



Devils Lake Water Improvement District
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www.DLWID.org

Quick Look:

- Budget Hearing
- SolarBee \$ update
- Intern
- RARE
- Urban Renewal
- Chamber
- NALMS

AGENDA

Regular Meeting & Executive Session (ORS 192.660, 2, i)
2009 June 4 at 6 pm. in the DLWID Office.

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| I. | Minutes of the Previous Meeting | 6:00 |
| II. | Financial Report | 6:05 |
| | a. Sec/Treasurer election | |
| III. | Public Comment (Agenda Items, Please limit comments to 5 minutes per person) | 6:10 |
| IV. | Budget Hearing | |
| | a. Budget Committee Recommendation | |
| | b. Board of Directors Questions & Comments | |
| | c. Public Comment | |
| | d. Discussion | |
| | e. Resolutions for Adoption | |
| V. | Unfinished Business (Agenda Support Item A) | 6:45 |
| | a. Boat House/Docks | |
| | b. Land-use Complaints | |
| | c. Lake Level | |
| | d. The Devils Lake Plan | |
| | i. DEQ 319 Grant | |
| | ii. Native Vegetation | |
| | iii. Whole Lake Circulation: SolarBees | |
| | e. DLWID Internship | |
| | f. RARE Internship | |
| | g. Financial Oversight Committee | |
| | h. SOLV Report | |
| VI. | New Business (Agenda Support Item B) | 7:30 |
| | a. Lincoln City Urban Renewal | |
| | b. NALMS | |
| | c. Chamber Elections | |
| | d. Contract Review/Renewal | |
| VII. | Non-agenda Items | |
| VIII. | Public Comment (Non-agenda Items, Please limit comments to 5 minutes per person) | |
| IX. | Announcements | |
| | a. KBCH 1400 am: following Tuesday 7:15 am | |
| | b. Oregon Lake Association: September 11 & 12, 2009 | |
| | c. Erosion Control Seminar: October 8, 2009 | |
| X. | Adjournment | 8:00 |

Note: Executive Session to be held at discretion of the Board of Directors in accordance with (ORS 192.660, 2, i)

Meetings of DLWID are handicapped accessible under the ADA.

If special accommodations are needed, please contact the District Office at (541) 994-5330 prior to the meeting.

- a. Boat House/Docks: No word from ODFW.
- b. Land-use Complaints:
 - i. 2551 EDLR: Spoke with engineer who is planning a bio-restoration project for the site in lieu of the concrete blocks.
 - ii. 11th & EDLR: letter from DSL requesting photos of completed work to be sent by 2009-05-31. No personal knowledge of work having begun.
 - iii. Seid Creek: No word from NOAA
- c. Lake Level: Dam is in place and has been pulsed through the end of May every other night. Recent level reading was 9.4' at the state park bridge off NE 1st Street.
- d. The Devils Lake Plan
 - i. DEQ 319 Grant: I have been in communication with Jesse Ford of OSU and she is sending a copy of the database they created for the US Forest Service. This will help us better understand what kind of end product we might seek to create. I have also been in touch with the county regarding the Septic Tank GIS layer development. I met with Matt Spangler again and Bill Zekan on this issue. I have also recently been in contact with David Hawker regarding a Septic Tank Revitalization Plan. It is my hope that we can work to develop this over the course of the next year given support of a RARE intern (See below).
 - ii. Native Vegetation: Spoke with Tetra tech regarding an expanded scope of work. Dr. Pennington to provide input following a business trip to Montana. Details expected potentially as early as next week.
 - iii. Whole Lake Circulation: This is a project the Devils Lake Water Improvement District began looking into in February 2007 as a means for cyanobacteria control. In short, the District has not made any final decisions regarding whether or not it would seek to implement such a project. It has investigated alternatives to cyanobacteria control and weed suppression, and such research over the course of the last two years have lent themselves to pursuing Whole Lake Circulation as a beneficial tool.

Summary of events to date: The District has met with representatives of three types of circulators including solar powered (2007-02-09), AC powered (2007-04-03), and wind powered units (2007-08-02). Having narrowed the devices down to the SolarBee, the District invited representatives from the company to return to Lincoln City for a second (2008-08-08), and later a third (2008-11-06) public presentation. Given the demonstrated benefits of Whole Lake Circulation for cyanobacteria control and the more recent demonstration of weed suppression, the Devils Lake Water Improvement District has since FY 2007-2008 been budgeting for such a project.

Excerpt from 2007-2008 Budget

“As to the use of these funds, the District is currently evaluating two major types of whole lake circulators both of which use renewal energy, either solar power or wind. Either of these devices would move the bottom water to the surface for aeration from the atmosphere. This aerated water would then be cycled down to the bottom to aerate by diffusion the sediment/water interface. At this interface, oxygen plays a large role in decreasing the availability of nutrients as well as decomposing the organic muck layer that makes up the majority of the unconsolidated lake bottom. Further whole lake circulation has been shown to reduce the influence and blooming of cyanobacteria. These organisms are potentially toxigenic and addressing their prevalence is a lake priority. Recent studies have also shown the capacity of whole lake circulation to be utilized as a vegetation management strategy, the founding focus of the District.”

