



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

**DLWID OFFICE**

**June 3, 2010**

**6:00 P.M.**

**PRESENT:**

Randy Weldon  
Brian Green  
Dave Skirvin  
Joe Barnes

**ABSENT:**

Jack Strayer

**AUDIENCE:**

Don Sell, Mark Christie, Tony McCaslin, Mitchell Moore, Bill Piggott, Larry Brown, Kerry and Mark Richards, Keith Boadle, Tom Willoughby Sr., James Aasum, Paul Katen, Tom Moore, Bud Depweg, William & Sue Henderson, Peter & Linda Andrusko, Charles Able, Wallace Voight, Mark Highland, Sar Richards, Jim Covert, Pat Dooling, and Gary Ellingson

**STAFF:**

Paul Robertson  
Seth Lenaerts, RARE Program

**MEDIA:**

Patrick Alexander, The News Guard

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

**Minutes of previous meeting**

The Minutes from the May Board meeting were unanimously approved by the Board.

**Financial Report**

Robertson noted that some sampling material payments were added, along with the final payment to TetraTech that will be received by month's end.

**Resolution 2010-10 to Transfer \$212 dollars from the General Fund Debt Service to Personal Services Health and Disability Insurance to meet overage of budget for the year was approved by the Board.**

### **Budget Hearing**

#### **Budget Committee Recommendations**

Green noted that the Budget Committee Recommendation is 50 pages long and is also on line. There were no Board of Directors' comments.

#### **Public Comment on the Budget as recommended on the Budget Committee**

Mitchell Moore: Commends the lake manager and the Board on the budget. He wanted to add that this year's budget was created with five new objectives that were different from those of the Devils Lake Plan. For instance, one of the top priorities was to begin the process of the Devils Lake Plan—long-term management. The Budget process has shifted the priorities. Updating the Devils Lake Plan should be used as a five-year plan similar to a long-range business plan to provide future strategy for Devils Lake.

Green: Does not believe we can revise the budget committee's recommendations tonight.

Moore: Just believes the long-term plan should be considered.

Brown: Why not interject Moore's suggestions into the budget.

Green: The next opportunity to do so would be in next year's budget. Moore wants to see it as part of the work plan and we will see to that. Any other comments?

Richards: Can you read Strayer's comments regarding the lake manager?

Green: The question of budgeting for a possible raise for the lake manager will be considered by the Board at a later date.

**Resolution 2010-07 was read by Green and the Board voted unanimously to adopt the budget for the fiscal year 2010-2011 in the sum of \$766,449.**

**Green moved that the Board adopt Resolution 2010-08 appropriating a total of \$442,786 as outlined in the budget and Skirvin seconded the motion. Non-appropriated funds are \$323,662.**

**Vote: Unanimous. Motion carried.**

**The Board adopted unanimously Resolution 2010-09 categorizing the tax levies of the adopted budget for properties inside the watershed boundary and inside the city but outside the lake watershed.**

#### **Public Comments on the agenda items**

**Pat Dooling** lives in Horse Shoe Bay and said he has completed a 75-foot dock and is now completing a boat house and ramp. It is necessary for him to go out 40 feet from the boat house to build a ramp to have access to his boat house. He says on a good day they have 2.5 to 3 feet of water. His neighbor has the same issues with a rental. He said he was raised around here and in recent years residents have been prohibited from pumping

water out of the lake. Why would we permit massive amounts of water to be removed by the golf course? Residents should be allowed to use the lake for irrigation. It is possible that cyanobacteria will build up more rapidly with the removal of water.

**Wallace Voigt:** He hasn't heard anybody bring up the fact that the normal flow of the lake is from the northeast to the southwest into the ocean. If the golf course is allowed to pull this large amount of water out of the lake, the natural flow will stop and it will cause stagnation. Another concern is the Tribe has purchased land to double the golf course. He has read that the water they will require could drop the lake level a foot and a half in the summertime. This would cause property values to decrease at which time he would like to see our taxes cut in half.

Robertson corrected his information to "inches" rather than "feet."

