



**MINUTES
DEVILS LAKE WATER IMPROVEMENT DISTRICT
REGULAR MEETING**

**DLWID OFFICE
May 7, 2009
6:00 P.M.**

PRESENT: Jack Strayer
Otis Winchester
Smokey Aschenbrenner

ABSENT: David Juenke and Brian Green

AUDIENCE: Randy Weldon, Don Sell, Glen Fowler, Larry Brown, Larry Fowler, Beth and Avery Shipley, Mark and Kerry Richards, Paul Flanberg, Bill Vaughan, Raylene Erickson, Mark Highland, Gary McGrath, Howard Manugg, Bonnie Fest, Tom Moore, Jerry Morrison, Bill and Sue Henderson, Tom Moore, Mark Blair, Yvette Guyser

STAFF: Paul Robertson

MEDIA: Strayer called the meeting to order at 6:00 p.m.

Minutes from February and March

Winchester moved and Aschenbrenner seconded approving the meeting minutes from both February and March.

Vote: Unanimous. Motions carried.

SolarBees Informational Presentation

Since there was such a large audience, it was determined that the SolarBees presentation would come first. [Robertson has created and has been dispersing a door knocker with information on the SolarBees, including the website address, and meeting times. Additionally, he printed and posted ten 11 x 17 laminated posters of such.]

Strayer summarized the history of the SolarBees project—the research, their presentation, Brian Green’s negotiations with SolarBees, educational presentations, additional research, the grant application process and further consideration. He informed the audience that nothing has been determined at this point and the Board and Robertson were pleased to see the public now involved and interacting in the process.

Robertson presented a lengthy slide show with the history of the lake, challenges, problems, attempt at solutions (the carp to remove the weeds), the enormous level of nutrients now and increasing exponentially, creating the environment for cyanobacteria. He explained the various activities that have increased nutrients through the years, causing a deleterious effect on the health of the lake. Phosphorous, fertilizer, riparian walls, lawn in the riparian area, leaking septic tanks, construction. He described methods of preventing cyano-blooms and removing the exterior nutrients. He described the negative impact of some of the treatments that have been considered. He talked about methods of removing the weeds. He showed a cost/benefit analysis. He talked about external controls and presented the best management practices.

Robertson answered questions about SolarBees and their effectiveness relating to the suppression of weeds. Strayer discussed the success of the SolarBees in Houston Lake. He said he believes that the SolarBees would act to remove and to maintain a low level of weeds as well as remove the cyanobacteria.

Tom Moore spoke up and declared that he doesn't care about the bluegreen algae, but is worried about the weeds returning.

Larry Brown said he doesn't believe the algae level has changed in the last sixty years. He was derisive of the SolarBees and expressed his point of view against the SolarBees and said he has not heard of anyone becoming ill from the cyanobacteria.

Robertson said people and dogs could die from cyanobacteria.

Mark Blair stated that he uses the lake a lot and has not become ill. He believes the carp have done a good job and he is afraid that the SolarBees will invite vandals to destroy them or that someone will run into them. He is afraid officials will restrict lake usage if someone is injured.

Larry Brown is afraid there will eventually be a five-mph speed limit. He listed some of the projects where he feels the SolarBees could be successful other than Devils Lake. He is worried about accidents occurring on the lake.

Bill Vaughan said he has lived on the lake 20 years and served on the Board when Dave Wagner was manager. He assisted in the last carp installation. He is opposed to the SolarBees because of the cost vs. the level of success that has been demonstrated. He would like to see the Board work on getting more grass carp.

Guyser asked if there was a way to remove the algae from the lake and sell it.

Robertson said it is possible, but would be costly.

Strayer stated that Devils Lake is a salmon lake and the ODFW would not permit such a process.

Robertson said there is support for SolarBees, as he talked to the ODFW Commission and informed them that he would like to discuss a plan for SolarBees. He asked if they would be amenable to the installation of grass carp if the SolarBees did not succeed (maybe 2,000 carp), and they turned a positive ear to the idea for Devils Lake; however, it would have to be a secondary solution. Robertson stated that although the weeds are removed, the nutrients remain and there is now an exponential growth of cyanobacteria.

Sue Henderson said the carp were successful, but perhaps there had been too many. Isn't it about quantity? Robertson said there is nothing to keep the carp in check—they eat everything.

Strayer agreed that the first things they eat are the native plants. The invasive plants are the last ones they will eat.

