



Devils Lake Water Improvement District
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Quick Look:

- Native Vegetation Planting Guide
- Audit
- Open Space
- Lake Level
- Septic Tank Revitalization Program
- Goal Setting Review

AGENDA

Regular Meeting

2010 March 4 at 6 pm. in the DLWID Office.

- I. Special Order of Business:**
- a. **Native Vegetation:** (Dr. Toni Pennington – Conference Call) 6:00
 - b. **Audit:** (Signe Grimstad, Auditor) 6:30
 - c. **Open Space Grant Match** (Ron Ploger, Lincoln City Parks and Rec) 7:00
- II. Minutes of the Previous Meeting** 7:15
- III. Financial Report**
- IV. Public Comment** (Agenda Items, Please limit comments to 5 minutes per person)
- V. Unfinished Business** (Agenda Support Item A)
- 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
 - iv. Septic Tank Revitalization Program (Seth Lenaerts)
 - v. Save our Shoreline Campaign (Seth Lenaerts)
 - e. Financial Oversight Committee Report (Randy Weldon)
 - f. Communications Committee Report (Jack Strayer)
 - g. Safety Report
 - h. Listserve ConstantContact (Seth Lenaerts)
 - i. Devils Lake Low Power Radio
 - j. Technology Needs
- VI. New Business** (Agenda Support Item B)
- a. PADL's Next Steps: John Lazier
 - b. Budget Committee
 - c. Goal Setting Review
 - d. Lake Steward Award
 - e. Staff Time Reporting Discussion: (Joe Barnes)
 - f. Earth Day Event
- VII. Non-agenda Items**
- VIII. Public Comment** (Non-agenda Items, Please limit comments to 5 minutes per person)
- IX. Board Comments & Announcements**
- X. Adjournment**

I. Special Order of Business

- a. **Native Vegetation:** Dr. Toni Pennington to provide a teleconference report on the native Planting Guide.
- b. **Audit:** Signe Grimstad of Grimstad and Associates Certified Public Accounts to provide a report on the FY 2008-2009 Audit. I have previously provided a copy of the DRAFT audit, and upon receipt of the actual audit, one will be shipped to you. A link to a digital copy will also be placed on the Meetings page of our [website](#).
- c. **Open Space Grant Match:** Ron Ploger, Director of Lincoln City Parks and Rec and city staff representative of the Open Space Committee to provide a grant match opportunity to the District. I will leave the details up to him to present, but he is writing a grant for additional monies to help buy a parcel that is in direct contact with Devils Lake and abuts another publically owned parcel (Friends of Wildwoods Trail, near the hospital on West Devils Lake Road). He is only seeking what I assume is a very small fraction of the yet undisclosed purchase price/value of the property, specifically \$1,000.00 of District funds to bolster the grant application. He is also I believe looking with that potential funding a letter of support from the District.

II. Unfinished Business

- a. **Boat House/Docks:** Tabled Priority. Lincoln County recently hired a new planning director, who will start in February, 2010. She is from Tillamook County, so she has experience in small coastal communities. As the county has been without a Planning Director for approximately 6 months, I do not imagine that our priority will be as highly held as other countywide issues. However I will in the next month begin the conversation with the new director such that we can begin again to move forward.
- b. **Land-use Complaints:**
 - i. **11th and EDLR:** I spoke with Mr. Bob Buckman, ODFW Newport about DSL's ruling on the Essential Salmon Habitat (ESH) of Devils Lake. He stated that undoubtedly native Coho salmon juveniles use the shores of Devils Lake while over wintering. This is something they have routinely seen while electro fishing Devils Lake's shores. It is the additional time in the freshwater (lake ecology) that provides for stronger returning spawners in years of poor ocean conditions as compared to fish in riverine systems such as the Siletz.

In detailing how DSL may have come to its ruling, I referenced a Lincoln County Map (<http://www.oregon.gov/DSL/PERMITS/docs/maps/lincoln.pdf>) on their website which does not include Devils Lake as ESH. It does however include the D River, Rock Creek and seemingly part of Thompson Creek. The watercourse between those points, Devils Lake, is not highlighted. We then looked at the Douglas County Map to investigate how Tahkenitch Lake might be listed. It is represented as a Tahkenitch Creek running from the ocean all the way up to its tributaries, and thus it is clearly listed as ESH. If the Lincoln County map is the link to how DSL reached its conclusion, this case seemingly would be closed, but the inaccuracy should be remedied.

