



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

**COUNCIL CHAMBERS, CITY HALL, 3rd Floor
October 11, 2012
6:00 P.M.**

PRESENT: David Skirvin
Noel Walker
Kip Ward
Randy Weldon
Brian Green

ABSENT: None

AUDIENCE: Mr. and Mrs. Larry Rich, Mitchell Moore, Pat Dooley, Alex Ward

STAFF: Lake Manager Paul Robertson and Alyssa Clayton, Intern,
Seth Lenaerts, Project Manager

MEDIA: None

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

**Special Order of Business
Informational Presentation**

**DEQ's Rulemaking Process for Septic Systems Inspections at Time of Transfer
Randy Trox, Onsite Program Coordinator, DEQ's Eugene Office**

Lenaerts introduced Randy Trox and said that Randy had combined his visit to Lincoln City with one in Tillamook. Since 2009, the Oregon DEQ Onsite Advisory Committee has been working on the rulemaking process regarding wastewater systems, septic systems, etc. In compliance to Policy Option Package 120 and Senate Bill 83, it is up to Randy Trox and the DEQ to draft rules. Randy Trox is touring to present the proposed draft to the public. Public hearings will begin next week.

Randy Trox presented a PowerPoint and said the process of drafting the rules began this month and ends Oct. 19. The public can provide comments by e-mail, U.S. mail or fax.

Public hearings will be held in Medford, Eugene and Portland. After public comments, there will no doubt be some changes made prior to presenting the final draft to DEQ on December 6. The program of Time of Transfer septic system inspections will be implemented as of March 1, 2013. Time of transfer septic system inspection is in Section 131 and 400. Geographic rules are in 400. Time of transfer is in 0131.

Who can do the inspections?

Professional engineers with septic knowledge, an environmental health specialist with septic system knowledge, an NAWT inspector who is training certified, or a certified maintenance provider.

Collection of records:

Permit records, pumping records, maintenance records

Field Evaluation:

Locate the system, pump the tank, inspect the pumped tank, and expose system components. Currently, an inspection may just include pumping. This program will standardize inspections.

Coastal Zone:

Randy showed a map of where the boundaries are. EPA allowed a county-wide program.

Coastal Reporting:

Seller will give buyer septic records, evaluation will be completed, and a report will be submitted. If the system is not adequate, it will have to be permitted and repaired for a new evaluation and a DEQ certificate of completion.

Why now?

A Federal lawsuit was filed stating that Oregon was not in compliance with Coastal Zone requirements of 1990.

DEQ consented to complete and implement the rulemaking by March, 2013, or risk the loss of '319' federal money that is used to improve water quality by riparian restoration and helping communities manage their stormwater, etc.

States with statewide Time of Transfer inspection requirements:

Arizona

Delaware

Iowa

Mass.

New Mexico

Does Time of Transfer inspections work?

Michigan implemented a Time of Transfer of water wells and septic systems and 26% of 2,000 systems inspected were shown to need repair or replacement. It was the single most effective way of correcting septic systems. Several million gallons of nutrients per year were removed from surface water. Permit applications went up 30% when they implemented the program.

Questions:

Skirvin asked how a failing system was defined.

Randy said a system where nutrients are surfacing or discharging nutrients into public waters.

Skirvin: A hole in the tank?

Randy: Definition would be anything posing a public health hazard—a tank that is not completely enclosed.

Green: What is your methodology for testing drain fields?

Randy: We are not sure what the final rules will be. Your systems have distribution boxes. Is there any evidence of it backing up? Has the liquid level been above the holes in the distribution box? You can tell a lot from inspecting the distribution box. Sometimes roots can cause a problem. On an old system, we might have to figure out where the drain field is. This is not a perfect inspection program, because if somebody hasn't been at the house for some time, it could have slowly percolated down and if somebody moves in, it could then be discharging out on the surface.

Robertson: What are some of the pros and cons of pumping?

Randy: Pros are that you can see the condition of the tank. Some look fine, but when they are pumped, the wall has been blown out. There can be a crack in the tank with brown water coming in and out. Cons would be the cost. In Tillamook, it can cost about \$400 to pump. It varies according to where you live. It can be a significant cost when there is not a lot of equity in the home. Lenders want to see that the system has been pumped within the last six months prior to transfer. Our reports are valid for two years.

Walker: Does this happen each and every time a house sells?

Randy: Yes. When you do the inspection, the buyer is going to discover if there is a problem and that is going to be part of the sale negotiation.

Robertson: When you say time of transfer, if you have property handed down and there is no sale, is there a requirement there?

