

**Quick Look:**

- Vegetation Management
- Devils Lake Revival
- Meeting Venue

Devils Lake Water Improvement District

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AGENDA 2011 August 4

Regular Meeting: 6 pm, DLWID Office

- I.** Minutes of the Previous Meetings 6:00 pm
- II.** Financial Report
- III.** Public Comment (Please limit comments to 5 minutes per person)
- IV.** Unfinished Business (Agenda Support Item A)
- a. The Devils Lake Plan
 - i. Septic Tank Revitalization Program (Seth Lenaerts)
 - ii. Save our Shoreline Campaign (Seth Lenaerts)
 - iii. Vegetation Management
 - iv. Sewer (Brian Green)
 - v. The Café --- Union 50 (Brian Green)
 - b. Communications Report
 - c. Safety Report
 - d. Erosion Study
 - e. Intern Report
 - f. Neotsu Public Beach – K Street
- V.** New Business (Agenda Support Item B)
- a. Insurance
 - b. DNA Bacterial Source Tracking
 - c. DLWID Regular Meeting Venue (Kip Ward)
 - d. Audit
- VI.** Non-agenda Items
- VII.** Board Comments & Announcements
- a. Board Training: August 19, 9 am (*Tentatively Scheduled*)
- VIII.** 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.

Unfinished Business

a. The Devils Lake Plan

- i. **Septic Tank Revitalization Program** (Seth Lenaerts): No Report
- ii. **Save our Shoreline Campaign** (Seth Lenaerts): A final or second to final draft of the Regatta Grounds rain garden sign will be available at the meeting.
- iii. **Vegetation Management:**

OFDW: The District is seeking an expert to help it with its grass carp appeal. It was suggested the District speak with Laura Tessler of ODFW who was the most recent person to be in the post dealing with Grass Carp. Through some initial communications she identified Rhine Messner of ODFW as the best contact as although ODFW has not filled her former position, he has had far more years of experience working with grass carp applications. David Skirvin and I have a meeting scheduled with him on Wednesday, August 3, at 3pm in Salem.

I was able to gain some insight about the cases that Ms. Tessler had oversight of throughout our conversation. A summary follows. There were four cases brought during her tenure with a 50% success rate. The first successful appeal was simply a size of lake issue. The lake exceeded the 10 acre limit by a few acres, wasn't in the floodplain, and had no connection to other waters. The second successful appeal was in the flood plain, but was granted permission provided the applicant raised the dike around the lake by some 10 additional feet, which apparently he did. The unsuccessful appeals came both had floodplain issues and one had a direct connection to another waterbody and thus escapement was likely. All the appeals came from private landowners.

Other comments she made was that the issue of public access is not something the commission can even offer an exemption. That she suggested but was not sure on would take a legislative action. She understands our position which she described as "very tough" in that we have competing and diametrically opposed users groups, there are endangered species issues, and we are in a shallow floodplain. She said that we have a "long road" and an "uphill battle" as the public access issue is right now at least a deal killer.

I asked her if she knew of any cases of stolen grass carp, which she did not. She stated that since the "Lacy Act" passes at the federal level which criminalized the transport of control species, the cases of illegal plantings have been very few. She did say though that there have been grass carp caught in the Willamette and Columbia Rivers, so there is evidence of fish escapements or illegal plantings.

She said while she wouldn't speak for the commission, she suggested that they must have had a really good reason for having such strict rules. She did suggest that Washington State's was more lenient in their rules. She suggested that what is also really at issue is if the commission allows grass carp back in Devils Lake, then they set a precedent for others that would also be interested in stocking grass carp.

I asked her about approaches she would suggest. She said that it is always a good idea to keep your issue in front of the commission which you can do through the public comment period of their meetings. She said there is a new chair and two new members, so re-introducing ourselves to them would be good.