The only other criterion I can read in their decision is language around hydrologically connected wetlands. DSL used such language in its most recent letter, stating that they

were unable to determine if the wetlands met that criterion. Mr. Buckman relayed that effectively this would bring into question whether the wetland was really a place the fish could swim into, rather than just boggy soils. With the fill on top of the wetland already, seemingly this would be a difficult question to answer without close up before and after photos or accurate elevation data prior to the fill.

Mr. Buckman has agreed to help remedy DSL's mapped inaccuracy. He was to meet with two of his staff last Monday to discuss the situation. He also suggested though that as for this particular case it is not likely worth seeking to undo the DSL ruling, ("water under the bridge"), but to look forward to insure that the Essential Salmon Habitat criteria are being referred to in future cases. This is my primary concern too as I have reflected previously, and would caution against singling out an individual property owner who has had official notice from the regulatory agency in question.

Recent Update----Email from ODFW:

Paul,

I was asked to address a question you had regarding Devils Lake and Essential Salmon Habitat. ODFW does consider all of Devils Lake and main tributaries ESH and we have consistently commented on DSL permit applications and fill/removal violations highlighting this designation. From my understanding, DSL also considers Devils Lake and its main tributaries ESH. ODFW supplies this type of information to DSL usually on an annual basis as new data becomes available, i.e. upper extent of Coho in headwater areas. If there is an area in question for ESH designation, there is a process to make a determination and submit new GIS data to ODFW. I would be happy to discuss this with you at any time.

I believe your question stems from a past DSL fill violation along Devils Lake where a landowner had some fill material placed into a wetland adjacent to the shore line. From my understanding, the initial review was that this fill was within ESH, i.e. below the ordinary high waterline, and penalties were warranted. However, I believe DSL did make a final determination that the fill was not actually within / below the OHW line therefore not considered to be in ESH, nor was the amount of fill over 50 cubic yards.

I hope I have provided some clarification for you. If not, I would suggest talking with Carrie for more details on this particular incident.

Thank you,

Derek Wilson
ODFW – Newport
(541) 265-8306 ext 236

Staff Recommendation: Effectively I would recommend that we only follow up on the future of ESH rulings to insure Devils Lake is consistent with other salmon bearing ecosystems in the state.

- ii. **Seid Creek:** No reply from NOAA since March 2009, even with repeated emails and phone calls.

- c. **Lake Level: (Updated)** Lake has been rising and falling with rainfall and is not being controlled at this time. No instances of emergency dredging have occurred since November 2009. The District should devote time to assessing the potential operation of the dam for the upcoming season. Our lake contractor who has maintained the dam since its inception in 1997 will be retiring and thus a considerable reinvestment of time and resources needs to be considered. In fact contrary to my previous understanding Steve Hoover will be retiring at the end of March, not April. He is willing to train an individual, but will not himself be installing the dam.

Our usual installation of the dam is April 15th, but should the board continue to choose to impound water for recreation, it may be of no less consequence of pushing back the installation day until after salmon fish migration is of less concern. This would be June 1st, as generally we have had the lake contractor pulse the dam every other night from May 15th-May 31st. Between April 15th and June 1st we routinely get significant rainfall events that have required excess release of water from behind the dam. Moving the install date forward would eliminate the cost and need to have the dam pulsed, provide better outward fish migration, all without having much impact on the peak recreational use time on the lake which is from June to September. Additionally this would provide us the additional time to put out to bid the lake contractor position and have that individual gain the necessary training.

The other major consideration for the board to consider is whether or not the District wants to continue the use of the dam in this now 13th year of its life. While a great deal of controversy was raised last year regarding the use of the dam, which trigger at least in some part modifications to its operation, the question remains about the ongoing use, further modification, or discontinuance of the dam. Last April it was decided that the District would revisit the issue the following year. It is now incumbent on the District to begin at least to do so. Instead of reiterating previously discussed and reported on items in regards to lake level, I am providing a link here to the [April 2009 Staff report](http://www.dlwid.org/PDFs/Manager%20Report%202009%2004%2002.pdf) (Starting on Page 3: <http://www.dlwid.org/PDFs/Manager%20Report%202009%2004%2002.pdf>) which also includes a copy of a Staff Report from our October 2008 meeting. Much of the issues remain the same and this is hopefully will provide a good background of information for your consideration.

