



Devils Lake Water Improvement District
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AGENDA 2012 May 10

Regular Meeting: 6 pm, Lincoln City, Council Chambers
801 SW Hwy 101, 3rd Floor

Quick Look:

- **Public Hearing
Lake Level and
Water Right**
- **TMDL & 303d list
update**

- I. Consent Agenda** 6pm
- a. Minutes of the Previous Meetings
 - b. Financial Report
 - c. Resolution 2012-02: Transfer \$4,000 Contingency to Consulting for Internship
- II. Public Comment** (Please limit comments to 5 minutes per person or as outlined by Chair, please note comments related to the public hearing should be saved until the opening of the public hearing)
- III. Special Order of Business** (Agenda Support Item A & Presentation)
- a. Public Hearing
 - i. Lake Level and Oregon Water Right Certificate #69267, Permits 52672 & R-11968
 - 1. Opening of the Public Hearing, Introduction & Hearing Procedures
 - 2. Staff Report & Presentation (FAQ Handouts Available)
 - 3. Questions & Comments from Board
 - 4. Public Comment Period: (Please limit comments to time limit as outlined by Chair)
 - 5. Close of the Public Hearing
 - b. Lake Level and Water Right Certificate #69267, Permits 52672 & R-11968
- 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. Riparian & Wetland Protection
 - b. Communications Report
 - c. Safety Report
 - d. MidCoast TMDL
 - e. Internship – summer 2012
- V. New Business** (Agenda Support Item B)
- VI. Non-agenda Items**
- VII. Public Comment**
- VIII. Board Comments & Announcements**
- IX. Adjournment**

Special Order of Business

- a. **Public Hearing:** Lake Level and Oregon Water Right Certificate #69267, Permits 52672 & R-11968

The Devils Lake Water Improvement District will hold a Public Hearing as part of its May 10, 2012 meeting. The meeting will start at 6pm and will be held at Lincoln City Council Chambers, 801 SW Hwy 101, 3rd Floor, Lincoln City, Oregon 97367. The purpose of the public hearing will be for the board to take public input on the lake level and the District's Water Right Certificate 69267, Permit to Appropriate the Public Waters #52672 and Permit to Store the Public Waters #R-11968. As part of the Public Hearing, staff will provide a presentation which will be available for download from the District's website. A second Public Hearing on this matter will be held June 7, 2012.

- b. **Lake Level and Water Right Certificate #69267, Permits 52672 & R-11968:** Board Discussion and Decision. As a second public hearing is being held in June, board discussion and decision will be limited to operations of the dam through June 7th only.

Unfinished Business

- a. **The Devils Lake Plan**

i. **Septic Tank Revitalization Program** (Seth Lenaerts) No update

ii. **Save our Shoreline (SOS)** (Seth Lenaerts)

Video

I have been working with Cody Cha on this project, who is a local film maker. Cody has been given a project overview and what we would like to accomplish with this video. The video will serve as homeowner or community resource, for those interested in doing a shoreline restoration or landscaping project. The video will focus on several topics, including, the reasoning and benefits for doing such a planting, design, how to actually do the planting, plant information, and permitting requirements.

In the past we have proposed doing a series of videos on lakeside living. Some ideas were a video on septic maintenance and increasing the lifespan of a system, rain gardens/stormwater management, controlling invasives and preventing erosion. If we want to move forward on other videos, now is probably a good time to make that decision, considering, we can probably get a better price for multiple videos.

If the decision is to move ahead with doing other videos, I think it would be best to allocate a sum of money to all the videos as opposed to appropriating a certain amount to each vignette. My reasoning is that each video may have substantial differences in what is required. For example a video on septic maintenance may be very short and straightforward whereas one on invasive species or stormwater management might require several shooting locations, the right conditions, or a longer video.

Below are the cost estimates for the Save our Shoreline video.

Devils Lake: Save our Shoreline

Video Production Cost Estimate

Option 1:

- Up to 5 minute in length
- Two locations
- 1-day production
- Basic editing
- Graphics design limited to on screen text
- Background music
- Deliverable: MOV file
- **Cost: \$600**

Option 2:

- 5-8 minute length
- Two locations
- 1-day production
- Basic editing
- Background music
- Graphics design limited to on screen text
- Deliverable: Complete DVD
 - DVD label design
 - DVD menu design and program
- **Cost: \$800**

Option 3:

- 10-15 minute length
- Up to 5 locations
- Up to 2 days in production
- 2 infographics (optional)
- Background music
- Includes all b-roll footage
- Deliverable: Complete DVD
 - DVD label design
 - DVD menu design and program
- **Cost: \$1400**

DVD Replication Cost

The following cost estimate is based on a rate from a typical DVD replication service. The rate represents bulk rate and does not include DVD cases.

