



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

**DLWID OFFICE  
May 5, 2011  
6:00 P.M.**

**PRESENT:** Randy Weldon  
Jack Strayer  
Brian Green  
David Skirvin

**ABSENT:** Joe Barnes

**AUDIENCE:** Chester Noriekis, Doug Pirie

**STAFF:** Paul Robertson, Seth Lenaerts, Intern, Lisa Lynch

**MEDIA:** None

Green called the meeting to order at 6:02 P.M.

**Minutes of the previous meeting**

The Minutes were reviewed by the Board and approved as submitted.

**Financial Report/Resolution 2011-05**

Resolution 2011-05 to transfer \$25,000 from the Material Services to Unappropriated Ending Fund Balance to increase the funding for the next fiscal year to \$100,000 was approved and signed.

A check for a safety deposit box was added for \$65.

The Board approved the financial report as submitted.

**Public Comment**

Robertson introduced Intern, Lisa Lynch, to the Board. Her internship will run from June through the fall term. Lisa is a junior at PSU in Environmental Studies and has a water-quality background.

## Unfinished Business

### **The Devils Lake Plan**

#### **Septic Tank Revitalization Program (Lenaerts)**

On April 14, Robertson and Lenaerts traveled to Salem where Robertson testified on House Bill 5022, in favor of DEQ Policy Option Package #120.

Robertson said the Director of DEQ sent a thank-you letter to Robertson for participating.

Lenaerts noted that the future of the bill is uncertain; however, it will probably go through.

DEQ will keep in touch on another hearing. Senate Bill 83, the revolving loan program to assist individuals in performing repairs on failing septic systems, is in the Ways and Means Committee.

If the bill has a public hearing, it might be important for Robertson and Lenaerts to attend. Senator Jackie Dingfelder requested that they track the bill and testify if it comes up. Although there are currently no funds for this program; however, if funding becomes available in the future, it can be placed here. It is part of DEQ's total budget.

Locally, staff attended a meeting with Mayor Dick Anderson, David Hawker, Brian Green, and Gary Ellingsen. The mayor asked that staff contact the new councilors. Lenaerts will try to meet with Quant and Egleton next week to let them know the history of the program and what the goals are.

#### **SOS--Save our Shoreline Campaign (Lenaerts)**

Regatta Park Grounds. The site has been stripped and all the planting completed. Awaiting Devils Lake Rock's schedule for adding additional rock and to clean up the curbs where they will finish off with concrete. As soon as this is completed, Lenaerts will do a press release and try to get some exposure. He will also monitor the project to ensure that the plants survive. It will be maintained by pulling a few weeds until they thrive enough to fill in. It is a rain garden, so it will need to be cleaned out occasionally. Strayer asked if the District is responsible to maintain it forever. Lenaerts said he is not sure how long, but he doesn't foresee a great deal of maintenance. Green suggested the city should contribute some maintenance since it is in the park. Robertson noted that the planting should save them some time since they won't have to mow the grass. He thinks the city will look at doing more of these types of projects in the future for time saving.

East Devils Lake State Park. Lenaerts will meet with Katie and Jon, Oregon Parks and Rec, to determine the size of the project and to show them Regatta Grounds. Lenaerts presented the Agreement that the state requested the District to sign to complete the project.

Strayer asked if the District is going to plant it, maintain it and irrigate it forever.

The Agreement, valid until July 1, 2013, calls for a "high level of routine maintenance" in keeping the area free of weeds. After that time, Lenaerts is hopeful that the state will take over the maintenance. Strayer suggested the District needs to have an "out" that is a little easier way out.

Green read the agreement that states if the District doesn't maintain it, it will be removed.

Discussion resumed on the agreement and what it entails for the future. On July 1, 2013 the agreement expires unless it is extended or otherwise terminated.

Green said that if it works like it should, there should be no problem extending the agreement. We just have to wait and see what happens. Skirvin asked Lenaerts how much maintenance he anticipated. Lenaerts replied about an hour a week on the 2,600 square foot project. Robertson said they should determine what amount of time the state is currently spending on caring for the canary grass. We could use that as a metric to take the project on for two years as our project. After that,

look at a contribution from the State equivalent to that amount of time. The benefit of the project is that we can place signage at the site and introduce and educate people to rain gardens.