One new issue that was raised last year though was the concern about how the District is meeting its obligation to release from the lake an equivalent amount of water as is entering the lake after July 1st as required by its permit. How the District accounts for evaporation is basically in question. Effectively, if the lake has dropped below the boards, and a rain event or other force causes the lake to rise back up, additional water is being impounded as more water is thus entering the lake than is being released. This can certainly occur if rainfall occurs or a leak in the dam is sealed. Short of attempting to measure all the inflows (tributaries, direct rainfall on the lake's surface, and groundwater) and all the outflows (D River, evaporation, and groundwater) on a daily basis, we can only estimate what the water flux is during that time of year. There are methods to estimate at least the evaporation/rainfall component using existing data from long established evaporation stations on the coast, but this too would require some more investigation as to how then we measure how much additional water might need to be released to insure additional water is not being impounded in the last half of the summer.

Staff Recommendations and Requests:

Given the requisite change over with the Lake Contractor, and the issue of having to pulse the dam between May 15th and May 31st to reduce the impact to a federally protected species, Coho Salmon, staff would suggest delaying the installation of the dam at least until June 1st.

Additionally, staff would request direction from the Board of Directors about how, and if the dam might be used this summer at all. This would hopefully include direction on pursuing a method to account for evaporation should the board so seek. Lastly, should the Board seek to make larger scale changes to how the operation of the dam might occur this year other than a delayed installation and evaporation accounting, then staff would recommend holding a public hearing on the matter in April or May, holding off the any major actions until such a hearing and relevant decisions could be made.

d. The Devils Lake Plan

- i. **DEQ 319 Grant:** Upon review of state and federal procurement policy we recently obtained from DEQ, it is clear that we will need to get 3 estimates for the database formulation and use of the \$15,000, and not just go with Dr. Ford from OSU as DEQ sees her role as a subcontractor not as a joint applicant. This will require the expedient creation of a scope of work which we can then solicit estimates. I hope to have a document prepared for our next meeting for this purpose. We have through September 2010 for this aspect of the deliverables, but nonetheless we need to be ready to move on this once the first deliverables are done, due March 1st, 2010. The rest of the items are presented below:

REPORTING

1. Recipient will submit a draft QAPP to DEQ for review and comment no later than **March 1, 2010**.
2. Recipient will submit the final QAPP to DEQ within 45 days of receiving DEQ's comments on the Draft QAPP.
3. Recipient will prepare an Interim Data Report summarizing all data collected, validated and compiled into the database through December 31, 2009 to DEQ by **April 30, 2010**.
4. Recipient will prepare a draft Data Quality Compliance Report for water quality data evaluated for inclusion into the database. The Report will address compliance with completion targets for the collection of data that meets precision and accuracy targets listed in the QAPP (or the applicable contract lab's QA/QC plan) by **April 30, 2010**.
5. Recipient must submit an Annual Performance Report no later than **June 30, 2010**.
6. Recipient will submit the database (developed under Task 2) of all data evaluated for data quality, and data collected and managed according to the Recipient's DEQ-approved QAPP, to DEQ no later than **October 29, 2010**.
7. Recipient must submit a Final Performance Report including the final Data Report, a Data Quality Compliance Report, and a preliminary lake water quality assessment report to DEQ no later than **March 31, 2011**.

UPDATE: The first deliverable, the Quality Assurance and Project Plan (QAPP) Draft with the accompanying Sampling and Analyses Plans (SAP), are nearly complete and will be submitted to DEQ March 1, 2010 via email. All totaled this is some 100 plus pages of documents that have been completed by staff. This has been a significant and important

investment of resources. Together these documents will provide the mechanisms to begin to migrate DLWID's monitoring into a statewide database. However some, (mostly minor) improvements to our sampling protocol, plus reporting changes will likely have to be made to reach and electronically submit Grade A data presently and into the future. The classification, "Grade A Data" is required by DEQ for most water quality determinations for which DEQ makes decisions. This will include the TMDL process which DEQ eventually will conduct o. There is certainly additional work to be done. However, work now will pay big dividends as DEQ will eventually fully recognize the quality work we already are doing. Noteworthy is that any additionally funding opportunities for restoration or monitoring grants are also largely contingent on the successful completion of this \$15,000 grant. Staff sees this as an ongoing major priority and will continue to devote the time and resources to guarantee a successfully competed project. The next major undertaking is creating the scope of work outlined above, followed by the completion of a finalized QAPP and SAPs.