**Mark Highland:** First of all, he said he is not sure if the Board is making a decision on the lake level tonight. Why the rush? Anybody who has read the comments on DLWID.com or NoSolarBees.com or e-mail comments knows there is too much to read. He said he is retired and he doesn't even have enough time to digest all the information. He would like to see the Board slow down on decisions and tackle items slowly. Why not wait until the erosion study takes place and the RFP is completed. He has been on the lake some 40 years and is concerned about favoring a 9.0 lake level or a 9.3 lake level. We should just wait and see. The minute we make decisions as a result of a potential lawsuit from somebody or because of somebody's petition, the situation could change. He said his folks' house on Sandpoint eroded from a decent beach in the summer; however, the erosion took place in the winter months. A lake level in the summer time is relevant with regard to the erosion factor. Starting at the 9 foot level concerns him because of where we may wind up during the summer. Regarding the Tribe's and the city's water rights, should we be concerned about the lake level if it falls below a certain level from the water being moved to the golf course? Could it be shut off or reduced until the level in the lake is maintained? Decisions should be made for the greater good and not for personal issues.

**Mark Christie:** Handed out some notes. He said when he attended the meeting in May, he was a little caught off guard when the lake level issue came up. He read a few remarks from the April Board meeting about the lake level. He talked about the top priorities of the Board and said no mention was made on the lake level issue in the priorities list. In the May meeting, there was a different tone. He read motions about keeping the lake level at about 9.5 or 9.53. He asked the Board, "How can we revisit lake level for the third time in a year?" If it was a major concern, it should be listed as a priority. Consideration should be given to the water level depth and whether residents have problems with access.

**Mitchell Moore:** Summertime lake level was raised in July 2007 to 9.9. Weldon has advocated lowering the lake. Two other home owners and 21 people signed to lower the levels to 9.0. Residents have been willing to compromise. Moore reiterated history of the minutes, meetings and comments that he recalls regarding erosion and lake levels. Moore says the study should last a full year to assess more accurately the levels and the benefits and negatives at various levels. Six properties have restricted dock access at 9.0. Weldon's and Skirvin's measurements were taken at the end of the docks. They should have been measured where the props would be located a few feet back. Most parties are

happy with the compromise struck at 9.53. Summertime lake levels are not causing erosion.

**Bill Pigott:** He is opposed to irrigation of the golf course with lake water and the 300-plus water structures they cannot maintain. DLWID should oppose this lopsided deal. Re lake levels, he signed the petition Weldon brought around; however, with new information, he is no longer in favor of lowering the lake. He believes the Board should look at the larger picture and not make any decisions because of anybody's personal agenda. He said he has reviewed the upcoming contracts. He's a retired federal employee and is against additional vacation time for the lake manager.

**William and Sue Henderson:** Live on NE Loop Drive and feel that the main concern is the cyanobacteria. If you start dropping lake levels the cyanobacteria becomes a larger problem. It's not just about lake owners with selfish issues. They wish to be put on the record as being concerned that a lot more research needs to go into raising and lowering the lake.

**Jim Aasum:** Has a concern about access into boat houses. A lower lake level increases the water temperature. The carp have done a tremendous job. Wants to know if the Board has taken a position on the Siletz taking water from the lake.

**Green:** We have no jurisdiction.

**Robertson:** There is a potential utilization of the existing water rights of 1.5 cfs and they are looking at a different point of diversion for 0.5 cfs. The idea would be to add a second point of diversion that would remove from the lake water that is already nutrient rich.

**Barnes:** They have the water rights already and it's just where they take it from. They are bringing it to Water Resources who will make the decision.

**Paul Katen:** I don't live on the lake, but I'm a volunteer who is speaking as a concerned citizen. Find the single-mindedness of people on the lake level bothersome. Have been involved in the Lincoln City water issues for many years and have been involved with a settlement agreement that took more than two years to complete. I am involved with the Salmon Creek Water Shed Council. For about a year and a half the city and the Siletz have been involved in this issue; the Siletz is taking water out of the north end. You need to look at this issue holistically and realize that all the streams are impacted. They are not just taking it out of Schooner or Drift Creek. You need to think about the community and not just Devils Lake, look at the overall picture and at the demand in the community and not just the level of the lake.

