



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

**COUNCIL CHAMBERS, CITY HALL, 3rd Floor
August 9, 2012
6:00 P.M.**

- PRESENT:** David Skirvin
Noel Walker
Kip Ward
Randy Weldon
- ABSENT:** Brian Green (Excused Absence)
- AUDIENCE:** Mitchell Moore, Gary Ellingsen, Karen and Mark Richards,
and others
- STAFF:** Lake Manager Paul Robertson; Seth Lenaerts, Project
Manager and Alyssa Clayton, Intern
- MEDIA:**

Skirvin called the regular DLWID Board of Directors meeting to order at 6:00 P.M.

Consent Agenda

Weldon moved and Walker seconded approval of the July Minutes and the July Financial Report. Vote: Unanimous. Motion carried.

Public Comments

Mitchell Moore:

Moore extended a thank-you to staff for the great job they did on the Devils Lake Revival. He said he attended the event for about an hour and noted that everyone was having a good time. He thinks the lake creature statue is awesome and noted there was a stunning amount of publicity for the lake event.

He expressed appreciation for staff turning some of the comments made at last month's meeting into action.

Regarding water quality, Thompson Creek and the enhanced lake level monitoring, he requested that Robertson take a few moments to explain what was done out there.

Several changes happened last year—the City began drawing out water for tribe’s golf course. The target at the end of the season should be 8.7 or 8.9.

It’s time per the District’s water right to balance inflow to outflow. Consider the May through August, 2010 discussions regarding lake level. Suggest a request for an exemption on balance requirement.

The decision made previously was that the lake level would be 9.53. The evaporation method was approved by Greg Beaman—approximately five inches-- .67 in August and .50 in September for a total of 4.68” Beaman said we could take into account the drawdown from the golf course; however using the evaporation method, it would be moot.

As of August 1st, lake level was at 9.1. In review, it seems that a reduction to 8.7 to meet the balancing requirement is warranted.

As reported last month, 9.1 is right on the margin for creating some challenges, but generally it has worked for the majority of residents. The District could approach Greg Beaman and seek a waiver based on not fully exercising its water right. Maybe the answer would be different this year.

Unfinished Business

The Devils Lake Plan

Septic Tank Revitalization Program

Lenaerts said he will meet with the County and City administrators this month. At the last meeting, they discussed who would be responsible for reporting. This needs to be hammered out. This next meeting will be a chance for management to continue the discussion and it should be decided.

Skirvin asked that Lenaerts notify Board members when the meeting is scheduled in the event any of them would like to participate.

Save our Shoreline Campaign

Lenaerts said that now is the time for people who are interested in a project to contact the District. Planning for a project generally takes a month and sometimes longer. Fall is generally the best time to plant. In October, it gives the plants time to get established prior to the rainy season. The District pays 75% of the cost.

Lenaerts reports that they have been working on the video and hope to bring it to the meeting in September. It will be a great promotional tool for the S.O.S. program.

Regarding the rain garden training, the District and the Salmon Drift Creek Watershed Council have collaborated to bring a rain garden Workshop to Lincoln City on Saturday, October 25 at the Community Center, in time for the fall. The public is welcome. This time, an expert on rain gardens will be the speaker—Maria Cahill, an engineer from Portland. She will add information on shoreline rain gardens.

The event is scheduled from 10:00 A.M. to Noon and the cost is \$20. This event is being presented by Green Girl Land Development Solutions, along with the Devils Lake Water Improvement District and Salmon Drift Creek Watershed Council. Also promoting the event is Nestucca Watershed Council and Yaquina Watershed Council. Maria will also hold a session in Newport.

Vegetation Management

Robertson said the Grass Carp application is foremost in the District's projects. Robertson has completed a second draft review and would now like to have the Board's review and comments. He asked if they could all get together via email or individually and submit their feedback so that he can get it to Joe Eilers, who is ready to move forward on this part of the process. There are lots more steps to go; however, this one is very critical and could make or break the success.

The Aquatic Plant Survey was completed in July by Portland State University. The good news is that there are native plants in Devils Lake. Twenty-some species were noted, mostly native plants. No non-native Eurasian Water Milfoil or Brazilian Elodea appeared to be present in the 100 or so sites. These sites were geolocated for return trip sightings. He noted that there are still carp in the canals, where the vegetation is most dense. By and large, the lake is unvegetated. We will receive the full survey after September.

The Economic Impact Study is being worked on by Seth Lenaerts and should be completed by December.