Again in 2008-2009, and within the Budget Committee's Recommended Budget for the 2009-2010 budget, provisions for the purchase of such equipment have been made. Given the District's reserves are much less than (1/3) the capital costs of the project, each of these budgets all specifically require an influx of monies either as grants and loans. Line items in the budget recognized this required influx, and language within the text, explicitly says that the District must obtain the additional funding for the project to move forward. As with previous budgets, in the FY 2008-2009 budget specific objectives were identified. These objectives came out of the 2008-02-16 Goal Setting Workshop and are quoted below from the 2008-2009 Budget publicly available in print and online through the District's website:

"Budget Priorities for FY 2008-2009

In February of 2008, the District's Board of Directors formulated six objectives for focus and completion. These specific objectives are listed below. In order to meet these objectives, the District's spending and staff time in FY 2008-2009 shall be appropriated and designated accordingly.

- Create a Devils Lake Management Plan to include strategies and objectives for management of cyanobacteria, vegetation, and water quality, specifically addressing grass carp issues, warm-water fisheries issues, salmon fisheries, septic tank pollution, sewerage, and land-use.
- **Investigate funding opportunities for purchase of the SolarBees.**
- Take steps to plan for and establish Devils Lake as a research center for aquatic and freshwater ecology (The CAFÉ), partnering with the Center for Lakes and Reservoirs at Portland State University and the Oregon Coast Community College's Aquarium Science Program.
- Investigate grants for septic tank revitalization within the watershed.
- Develop a strategy and investigate funding opportunities to remove dilapidated structures around the lake, including cataloging such structures, contacting upland property owners and working with state agencies such as the Oregon Marine Board and Department of State Lands for their removal.
- Research subsidizing the purchase of organic fertilizers to acquaint the public with the benefits of its use over inorganic ones."

To accomplish the highlighted goal above to investigate funding for the SolarBees, the District has periodically researched public, and to a lesser extent private, funding opportunities. A list of potential opportunities was compiled in May of 2008, and again in November of 2008. In December of 2008, a new opportunity was uncovered, and given the timeline and potential opportunity the District devoted all available hours to its application. This was the EPA: West Coast Estuaries initiative that sought to fund water quality improvements on the US shorelines including freshwater systems. Soon after with the passage of the American Recovery and Reinvestment Act of 2009 (ARRA) aka the Stimulus package additional opportunities came about at similarly short notice. Each application had approximately a 1 month window to compile and submit an application, and all took a minimum of 3 full weeks of staff's time.

This time was commensurate with other entities applications for the same funding opportunities as it was noted the ODFW in Newport had 2 full time employees working 3 week each on a NOAA-ARRA application. Most of the funding opportunities are either national or multiple state (East, Gulf & West Coast states), competitive grants. A third DEQ loan was a statewide competitive program for interest free and 50% principal forgiveness dollars. These opportunities which came one after another were chosen by the board for application to, given the limited

window of opportunity and the diminishing prospects of additional opportunities if these were passed on.

Details of current or recent applications:

1. EPA: West Coast Estuaries Initiative: This was the initial application we discovered on Grants.gov in December ahead of the Stimulus Bill. We submitted it in February 2009. Notification of awardees was slated for spring 2009. I received a phone message from Anthony Barber, Director of the US EPA office for Oregon on May 26th, 2009. In it he stated that they received 33 proposals from 3 states, and had only enough funding for 5 of those proposals which ours was not one of. We are to receive additional information in the mail with a mechanism to seek more information about their decision making process, and how our application may have fit into that.

2. DEQ Loan: Our application ranked 9th out of 165 or so applicants. However unbeknownst to us, the turnaround time for second phase of the application was not adequately provided from the May 5, 2009 release of the rankings. A mandatory 30-day review is required once DEQ is in receipt of the second phase of the application (federal cross-cutters), effectively taking us out of the running. This came as a surprise, as we were awaiting feedback from DEQ as to when to proceed. It is even documented in their literature that DEQ would explain which way to proceed with the project. Apparently this is not how the Stimulus funding is going to be handled. DEQ has put June 1, 2009 as the funding release date. Apparently they have already enough full applications to spend their share of the stimulus package. Much confusion at the state and federal level surrounded the Stimulus Package and as a result DEQ was not able to administer the revolving loan program in the manner it had in the past. Reportedly there was a teleconference in April which laid out this fast-tracked approach. Entities that proceeded with Phase II of the application ahead of the formal ranking would be prioritized for funding regardless of rank. The Phase II has 10 separate federal filings (at a minimum) each with their own application and timeline. I have begun this process, but with given DEQ's admission of projects already in the queue, we have diminished hope of receiving the Stimulus backed funding. That being said, we are ranked 9th in this revolving loan program and will remain ranked for 3 years. Funding would be strictly a loan however with interest between 3-4% likely. This is much better than market rates we have investigated at 6-8%.