**Mark Richards:** Have been recreating on the lake since 1980's; 15 months ago people voted no on lowering the lake. Why are we going over these issues again? Nature dictates the erosion of the lake. Also, what benefit is there for the Siletz to use the water in the lake? Wouldn't the Board be best to look out for the best interests of residents? And, third, in these economic times he does not believe the lake manager should be given a raise or additional vacation time. He is also concerned for the negative influence all these disagreements are having on the intern.

**Statement from Douglas Pirie was read by Mitchell Moore:** Weldon and Skirvin concluded that the lake had plenty of water for all boats. At 9.5, the Richards' cannot use their boat. Pirie cannot sail adequately until the level is at 9.5 to 10 feet. 9.5 is the minimum. Wave energy 101 should be addressed.

**Larry Brown:** Said he was one of the signers of Weldon's petition a year ago. He feels that if we set the starting level at 9, we could have problems. The people he knows around the lake do not want the lake lowered. Set a level on the high side at 9.53 or 9.25. There are a significant number of people on the lake who have problems if it's lower. On the irrigation issue, he said let the home owners around the lake water their lawns instead of pumping the water up to the golf course. The warmer the water is, the greater the problem. Lower the lake level and the E.coli increases.

**Bill Sexton:** In 1983, he dug the irrigation ponds for the golf course and they had significant water supply for the entire golf course. Due to the lack of maintenance, the ponds have overgrown. The Tribe could have a sufficient water source right where they are.

**Green:** That will close the public comment section on the agenda items.

## **Unfinished Business**

### **Lake Level**

This included Skirvin's presentation on the background of lake levels and slides on the measurements taken by him and Weldon.

Skirvin: In March, a decision was made to keep the dam open through May and pulse it only in May. Skirvin moved to maintain 9.3 or better. Moore made some concerns that their properties might have some issues. The dam was going in in April and we wanted to be sure our decisions wouldn't have any negative effect on the properties. We focused on the canals (Thompson Creek), took sampling along the eastern side with a goal to make sure there would be no negative impact prior to the first of June. We measured at the end of the dock or on the outside of the L shaped docks. If it was a bulkhead, we measured from the bulkhead. He showed samples of some of the boats on the lake. When he did measuring the lake was at 9 feet. It was just before the April Board meeting. Skirvin went over the Horse Shoe Bay measurements where at point there is just six inches of water. In the island you are walking in muck.

Navigability is not an issue with the majority of waterfront properties at 9 feet.

Thompson Creek's depth is generally 32" plus, except for the last four properties closest to East Devils Lake Road. Tenth Street Canal depth range is 32 to 48 inches.

Skirvin showed an historical water impoundment chart. He took summer months over the last 12 years since the dam started. July, August and September, pre-2006 average and a post 2006 average. July we were averaging 9.39 before the new dam and about 9.55 with the new dam. August and September were at 8.9 or 9.0 and the overall summer pre-2006 dam rebuilt beginning in June ending in Sept. was 9.2. Our maximum is 9.53.

He has no data on rainfall prior to the new dam. From 06 to 09 all summers were drier than normal. Since the first year, we went from an .86 to a .25 foot difference to being higher in September. When we visquined in August or July, we brought it up .25. Once the lake level goes down in August or September, you cannot increase the lake once it is lower, because it will be a violation of water rights.

**Pigott:** The erosion study is imperative. A lot of people are concerned about the impact of the lake level compared to 10 years ago. Debris and the lake bottom are rising. That

is another issue that can be dealt with. Basically, this was a history of the lake and the watershed.

**Barnes:** Feels that this lake level issue was blown out of proportion. The erosion study needs to be completed. He does not feel that the communication between the Board and the residents is quite adequate yet. He wants to continue to allow the public ample time for input. We are all in this together, he stated.

Barnes moved to maintain the lake level at 9.53 until there is an erosion study and the public has ample opportunity for input. (There was no second. A previous Board meeting decision was to maintain the level at 9.53.)