The Engineering Study is a requirement of the grass carp application and is the inclusion of an engineer-stamped map and description of all inlets and outlets of the lake.

Robertson will work with ODFW to make use of existing data for this report. He said he has received verbal indication from the local ODFW that they are not concerned with grass carp going up Rock Creek or other tributaries. A few thousand dollars will be saved by not having to perform a full study.

Sewer

Green submitted an email report that Robertson read, as follows:

Since the last meeting, letters have gone out to the property owners describing the changes that have occurred to the project since their support was solicited by my first letter more than a year ago. That letter went out two weeks ago and all of the responses to date, except one, are still positive in support of the LID for sewer and paving. It does appear that we will be able to maintain a majority support among the property owners for the LID project and I will be able to report by our next meeting, with certainty, whether we have been able to maintain a majority support. If so, the next step will be for the City Council to place the matter on the agenda for approval by the City Council and I hope to be able to give you the time frame for when that should occur at our next meeting.

Communications Report

KBCH Good Morning Wake-up Show airs mornings from 6:00 AM to 8:00 AM. The District has a standing interview spot every third Tuesday of the month from 7:30 to 8:00 AM. Podcasts of the program can be found on the KBCH website.

Last month, Seth Lenaerts and Maria Cahill gave an informative presentation entitled, "Raingardens: Uses, Benefits and Designs."

A group of nine students from Linfield College came for a half-day course on the Rock Creek Dam Modification for Coho Passage. This was held on August 2 from 9:30 to Noon and included a presentation at the District's office, followed by a field trip and hike to the dam site. It will be extended next year.

Devils Lake Revival took place on Saturday, August 4, from 10:00 AM to 2:00 PM. Robertson showed photos of the event that are posted on the District's Facebook page. Lenaerts thanked everyone who donated services and prizes and participated in the event to ensure it was a success. He also thanked Alyssa Clayton, intern, who worked on the kids' activities. He listed all the organizations and individuals who participated, as well as those who displayed booths. There were at least 200 people who signed up for the kayak giveaway.

Water Quality Report

Robertson said that the Water Quality postings have been revised to include only the sample sites on the lake, including the new site on Thompson Creek Canal. This site will be continued as a sample site at least through the end of the sampling season, at which time a review may be warranted.

He reported that they started to see a bloom at the beginning of last week between Friday and Saturday. When a bloom first appears, it is at its lowest as the organisms have not died off. By Monday, it was good. On Wednesday, a full sampling of the lake was completed for microcystin. However, the sample was invalid due to the kit malfunctioning. We have ordered a new kit and if there is a bloom, we will try to do it again next Wednesday.

The Regatta Grounds bloom is gone this morning. An area can be green in part of the lake while the rest of the lake is clear. The bloom will last 4 to 6 weeks. When the lake is cooling down is when it reverts back—usually by September. However, there have been winter blooms as well.

Regarding the question about testing at the new sample site—the Richards' allowed access to their property. Thompson Creek feeds the canal, but the canal site is a site where people are recreating. Last month we included the new site and not the site up the hill where people do not recreate. We are still collecting the data and we are making use of the data.

There is some mixing in the Thompson Creek canal site; we still have problems up the hill. We were not trying to ignore the situation, and we are still going to try to do some DNA testing there.

Skirvin asked if photos are taken of what is being classified.

Robertson replied that they try to take photos; however, this is not consistent. It is subjective; they do have samples from Regatta Grounds. One element did go forward—the cell counts from Regatta Grounds were shipped to our analyst in Bainbridge Island. We will get those back in four days. It will tell us how many organisms are present. Shore samples typically contain more than lake samples.

Skirvin: When you go out, it would be great if you could add a little more detail to give us a heads up.

Walker: Regarding the vegetation in the lake, then, is there a good percentage that is native?

Robertson said that most of the 22 species are native.

Walker: Was it mostly invasive species when we put the carp in years ago? Does this mean they do not like the native vegetation?

Robertson: No, they are non-specific. There are a few things they will not eat, such as the lily pads; however, they will eat most anything.

Walker: Was there some reason the fish could not get to the canals?

Robertson said there were some at First Street Canal—Crystal Lagoon. It is a shallower spot with more people. If you were a fish and you had enough food, you might not go in there if there is other fresh growth available.

Weldon asked if coontail vegetation was an issue before milfoil.

Robertson said that milfoil was taken out by the fish. He said he would check on the plants to see which ones are there.