Brown said he believes the water going through the SolarBees would churn up the sediment around them. Strayer said they can adjust the depth of the SolarBees' installation. Robertson said they are a very low-level impact machine.

Robertson continued the presentation and explained the toxicity of cyanobacteria.

Paleolimnological Data

Robertson presented a history on the sediment layers of the lake and continued the presentation on the working hypothesis of the SolarBees and why they are effective. He explained the working parts of the SolarBees and said that the greatest benefit to installation in the fall is that they would be working through the winter and would destroy the dormant cyanobacteria. He noted that the SolarBees are installed in more than 300 lakes worldwide.

Robertson continued to explain the chemical composition of the lake with the conclusion that the SolarBees would prevent weeds and cyanobacteria.

He addressed more concerns and questions from the audience as he continued the presentation.

Jerry Morrison asked about the feasibility of renting vs. purchasing. Robertson replied that within two years' time of renting, they would have been nearly purchased.

Kerry Richards asked what else could be considered and declared that the Board had not communicated with property owners. Aschenbrenner said he disagreed and listed the methods the Board has utilized to communicate in the past and present—meetings, website, trade shows, festivals, newspaper, flyers, PADL.

Strayer explained the application process for the native vegetation project and informed the audience that it had been denied.

Gary McGrath said he has lived on the lake since 1952. He doesn't feel Robertson presented both sides—pros and cons—of the SolarBees. He is concerned about the liability for the Board.

Mark Highland said he has lived in two areas on the lake. He said he is concerned about some specific facts. He said the Steilacoom Lake website contradicts some of the presentation.

He compared Lake Steilacoom to Devils Lake and listed the seven criteria that the SolarBees were tasked with accomplishing, six of which had not been met and one that was. He said he feels the lake is not deep enough to accomplish the goals of the SolarBees.

Larry Brown said they have not been successful in recreational lakes. He said he has researched the units.

Highland is concerned about the liability. Aesthetics is also a concern. He said that a referendum would be appropriate. He asked about the possibility of a performance bond. He asked about grass carp and native plants in combination.

Guyser asked if there could be some assistance in identifying native vegetation for her riparian shoreline.

A variety of issues was raised by the audience to which the Board and Robertson responded to the best of their ability.

Robertson addressed the complaints mentioned by Highland regarding Steilacoom.

He said the Steilacoom homeowners have not yet come up with a solution and he feels that had they retained the SolarBees, the project would have been successful.

Grants were discussed. Septic tank revitalization was discussed.

Most of the public then departed and the Board took a recess.

Financial Report

Winchester moved and Aschenbrenner seconded approving the financial report.
Vote: Unanimous. Motion passed.

Unfinished Business

Boat House/Docks

Jerry Warner spoke with Dan Avery who suggested that ODFW would be finished with recommendations by the end of May. Robertson sent a letter to Avery acknowledging the timeline, with copies to all interested parties and asking Avery to notify everyone by E-mail when the recommendations are completed. A second hearing will then be requested at the county level.

Land Use Complaints

2551 EDLR. Property owners submitted a removal/fill permit. Both Avery of ODFW and Robertson wrote objections and comments on the negative impact of the concrete blocks on the water resources. Robertson recommended a bio-engineering approach for erosion and sediment control. The applicant was sent a letter requesting design changes regarding soil piping and to plant native woody vegetation along the wall. The permit decision is scheduled for July 6, 2009.

11th & EDLR. No word from DSL or action on the property.

Seid Creek Slide. DSL claims no jurisdiction on the land/ creek slide. No word from NOAA.

Lake Level Decision

The Board has decided to use the dam, to set it at maximum height that is legally set by Oregon Water Resources Department—9.53 above mean sea level or 18” of wooden dam on the concrete that has an elevation of 8.03’ MSL. This is 2.5 inches less than last summer and approximately 4.5” less than previous years, dating back to 1998 when it was established. The District lake contractor pared down the boards to create an 18” level. The dam will be pulsed every other night during the second half of May to facilitate outward migration of juvenile fish.

Devils Lake Plan

DEQ 319 Grant

Robertson said it is a lot of work, but it has its benefits. He’s been working on this application over the last year. He said he needs to submit a DEQ formal water quality sampling and analysis plan for all the parameters. A document he created previously will need to be reworked. He will need to data mine the County Planning Department details about on-site waste treatment systems in the watershed, compile them into a database for mapping. Sandy Gruber, Lincoln City GIS specialist, Bill Zeckman, County sanitarian and other county staff are available for the project. David Waltz, FRW has sent some sample documents about the WA/QC check and he said he would set up a voice conference to further discuss the project.

