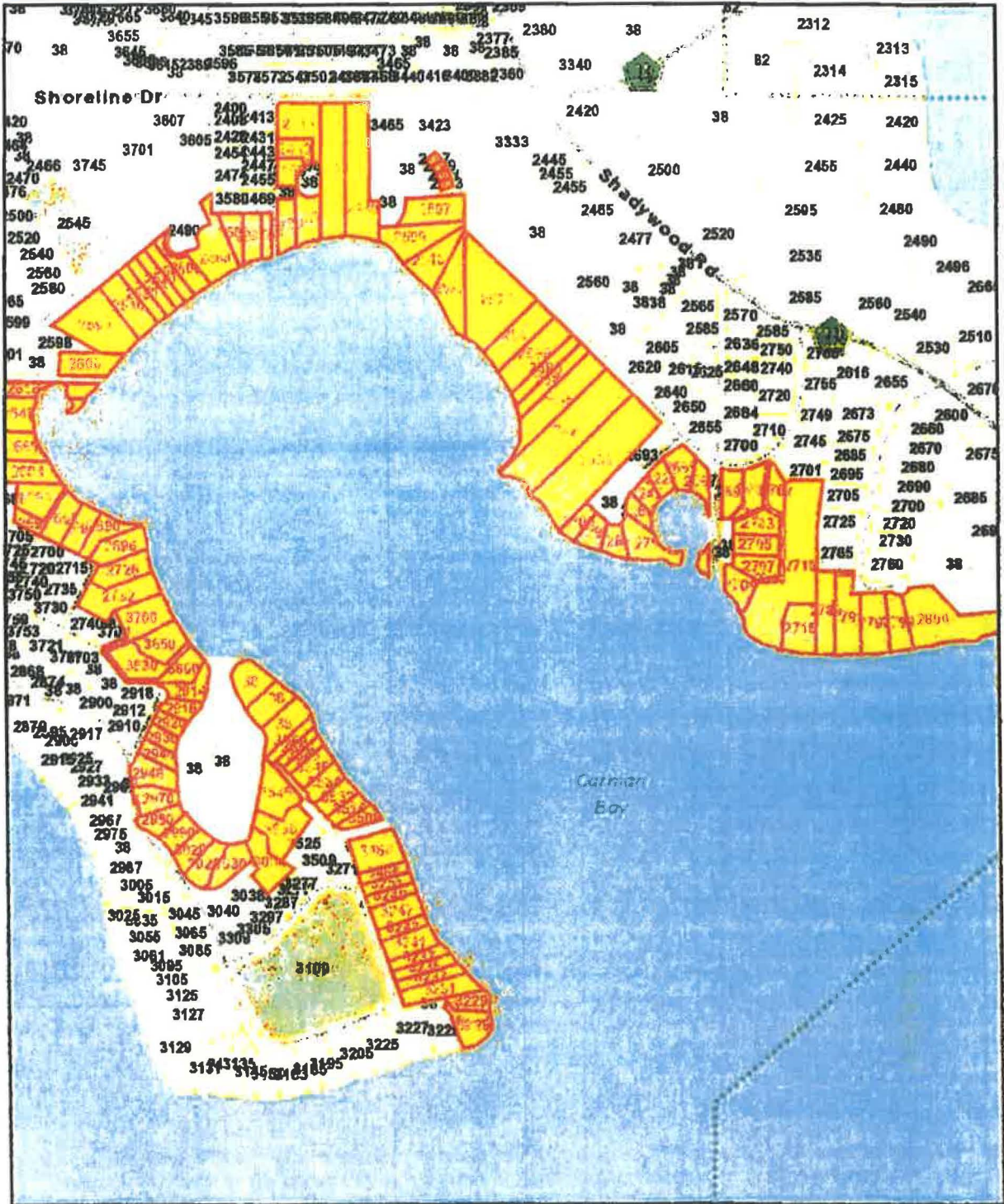


Dennis Walsh, Mayor

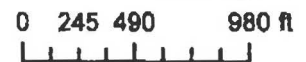


Hennepin County Locate & Notify Map

Date: 6/26/2017



Buffer Size: No buffer
Map Comments:



This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

For more information, contact Hennepin County GIS Office
300 6th Street South, Minneapolis, MN 55487 | gis.info@hennepin.us

**Exhibit B - Water and Land Management Resource Management Programs To be Undertaken In
The Carman Bay Lake Improvement District**

The following information is being submitted at the request of the DNR for their consideration as we the citizens of the District with the cooperation of the City of Orono move forward to establish the proposed Carman Bay Lake Improvement District (CBLID) in accordance with Minnesota Rules 6115.0970.