Safety Report

Robertson thanked Alyssa Clayton for creating a summary of all the MSDS sheets and the four components of the chemicals for the lab. He said during the major event last weekend, sunburns were the primary problem for people and sunscreen was made available.

MidCoast TMDL

Robertson reported that they have had five meetings with DEQ hosting. The last one was in Florence as the culmination and review of the previous four meetings. The third meeting of the Bacterial Technical Working Group was held. Further review of the modeling parameters and assumptions in the model were reviewed with input from stakeholders. No meeting is planned for August.

Now they are completing plans for developing an implementation ready Total Maximum Daily Load process for how to determine issues of loading of bacteria and other items.

Then, how do we resolve the issues? You can reduce the load by planting trees.

Sediment is reduced with trees. But, there are a lot of properties in the Devils Lake watershed where vegetation has been lost from property owners. Other solutions are road maintenance monitoring. Sediment comes down from a road blowout containing nutrients. This will soon become a statewide-run program. We have to have reductions. All of these things jointly will benefit other aspects of the lake. Devils Lake is listed for weed/algae, Chlorophyll a and pH and Thompson Creek is listed for fecal coliforms, which is why we have been invited to participate as a local government.

This is a two-year process to get the TMDL in place. It will be decades before you will see the effects of these changes.

You can review our website under Project Page for the TMDL process.

Internship

Alyssa Clayton reviewed some of the projects on which she has been working.

Sampling every week monitoring the pH, temperature, conductivity DO content, Secchi disc depth and turbidity in the lake as well as watching for cyanobacteria blooms and posting water quality updates with Robertson and Lenaerts. They have gone in the boat recording Secchi depth in the pelagic zone and collected samples along the canal leading to Thompson Creek. She is learning boat safety and basic procedures of launching and docking the boat. She edited the Shoreline Planting Guide, reformatting the invasive species pages to merge into the rest of the document.

She worked on the kids' activities for the Devils Lake Revival and helped to create the radio ads for the event. Lenaerts and she have been maintaining the rain gardens in Regatta Park and East Devils Lake State Park, weeding and watering weekly.

She recently made a chemical hazard inventory of all the MSDS sheets for reference.

She has also completed scanning the past Minutes of the Board meetings.

Robertson said that \$10,000 was budgeted for the internship for 714 hours of service. Initially, Clayton thought she would leave at the end of August; however, she will be available for the entire 714 hours. He said there is plenty of work to do through the end of September—continuing monitoring of the water quality through the triathlon weekend. He said Clayton has completed the scanning of past Minutes and can begin on the audits and the budgets from the '80's forward so that everything could be digitized.

Robertson said he would like to see her work through the \$10,000 budgeted, get all the Minutes on the web, continue watering and weeding through the summer until it rains again. Skirvin said he thought the funds had already been allocated.

Robertson said at that time, it was not certain that she would be available for the entire time. He is confirming it now.

Ward asked what her original scope of work entailed.

Robertson: Water Quality, outreach and archiving. Water quality monitoring is done on Mondays and Wednesdays. Outreach included the Devils Lake Revival; scanning included the Minutes. There is much more vital information that we should get digitally archived. It would be an expansion of the original scope.

East Devils Lake Road

Robertson said that during the last meeting the Board made the \$5,000 available as a grant to Salmon Creek Drift Creek Watershed Council to perform a stakeholder and grant exercise to try to obtain funds for road improvement. A meeting between Salmon Drift Creek Watershed Council and Lincoln Public Works took place since the last meeting and the stakeholder list has been refined for holding a full introduction to this process. It is at the beginning stages now; Catherine Pruettt will work for the next six to eight months on this issue.

New Business

Lake Level Monitoring

Robertson said he was asked to come back with a preliminary look at how we could evaluate the Board's decision on the lake level—its impacts on all the issues.

Robertson proposes to do a random survey of 30 to 50 private properties of their docks as well as the public launches. He said 30 is considered a very scientific and verifiable number from which to obtain good information and represent the population well.

If you go to a site, you might not know whether that dock was built to launch a boat or to serve as a fishing pier. Since we don't know what the intent of the structure was, that is a caveat that needs to be understood. Maybe a foot of water at the end of a dock is what the homeowner wanted for fly fishing. We could also do a photographic survey at the same time. There is only a certain window of time and we haven't changed the level that much. The lake level is five inches different from last summer. This is not going to be some crystal ball. We would just document for some insight. There is not much change. It's not like we dropped the lake 20 feet. We will also look at compiling information about septic systems. We can also be documenting the full fish passage versus that limited by the dam. We know we've increased the window by putting the dam in mid-June instead of mid-April.