- ii. **Native Vegetation:** Scheduled to have a teleconference with Dr. Pennington at this next meeting (See above).
- iii. **Whole Lake Circulation:** No Update
- iv. **Septic Tank Revitalization Program** (Seth Lenaerts) The first section of this staff report is the same summary from the February meeting.

Septic System Ordinance: Below is a brief summary of official actions that have taken place recently.

At the Thursday, January 7 DLWID meeting:

1. Discussed how the Septic Tank Revitalization program fits in with the District's mission, goals and objectives
2. Staff gave a presentation tracking the evolution of the Septic Tank Revitalization Program since 1993.
3. City Manager David Hawker explained the City's reasoning and discussed his memo "*Preliminary position paper on a possible program to regulate septic tanks tributary to Devils Lake*". Mr. Hawker also answered audience and board member questions.
4. The board discussed the City proposal and specifically focused on the water shut-off, enforcement mechanism.
5. Lastly, the board passed the following resolution:

The Board of Directors of Devils Lake Water Improvement District supports the efforts of the city of Lincoln City to enact an ordinance requiring that properties that abut the lake or its tributaries have an inspection of their septic systems in order to ensure that such systems function properly in accordance with their original design, and that any penalty for noncompliance should not include termination of water service."

At the City Council meeting on January 11th, the City Council was introduced to the City Manager's memo. After completing his presentation and explanation of the memo, he advised council to table the issue until it had the support the full support of the Devils Lake Water Improvement District, including the enforcement mechanism.

- City Council was introduced to the City Manager's memo "*Preliminary position paper on a possible program to regulate septic tanks tributary to Devils Lake*".
- City manager advises tabling the issue until the DLWID is willing to support the water shut off as an enforcement mechanism. The City Manager explained that the tiered water billing approach suggested by DLWID would not work since a tiered water approach is not a legal possibility for the City.
- At Mr. Hawker's request DLWID staff provided some input regarding sampling which Council had inquired about.

- City Council provided comments to be shared with DLWID's board which centered on acting on the board's mission statement and goals. Councilors also made statements regarding the lake being listed by EPA as an impaired water body.
- Finally, City Council asked the District Board to re-view this issue and report back at the February 11, City Council meeting.
- The DLWID board chair Brian Green gave public comment stating that the board will re-address this issue at the next meeting and evaluate the previous resolution.

UPDATE: March 4, Staff Report

At the February 4, DLWID board meeting, the board again addressed the possible septic system ordinance. After public comment and a discussion by the board, a resolution passed in favor of the septic system ordinance 5-0. Additionally, the board made several recommendations to shape the ordinance.

Members of the DLWID board and staff presented the new resolution to the City Council at the City Council meeting on Monday, February 8. At that meeting the City Manager gave his report in which he stated that due to profound exceptions in the DLWID resolution he could not recommended that the City Council pursue the septic ordinance.

The City Manager was specifically concerned about the following DLWID board recommendations:

- That the ordinance affects the entire watershed compared to just properties that abut the lake.
- That any DEQ certified contractor could be used for the inspections and pump-outs.
- That there would not be a requirement to pump out the tank. The City Manger supports a ten year pump out.

In his memo to City Council he stated the following regarding system pump outs:

"No pumping requirement - I said I could live with selective inspections (concrete v. steel, v. no record, etc), and let many off with no inspection requirements PROVIDING there was at least pumping requirement for the rest, and I felt that unless the property owner could prove pumping within the last 10 years, it should be included in the inspection. At least from my meeting, it was obvious that their (DLWID) concern was almost exclusively leaky septic tanks, not proper maintenance. It seems generally well held that pumping a septic tank every five years with normal use constitutes proper maintenance. Lack of pumping will result in lack of capacity for the biological process."

The City Manager went on to state that the recommendations that the DLWID board passed would make the ordinance more susceptible to legal appeals.

