

**From:** [Bill Becker](#)  
**Subject:** Further thoughts on AIS by Mr. Mark Kapphahn  
**Date:** Tuesday, September 17, 2013 10:46:06 AM

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Members,

Below is a response by Mr. Mark Kapphahn to an e-mail from David Hartwell regarding his critique of the MNCOLA inspection/decontamination request.

As with other correspondence sent to you electronically by staff a copy of this is available to the public on our Website's Bulletin Board.

Bill

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From: Mark Kapphahn [<mailto:kapphahn1@midco.net>]

> Sent: Monday, September 16, 2013 10:18 PM

> To: David Hartwell

> Subject: Re: LSOHC

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> Mr Hartwell

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> Thank you for reading my letter I sent to the LSOHC and your personal response. I don't know if I truly agree 100% with everything I stated either but sometimes things need to be stated in order to make a point.

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> Briefly, I am from Benson, MN originally. I spent nearly every summer of my younger years and early adulthood at a cabin my dad build (well one of

> three) on Little Sand Lake in Hubbard County. The perk of having both parents teachers - summers off! When my parents retired they sold that property since it was not suitable for a permanent home and moved to a home on Lake Julia in Beltrami County. While I was a student at Bemidji State I worked as a park naturalist at Itasca State Park for three summers. I have a PhD in biochemistry and molecular biology from the University of North Dakota after that I earned a Doctor of Optometry degree. Currently I am in optometrist with HealthPartners in St Paul. My wife and two kids live in Forest Lake - but not on the lake. We're frequent visitors to the Hubbard and Beltrami County lakes - especially "my" Little Sand Lake. The public water access at Little Sand is my personal ground zero for keeping public water access sites open to unrestricted use. I'm not naïve to the fact there are many who don't feel same level respect of the resource and access may come with conditions to protect that resource- and I get that - but they must be reasonable, cost effective to the tax payer, and have public support. As a snowmobiler I cringe when I see the one person who ignored the "stay on trail" sign, placed by volunteers, and took off across a tree planting of a private landowner who was generous enough to allow sleds on his or her land. Next year "trail closed". 99% of us follow the rules and try to do the right thing - it's the 1% that ruins it for everyone else we have to deal with.

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> The balance between the use of public lands and waters and protecting the resource is a challenging public policy issue. Somewhere the balance between passion and policy exists. Many things in our society are a delicate balance between what government can regulate or provide and personal responsibility - but government can give us the means to personal responsibility. The vast majority of people have good intentions and want to do the right thing - boaters and lakeshore property owners alike. The serious boaters, anglers, people like me, etc are the ones with the biggest issue with mandatory boat inspections, gated access, mandatory decons and the like.

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> In regards to AIS - A statewide "Lake Tahoe" style inspect every boat plan won't work here even if we had the money - public support for such a plan would not be there and the logistics of it would be impossible as stated in my letter. I think yourself and all the major policy makers pretty much know that too. Sometimes I guess we have to be politically polite, play along, and let everyone have their say - and then write multi page letters to the people who make the funding recommendations to let them know what we think of their idea. That said it doesn't mean we can't try to find workable solutions to complex problems.

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> Here are my ideas. Not all of which apply to LSOHC type items but here

> goes:

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> 1) I sent this to the state AIS Advisory Committee recently; here's the plan to get people like me and other serious low risk boaters on board with wider deployment of boat inspections. This is a plan modeled after the Lake Service Provider (LSP) certification. I don't know if you're familiar - briefly - by law a person who takes payment for installing water related equipment (dock, rental boats, etc) must pay a fee and take a 4 hour in-person training and take an exam to get the certification. I actually have taken this training and am a DNR authorized LSP. The class was great - good interaction among participants with great ideas shared, the CO was there to give enforcement insights. It was well worth it I thought. So let's take the LSP concept one step further and apply it to general boaters.

> A boater pays a fee and takes an in-person class with exam and gets

> "Advanced AIS Certification". The TSA has a program called "Precheck"

> where prescreened low risk air travelers can pass through airport security faster. See where this is going? With this "Advanced AIS Certification"

> boaters who did this could by-pass certain (but not all) boat inspections or be waived through with a quick visual. It would not be a total free pass - inspections need when leaving designated high risk containment zones, legitimate enforcement reasons, certain authorized roadside inspections.