Randy: Any time a property changes hands, they are required to comply.

Ward: What percentage of houses is selling every year? I am assuming that it would apply to them all. People transfer property about once every five years. After about 20 years, you could reach them all. You are trying to solve a problem and this is just one piece.

Randy: Rural property does not change hands as often as urban property does. This is one of the methods that we looked at as an option. Some options would require a lot more staffing than we have. We are hoping that with this program, we can at least make a start.

Lenaerts: Who determines that a system is failing? Have you guys addressed this at all?

Randy: Making the determination is difficult. We are thinking that the inspectors would note deficiencies as they see them. We are going to say that it is a failure when we get that report. The final determination will probably be made by DEQ based on what was observed.

Weldon: You talked about the loss of Federal funds. What is the amount of funds?

Randy: It is about \$1 million annually that is distributed.

Skirvin: If you end up not including the pumping inspection, would you consider other options that would identify a failing tank? If the pumping part gets pulled out of the draft, are you going to make any rules where a service provider notices things that needs to be addressed that would be passed on to DEQ?

Randy: The pumping portion is mandatory at this time; you are welcome to make comments. There is value to it; that is why it is in there. It could be a burden to some folks, but it needs to be submitted if it is pumped.

Green: In your paper, it says pressurized systems will have to have a maintenance agreement. Does that include the small-line pressurized sewer systems?

Randy: No, this is referring to pressure distribution systems, such as a sand filter that uses a pressure manifold. Randy showed a photo and explained the process of the pressurized sand filters.

Consent Agenda

Green moved to approve the Minutes and the Financial Report from September and Walker seconded the motion. Vote: Unanimous. Motion carried.

Public Comments

Larry Rich: Mark Christie asked him to read an e-mail that was sent to the Board. (Attached.)

Rich added that as he was kayaking, he ran into Robert Nichols who said he had replaced his boat prop after hitting a log. Rich asked him to come to the Board meeting this evening; however, Nichols said that he gets too upset and has a heart condition and it was probably not a good idea for him to attend.

Mitchell Moore: Read from a printed PowerPoint presentation of charts and photos. He asked staff to run the August and September Board meeting minutes during the month of October. He said he was not targeting anyone in particular with his comments. He just wanted to share his opinions and provide a packet to support his comments. He said folks can download or view the presentation from Devils Lake Navigator Facebook page. A portion of his comment noted that only 16 percent of the shoreline shows signs of erosion; 84 percent of the shoreline shows no signs; 70 percent of the shoreline is armored. He said someone on the board noted that residents should show personal responsibility [relating to their docks]. He asked, “Where is the public responsibility?”

Ward said he has heard the opposite of what Mitchell Moore indicated he has heard from the public. Ward said he finds it curious that this is one of the largest droughts we have had in history and if there are differences, he asked Robertson to comment.

Robertson: It has been dry since July; there was a wet June. Lots of nutrients from the water can impact bluegreen algae. Drier weather and warmer evening air temperatures help the water stay warm. If the fog does not come in, the water can stay warm. As we know, weather is variable. You can start making predictions, but it is imperative that data are not left to one or two years. Water quality is difficult to analyze and there is nothing definitive. Bluegreen algae are very unpredictable. Their reactions are not 100% consistent.

Ward asked if the lake at 9.0 is responsible for the algae.

Robertson said, “No.” Sunlight is very important in the equation, but nutrients are important in the growth of algae. Lake level at 9.0 feet is flying in the face of the 2009 data, because more water was held in 2009 and we had significant blooms.

Skirvin: We had warmer weather in 2009.

Robertson: There is not a trend between two years. We have failed septic systems in the watershed. Maybe 14 to 24 percent based on what e-web did and others around the nation. Nutrients are going to move more readily when the water is higher. There are a lot of components that have gone into your decision making processes. Growing vegetation on the shoreline is a great benefit to Devils Lake. The water quality issue is the one with the biggest question mark on both sides.

Skirvin: Can you characterize the difference in how a seawall can be in jeopardy when water is not up against it?

Moore: The waves come in and all the waves hit it and pull out all the stuff behind the wall.

You can find gravel in front of the walls. I just want you to pause and consider the main thing was that there was no impact related to lake level. Look at the years that the lake was hot in temperature and it was higher in level. In 2011, it was warmer that year and the lake, even though it was higher, was warmer. In the years it was cooler, the lake was at the same level before that and the lake went down in temperature because it was cooler outside. Last year, it was cooler and the lake went up in temperature. Take that for what it is worth. Each of the years that we had algae blooms, the lake was at 70 degrees. 2011 was a wetter year than this last summer. This is just different data from Paul's data. I just want you to consider it.