**Discussion:**

Weldon says he is the one who brought information to the Board about the impact of maintaining water level at 9.3 to 9.53 for residents and felt a further study was needed. We (Skirvin and Weldon) were astonished that we found so much water at most docks. As a Board member, we are required to, and he does, leave personal opinions and agendas at the door. He said he is one of the heaviest users of the lake. When the dam was rebuilt in 2006, the water went up and he noticed that it created a problem. He skis when it's good and quits when conditions warrant. Since the water is being held at nearly a foot higher, he spent money to move his dock. In 2007, there was erosion and that's when he began talking to the Board about the erosion. The largest issue was that people were losing shoreline. He feels that erosion is one of the primary issues that should be addressed. He spoke to Greg Beaman and asked if evaporation should be taken into consideration. He advocated dropping lake level on August 1 to 9 feet and install visquine to hold back water. If we went up to 9.53 the lake will not repair itself.

Green: Maybe we should specifically address the lake level at 9.0, 9.25 and 9.5 in the RFP so that everyone's questions are answered.

Skirvin: The RFP time frame was pretty fast; it is a challenge to complete by the 23rd. Digital mappings and laying out more comprehensive reporting would be good.

Dr. Richard Raymond gave some great information. Skirvin does not have an issue with saying this should be a 6- or 12-month study—we should leave that to the experts.

Maybe it should just be completed within twelve months.

Barnes: We will have more than one response; maybe up to four people will give us a presentation. And we can request an interview. The people who do this can inform us what we need to cover.

Green: We need to know what the difference is between erosion in the winter and erosion in the summer. We need a scope of work. Those kinds of things should be in the RFP.

Skirvin: Boat wakes and wind wave action are taken into consideration and we should allow for latitude and a time frame.

**Next came a discussion on sediment levels and dredging of the canals.**

Lenaerts: Maybe it would be good to have a public meeting with an erosion expert and the RFP person to answer questions.

Skirvin: Does Paul need to redraft the RFP and have us look at it a couple of weeks ahead of time? We should focus on the erosion.

Robertson: In 1993, there was a study done that shows the lake bottom changes. Sedimentation is always going to be prevalent.

### **Water Rights of Rock Creek and Golf Course**

Green: We need to decide whether we are going to endorse the city's proposal with the Tribe on water rights.

Robertson: The Board should ask for the City of Lincoln City and the Confederated Tribes of Siletz Indians of Oregon to present exactly what their proposal is, possibly at our next meeting. As a formal place holder, we could request to be considered a stakeholder with our questions. It should be noted that the Siletz Tribe has been very willing to work with us when the wells were being proposed. The Siletz Tribe worked for two years and DLWID had eight months of input. The best thing to do is to have that place holder through Water Resources for a request to comment.

Barnes: Maybe we could ask that they stop pumping if the water decreased to a certain level.

Green: There is a benefit for them not using fertilizer if they pump water out of the lake that is already full of nutrients.

Robertson: 75 acre-feet of water is what is needed. The lake is 680 acres and if you take 75-acre feet, it would be about an inch and 5/16 off the entire surface of the lake.

Green: We are asking the manager to invite the city and tribe to come and tell us what they want to do and what the impact will be on the lake and what their proposal is based on the doubling of the golf course.

Pigott: Is there an opportunity for the public to raise some questions?

Robertson: If you can send me your questions within the next two weeks, we will forward them on to them. That will facilitate a question and answer session.

Brown: We might need to have this meeting at the city council chambers or the community center.

### **The Devils Lake Plan**

#### **DEQ 319 Grant**

Robertson reports the final draft of the QAPP and SAP were submitted to DEQ. The database RFP is moving forward. Hoped to have this ready for this meeting. The needs to move forward are pretty high. Robertson requested permission to send out an RFP and get some response prior to the next Board meeting. We need to have the database work completed by September. DEQ can be flexible. If in July, we can grant it in August and they would have only a month to do the entire thing. Maybe a special meeting within the next week or so is warranted to move the date out. The erosion control RFP can be pushed out some, but this particular one is under contract.

Green: Send it to Board members individually and give us 72 hours to comment.

Robertson: It's pretty simple.

Green: Once you have our input, you can just finalize and send it out.

