

Quick Look:

- Devils Lake Plan
- Audit
- Database Demo

Devils Lake Water Improvement District

Post Office Box 974, 820 SE Hwy 101 Suite D, Lincoln City, Oregon 97367

Phone: (541) 994-5330 Fax: (541) 994-6040

www.DLWID.org

AGENDA 2011 February 3

Regular Meeting: 6 pm, DLWID Office

- I. Special Order of Business**
 - a. Devils Lake Plan Presentation and Public Input 6 pm
 - b. Audit (Signe Grimstad) 7 pm
- II. Minutes of the Previous Meetings**
- III. Financial Report**
- IV. Public Comment** (Agenda Items, Please limit comments to 5 minutes per person)
- V. Unfinished Business** (Agenda Support Item A)
 - a. Lake Level
 - b. The Devils Lake Plan
 - i. DEQ 319 Grant
 - ii. Native Vegetation
 - iii. Septic Tank Revitalization Program (Seth Lenaerts)
 - iv. Save our Shoreline Campaign (Seth Lenaerts)
 - v. Vegetation Management
 - vi. Sewer (Brian Green)
 - vii. The Café --- Union 50 (Joe Barnes)
 - c. Communications Report
 - d. Safety Report
 - e. Thompson Creek
 - f. Erosion Study
 - g. Internship
- VI. New Business** (Agenda Support Item B)
 - a. Business Cards, envelopes
 - b. Budget Committee
 - c. Elections
- VII. Non-agenda Items**
- VIII. Public Comment** (Non-agenda Items, Please limit comments to 5 minutes per person)
- IX. Board Comments & Announcements**
- X. Adjournment**

Meetings of DLWID are handicapped accessible under the ADA.

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

OLD Business

- a. **Lake Level:** Given the interest in lake level and flooding inquires we had over the last month I am providing this summary of the most recent and greatest flooding events we have on recent record. Notably there are large data gaps over the last few decades including the 1996 Flood event which I believe I recall reading somewhere the lake hit 12.6' at least. What is clear though from the events where we have the precipitation data, is that rain is really the driving factor. The watershed is 11 times bigger than the lake, and during large rain events much of that rain moves right downhill. Once the soils are saturated, one inch of rain theoretically could turn into nearly a one foot rise in lake level. Obviously the forested soils and wetlands hold a lot of the rain and thus to get a quick 1' rise in lake level you need more like 3-6", but in principal that is what happens. This rapid rise is the reason we need to keep the wetlands intact and impervious surfaces to a minimum. In more urbanized environments you can have nearly 100% impervious environments which is why streams like Johnson Creek in Portland flood every year. Similarly in heavily compacted and diked lands where agriculture dominates the landscape, flooding occurs frequently too. This is much of the reason the Tillamook area floods every year as wetlands have been lost to agriculture.

Data points of interest from Devils Lake

1971 11.4'
1972 11.4'
1996 Flood 12.6' --- ???
*1998-12-29 11.95' --- 6.5" rain in 4 days
*1999-11-26 11.90' --- 7.96' of rain in 2 days
*2009-01-02 11.60' --- 4+ " (rain data not completely available)
2010-11-03 11.2' --- 2.5" rain in 3 days, D River sanded in near Kyllos by series of high ocean swells and tides
2011-01-16 11.78' --- 6.2" of rain in 2 days with 2.1" in the 3 days prior

***All dates prior to 2010-10-19 should add 0.2' to their values as the staff gauges were incorrect at the time**

Water Rights: At our last meeting it was relayed that the Water Rights the District currently hold are unalterable, and that the conditions on the permit must remain. However the District could petition the state for a new water right that would supplement the existing. The process according to the watermaster takes about 10 months. Should the District seek to do so here is some background on that process.

Water rights are obtained in a three-step process. The applicant first must apply to the Department for a permit to use water. Once a permit is granted, the applicant must construct a water system and begin using water. When water is applied, the permit holder must **hire a certified water rights examiner to complete a survey of water use and submit to the Department a map and report detailing how and where water is being applied.** If water has been used according to the provisions of the permit, a water right certificate is issued based upon the report findings.

Application: 11 Page Document. Much of the document will be entered from the existing permits.

Guidebook: Online information guide (10 pages)

Minimum Application Requirements Checklist:

- Properly completed application form.** Completed application form signed and dated in ink by all applicants. If there is more than one applicant, be sure that all applicants sign the application.
- Land Use Information Form:** Include a Land Use Information Form approved and signed (*must be original*) or a Land Use Information Form receipt signed by a representative of the local planning agency having jurisdiction (ie, county or city planning).
- Property description:** A legal description of (1) the property from which water is to be diverted, (2) any property crossed by the proposed ditch, canal, or other work, and (3), any property on which the surface water is to be used, must accompany the application. Photocopies of the legal description in the deed, title insurance, or land sales contract would fulfill this requirement.
- Payment:** Examination Fees are due when you submit your application. See the Department's Fee Schedule at www.oregon.gov/owrd or call 503.986.0900 for assistance in determining your examination fees.
- Legible and accurate application map:** A map of the proposed development must accompany each application for a permit. See Minimum Requirements Checklist on page 2 for map requirements.
- Additional materials:** For municipal or quasi-municipal use, submit Form M.