A written statement of lake problems and objectives

The proposed type or types of water and land related resource management projects to be undertaken by the proposed district. This shall include a detailed statement of intended studies, management programs, remedial actions and construction projects

A statement of the means by which the programs will be financed

A map showing the boundaries of the proposed LID

The number of directors proposed for the District

Copies of local ordinances which regulate the use of the lake or any public access

Any information indicating the degree of local interest and commitment to future management

The identification of any lands and waters which may be adversely affected by the implementation of District purposes, and a preliminary assessment of these adverse effects

A statement outlining the adequacy and ownership of public accesses, including public lands and beaches

An estimate of the total equalized valuation of the property within the district

Any other information demonstrating accordance with the criteria and standards for establishment as laid out in 6115.0960

A written statement of lake problems and objectives.

Eurasian watermilfoil and curlyleaf pondweed, invasive plants, have been problematic in Carman Bay for several decades. These two plants have reduced the diversity and abundance of native plants and therefore have diminished the health of the Bay. As well, these two plants interfere with boating, swimming, recreation and enjoyment.

The Carman Bay residents, in coordination with the Lake Minnetonka Association (LMA) and the Minnesota Department of Natural Resources (DNR) have developed and implemented a Lake Vegetation Management Plan or LVMP (attached), which has significantly controlled Eurasian watermilfoil and curlyleaf pondweed and increased the diversity and abundance of native plants without compromising water quality. Carman Bay was one of 3 Bays on Lake Minnetonka involved in the Lake Minnetonka Milfoil Project which was conceived in 2006. This "Three Bay Demonstration Project" was a cooperative effort between the LMA and the Lake Minnetonka Conservation District (LMCD). The project brought these two organizations together with the US Army Corps of Engineers and the DNR to assess new technologies and approaches for large-scale selective herbicide treatments to control and combat EWM.

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The majority of the costs for these treatments have been voluntarily borne by the Bay residents, although the City of Orono and the DNR have contributed in the past. A Lake Improvement District (LID) has been proposed to more equitably, efficiently and reliably fund and administer this program.

Other aquatic invasive species (AIS), those now in the Bay as well as those that may be introduced and established in the future, pose similar threats to the Bay's health and recreation and are therefore a concern. Zebra mussels are now in the Bay, however no known controls are available at this time. Control programs for other invasive plants, animals and pathogens will be considered by the LID.

Problems:

1. Eurasian watermilfoil and curlyleaf pondweed diminish the health of and interfere with recreation in Carman Bay.
2. Zebra mussels now in Carman Bay as well as other AIS that may become established in Carman Bay are likely to have similar impacts to its health and enjoyment.

Objectives:

1. Eurasian watermilfoil and curlyleaf pondweed will be controlled as specified in the LVMP.
2. Native plants and water quality will be maintained or improved as specified in the LVMP.
3. Monitor and assess impacts of additional AIS and consider feasible controls when needed and appropriate.

The proposed type or types of water and land related resource management projects to be undertaken by the proposed district. This shall include a detailed statement of intended studies, management programs, remedial actions and construction projects.

The initial and primary management project of the LID will be the continuation of the Eurasian watermilfoil and curlyleaf pondweed control program under the LVMP, including the required monitoring and assessment.

The LID will monitor and evaluate the availability of feasible controls for zebra mussel and when available and needed, the LID can develop and implement zebra mussel controls in coordination with local agencies.

The LID will develop plans and programs for additional AIS, if and when they become established and problematic in Carman Bay.

Land management projects are not anticipated.

Recent controls of Eurasian watermilfoil and curlyleaf pondweed have used herbicides registered by the United States Environmental Agency and have been permitted by the Minnesota Department of Natural Resources. The products and methods used have occurred within a strict regulatory milieu, which is designed to minimize likely adverse effects and unintended consequences. Therefore, rather than causing or increasing adverse side effects, the proposed LID will more likely control and decrease adverse effects.

Should the LID employ other products or methods to control EWM and CLPW or other AIS, it will occur with the same regulatory oversight. Therefore, adverse effects to land and water are not anticipated.

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As the LID considers or proposes modifying the current EWM and CLPW control program or any control programs for other AIS, detailed assessments of possible adverse effects to lands and waters will be provided as required or appropriate.