### **Native Vegetation**

Per the manager's report, one additional aquatic plant has been added that is low growing and submersible and is quite common in coastal lakes, and another plant has been removed. Deliveries are expected before June 30, 2010. We will also receive digital

copies of the manual and will be able to make changes. Robertson is recommending in the financial report to allow for full payment of the contract by June 30, 2010, after the materials are received. Twenty copies will be received and Robertson would recommend having Seth hand out copies to nurseries and landscapers in the area. The document will also be placed on line and we will evaluate the need for additional copies to be printed.

Weldon: Can we look at them first?

Robertson: We will receive them by the 25<sup>th</sup>. The Board can look at them the next meeting and determine the disbursement. Landscapers are key because they will be answering questions from the home owners and possibly planting.

Skirvin: Can we have a workshop for them to talk to Seth?

Robertson: Sure. He also mentioned that permits would be required for planting below Ordinary High Water (OWH). Getting the manuals to them would be the most important. For the public to plant these submersible plants, enclosures are the large ticket item, because you are creating fill. Fish is the big issue.

### **Septic Tank Revitalization Ordinance**

Lenaerts reported that City Manager Hawker hopes that the ordinance draft will be available by the next Board meeting. If we receive the draft by the next Board meeting, would the Board like to give staff some direction on a day of the week, time, length of meeting and format? Lenaerts said he plans to research content for an RFP.

Skirvin: Let's set up a meeting for sometime in July.

Green: July 1 is the next meeting. Let's see if we can do it at the next meeting.

Robertson: Having a second meeting space for this water level thing might be a good thing.

Moore: Send out information after the draft ordinance is received and we will inform people that it will be discussed at the July 1 meeting. We would need a minimum of two weeks' notice for the July 1 meeting. Or, we can later determine if we need a second meeting date.

Green: The city will schedule its own public hearing and we may have to follow their time line.

Seth: Point A in the outline contained the public and District input requirement.

Robertson: Seth's finished August 15 and that is another time line issue. The council may or may not adopt the ordinance if we can get it finished before then.

### **Save our Shoreline**

Seth reported that the last three months he has been working very diligently on this project.

He showed a PowerPoint presentation with what has been accomplished.

Outline:

Why do shoreline plantings?

Recruitment

Demo plantings

Benefits

Recruitment, public outreach and media

Planting

2010-2011

One of the demo sites Seth and his crew of volunteers and landscapers completed was behind a sea wall; a second one was on a slope and a third was in a wetlands type area. He showed the logo he had designed—SOS “Save our Shoreline” with a small plant in the center of the “O.” Discussion ensued on the value of placing the logo’d signs on properties that have been completed with plantings.

The Stiller family planted 60 plants that will thrive in their area.

Seth gave a great presentation and everyone gave him kudos for his work on this project and that of the septic tank revitalization.

### **Financial Oversight Committee**

Weldon reported they continue to experience conflicts in scheduling for this committee to get together.

### **Communications Report**

The manager’s revisions were sent to the Board members. The Board asked for more time to review this report. The cumbersome process of facilitating changes in this report was discussed. It was determined that each Board member will wade through the report and mark their changes individually for future discussion.

### **Safety Report**

Safety data sheets were reviewed by Seth and new MSDS sheets were added.

### **Thompson Creek**

Robertson said he needs a new vacuum pump to do the preparation work for DNA testing. Paper with the DNA samples will be shipped to the lab. If he shipped water, he has to send it the same day the sample is taken. High readings are shipped to OSU. Robertson recommends the purchase of a few setups of side arm flasks and a filter funnel. A few hundred dollars could equip staff adequately and a pump would cost approximately \$500.

Barnes: Is there anyone that you can hire to do this sampling? They could just come in and do it a certain number of times a month.

Robertson: It would be expensive to hire someone out of the area. We do it ourselves and it’s fairly inexpensive to grab the samples and get them ready. This is the most cost-effective manner to do the samples. The vacuum pump could be used for other testing also.

Robertson: The Watershed Council does testing for DEQ and we could pay them to do some types of sampling and analysis.