Application Fee: To Appropriate Ground Water or Surface Water

Surface Water Base	\$ 700.00
1 st cubic foot per second (cfs) or fraction thereof	\$250.00
Permit Recording Fee	<u>400.00 to 500.00</u>

TOTAL Application cost = **\$1,350 – 1,450**

Hire Certified Water Right Examiner: **\$500- \$1,000** estimate only.

No active examiners available in Lincoln City.

b. The Devils Lake Plan

- i. **DEQ 319 Grant:** I met with the contractor on January 13, 2011. I relayed the Board's position on the rest of the data entry, and they later stated (2011-01-14) that they would finish the project under the existing contract. Given the estimated 44 hours of work to be completed, I offered them 15 working days to complete the project which will be until Monday 2011-02-07. At that time they will submit all the finalize work products.

I also spent about 4 hours obtaining an introduction to the database. It is rather user friendly given an introduction to MS Access. We can add new data, new sample sites, new sampler, new analysts, and more with a few clicks. In order to submit data to DEQ, they have created an export routine which will serve the District well. In order for DEQ to accept data, there must be a series of quality controls

met, all of which must be documented. The Database allows for entry of all of these components. If time allows, I will be offering a demonstration of some of the functionality of this system.

As to our final responsibilities as laid out in our grant agreement, the District must complete its final report by March 31, 2011. This will include a full submission of the Database as well as the tools to use it. The District has already sent in the Quality Assurance Project Plan as well as its new Sampling and Analysis Plan, but we will include those again as well. Additionally the report will contain a Data Quality Compliance Report, and a preliminary lake water quality assessment. Lastly we will have final paperwork to complete which will include the In-Kind reporting and grant expenditures. This will be wrapped up along with the final report and thus we can expect full payment shortly after.

ii. Native Vegetation:

- iii. Septic Tank Revitalization Program** (Seth Lenaerts) The letters to Representative Cowan and Senator Verger have been mailed.

As of 1/26/11, the sewer LID is scheduled to be on the City Council agenda for 2/14. Therefore conversations with City Council regarding the LID and Septic Tank Ordinance should take place before that date.

- iv. Save our Shoreline Campaign** (Seth Lenaerts) Please see the RFP for the Regatta Grounds. The East Devils Lake State Park RFP will be very similar. I intend on putting out the Regatta Ground RFP as soon as possible. The EDLSP RFP is not under the same time frame since we will be laying sheeting over the planting area this spring to eradicate Reed Canary Grass.



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Request for Proposal: Regatta Grounds Flag Area Site Preparation

In 2009, the Devils Lake Water Improvement District began the Save our Shorelines campaign. This campaign is dedicated to working with shoreline property owners to plant their shorelines with native vegetation. At this point the District is interested in creating demonstrative sites that will highlight both the benefits of shoreline plantings and display the plants. One such project is being proposed at Regatta Grounds Park in Lincoln City.

The Regatta Grounds project will take place on a small portion of the property. The total area is about 2000 square feet. This RFP is seeking a qualified applicant to do site preparation before the planting can take place. Site prep involves:

- Stripping the sod and then permanently removing the sod from the site.
- Regrading the entire planting area from a roughly 5:1 slope to a 3:1 slope.
- Grading and creating a depression in the central area of the planting that can be used to capture and infiltrate storm water. (See map titled Regatta Grounds Depression).
- Some soil may need to be hauled from the site.
- Included in the digging out a depression, will also be building a berm on the south side of the planting area.
- There may also be the need to remove some of the excess soil.
- Creating curb cuts to allow storm water to pass into the planting area. (See map titled Regatta Grounds Stormwater Flow)
- Install energy dissipaters (rocks) at the curb cuts to slow water down before entering the depression. It may also be necessary to place an impermeable fabric below the energy dissipaters to assure that water will flow into the depression. (See attached photos)

This bid requires the contractor to provide the following:

- **Construction Contractors Board Number.**
- **Cost estimate for the project.**
- **Site design, including top views and cross sections.**
- **Available to begin and complete the project before April 1.**

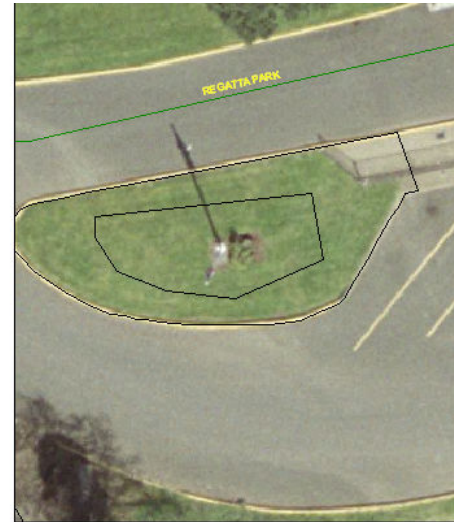
The contractor must be licensed, bonded and insured for the work. The contractor must be in good standing with the city and county in regards to erosion control ordinances and with the state and federal governments in regard to wetland removal and fill and environmental compliance.