Pat Dooling: Why is the lake level being maintained at 8.8 when the resolution was passed to keep it at 9.0? We built our dock for a 9.5 lake level. We were told that homeowners need to take care of their own docks and we are doing so. North of us, in Horse Shoe Bay, people have docks that are high and dry. One has 40 or 50 feet of mud in front of it.

Both properties are for sale and both have docks that are also unusable. During one meeting, a resident said he had only been on the lake in a boat twice. You can drive to north end of Devils Lake Road and walk out and see all the mud. It is astounding. Last weekend, it reeked. We have about six feet of mud in front of our place—our place is at the mouth of Horse Shoe Bay. We have a very expensive sand filter system. There are no failed septic systems near here, but the smell is bad. Drive around and take a look. Nobody wants their children swimming in muck when it can be remedied by a caring Board.

Walker: Would those problems really be rectified by four or five extra inches of lake water?

Dooling: I am no expert, but the water has dropped big time. Four or five inches would make a huge difference.

Walker: I have always advocated for a higher lake level, but I understand why the Board made the decisions that they did. I do not understand how 4 or 5 inches could make a difference. That area is not natural—it was dug out.

Dooling: I'll bet Horse Shoe Bay will be full of water again. It's never been deep at the end, but there is a natural stream that is running into it.

Ward: I think you do have a caring Board. Have you ever noticed the dock on 51st street? The problem is the same there with sediment. The problem is not going to go away and as the bottom comes up, you cannot raise the water enough to compensate for it. It's my opinion that the erosion and the filling up of the lake is at the root of most of these problems. At least that is the way I see it. The silting in of the lake is going to continue.

Dooling: I concur that it is silting up, but removing dams when people planned on the dam being there, is problematic.

Unfinished Business

The Devils Lake Plan

Septic Tank Revitalization Program

Lenaerts said that we are in a public comment period for the proposed DEQ rules until October 19. He referred to his suggestions in the staff report.

Since the District is in favor of the new rules, Lenaerts proposed that the Board sign a letter in support of the rules and attend a public hearing giving an outline of what is stated in the letter. He said it is important that we state in the public comment that we support the proposal and include the information about our water shed and the septic inventory and the steps that

we are taking to ensure that they are working. We need the state program and our local program to work together to ensure that people will not be complying with two different requirements. Lenaerts proposed in his written report to include the following in the letter:

- *Support the proposal;
- *Support a uniform inspection form;
- *Request that if an evaluation has been done, before the property is intended to be sold, the evaluation would still be valid if the property then is going to be sold within a certain amount of years. Five would be reasonable. This would allow property owners in the District to use an evaluation that they had done in order to comply with our inspection ordinance to also use an evaluation that they had done in order to comply with our inspection ordinance to also meet DEQ's rules. This should go both ways, so that if a property in the watershed is sold, they can submit that inspection form, and then not be required to have another inspection through the City ordinance for ten years. This would require the two inspection programs to have the same criteria;
- *Support the maintenance agreements for sand filters;
- *Continue to support a subsurface sewer disposal system improvement fund, which did not pass the legislature;
- *Include information about our watershed, the septic inventory that we have produced, and the efforts we are making locally to ensure that all systems in the watershed are functioning.

You can take the form we are creating if you sell your property, and you could submit it to the local DEQ and you would be put to the back of the program. Every ten years you have an inspection, and every ten years, you can use the inspection form and submit it in advance and nobody would be told to have an inspection.

Skirvin: Would it be the state or the county?

Lenaerts: You would have an inspector make observations, but DEQ would make the determinations, based on the observations that the inspector notes. We would be supporting maintenance agreements for sand filters. You could go to the state and get low interest loans for repairs and we will place this issue in the letter.

Green: Another question is do you have any other data besides the one county that said 26 percent and another that said 18 percent. My point is nobody is excited about having this inspection every time you transfer a property, but if it's that effective, it would be important.

Randy: Eugene Water and Electric Board received a 319 grant to look at septic systems on the McKenzie River that provides water to Eugene. They did free inspections and their findings were consistent with what we talked about today. I think they said about 14 to 16 percent were failing and some systems required other work because they were not operating correctly. I think there is some pretty good information. Systems don't last forever.

Green: It's pretty hard for us as directors not to support that, if there is a 14 percent failure rate around the lake.