Strayer asked if the Board might want to reconsider the Tetra-Tech proposal and re-do it so that the homeowners can be educated on shoreline vegetation and possibly do some testing for the grass carp. Robertson said it might be a good idea. It has validity for the

\$6,000 plan, but it is up to the Board. Guyser's questions were about wetlands and the study was for aquatic plants.

Strayer said it is a worthwhile investment. Robertson agreed that it could be adjusted.

Aschenbrenner suggested that a riparian vegetation list could be obtained.

Aschenbrenner moved that Strayer contact Tetra-Tech to obtain a proposal to provide a list of riparian and aquatic plants utilizing the previous proposal plus the upland portion of the proposal for wetlands, riparian and aquatic plants.

Winchester seconded the motion.

Vote: Unanimous. Motion carried.

Grant/Loan Updates

Robertson has not yet heard back from any of the funding opportunities. Notification deadlines are May 1, 2009 for NOAA, spring, 2009, for EPA and summer, 2009 for DEQ.

DLWID Internship

Robertson sent a letter to Jie Liu to offer her the internship. She has been working for the International office on the necessary paperwork to permit her to work in the U.S. Her start date is June 15, 2009.

RARE Internship

Robertson submitted an application for this internship. He suggested a work program to include half-time on development of the Septic Tank Revitalization Program, 20% landowner outreach and 30% monitoring. The internship will be for 11 months to begin in September. The District's cost would be \$19,000. The internship would overlap in the summer of 2010 with the District internship of \$10,000, the net cost might be \$9,000 to \$14,000 depending on the overlap.

Robertson said he met with the program coordinator on Monday. They have 32 applications—25 to 30 opportunities for communities. He feels the District has a good chance of being guaranteed a position. This intern would begin September 21.

New Business

Strayer asked if the Board should consider holding a weekend meeting in October since Robertson will be getting married—perhaps even a joint meeting with PADL.

Aschenbrenner suggested the Board wait until July to decide and determine whether or not to do a complete mailing to lake homeowners and do a joint meeting with PADL.

Financial Oversight Committee

Aschenbrenner moved that the Board form a financial oversight committee of four—two from the Board and two from the budget committee. These four would meet with the auditors. In July, two of the members would meet with Paul. The committee will review the existing Financial Manual. Winchester seconded the motion.

Vote: Unanimous. Motion carried.

Wake Signage

Robertson reported that all launches now have signage with an eye image and a headline "Wake Watch." Another line is reminding boaters "Please don't wake me."

Robertson will send a copy of the sign to the newspaper.

Cyanobacteria Research on Devils Lake

Robertson reported that recently two researchers have requested assistance with sampling for cyanobacteria on Devils Lake—Dr. Wayne Carmichael, Professor Emeritus is seeking collaboration for an EPA funded analytical technique he is co-developing for cyanobacteria. Working with him would entail sending samples to his colleague with kits they provide. The other request came from Dr. Dave Stone of OSU. Dr. Stone's graduate student is seeking to analyze tissue from mollusks for microcystin concentrations. Shellfish harvesting warning is common in the marine environment, but this work would look at freshwater mollusks. They would provide resources for additional partnerships.

SOLV: Down by the Lakeside

Robertson had originally requested \$250 for this May 16, 2009, project near the Union 50 and will provide t-shirts and food to the participants. The cost may exceed \$250 that was budgeted and the Board agreed that Robertson could exceed the amount as needed.

Vacation Request

Robertson asked for permission to carry over his remaining vacation days to another year. Winchester moved and Aschenbrenner seconded allowing his request for this year. Future years will be determined on an as-request basis.
Vote: Unanimous. Motion carried.

Non-Agenda Items

Public Comment

Raylene asked if the Board would consider placing dog stations at the D River or perhaps the State Parks would be able to assist in this. The Board asked the cost and Robertson said they are approximately \$500 to purchase and another \$100 to \$200 annually for supplies. Nothing resolved.

Announcements

Budget Committee: May 11, 2009, 10:00 a.m.

KBCH 1400 am: Tuesday, May 13, 7:15 am

SOLV: May 16, 2009, Union 50

May 19: Election Day.

Migratory Bird Day—Saturday at Union 50.

Oregon Lake Association: September 11, 12, 2009-01-30, Union 50

Erosion Control Seminar: October 8, 2009

Adjournment at 9:45 p.m.

Respectfully submitted,
Linda Burt