Barnes: If you could do a contract for a certain amount per year, it would save you the time. Do you have any estimates on how much it would cost?

Skirvin: We are now in sampling season. How many times will this pump be used over the course of the summer? Is there any equipment in the community that we could borrow?

Robertson: It is possible. There are also some e-bay sites for this type of equipment.

The Watershed Council does not do cyanobacteria testing. It's \$350 a sample, not for sampling, but for only testing the sample. It is something Robertson said he is most proficient at doing. The analysis stuff is pretty expensive. Also, there is the turnaround time. For this DNA component, he would not have much more sampling time, possibly another half day a week that we do sampling and collection. Including drive time, sampling and doing the vacuum pump work consists of about a half day.

Green: Then you have your other sampling time.

Robertson: It is about a six-hour day for the other sampling. Launching the boat, getting the samples, running the analysis, etc. We are only talking the summer time. Regular E.coli requires a half day; Thompson Creek, probably half a day. It's about 40% during the summer time.

The cost for the pump would be about \$500 and a couple hundred dollars for the other equipment.

Skirvin moved to permit Robertson to transfer \$1,000 from Debt Service into Capital Outlay for the purchase of a vacuum pump plus the other equipment for DNA testing, to occur within the next few days so that it is spent within the current budget year. Barnes seconded the motion.

Vote: Unanimous. Motion carried.

## **Sewer**

No update

## **New Business**

### **Water Quality Update**

Bacteria monitoring began on Thursday, May 27, 2010 for the summer season. It is posted on line. Rather than sending out information on both Tuesdays and Wednesdays, staff will send out a weekly update on Thursdays with both items listed. More than 200 people have signed up to receive regular water quality and regular updates.

Comments were that the water is much clearer than usual; the clearest it's been in a long time.

Robertson recommended replacing the old, small refrigerator with an adequate one that will maintain level temperatures. Some previous samples were frozen. Cost for purchasing a new refrigerator would be approximately \$800.

Green moved to transfer \$1,000 from Debt Service to Capital Outlay for Robertson to purchase a reliable refrigerator. Skirvin seconded.

Vote: Unanimous. Motion carried.

### **Cyanobacteria Meeting and Workshop**

Robertson reported significant attention has been paid to DLWID's monitoring program with lots of affirmation on what is being accomplished and that it is being done right. Dr. Wayne Carmichael is a cyanobacteria expert and confirmed that the method DLWID uses for Microcystin toxin analysis is the preferred method as is the freeze-thaw method for digestion of samples.

### **Erosion study RFP**

Will be sent to the Board as soon as draft is completed.

### **Staffing Assessment**

Robertson: On August 14, Seth's RARE contract time is up. If we are going to continue the testing as we did with an internship, we need to fund the gap from mid-August through the end of the sampling season. There is also more work to be completed on the Save our Shoreline. I am seeking the Board's approval to fill these staffing needs separately or together. The job could be filled by Seth Lenaerts, who said he would be interested, depending on what the Board had in mind.

In response to the Board's questions, Seth said that the current position is funded partly by AmeriCorps. Seth's salary is the portion that the DLWID pays. The rest of the funding goes to ancillary expenses.

Green: Can you wait until the July 1 meeting when we can have an Executive Session to discuss this with you?

Seth: If something better doesn't come along, I will be available.

Green: A full-time position for 10 ½ months is what Robertson is proposing.

Barnes: We will need a job description tied into the priorities that we have. The budget indicates Save our Shoreline, outreach, etc. are issues to continue.

Green: Another option is creating a job description for a low-cost "gofer" that can perform everyday tasks, or, possibly even a bookkeeper. Robertson was informed that he should propose what he felt is feasible to the Board, tied in with potential projects and they will discuss at the Executive Session on July 1.

### **Contracts**

The Board needs to evaluate the performance of each of the participants of the pending contracts; therefore, they deferred the contracts to the Executive Session of the next meeting for all of the positions and will consider them at that time.

Barnes: We need to allow ourselves some time after that Executive Session to make a decision for the future. If we are not prepared to move forward with all of the contracts, there might be some other options available.