Robertson: One in three of our systems out of 680 systems do not have a record. We all can agree that they are 38 years, plus. Getting those inspected would be good for the lake and for the homeowners. Having inspections means that you can get ahead of a problem before it comes into your basement.

Lenaerts: When we looked at systems over 30 years, pre 1974, you have those that are 30 years old--that are half of them. They have likely exceeded their limits. The state has come up with this program and in order to keep the 319 funds, they have to show that they are managing septic systems. You might have a home that has three inspections in six years, but there could be homes that go 80 years without one. We know how old they are and how much water residents are using. We know the last time DEQ approved those systems. Most of them have exceeded a reasonable limit. Our goal is to do nutrient reductions. We will focus on those systems first.

Skirvin: The points you made are valid and what we are looking to support.

Robertson: You might ask if the audience has any comments on this issue. [There were none.]

Skirvin moved to have Seth Lenaerts draft a letter of support for the program that would include the points he listed [above] and Green seconded the motion. Vote: Unanimous. Motion carried.

Save our Shoreline (SOS)

Lenaerts: Work on the video continues. Nearly all the video has been shot and the audio is completed. Cody will be editing the video soon.

For maintenance of the rain gardens, the Board previously approved \$1,500 for the two gardens. Spiro Landscaping estimated that the cost of maintenance for the two sites would be about \$1,600. The budget is at \$3,000. We should be able to get most of the plants free, but we might have to get some mid-range plants. Lenaerts has requested an itemization of the amount and is now requesting Board approval for an additional \$700 for a total of \$2,200 to complete the maintenance and replacement plants. We lost a lot of plants at Regatta Grounds. One reason was due to the dry weather. The plants that were placed there should have been a better selection.

Green: Is the dryness because of rainfall or lake level?

Lenaerts: Rainfall. We water on a weekly basis, but it is a time issue for us. We can moisten it, but we need more water. We've talked with the fire department to see if we can have access to their fire hydrant, and there is a possibility we can get approval for that.

Skirvin: We don't want to have to do this every year.

Lenaerts said he thought it was from poor plant selection. And, the seasons and rainfall had much to do with the plants dying.

Green moved to increase the allotment that Seth requested to \$2,200 from the original \$1,500. Walker seconded.

Vote: Unanimous. Motion carried.

Vegetation Management

Robertson reported that he has submitted feedback to the consultant, MaxDepth Aquatics, and they are using it to create the final draft. Robertson would like to include any letters of support that can be obtained as well as results from the survey to demonstrate what kind of support we have for this project. Letters from the chair addressed to major stakeholders and political representatives are being assembled and will be mailed out next week.

The submittal to ODFW will be forwarded to the Wildlife Integrity Review Board who will determine that the project doesn't violate any principals of wildlife integrity. If it doesn't violate beyond some reason, they will send it to ODFW in Salem for staff and management review. They would offer comments or questions that we would have to address prior to the request going before ODFW Commission. The contractor would make the presentation and respond to any questions at which time the commission could approve, table it or deny it. Approval would also have to be received by NOAA Fisheries and U.S. Fish and Wildlife Service, which, if ODFW gives us approval, our contractor would repackage the materials for submittal to these entities.

Those are the steps we have in line for the grass carp application. We had a time line that the contractor gave us in July. It is good that we did our review; however, the time line has shifted. Robertson requested another time line, but the contractor said to just factor in the reviews that the Board requested. In the next month, we need to get letters to him.

Skirvin: So, the second quarter for the Commission? How much time does ODFW staff need to review it?

Robertson said that they are going to want to have their information for the Commission to look at also. It will be a 90-day pace for the Commission, provided we move fast through the Wildlife Integrity Review Board.

Walker: Is there any recourse if we don't pass muster with the integrity review board?

Robertson: I did not hear that there was an additional window.

Walker: Eight years after the first time, we had to go back to Portland and ask for additional carp and one of the scientists who worked for Fish and Game said if he had been there then, there would have been no program.

Robertson: Violating the principles of the Wildlife Integrity Review Board is pretty broad. Green said what he has seen in past parameters is pretty general and is not at all germane to what we are trying to accomplish. Unless there is more than he has seen, it doesn't seem to be a problem.

Robertson: The second phase of the water plant survey was completed September 17-19 and should be ready by the end of October. Then we have the economic impact study that Lenaerts will complete by December. Robertson is hopeful that an engineering study will not have to be completed. It is possible we can use the data that has been done as an engineering study—laser imaging from the aerial photos and high quality stream data of the State of Oregon. There might be a small cost.