Strayer: We agree to maintain it for two years and if they do not like it, they can remove it.

Further discussion continued on how to irrigate the project. Lenaerts said that the plan is to plant in the fall, the rainy season, and then we may have to water it in July. In two years, the native plants should do fine on their own. The area is somewhat sandy with some clay; it filters quite well.

Green: We could add: It is understood that if the agreement is extended, the state will assume responsibility for maintenance. Or, if they won't go for that, "the state will consider the option of assuming responsibility for maintenance." Strayer said he agreed with that.

Green said request also that they remove "high level" of maintenance and change it to, "routine maintenance." Robertson said he doesn't think that the "high level" verbiage is that important. It's just maintenance. Green said he thinks it's just important to do the project, no matter what happens.

**Green moved to have Robertson sign the Agreement with instructions to incorporate the two changes (listed above) in verbiage, if possible. If the State will not go for the change, Robertson is authorized to sign the Agreement as is. Skirvin seconded the motion.**

**Vote: Weldon: Yes; Skirvin: Yes; Green: Yes; Strayer: Abstain.**

Lenaerts said that all land in the coastal area is considered highly culturally sensitive because of the tribal history. Therefore, this project will require approval from SHIPO. They want to ensure that we are not digging holes where cultural artifacts reside. He said that it shouldn't be too long a process. In the meantime, he would like to go ahead and place the plastic down. Skirvin noted that Lenaerts should get approval prior to killing the grass. Lenaerts said if nothing else, they can replace the grass with native seeds. Robertson said we can always plant some grass seed or non-native grass that will allow mowing.

Lenaerts: Catherine Pruitt, the Salmon Creek Watershed Council Executive Director held a meeting with a botanist from BLM to tell us about a program for northwest Oregon, north of Highway 18.

They are going to open it up to collaborate with different entities for large-scale restorations.

BLM created this program to collaborate and collect seeds from native species and bring them to their greenhouses, after which they offer the plants free. The cost to the collaborative agencies is going out and collecting the seeds. The project is funded through BLM and grants. BLM will train volunteers to collect seeds, take them back to their greenhouses and verify them for genetics to ensure you are getting the best seeds. They will then propagate and deliver them back to you. You can take advantage of all the seeds that are available. We could create a list of everything we want and get them as emergent plants—sedge, rushes. Aquatic is not their niche.

Robertson added that they have 45,000 plants in a couple of rooms. One main greenhouse is in Estacada; the main land base one is in Tillamook near the prison and there is one behind Cloverdale School and one near Neskowin Valley School (demonstration area).

Lenaerts said there is another meeting in June. The District might be able to get 500 plants at a time for agreeing to pick up seed and attend one meeting a year. The Board asked staff to attend the June meeting.

Strayer asked about aquatic plants. Discussion ensued regarding why aquatic plants have not been planted in any of the SOS projects to date. Strayer said he was referring to the coconut rolls of seeds. Lenaerts said that so far they have not had a compatible sloping lot on which a project of this type would be compatible. The sites all had different challenges. Three of them were right on the

shoreline with undercut banks. It just has not been possible because of the terrain. Lenaerts said he would like to have a project with a nice grade. He said he has solicited residents to come to us and has not had a project that would work.

Robertson reminded that with the coconut rolls, a permit would be required since it is considered fill. Skirvin suggested that they take a look at the TetraTech survey and do some outreach to the property owners. Lenaerts said he would be willing to contact property owners.

### **Vegetation Management**

Robertson said he contacted Oregon State Police about any illegal stocking of grass carp and received a response that they checked back to 1996 and have no records of such. Robertson said he has researched papers received from ODFW from the late '80's and early '90's and has found minimal illegal plantings of grass carp. We paid \$600 for ODFW to search their records. Robertson said he does not believe there is anything further available from OSP.

The strategic plan has a number of things outlined. After the budget meeting Monday, Robertson will begin looking at some of the funding ideas, but he has listed \$147,500 to cover costs associated with the purchase of 5,000 grass carp. This is up from \$100,000 listed in the budget last year.

Strayer asked when Robertson will develop a plan on how we are going to use grass carp.

Robertson said that the process is to go forward with the appeal process. The District is positioning itself to step toward these goals. We need to look at other needs of the appeals process. We have to have the scientific study, the recent engineer's topographic survey, and look at the current situation to determine how many grass carp to apply for.