Bulk rate for 500 units:

- Regular DVD: \$1/disc
- Mini DVD: \$1.50/disc

Board Action:

One option is to approve one video which is about the Save our Shoreline Program and how to do a shoreline planting. In this case, I would recommend that we select option 2 and cherry pick

some of the features of Option 3. Specifically, length of video, info graphics and perhaps add an extra location. **Approve up to \$1100 for the making of a Save our Shoreline video, and \$500 for the production of 500 cds.**

An alternative to this option would be to chose to make a suite of short films about healthy lakeside living, in which case, at this point I propose doing videos on Save our Shoreline, invasive control, septic maintenance, and stormwater management. **Approve up to \$4,000 for the production of four vignettes on lakeside living, and \$500 for the production of cds. The current budget has \$5,000 appropriated in the Improvement Fund for this project.**

If the board sees value in doing the suite of short films, from a management perspective, I see many benefits in approving the suite. I think we could save time in filming, production, and planning. Also knowing that we are doing multiple videos would help to brand all the videos the same way and make them more cohesive. The end result would be a better product for less money.

iii. Vegetation Management:

Grass Carp: Met with our consultant, MaxDepth Aquatics and ODFW Fish Biologist Bob Buckman, Newport. The goal of the meeting was to review existing data available at the Newport field office. Additional materials are yet to be reviewed. I provided our consultant with a watershed tour including Rock Creek and Thompson Creek. They are very familiar with the lake as they mapped it in 2005. Consultant reports that they have ordered the Bayesian Neural Network Model, and was able to discuss the merits of the model with ODFW staff.

Aquatic Vegetation Survey: I have been in contact with PSU Center For Lakes And Reservoirs regarding developing a ongoing opportunity for a intern/study on Devils Lake. This would be under the Direction of Dr. Mark Sytsma. I spoke with Vanessa Howard, who is a graduate student with PSU regarding the projects as she has been asked to help develop it. Framework for the project would be a paid internship offering from the District with oversight from PSU through some sort of tuition remission. This would allow a long-term relationship to develop and for new students to integrate more seamlessly year to year. Vanessa is going to research how the internship at Lake Owego is set up and model that for one potentially here. No discussion on cost thus far other than the need to keep it reasonable such that the District could fund it through its General Fund if this is to be ongoing. One issue she sees is getting a student for this summer.

Diver Assisted Suction Harvesting (DASH): Video presentation to be presented next month

iv. Sewer (Brian Green)

v. Riparian and Wetland Protection: (Seth Lenaerts)

b. Communications Report: (Seth Lenaerts & Paul Robertson)

- Oregon Coast Community College Course: Reminder that the District will be offering a class as part of the Community Education Program being initiated this year. This is part of the 25 year anniversary of the college. This offering can be found at the following website by searching under course title: “water”

- <http://sharknet2.occc.cc.or.us/Schedule/>



Oregon Coast Community College

Add this class to your shopping cart

Title:	Understanding Local Water Quality: Be Part of the Solution		
CRN:	1056033	Course ID:	XBI0001C-Z1
Term:	Spring term 2011/12	Credits/Hours:	0/3T
Instructor:	S. STAFF		
Dates:	05/23/2012 – 05/23/2012	Days:	We
Times:	6:00PM – 8:50PM	Location:	NC-217
Estimated Tuition:	\$0.00	Estimated Fees:	\$25.00
Description:	An introductory course focused on the water quality of Devils Lake. Provides a basic foundation for students interested in volunteer water quality monitoring done by local watershed councils and by other non-profit organizations. Covers a basic understanding of the why, when, and how of each parameter used in the water quality monitoring process. Uses lecture materials and, in part, demonstrations and hands-on activities. May include the opportunity to calibrate meters and conduct tests of water quality.		

- **KBCH Good Morning Wake Up Show:** This program airs weekday from 6-8 am on KBCH am 1400. The District has a standing interview spot on the second Tuesday of the Month from 7:30 – 8:00 am. Podcasts of the program can generally be found at http://www.kbcham.com/home.cfm?dir_cat=99830.
- **Devils Lake Revival:** The Devils Lake Revival will be taking place Saturday, August 4, from 10am-2pm. The event will again feature a mix of informational and entertainment opportunities. As well as in water activities, like kayaking, stand up paddle boards and boat tours. In addition we are hopeful that we will again have a sailing race and potentially a stand up paddle board race too.

c. **Safety Report:** Safety is no accident! No incidents.

d. **MidCoastTMDL:** Department of Environmental Quality (DEQ) has begun the planning process for developing an Implementation Ready - Total Maximum Daily Load (IR-TMDL) for 303(d) listed waterbodies in the Oregon Mid-Coast Basin. The initiation of this TMDL process has been a long-time in the works and the process itself will be lengthy stretching over the next 18 - 20 months. Devils Lake is listed for Chlorophyll a and pH and Thompson Creek is listed for fecal coliforms, and thus as a local government we have been invited to participate. Representatives from local, state and federal government, special districts, Tribal Nations, private industry, forestry, agriculture, conservation, NGOs, watershed councils, landowners, and others were also identified.