*"Besides these issues, a selective program is going to result in a lot more difficulty in crafting an ordinance that will stand muster. We will need to depend on DLWID to give us solid evidence of why the selective enforcement or we will open this up to an easy appeal as being arbitrary. There is certainly going to be a lot more hearings and protest from those that don't want to be on the list. For example, they have a check written to a contractor. Is that evidence of a recent inspection? Someone at the City will need to hear the appeal, and write a decision. Nevertheless, with the multiple exceptions I have noted above, I can recommend the program. **However, the exceptions are profound, and I recommend to Council no further action at this time.**"*

Despite the City Manger's recommendation the Mayor and Council still support moving forward on a septic system ordinance. Mayor Lori Hollingsworth stated that she believes that we can work through this. Mayor Hollingsworth then asked if David Hawker, Brian Green and Paul Robertson would be willing to meet with her to try work out some of these sticking points. All accepted and they will be meeting on March 1.

I will provide an update for the board following that meeting.

Conclusion:

The City is our main partner on this program. Despite the City Manager's recommendations, he and the council do understand the seriousness by which we are pursuing this issue. His statements are not meant to indicate his unwillingness to move ahead; simply that at this point he does not feel we can create an effective ordinance with the proposals. The intention of the March 1 meeting is to work through some of those differences.

Public Input:

As recommend in DLWID resolution 2010-03.

That property owners affected by the ordinance be considered part of the stakeholders who further develop a draft ordinance.

It is the intention of staff and the board to maintain transparency throughout this entire process. We will work to continue to inform residents when public comment periods take place in the process. The State of Oregon continues to be one of the leading states in offering and encouraging public participation and DLWID as a government entity maintains those rules.

Thus far, a great deal of public comment has been heard by the board since I began working on this project in September. As the structure of the ordinance has been developed, the board has committed the majority of the last few meetings to talking about a proposed septic ordinance. The board has also invited City Manager David Hawker, County Environmental Manager, Bill Zekan and Environmental Health Specialist Tony Shearer who have made themselves available

If the proposed ordinance continues in a natural process it will follow this track

- **The major points of the ordinance are outlined.** This is more less what has been happening in our meetings. Thus far, we have had multiple hours of public comment, a number of letters, emails and phone calls and a few email chains that have included board members.
- **The city attorney creates a first draft based on what comes out of bullet point 1.**
- **Staff Reviews of the first draft.** The board will review this first draft and there is potential here to vet this out if the board feels there are discrepancies between what came out of bullet point 1.
- **The ordinance goes to Council for Consideration.** There will be at least one public hearing that will offer a time for public comment.

Summary of March 1 Meeting with City:

Forthcoming, to be given by Paul, Brian or Seth.

DATA Collection:

I have been working with T&L septic to fill in some of the missing data for the GIS septic database. T&L has a good database and their information has been very helpful.

Before we gave the information to T&L we had 132 systems that had no information on and many other that lacked important data. The number of unknown systems has now been reduced to 31. We have also been able to fill in holes on information on systems such as, tank size, material and the most recent pump out.

Database expansion:

The database is still focused on a 250 foot boundary from Devils Lake. If the septic ordinance targets an area that encompasses more then just 250 feet from Devils Lake, I will then continue to gather information for those properties.

v. **Save our Shoreline Campaign** (Seth Lenaerts)

February Tasks:

- Work with Coyote Landscaping and local nurseries to source vegetation and come up with plot designs

The save our Shoreline campaign is “springing” into action. The Save our Shoreline campaign is focused on several ways to improve lake quality:

- **Reduce Nutrients entering the lake**
 1. **Decrease use of Fertilizers, compared to lawns.**
 2. **Native Vegetation traps nutrients preventing them from entering the lake.**
- **Decrease erosion**
 1. **Native plants have longer roots and are better at holding the soil in place then rock walls and lawns.**
 2. **Native plants slow down fast moving water during storm events, compared to grass.**
 3. **Absorbs wave action, unlike rock walls that reflect that energy below the rock wall and to adjacent landowners.**
- **Increase the visual landscape**
 1. **Native plants will make the lake feel more natural**

Although the project is focused on native vegetation, one thing that all landowners can do to take part in this campaign is stop or limit the use of fertilizers. Additionally, if fertilizers must be used, use a phosphate free fertilizer. (Phosphate free fertilizers are available at both Ace locations in Lincoln City). The problem with fertilizer is that they are not picky with what plants they will aid in growth. When fertilizers get washed into Devils Lake either during rain events or through the groundwater they aid in Cyanobacteria growth and contribute to the eutrophication of the lake.