Discussion continued on the scientific study and the integrated aquatic vegetation management plan. Robertson reported that he spent 80 to 100 hours last month on the budget and will try to get a draft of the scientific study by the June meeting. Strayer asked for an outline and a timeline.

Skirvin asked for a draft by the June meeting, if possible.

Robertson said he would try for the aquatic plant survey at least, although additional time will be spent on the budget after the committee meeting.

### **Sewer (Brian Green)**

Green said the engineer finally got his contract worked out with the city. A meeting is set for May 11 at the site to see what site issues he has, if any. Green does not anticipate any issues except the north end where some of the property owners need to have easements. He is not satisfied with the speed at which these people are progressing. One or two are willing to grant easements so that others can hook up to the sewer, but they are not all going to participate unless there are more easements forthcoming. Green said he is informing these people that if we do not have pretty firm commitments by May 11, they will be excluded. They've known about this for six months. If someone says they will give an easement, we might be able to use the commitment. After May 11, we should have a clear direction. The 2-inch malleable pipe is such that you can twist it and roll it; it's not a straight line pipe—it will go around corners. We would like the installation done before the rains come in the fall. With the hearings process, the engineers say there is no problem. We are pushing to get the work done. It might not matter when it's installed; however, pavement is affected by the weather. The engineer will do a report that the city will probably not act on until July. The city sets a hearing in August, then another hearing. In September and October, we can hire contractors. It might not get done this summer. It will be from 40 to 50 homes and lots.

## **The Café – Union 50**

Green said Barnes is not present and nothing is happening yet. We are not going to bid at a price that is not economically feasible for the District. With the issue of the budget coming up, it was mentioned in the budget report that we need to budget for the project in case we go forward with it. So, let's budget in case we do have the opportunity to get it in light of the benefits that might be achieved from having that space on the lake. (Green said he might not be able to attend the budget meeting on Monday.)

## **Communications Report (Lenaerts)**

Nylon flags for \$3.95 are currently on back order until mid-May. Lenaerts will move ahead with ordering 50 with the cost of printing at \$3.00 to \$3.50—still under the \$8 mark. Sixty-one pounds of seeds for the seed packets have been purchased. We need to make some additional labels.

The recreational brochure will soon be printed and delivered around town. Thanks to everyone for their input and corrections.

The Clearwater e-newsletter was sent out and includes a video.

Strayer asked how many more SOS demonstrating projects were going to be completed.

Lenaerts asked if the Board wanted to set up grant funds for people to complete certain projects.

Do we want to do 75% participation? Weldon: Weren't we going to do 10 or 15?

Lenaerts: Eight or nine by the end of summer. Robertson said that if we can get 10 to 15 percent of the watershed involved, it would really begin to take hold. We are poised to commit to another year of these projects. If we had 20 or more of those medallions around the lake, we'd start to see great awareness. Neighbors would be asking what this is all about. Lenaerts said he feels 10 to 15 percent is quite reasonable.

Strayer said he would like to see us take some of these native plants that are hard to get hold of and make them available to shoreline owners who have erosion problems and let them do projects on their own. How much does it cost to do DVD's?

Robertson said about 50 cents apiece. We could create them for hand-outs or mail them out. It would be an acceptable investment for the Board. We could place five videos on the DVD's. You can store up to two hours.

Green said they could be sent to the people who would be ideal for the plantings we were talking about.

Robertson said that local Channel 4 is also a great venue for watching local videos.

Re the Community Days annual banquet, Mitchell Moore was awarded the annual Lake Steward Award for 2011. Approximately 200 people attended the event.

Robertson reported on the static parade that the District attended on a Saturday. It was a display and viewers walked through the "parade" of booths. People were interested in the District's activities.

Robertson stated that he and his wife attended an event on April 13 at Chinook Winds for local businesses for networking purposes.

Safety Report: No issues.

### **Thompson Creek**

Robertson spoke with Dr. Fields and requested an invoice for the bacterial source tracking from last summer. Dr. Fields referred Robertson to Dr. Mansour Samapour in Seattle, and said that she could provide him with a genetic marker for gulls. This would be a good thing to identify this summer at D River. Robertson said the three sampling dates are from the last of July through August.