Skirvin: We talked about the drawdown period for September and October. Have you reposted?

Robertson said he gave it to the lake contractor—it is five inches of drawdown. Skirvin asked to have that posted.

Robertson said it should be on the Lake Level portion of our website and on our Facebook page.

Ward said that when they were listening to testimony last meeting, they heard people's concern about access to their docks. Unless it's financially not advisable, Ward said he would like to have an inventory—knowing where someone's dock is sitting in relation to the bottom of the lake. Having a complete inventory would help us make better decisions. When things get heated, generalities don't work well; specifics are needed. He said he would be concerned about just 50 docks being used.

Robertson said they could work on all 400 properties. He was just suggesting a balance point. But, it's high priority and we can make it happen. He said he was shooting for August, but could include September also. If that is the direction of the Board, that's what we'll do.

Ward: What does the rest of the Board think?

Skirvin: We can target as much as possible in the two-month period.

Weldon: We've adjusted the lake five or six inches and if my dock doesn't work for me, I need to modify it. We have a neighbor with a dock 20 feet out and he wanted it to be 2 feet of water. Another neighbor built a shallow dock. They are kayakers. It's very subjective. If we changed a foot or two, I could see it having a big impact. But with five or six inches, I am starting to wonder if it is worth the staff time.

Walker: I'd like the inventory portion, as Kip Ward said. I do not think it would cost that much. I do not want anybody to have to change their docks.

Robertson said regarding the weir—no changes have been made. The width issue held him up on that. He said we could have some mid-point—maybe six feet of section could be open and if it will hold the water back, why not. Maybe we can go a little bit wider and still impound. We have to have something flexible linearly across the dam as well as vertically. We limited the depth of the exit last time to six inches of depth. But what we could do is have something for both directions. He will have to work with Bill Sexton, with whom we are under contract for 20 hours. We could have him build something that would address both issues. We might have to do some kind of an arch and it might not happen this season.

Ward: Doing that was part of the rationale for not removing the dam. Just hate to see that forgotten.

Skirvin asked Ward if he would be okay with making that a wintertime project.

Ward said, "Yes."

Robertson said it had not been forgotten. There has not been enough time for him and Sexton to consider the process of the design. It will definitely be done for next season.

Weldon: Regarding the calculations for the tribal water usage during August and September drawdown, any thoughts on what the actual impact would be.

Robertson: The total height change would be an inch and 5/16 on an annual basis.

Skirvin: The point of diversion was at the tributary. What is their monthly usage?

Robertson: It was 75 acre feet and that's an inch and a half on a 680-acre lake.

Skirvin: Is there any impact of the drawdown during the August and September impound.

Robertson: It's above the dam. Our drawdown is going to be our own drawdown—5 inches. We are impounding a junior water right to their extraction. You are taking water out ahead of the stream and the water never came into the impoundment area, so it could not leave.

I will try to get some clarity on this. As long as we are showing the lake is going out five inches, the water would pass through it. We are impounding water; we are not using water as an extraction. We are manipulating how much we are impounding.

This Rock Creek Water Right that the City owns that they are going to be leasing to Chinook Winds is actually benefiting Devils Lake. Instead of water being taken out of the system 3.5 miles upstream and not being shared by humans and fish, it would be taken by humans.

Water is coming into the lake, providing a cooling effect and adding quantity. This was more of a benefit than if they had just taken water from Rock Creek. By taking lake water, you are creating nutrient-rich water for irrigation that is counter to what they do now—chlorinated water going to sterilize the grass and then them fertilizing the grass. Nutrients are not continually poured on the golf course.

Ward: Where is the extraction point?

Robertson: It's at a site that was drilled under the lake—the northwest arm of the lake on the east side of the arm. It's a parcel that is near Blue Heron landing. They placed a pipe under the highway.

Ward: Are they going to move to fertilizers without phosphates?

Robertson: We have not had that conversation with them.

Ward: Could you ask them about their fertilizer?

Robertson: Yes, we can have those discussions. You don't need a lot of phosphorous. You can buy fertilizers that supplement what is already in the soil. Natives do not require phosphorous. I do not encourage anyone's use of fertilizers.

Weldon: The Siletz tribe representative [who attended a previous meeting] was willing to give us an update after the first summer.

Robertson: We can put them on notice that we are now interested in this information.