> Most people willing to take a day off work to attend a class and pay a fee are likely low risk anyways. Person experience: This summer I was at a relatively high use public water access. The inspector noticed my LSP sticker in my window - he said "Oh you're good" and waived me through. I was happy, the inspector didn't have to waste time on a low risk boat, unnecessary delays were avoided, time by the inspector could be better

> allocated to high risk boats. With this plan you have taken people who

> probably have most issue with boat inspections and move them a little more

> to the center. I would have my free pass (with conditions) to Little Sand

> and if Hubbard County wants to shake down some idiot with weeds hanging off his trailer - great!

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> 2) LSOHC item - maybe. Implement public water access best management practices (BMP). These are Clean, Drain, Dry areas - etc. Much info is on the DNR website - if you're not familiar it's all there.

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> This is an example of giving people the means to personal responsibility.

> It would be more less a new program (or just name it something else and call it new) and it would directly protect aquatic habitat and provided meaningful AIS control. The DNR is doing some implementation but I think it kind of limited. One would have to check but I don't think there's

> legislative allocation for this. Many public water access sites around the

> state are in need of capital improvements. I'll eat crow for a moment and admit that much work to maintain public water access sites have been done by lake association volunteers. Part of implementing public water access BMPs would be taking care of some of these capital improvements - road, better drainage, erosion control, buffer zones. Directly benefits the lake and protects habitat, encourages/enhances public use, has a definite AIS control component, widespread public support likely, sustainable, adds very little to cost of maintenance in most cases, implementation could be done with volunteers, MN Conserv Corp, etc. (If they're nice about it a designed designated spot for a mobile decon rig can be added in some locations) If you look at the DNR website there a many examples of these public water access BMPs. The nice thing about a program like this is it can be statewide. Improving a public water access doesn't have to mean a huge parking lot like you would think of in high use areas. Sometimes it's the small things. There are many (hundreds) of low volume water access sites that need attention - not just the capital improvements but AIS related items. The vast majority of these have no access inspections - some AIS control measures might be better than none at all.

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> 3) Another potential LSOHC item. Designated high risk containment zones targeting specific high risk bodies of water. This is where you can do a Tahoe style inspection/decon program but on a very limited targeted basis.

> Take a high risk, high use, high value body of water like MilleLacs ("Lake

> Tahoe") and implement mandatory inspections there. I hate the term

> "quarantine the lake" but that's kind of what your doing. The biggest thing here is going to be the public relations. Don't use the term "pilot program" for example. The fear would be designated high risk containment zones are 'just the beginning' to an eventual statewide plan to do the same every where. It would be a major public relations undertaking - but if certain stakeholders who had their "Advanced AIS Certification" as I detailed above , even though it wouldn't count necessarily in a high risk containment zone these folks might get on board with the idea. A serious angler might be willing go along with some restrictions on MilleLacs if he can go to any lake in Beltrami County and get a waiver through inspections

> up there. The DNR pretty much treats MilleLacs like a high risk

> containment zone now anyway so in reality it might be business as usual in many respects. What comes to mind are the destination fishing lakes - Leech, Winnie, Upper Red, Vermillion

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> As a model to follow kind of is what's been done with off highway vehicles

> (ATVs,etc) I own one of those to too. State Forests are designated as Limited, Managed, or

Closed. In a Limited state forest you can only ride designated routes for example. You could do the same sort of thing with lakes. ATV-ers have been accepting of these rules which I think came about > in the early 2000's or so. Don't use closed for lakes :-> Individual

- > lakes or geographic areas could be designated as "High Risk Containment" - mandatory inspection prior to launch and leaving; "AIS Managed" - inspection required if inspector present; decon if necessary/available; Advanced AIS Certified boater exempt; "AIS Watch" (can't think of anything
- > else) Inspection not needed unless law enforcement - boater to use best practices.
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- > Again the "high risk containment zone" idea would have to come with up and down take it to the grave assurances it is not a template for a model eventually to be applied statewide. A program like this would have to be run through the DNR. If it came from a county, SWCD, or "lake group" people will not go for it - it will be "the lake people are trying to close the
- > lake" If one could get the DNR to get a sportmans/fishing group like
- > Anglers for Habitat to endorse the proposal then it might be better received.
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- > That's about all I can think of for a Monday evening. I'm getting up early this week Friday and heading to Little Sand to hopefully get in some fall fishing.
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- > Let me know if I can be of any further assistance and thanks again for taking the time to respond to my letter.
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- > Mark Kappahn
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