Restoration Projects:

One week ago we sent out an email to solicit property owners who would be interested in a shoreline restoration project to take place on their property. Thus far we have six homeowners who have expressed interest. We are looking for a minimum of three homes and will select as many homes as possible until the \$3,000 that was allocated runs out. The initial planting day will be Saturday, April 3. We may also do the following weekend depending on our financial situation and if we still have some work to complete after the April 3, planting.

I have been talking to a number of different contractors. The role of the contractor will be to work with us and homeowners to design the plots, source plants and assist volunteers on the work day. I am also looking to find a team leader for each site. The ideal candidate will have some landscaping experience and will assure that quality is maintained.

Participating property owners will be asked to pay for a portion of the project and will be expected to maintain the property.

I do need to clarify how the money will be spent on this project. I was allocated \$3,000 for the project. To assure that these projects are done well and can be used as examples for the public, it is important that we contract with a professional landscaper. I also plan on spending money on necessary accessory items such as tools, erosion blankets or erosion control logs. The motion that allocated the funds for this project stated:

That Seth be provided a budget of \$3,000 to develop a plant inventory for the pilot project and to transfer the funds from Debt Service to Vegetation Management.

Board Action:

I am asking the board to make a motion to allow that allocation to also be used for plants, accessory items and contractor services.

- e. **Financial Oversight Committee Report:** (Randy Weldon): UPDATED We have received a draft copy of the audit, and I have reviewed and returned to the auditor a 6 page managerial report which becomes part of the audit. The auditor will be at our next meeting (See above).
- f. **Communications Committee Report:** (Jack Strayer)
- g. **Safety Report:** No issues reported.
- h. **Listserve ConstantContact:** (Seth Lenaerts) The email list is a go. It has been used to send out information for the last two meetings and to solicit property owners for the shoreline restoration projects. We intend on sending out quarterly newsletters. The first one will be sent out in April. If the board members would like to include an article or story please let me know.
- i. **Devils Lake Low Power Radio:** UPDATED The Devils Lake Radio has been tested and is operational. It has a range of about a ¼ mile around Regatta Grounds, extending its signal across the lake to East Devils Lake State Park. This reaches the primary targets for this station (boat launches). We are awaiting some recorded messages, but for now at least the signal is known to be working. Currently the frequency is set for 1610 AM, but this may be changed for a more memorable frequency. Early last year, some Newport HS students had recorded some public service type announcements about invasive species that I thought were to have been already loaded on the machine. I am tracking down where a copy of those recordings might be, as they are not on the device itself. Lastly, there needs to be some signage created, which I propose the District cover. We can likely get 3-4 signs created for under \$100.
- j. **Technology Needs:**
 - Computer:** UPDATED Computer finally arrived. Operating system had to be reloaded causing about a 3 hour additional delay. Software loaded today includes QuickBooks (\$\$\$), Dreamweaver (Web), MS Office. Files migrated include emails, My Documents, plus archived files such as Research and FY 05-06, and FY 06-07. Still yet to complete: Installation of GIS program and all 35 GB of data. Online back needs to be resolved, and printer drivers have been malfunctioning and need to be resolved.

Color Printer: Purchased a Canon MF 8350 CDN (Color Laser Printer) for \$598.49 inclusive of S&H. Not only is the machine a significant upgrade from our previous machine's functionality at a competitive price, it is a large step forward in GREEN technology. Not only does it have an auto duplexer to save paper, but it also is RoHS compliant, a European Standard regulating heavy metal and other containments. One issue with the machine is how it handles faxes however. Our old machine was able to only answer a double ring associated with our 541-994-6040 number, and thus far we have been unable to find such a setting on the new machine. The issue that has developed is that it will recognize if it is a fax or not, send the phone calls to the handset, but because the signal has been interrupted voice mail gets circumvented. The fax will eventually assume after a number of rings that it was a fax, and tone out accordingly. The result is that we are unable to get a message when we are away. The only current solution we have is to insure the fax is off, when we are away, and thus focus on receiving voicemail over the few faxes we get. Once we get the new computer, I will look further into this seeking a software fix.