Regatta Stage

Robertson said that he provided a to the Board information the Ford Foundation compiled regarding helping to fund a project for Lincoln City. Community members, who were present at the Devils Lake Revival, would like to build a stage at Regatta Grounds. There was once a stage there that served as a venue for music events, etc., an exciting spot. In order to get some matching funds, they are offering to sell pavers for \$100. You can get your name engraved and would be recognized as a participant and a supporter of the volunteers who are performing the bulk of this work. Their goal is to raise \$12,000. The Ford Foundation is contributing \$5,000. The site would be one-third of the way up the hill on the left side. The audience would sit on the hillside and look down toward the lake.

Walker: What happened to the old stage?

Robertson said it deteriorated and was a maintenance problem.

Walker: Would the City be required to maintain it?

Robertson: The City would own it. These things have a lifetime. I do not know the answer to that. It would be another amenity to the park. Our mission includes recreation as a component, along with public access. If you do not have a boat, you could still enjoy the lake. I can see the District putting in at least \$100 for a brick donation. A group of 30 volunteers have been working for six or seven months on this and have chosen a project that is on our lake. Additional bricks are for sale.

Walker moved to authorize \$100 from the District to purchase a brick. Weldon seconded the motion.

Ward said, "I would go on the record for more."

Walker said he would personally purchase a brick. Skirvin said he would personally purchase a brick.

Vote: Unanimous. Motion carried.

Erosion Prevention and Sediment Control summit

Robertson said that by Municipal Ordinance, established in the '90's, each year the City of Lincoln City, supported by Devils Lake Water Improvement District, is to hold an Erosion Prevention and Sediment Control workshop. It has been a while since this seminar was held. This was to help prevent runoff from construction sites which will cause significant damage if unabated. This year, we are planning a modest event on October 25 from 8:00 AM to 1:00 PM. September is Erosion Prevention and Sediment Control month. The city will pay for the speaker and we will organize some vendors and advertise for people to fill the seats. We would spend about \$500 for the event that might be used for meals. The event will be held in the City Council chambers and will be put out to construction folks with the Board's approval. Vendors will include erosion-control fences and other types of technology providers. This event has been held four of the seven years that Robertson has been the lake manager.

Weldon moved to authorize Robertson to participate with a \$500 amount and Walker seconded the motion. Vote: Unanimous. Motion carried.

NALMS

The North American Lake Management Society annual conference is being held in Madison, Wisconsin this year. This is the pre-eminent conference for lake managers in North America. The dates are November 7 through 9. Registration and conference fees are listed in the manager's report. Total cost estimate would be about \$1,800.

Skirvin said he would like to see a list of the conference seminars prior to the Board making a decision. Do the seminars support the current goals of the District? Walker said he agrees. A decision will be made at the September 13 meeting, since the conference early-registration deadline is September 14.

Non-Agenda Items

Robertson said regarding a Goal-Setting Workshop in late fall, he would suggest either October 13 or 20. Skirvin said he would prefer a Saturday.

Robertson said the key is getting everyone present since the Board is responsible for setting the goals.

The regular meeting is on Thursday, October 11; it was decided that the goal-setting meeting will be held during the same weekend—Saturday, October 13.

Robertson: Rent reduction on the office was completed. He thanked Larry Brown for bringing that to our attention.

Robertson said that every year he hands out an “exceptional service” award to one of the Board members. This year, for the period of 2011-2012, he presented the award to Kip Ward, for spending so much time studying the various issues to get up to speed. He was also the one who was instrumental in securing the City Council chambers as the venue for monthly Board meetings.

Public Comments

Mitchell Moore: He suggested some sort of criteria be established for reviewing the measurements of the docks and water. You have to measure the end and measure at a distance back. It doesn't really matter at the end of the dock. DSL recently surveyed the entire lake. They should provide measurement data that could be utilized. Also, regarding the discussion as it relates to the golf course drawdown, when the evaporation method is used, it doesn't matter how much water the golf course draws. The water drawn from the lake has no impact on lake level. And, regarding the modification of the weir, he said he would suggest Robertson secure a professional to help on this design, since ODFW was surprised that we did not have a trapezoidal design. Fish line up and as the lake level lowers, the trapezoidal slots make sense. Get Tetra Tech or someone to help. There might be a simple solution that would permit fish to come in and suck their way into the lake all year long.

The Board thanked staff for their work on the Devils Lake Revival.

The meeting adjourned at 7:45 P.M.

The next regularly scheduled Board meeting will be September 13, 2012 at 6:00 P.M.

Respectfully submitted,
Linda Burt