Researchers: I have spoken with a few parties in search of an expert regarding fish interactions and in working with the ODFW Commission. One of the people I contacted was Dr. Scott Bonar who did his PhD on the “Efficacy of Sterile Grass Carp for Aquatic Plant Control in the Pacific Northwest”. Part of his work included Devils Lake and as a result this document can be found on our website. His current profession working for the Federal government prohibits him from consulting, although he does manage graduate students at the University of Arizona should we consider a supporting a PhD student. He suggested his alma mater, the University of Washington, as being a better candidate or Oregon State University for many reasons including of course logistics. He did provide a couple of contacts who I have added to the list for additional research into their ability or interest. A similar research group he said can be found at OSU, which I will be investigating as well.

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I also spoke with Tetra Tech who provided a contact, ABR, Inc. ABR has experience with endangered, threatened and sensitive species. They are accomplished in writing Biological Assessments for NOAA-Fisheries and/or USFWS and have conducted a myriad of fisheries and wildlife studies over the course of their 35 year history. Their services include expert testimony and have a long list of state agencies and local governments for which they have worked. The Oregon contact is Jena Lemke out of Forest Grove.

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A confirmed, interested contact is Joe Eilers. Joe is a certified fisheries biologist as well as a certified lake manager. He is very familiar with Devils Lake having done two studies for the district previously. He is currently writing up papers from the Diamond Lake treatment, the first one which will summarize the response of the lake is coming out in the next issue of Lake & Reservoir Management, (NALMS publication). He also has another paper that will describe the treatment itself and is intended for publication in the journal, *Transactions of the American Fisheries Society*. Other publications on Diamond Lake include benthic invertebrate recovery paper and a modeling paper for DEQ on the trout fisheries effects on the lake. He also has a draft manuscript on Drinking Water Reservoirs and fisheries interactions, so he suggests that he is pretty current on the literature regarding fisheries issues as they relate to exotic interactions and lake water quality. On the governmental side of the issue, he said that he would need a re-read of the Endangered Species Act to get current, but has some decent contacts in the state and federal

governments which could be helpful. David Skirvin and I are going to have a phone conference with Joe next week to discuss further.

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iv. **Sewer (Brian Green)**

v. **The Café --- Union 50 (Brian Green)**

b. **Communications Report**

i. **Devils Lake Revival:** Please see the table for an update on the Devils Lake Revival. Provided is a list of the events and activities planned, what the status is on the event and also what the expected cost is. Although some of the known costs could change slightly, I think the total for those events should not change significantly.

The District budgeted \$3,000 for the event. When including a \$500 contingency/miscellaneous fund, an additional \$765 is available if needed.

However, at this time, I do not see any other major expenses being accrued, other then possibly day of event signage.

Event/Activity	Status	Cost	
		Known	Estimate
Agency Booths	Roughly 15 confirmed (See table below)	N/A	N/A
DLWID booths	Lisa is working on our booth. Also organizing a couple of activity booths sponsored by us.		\$100
Food	BEEFY (Businesses for excellence for Youth) fundraiser. Burgers, hotdogs, veggie option, seafood option	\$75 Lunch for bands and volunteers	
Music	Schooner Creek String Band Confirmed, second band/musician TBA	\$350	
Yaquina Bay Yacht Club Regatta	Will know for sure by 8/15. OMB Permit has been submitted.		\$100
Safety boats	Coast Guard Auxiliary confirmed. Still looking for a volunteer safety boat.	N/A	
Boat trips	Pontoon boat has been reserved and Captain Paul can offer attendees boat trips on Devils Lake	\$200 + Gas	
Stand up Paddle Boards	Oregon Surf Shop providing SUP. They have a big event that weekend, so still looking for someone who can offer demos or training	N/A	
Kayaks	TBA		\$100
Misc expenses (contingency)	Misc expense may include: table(s), power cords, batteries, booth supplies, signage, candy, tent, etc		\$500
Advertising			
Radio	Begin August 13	\$300	
Oregon Coast Today	3 ads. August 12, 19, 26	\$450	
Newsguard	2-3 ads. August 10, 17, 24	\$300	
Posters	Begin putting them up by August 3	\$75	

Listserve	3 weeks out and 1 week out	N/A	
Total (\$2235)		\$1435	\$800

A second table is also attached which lists what groups and organizations will likely set up at the Revival. If everything looks alright, I will continue to plan accordingly. The next big steps are logistics like parking and set-up and then also putting together the schedule.