RoHS Explained: “These Regulations implement EU Directive 2002/95 which bans the placing on the EU market of new electrical and electronic equipment containing more than agreed levels of lead, cadmium, mercury, hexavalent chromium, polybrominated biphenyl (PBB) and polybrominated diphenyl ether (PBDE) flame retardants.” (<http://www.rohs.gov.uk/>). These metals and chemicals are widely recognized as carcinogens, mutagens, and/or toxicants that can bioaccumulate in biological tissue providing significant health risk and even death.

BW Laser Printer: We ordered a surplus, second hand printer from a company in Portland who resells such office equipment at significant discount. David Skirvin who personally has purchased equipment through GenTech recommended the specific item and the company. We bought at an 80% discount a HP workhorse, B/W only laser printer for 79.95. David has agreed to save the District the S/H costs by picking up the machine for us.

Procurement Policy: As a government particularly dedicated to water quality and the environment I feel it is important that we consider environmental factors when making capitol investments. This has already been happening, but creating a sustainable procurement policy would make evaluating future investments easier and more objective. The District’s environmental position is evident in the history of DLWID simply by looking at the letterhead in the 1980’s which was clearly printed on recycled paper. Similarly, we have been purchasing recycled paper and paper products recently. We recycle not only in the office, but in the lab. We have purchase Energy Star Rate equipment. Another sustainable practice we have undertaken is requesting that all packaging materials of items we are shipped are made of easily recycled products (e.g. no Styrofoam peanuts). In order to insure that these things happen in the future, it is staff’s recommendation that a formalized policy be developed in the next year.

III. New Business

Agenda Support Item B

- a. **PADL's Next Steps:** John Lazier
- b. **Goal Setting Review:** I have sent the summary document previously to the board, along with staff time estimates for the upcoming year. It is my hopes that we can develop some specific language from the brainstorming and the existing Devils Lake Plan for priorities for the upcoming year.
- c. **Lake Steward Award:** The annual award is given out each year at the Community Days Banquet in April. Last year's recipient was PADL's longtime secretary and lake advocate, Raylene Erickson. The District is soliciting nominations for this next year. Please provide the name and justification for your nomination to lake.manager@dlwid.org by Feb 28, 2010 for consideration.

UPDATE: As the Community Days banquet is in April, and we need to notify recipients and have made our award many weeks in advance, we should decide on this year's recipient at this upcoming meeting. If there are additional nominees, please submit them to the board as a whole or bring them to our next meeting. As of yet, I have not received any nominations, but would put one forth myself for your consideration:



Paul Katen, Salmon Drift Creek Watershed Council President. Paul has been an incredible resource and hard worker in the watershed. He coordinates all of the continuous temperature sensor work in the watershed (lake and tributaries) along with flow measurements (pictured). He is a tireless advocate for water quantity and water quality issues coast wide. Paul is personally responsible for spearheading the Rock Creek Dam Modification for Coho Passage (See our Youtube video <http://www.youtube.com/watch?v=9-x7Z0-yij4>) that won the State Land Board, Stream Restoration Award for 2006. Additionally he spent untold hours on the Green Acres Infiltration Gallery also on Rock Creek, serving as fiscal agent, coordinated material pick up and delivery, and acted as a human excavator, personally removing large chunks of concrete from the stream during the project. For these and many other reasons, I personally would recommend him as the 2010 Lake Steward.

- d. **Staff Time Reporting Discussion:** (Joe Barnes) NEW The District Manager had previously provided the Board a copy of his monthly calendar as a means to relay relative time spent on projects. Many additional hours formerly were spent on record keeping at this level of detail which for the last few months had been discontinued. Reinstating such a program has been asked to be discussed.
- e. **Earth Day Event:** NEW We have been asked to consider a booth at the Earth Day event tentatively scheduled for April 24th. While I have not been part of the planning process this year, we have been asked if we would want to have a booth. Another related event is being held on April 6th at the Cultural Center from 5-7 pm. An artist reception is being held who specializes in environmentally sound projects, and thus they are seeking to enhance the event with educational groups having booths at this wine and cheese type event. I am seeking direction as to whether the District feels these two events warrant our attendance.