Skirvin: I'd rather do an Executive Session prior to the regular meeting, say at 4:00 PM. It was agreed that an Executive Session would be held at 4:00 PM on July 1, 2010 at the DLWID Offices. The regular meeting might possibly be moved to a larger venue.

### **Vacation Request**

Robertson: I am requesting Friday, June 4 as a vacation day. I have 16 hours remaining of vacation. I would like to take July 2 off as well if the Board would approve holding the day over to next fiscal year.

Green move to allow Robertson to take June 4 and July 2 as 16 vacation hours under the current contract. Skirvin seconded the motion.

Vote: Unanimous. Motion carried.

The meeting adjourned at 9:53. P.M. The next meeting on July 1 might be held at the City Hall or the Community Center.

Respectfully submitted,  
Linda Burt

## **Strayer Statement**

### **DLWID – June 2010 Meeting**

Sorry I cannot attend this month's meeting. I am submitting this brief statement for inclusion in the meeting minutes.

#### LAKE LEVEL

I believe that the lake level should be maintained at the 9.53', as permitted by the state water master. That level provides the greatest good for the greatest number of people.

We are privileged to be able to use fixed docks [non-floating] and have lake fluctuations' as moderate as they are. Most docks were built to a 10.0' standard. But the reduction of 0.5' last summer and now another 0.5' reduces utility for many boats, docks and boat houses – lake wide. The reduction to 9.0' would strain boat ramps, boat lifts, boat drafts and access to boats from fixed docks.

One of our goals in the Devils Lake Plan is to protect wetlands. Lowering the lake would significantly and permanently impair our sensitive wetlands and their flora and fauna.

#### SAVE OUR SHORELINE

I observed one of the SOS planting projects. The plants were being planted no closer than 3' from the shore. Paul stated that the DSL requires a permit to plant below the 10.4' level. I believe that the SOS program as it is now planned is really a "Save our Backyards" program – never getting close to the shore to prevent erosion.

I believe the district should suspend the SOS program and ask DSL for authority to plant erosion control plants recommended by Tetra-tech down to the 9.0' level for any property owner around the lake.

This will allow the District and others to stabilize their water front to control and prevent erosion. ODFW should agree because there are no bass in the first 0.5' of water. The DSL authorization would put real energy in the SOS program while allowing individuals to multiply its impacts.

#### LAKE WATER FOR THE GOLF COURSE

This is a bad idea that I have opposed from the start. Below are a few of the questions that should be asked.

- 1- Why should we give the tribe something that the lake owners can't have - irrigation water from the lake.
- 2- The lake is NOT to be used for water storage. [The water goes into the lake from Rock Creek in the winter during high flows and the tribe draws it out of the lake in August, when Rock Creek is nearly dry and the lake struggles to maintain its levels].
- 3- Who would measure and police the pumping?[Once the pump is drawing lake water at 500 gallons per minute – who tells them to shut it off -- and the pump will be in the lake forever.]
- 4- The lake, the lake users and the DLWID gets no benefit of any kind for this transaction.
- 5- The golf course is a major polluter supplying most of the nutrients in the lake and should suspend its use of fertilizer - not be asking for lake water.

This use of lake water is a bad idea from start to finish – and I would support a motion to permanently table the issue.

## COMMUNICATION

The last time the lake level was discuss – the meeting room and part of the hall was filled with people. No advance information that the lake level was to be decided again was given to the public. Staff was satisfied with the normal monthly listserv announcement on May 28<sup>th</sup>.

We invested in listserv to keep the public connected, involved and up to date. The announcement should have been made 3 weeks earlier.

## MANAGER'S CONTRACT

The manager's contract proposes about a 3% salary increase - I oppose it. The contract also proposes a 4 week vacation after 5 years -- I also oppose this change. The federal government is a generous employer - grants 4 weeks leave after 15 years of service. I would support this change.

## LATE ISSUES

Also - the board has received a number of documents in the last 24 to 48 hours. I believe that if the issues and documents are not ready for review 7 days in advance and on the agenda - the issue should be tabled until the next meeting.

Please include this statement in the online minutes,  
Jack Strayer, Director  
DLWID