The contractor must be able to provide a clean operable machine free of any hydraulic, fuel, oil, or other leaks which might cause a hazard to the environment. The contractor will be responsible for any hazardous spills as a result of doing the work.

To be considered, the bids must be received by the District no later than 5 pm on Thursday, February 17, 2010. Bids can be sent by email to lake.manager@dlwid.org or by mail to the address listed above or dropped off at the District's Office. Late bids will not be considered.

The District reserves the right to refuse any and all bids. All questions should be directed to the District's Lake Manager, Paul Robertson at (541) 994-5330.

(Photos condensed for space)



(End of RFP)

Lakescaping for Landscapers:

I will be turning my attention to this course over the next month. I would like to hold the half day class March.

Permitting

Director Skirvin referred a property owner to District staff earlier this month regarding permitting for a shoreline property. The property owner stated that he has been losing about 6 inches of shoreline a year over the past five years. As a result he suspects he will lose a couple of trees. In addition the property loss is beginning to encroach on his home.

The property owner is in favor of doing a natural shoreline, but at the same time is concerned about the costs of bioengineering a solution and is not confident it will in fact reduce the erosion. At this point he is considering (and will likely act soon) installing pylons and rock sheeting. Although, DSL will not grant a permit to put up a wall on the shoreline, there is nothing preventing a property owner to install the sheeting a couple feet upland as long as they are above the 10.4' MSL point.

This situation points to what I see as a flaw in the permitting system and if other property owners pursue a similar course of action, something that will be detrimental to lake ecology, recreation and counter productive to the Save our Shoreline campaign.

In response, I have been talking to ODFW to find out more about what they suggest in circumstances like this one. Paul will be talking with Chris Castelli at DSL also. Ideally, we can find a solution for the property owner that will give him confidence and avoid another wall on Devils Lake. In the long term however, it will be important to continue to work with DSL and ODFW to come up with specific designs or criteria that could be allowable on Devils Lake.

Board Action: If through talks with DSL, ODFW and the property owner, we can come up with a suitable design that would include rock rip rap or similar, does the Board approve writing a letter of support for a permit.

- v. **Vegetation Management:** See Devils Lake Plan.

Grass Carp: I had hoped to have been able to complete a Grass Carp Fact Sheet by our meeting, but have not received any of the remaining documents from ODFW. We only today received the quote from ODFW for the Public Records Request we are seeking. They have calculated time and materials for this effort will cost the District \$600.69. I have scheduled a payment in the Financials for this month.

- vi. **Sewer (Brian Green):** Sewer LID to come before council February 14, 2011. Lake Manager wrote a letter of support that was sent to the City.

vii. The Café --- Union 50 (Joe Barnes)

- c. **Communications Report:** Multiple updates to the website. Listserv used to send out Open House invites and links to supporting materials.
- d. **Safety Report:** No Incidents
- e. **Thompson Creek:** Sent a billing request to OSU. Will try to have a draft letter for Thompson Creek residents available for our meeting.
- f. **Erosion Study:** Photos ordered by consultant for georectifying. Animations to be done in ArcGIS Explorer. My understanding is that they can convert the animation to a movie-type file (.mov, .wmv) and also provide the GIS files for our records.
- g. **Internship:** Seeking the District's direction on whether or not we wanted to consider the internship for this summer, or if these funds should be redirected. One consideration was using these funds to support the Project Management Specialist position past the end of the fiscal year (June 30, 2011).

- a. **Business Cards, envelopes:** Need to reorder business cards with some slight modifications for Lake Manager. Need to have new envelopes made with new logo. Need to decide if the Project Management Specialist should have cards made up, and if we want cards for Board members. Another possibility is to have a generic Board Member Card using Board@DLWID.or. Placed inquiry with local printer.

Business Cards 500	\$162.67
Envelopes (500)	122.72
Envelopes (1000)	197.55
Typsetting	20.00

- b. **Budget Committee:** we have not received any applications to date. Will hold open until filled.
- c. **Elections: May 17, 2011** Three Board position (numbers 1, 2 and 3) are up in the next election cycle. All terms are for four years. To be eligible, candidates must be property owners in the District. Candidates interested in running for one of these positions should download and complete the County's [Candidate Packet](#) by March 17, 2011. For more information please contact the [County Clerk's Office](#) in Newport at (541) 265-4131.