- We have created a web presence under the Project Page for the TMDL process.

<http://www.dlwid.org/Projects.html#TMDL>

- A link to the DEQ's website is posted below.

<http://www.deq.state.or.us/WQ/TMDLs/midcoast.htm>

Second Meeting Highlights: An introduction to the Bacteria portion of the TMDL was presented. Modeling of one watershed at a fine scale and applying a course model to the others is their strategy. They asked for individuals to serve on the Bacteria Technical Working Group, which as it is the only component within their current TMDL process that addresses one of our watershed listings, I not only was recommended as a participant, but also asked to be included. This will involve providing input at a total of 4 additional meetings. The first will be in May the day before the larger meeting, which happens to be

in Florence. Given the distance, time and cost of fuel an overnight stay would be warranted, and without objects will plan on it. Other participants include Stacy Polkowske, ODFW, Josh Lambert, Lincoln Soil and Water Conservation District, Charlie Plybon, Surfrider Foundation, Kevin Fenn, Oregon Department of Agriculture.

DEQ also released the additions to the 303d list. As part of their most recent review (See DEQ [2010 Integrated Report](#)), DEQ added Devils Lake for a third component to the list: Aquatic Weeds or Algae. This listing is not surprising as Devils Lake's existing listings are directly related to blue-green algae blooms (HABs). EPA is considering two further listings both related to Temperature, one for the lake and one for an "unnamed Tributary to Devils Lake". The [comment period](#) on these two proposed listings ended April 30, 2012. I was able to speak with EPA about these proposed listings, and as it stands they might not go forward as a result of a now better understanding of the data. Apparently there was confusion initially about whether Devils Lake was a natural lake or an impoundment. Typically natural lakes that exceed the temperature criteria for native fish populations would not actually be listed as it would be assumed to be a natural condition. Impounding water exacerbates concerns with temperature, as still water heats up more quickly than running waters, and thus reservoirs (which Devils Lake has been in the summertime sample period) are an unnatural condition for which remedies are available (e.g. removal of the impoundment, variable intake regimes for down stream discharges, flow changes). Detroit Lake (actually a reservoir) is a prime example of the impact reservoirs have on water temperature. For example the Breitenbush River in the peak summer, can have cold water – ie 45F which hits the reservoir where surface temperatures are 70+F.

The question about Devils Lake is confounded as while there has been an impoundment on the lake coinciding with period within the last decade's worth of data EPA used for its recommendation, and while the dam does inundate some additional acreage, and it does back up flow through wetlands creating an even greater footprint which can also add to warming, it is not the scale of a whole river system that most of the EPA's listings would be associated. Now arguably adding the increased wetland area would then significantly increase the footprint, but for a listing to be made EPA may determine that finer study or analysis may be required. This would not likely occur in time for a final decision, so likely it would not be added. Regardless, temperature for Devils Lake would remain a concern; it might just not be officially listed on the 303 d.

As to the unnamed tributary, this also is confounded by the impoundment, as the sampling area is on a stream that runs through wetlands near the golf course. The extent at which the impoundment alters the hydrology of the sampling site is not totally clear, although the wetland is as shown by the figure below is very low gradient and thus across a stretch of a 100', and 18" impoundment can be the difference between flowing water and mostly standing water. Note that the contours are not calibrated to the lake level. Based on the contours the lake level would be at 12-13' in elevation. The contours are though a good representation of the topography and thus the slope of the stream running through this area. As to potential impacts, standing water warms up significantly quicker than moving water which is where impoundment may be aggravating conditions within the wetland and upstream of the wetland. Upstream for this system is a series of additional impoundments used for irrigation and as water features for the golf course. This too is then more complex of an issue and how EPA will ultimately proceed on this matter is still unknown, although I suspect that they will hold off on listing this part of the watershed as well. Increased riparian buffers would help shade the water which would be a simple best management practices for the stream whether it was listed or not.



One thing I have been able to confirm with EPA is their promise to remove the apostrophe from Devil's, something that plagues the searchability of databases, let alone continues the improper use.

e. Intern summer 2012: This internship will be a paid, 17 week program focusing on water quality and education outreach. We have received a number of applications to date. Interviews were offered to the most qualified candidates that were still available. An offer has been made, and we are awaiting confirmation