3. NOAA: ARRA no word directly, but Dan Avery from ODFW who with a colleague also spent 3 weeks each writing an application for the same pot of money told me that NOAA is notifying entities on a rolling basis, and has begun, but has extended the timeline for notification of those not receiving funding another month. Given the highly competitive nature of this grant, and the fact that we, nor ODFW in Newport have heard from NOAA, it is increasingly less likely that we will be matched with this grant. Time will tell.

- e. DLWID Internship: Jie Liu has decided to pursue other interests and will not be fulfilling the internship. I have contacted other applicants in an attempt to refill the position. I have an interview with one candidate on June 5 at 2 pm. She is a local applicant having grown up in Depoe Bay, who had not applied prior to our 1st selection timeframe. I have confirmed that another candidate who I previously interviewed is available to start June 15, 2009. As I cannot at this time make a recommendation, and yet would not have a opportunity to meet again prior to June 15th, I might ask the board to provide me the

decision making power to effectively hire the next most qualified candidate by Mid June. I would anticipate the applicant to work likely full-time with flexibility depending on the intern's potential September schedule for school or other work.

- f. RARE Internship: I was interviewed by Amie Collins, Field Coordinator for University of Oregon's Rare program regarding our application. Currently there are 25 partnership opportunities available with potentially 5 more for a total of 30. There were 32 partner applications, so our potential for acceptance is high. They have not yet heard whether they will be able to serve the additional 5 communities, so they have not yet notified entities. Given an offer, a full application is due by June 22. Volunteer would be given a stipend from UO of \$1500/month. They would have Worker's Comp, Health and Dental through UO. They could be provided a computer with software (GIS). The District would have to add the intern to our liability insurance. The District has until July 1, 2009 to provide the confirmation of the \$19,000 worth of funding, budgeted currently under the Improvement Fund. However if we are selected we must complete the full application by June, so the Board needs to decide if we are going to proceed.

Timeline: Notification of Partners --- ASAP
Full Application Due: June 22
Interviews: July 27-31, can be panel interviews by board and manger
Placement: August 14
Training UO: Sept 15
Community Start Date: Sept 21
Service: 11 months to Aug 15, 2010, 35 hours/week = 1700 hours
Additional Training: 1 week in October

- g. Financial Oversight Committee: Members include Sec/Treasurer, Douglas Pirie, and Jim Park. Committee to meet and discuss auditors recommendations.
- h. SOLV Report: Letters to the editor as published in the NewsTimes and the News Guard:

SOLV: Down by the Lakeside

The Devils Lake Water Improvement District would like to thank all the volunteers who spent part of their Saturday pulling debris from the bottom of Devils Lake and the lakeshore. In total we recovered over 450 pounds of material. Included in this year's haul were some 15 tires, a lawn chair and a stool. Special thanks to South Beach Scuba for sponsoring the six divers, B.X. Sexton Construction for providing volunteer labor and their tug, Blue Heron Landing for providing a pontoon boat, the Oregon Coast Today for T-shirt design and volunteer labor, North Lincoln Sanitary Service for disposal, and Henry's Lighthouse Donuts for what else, but world class donuts. Thanks again, and we look forward to next year's "Down by the Lakeside".

Sincerely,

Paul Robertson, Lake Manager
Devils Lake Water Improvement District
www.DLWID.org

New Business

(Agenda Support Item B)

- a. Lincoln City Urban Renewal: I previously sent a letter from Lincoln City Urban Renewal that accompanied the proposed amendments to the Urban Renewal Plan. These document are available for review here at the District. In the letter UR Director Kurt Olsen states he does not foresee any impact to the taxing districts as a result of the proposed amendments. Comments are requested by June 30, 2009. Projects compiled in the 20 year document highlight all the work accomplished to date which include Taft, Oceanlake, Nelscott (ongoing), and Cutler City (planning stages).
- b. NALMS: Conference this year is to be held in Hartford, CT October 27-31. Cost would include airfare, airport parking, transfers, hotel, food per diem, fuel for truck to drive to airport, registration and workshops if available. If we are seeking to attend it make the most sense to book early for air and registration.

NALMS Member	If Registered By
\$395.00	Saturday, September 5, 2009
\$450.00	Saturday, October 3, 2009
\$550.00	Saturday, October 31, 2009

Estimates:
 Airfare 500-650
 Transfers: 25
 Parking \$40
 Food 5* 40 = 200
 Registration 395
 Hotel 760 plus tax
 Workshop \$200
 Fuel \$40
 Estimate: \$2,310 plus hotel tax

Conference room rates are \$152.00 Marriott (attached to conference hall) and \$149.00 Hilton. Attending a workshop would add an extra day or approximately \$200.

- c. Chamber Elections: seeking recommendations from the board for candidates identified in previous email.
- d. Contract Review/Renewal: As per previous email with following amendment:

Accent on Business requests an increase from \$100 per meeting to \$125 per meeting with additional work billed at \$20 vs. current rate of \$15.
 Park Lane Accounting: Agreeable
 Dennis Bartoldus: no word as of yet
 Schooner Creek: no official word, assumed agreeable based on previous conversations
 Manager: Agreeable