### **Erosion Study**

Robertson said that a new date needs to be confirmed for this project, since Bob Mussetter is having surgery. They are proposing the week of June 13. Strayer asked if the boards could be put back in until ten days prior. Robertson said they haven't placed the boards in yet—just the stanchions. Low water is preferable. Robertson said Bob would be here for one day and Dr. Pennington for four days, basically, one week total. Skirvin suggested holding off until June and then we can decide what we are going to do for that two-week period. He said he recommended following the plan that the Board decided upon last month.

Strayer asked about pulsing done in previous years.

Robertson: Until the 31<sup>st</sup> of May, the boards are in place and then we pull an entire section. Pulsing it is really trying to simulate a river.

Skirvin: We need to focus on getting the most from the erosion study. We should stick with where we are and evaluate it at the June meeting.

Robertson said June is normally a rainy month; summer doesn't begin until July at the coast.

### **Internship**

Lisa Lynch is a PSU Environmental Studies Junior with a background in water quality. She said she is familiar with *E.coli* and bacteria testing for the Surfrider Foundation. She said she enjoys working with people and is interested in outreach and education, water quality and sampling.

Robertson said she will participate from June 20 and will begin sampling on her first day aboard.

Robertson said staff will begin water sampling just prior to Memorial Day weekend so that they can get a report out for the weekend.

### **Log Removal**

The relocation of the logs in the S.E. 1st Street Canal to the north side of the D River approach was completed. Robertson did a press release and received good coverage from the radio and *The News Guard*, who placed it on the front page of their website.

## **New Business**

### **Water Quality Testing**

Monitoring will begin the end of May for the Memorial Day weekend. Robertson said he might need to order some additional supplies and would like to just stock up on these items for the sampling. The Board agreed that he could purchase supplies as required.

### **Office Furniture**

**Green moved and Skirvin seconded the motion authorizing Robertson to purchase a chair for Lenaerts up to an amount of \$350.**

**Vote: Unanimous. Motion carried.**

### **Neotsu Public Beach – K Street**

Robertson said he would like to add a new sampling site—in Neotsu, where there is no sampling. It is nearly one-third of the lake and we do not have anything near there, although the District has done sampling at Neotsu Creek. Robertson said he would suggest doing the beach area. Residents already have mowed the area and those who live up the hill there have a goal of improving the area. It is designated as a public beach access. The District is looking at some issues that could affect Neotsu, and having a good rapport with the locals is important. We would like to build a small kiosk similar to the one at D River.

Skirvin said to be sure it is truly a public access and not just access for the residents who live there prior to investing any funds.

Strayer said to note the number of people who are in the area when sampling is being done.

Skirvin said during the summer he has not seen more than a couple of people there.

Weldon said we need to place a sign there that it is a public access area if we are investing funds in a kiosk.

Robertson said he could see the value of installing an informational sign since it is a public area.

If we are sampling there, we should be able to place a sign there, even if it is just a simple post with a water-quality sign. People will respect and appreciate it.

Robertson said the tax lot indicates it is a public beach. Green said he would be able to check it out more thoroughly and asked Robertson to send him data on the tax lot.

Robertson said they would work on doing a sampling site at that location.

### **Non-Agenda Items**

Lenaerts thanked the Board for permitting him to take part in the recent Day of Caring and said that the event made the front page of *The News Guard*.

Robertson reported that he attended the Army Corps of Engineers training today. He said it provided good insight into the procedures of obtaining permits. If the District wants to dredge the D River, we need to start planning a year in advance. The question is “is it atypical?” If so, you need individual permits. Standard permits take about three months; however, when salmon are involved, it can take up to a year. USFWS and NOAA are notified based on the Endangered Species Act. You also have compliance issues with SHIPO and The Tribes. It gets complicated. It’s a pretty broad spectrum. DSL also needs a copy.

Kevin Moynihan is now the branch chief of the Corps. He recognized Robertson and asked how things were at the lake and if there were many violations. Robertson replied that violations seem to have decreased, largely because of the outreach flyer that was mailed out to a thousand people identifying what the removal/fill requirements are. Kevin said he would be happy to come to Lincoln City if there were any concerns. Robertson said that also the branch chief on the enforcement side said he had learned that the District now has a Plan.

### **Adjournment**

The meeting adjourned at 8:15 P.M.

The next Board meeting will be held on June 2 at 6:00 P.M.

Respectfully submitted, Linda Burt