Stakeholder list Booths	
Organization	Attending Yes Maybe
DLWID	Y
Mid-Coast Watershed Council	M
Salmon Drift Creek Watershed Council	Y
Newport Yacht Club	M
Surfrider Foundation	Y
Coast Guard Auxiliary	Y
State Parks	Y
Buy Local	M
US Forest Service	Y
Lincoln County Solid Waste Management	M
Audubon Society	Y
Al Rice Wood Ducks	Y (maybe with Audubon)
North Lincoln Fire and Rescue	Y
Confederated Tribe of the Siletz Indians	M
Dawn Stetzel (DLWID Children Activity Booth)	Y
Depoe Bay Auxiliary	Y (with Coast Guard)
Lincoln Soil Conservation District	Y

- ii. **E-Newsletter:** Lisa largely produced the 2011 summer edition of Clearwater newsletter which was sent out in mid July to 220 recipients. Reportedly we had 78 opens and 13 clicks to additional information on the website. These numbers tend to underestimate the number of opens as Constant Contact is unable to collect completely accurate data as some email programs will not allow such feedback. Topics included: Devils Lake revival, DSL Open House, Vegetation Management, Water Quality, Get the Lead Out and SOS.
- iii. **DSL Open House:** Lisa and I attended the DSL workshop which was attended by some 40-60 individuals. We were joined by Directors Skirvin and Weldon, and for short time Seth as well. Fielded a fair amount of questions, but primarily handed out literature including 15+ copies of the Shoreline Planting Guide. Overall it was a good opportunity to meet a critical audience for shoreline restoration.
- c. **Safety Report:** No incidents to report.
- d. **Erosion Study:** Provided feedback to the contractor regarding the map layouts and formatting. Report timeline remains the same.
- e. **Intern Report:** To be presented verbally.

- f. **Neotsu Public Beach – K Street:** I have spoken with three of the neighbors and have subsequently heard from another four through one contact as to a best location for the sign. I have written a formal request and sent that to the county for their land owner permission. Given the feedback I have heard the best scenario to place the sign will be slightly down the hillsides to prevent conflicts with views capes and prevent the sign from being blocked visually by parked vehicles on the upper terrace. Given the go ahead from the county, we will have the signed placed, ASAP.

- a. **Insurance:** I met with Paulette Isham-Wolf of Isham and Sprague Insurance regarding our insurance coverage. She has informed me the next opportunity to change the policy will be in January. I asked her to explore dropping SDAO in favor of another carrier, but under her advice it seems it is not in the best interest of the District to do so. We are in an infinitely larger pool of premium payers as a result of staying with SDAO then going with a personal policy. As a result the group rates are much more affordable. She further instructed me that there are plenty of lesser expensive policies available within SDAO that we can choose from come January. If the District stays with its current policy until January and then finds a policy that is low enough such that the average premium over the total 12 months would not exceed that which is contracted and budgeted, there would be no cost or burden to the District or to its employees.

Staff Recommendation: Continue with current policy, and renegotiate with SDAO for last half of fiscal year at a rate that will average at or be below the contracted rate over the full twelve months.

- b. **DNA Bacterial Source Tracking:** I have move this to new business as we have dropped the specific emphasis on Thompson Creek. I have contacted the Seattle Based Lab, but have yet to get confirmation of their interest in pursuing this study with us. They did previously have interest, but they suggested at the time that the size and nature of the study would have exceeded our budget by many thousands, in fact tens of thousands. I will resume discussion with them however on the scope of a project that might address some known contribution to the fecal issues that can be seen in our watershed at a price that we can afford.
- c. **DLWID Regular Meeting Venue (Kip Ward):** A discussion of the possibility of holding our regular meetings at City Hall.
- d. **Audit:** We have received a contract proposal with for our next audit from Signe and Grimstad. We have completed our most recent three-year contract, so this proposal would be new. A copy of the proposal has been submitted to the board. There is no specific cost associated as they have left the language open. Our last contract was for \$3,300. Given we are at a new contract period, we should seek a couple of other proposals. We have received letters of interest in the past from other firms which we can contact in the next month.