Sewer

Green said there is not much to report except that the city is waiting for the final draft from the engineer and that scheduling issues have been delayed a little bit. He is hopeful that on December 10 the program can receive City Council approval and on January 8 a public hearing can be held.

Communications Report

The KBCH Good Morning Wake-Up Show airs weekdays from 6 to 8 A.M. on 1400 AM. The District has a standing interview on the third Tuesday of the month from 7:30 to 8:00 A.M.

The Oregon Lakes Association annual conference was held in Crater Lake September 14-16, where Robertson provided a short presentation on current happenings on Devils Lake, including the water quality monitoring program. Forty to 50 people attended the event.

Online Listserv has enabled us to create the survey feature that we began paying for this month to solicit feedback on the Devils Lake Plan. We received 120 or so responses back.

At the Senior Fair, held at Chinook Winds on October 2 from 9 to 6, they had the largest crowd ever—1,250 people. We got an additional 71 surveys from the Senior Fair and one from the newspaper. Robertson said they ensured there were no duplicates from individuals, since they prevented anyone from submitting twice from the same IP address.

A number of senior people do not communicate via e-mail and that might be an important issue to consider. We need to obtain feedback from audiences that have different types of methods of communicating. These surveys will be combined and sent to the Board.

Safety Report

No incidents.

MidCoast TMDL

Robertson added some additional information on the MidCoast TMDL in the Staff Report regarding what the technical group is doing.

DEQ has begun the planning process for developing an implementation-ready Total Maximum Daily Load for 303(d) listed water bodies in the Oregon Mid-Coast Basin. Page 8 of the Staff Report shows where sources of bacteria are during different times of the year.

In high flow events, you get a lot of bacteria. The rainfall can pick up the sources off the land. Robertson went on to explain the load duration curve flow zone interpretation matrix that identifies potential sources of bacteria given varying flow conditions. For example, onsite systems are shown to be of less an impact at transitional flows, typically, seen early spring or late fall, while they are more significant of a contributor at dry flow times in summer when the rains have stopped and thus stormwater is insignificant.

Robertson described the line in the chart that is depicting maximum criteria for bacteria.

That line is showing an example of data and how you can analyze it. Violations are happening in dry flow and low flow. In that system, you have violations happening in mid-summer. Maybe this is caused by a wading animal. You can look at fencing. This is how the system seeks to modify.

Skirvin: Do they all follow the same models at the same time of the year?

Robertson: They do follow similar patterns, and what drives this is the rainfall. If you have a steep system and you've got shallow bedrock and every drop of rain hits bedrock and goes downstream, that will move everything down to the lake. That system that had bedrock would act differently than a system that had permeable soils. There could be some variation.

Internship

Alyssa Clayton listed her activities. She has completed a digital archive of the Audits and the majority of the Budgets. The next step will be to place them online so that they can be accessible to the public. She has read the Fecal Source Tracking Sampling and Analysis Plan and has learned the sampling and laboratory techniques. She made a series of demonstration

videos to teach future interns how to carry out the sampling and laboratory techniques for DNA analysis. Alyssa worked at the Chinook Winds Casino Senior Fair, promoting the recent survey of the District. She was able to obtain 72 responses from the senior fair and will be placing all results into the Constant Contact and excel in order to compile the results as a whole with the data collected online. Additionally, she has attended the KBCH radio spot with Seth, promoting the District and informing the public what we are doing now that the water quality monitoring program is complete. She has been promoting the upcoming Erosion Seminar by distributing fliers and encouraging people to attend. Her time with the District is nearing an end and she will not be at another meeting [since the November meeting has been cancelled.]

East Devils Lake Road

No update. Salmon Drift Creek Watershed Council is awaiting a final report from the County that they will submit to the stakeholders to open up the process.

Lake Level Monitoring

The survey of $\frac{3}{4}$ of the docks was completed this week. Staff will conduct some lake level investigation for potential impacts to recreational users and properties. No update will be provided until the survey is completed and additional parameters are collected, including a photo vegetation survey as well as septic tank data and other information that may apply—salmon, septic systems, vegetation, water quality, etc. Staff will be documenting the period of full-fish passage vs. that which is limited by the dam. Robertson is targeting a November or December timeline for this report.

Board Comments and Announcements

Walker: What is the effect of a rain occurrence when there are a lot of algae in the lake?

Robertson: Rain can cool the lake. The impact of rain is that it also can bring in nutrients. If you had new nutrients or somebody had just fertilized their lawn, it can come down into the lake. When water drops down, it changes the system. Sunlight is also huge.

The Board discussed whether or not to cancel the November meeting since Robertson will be out of the area.

Skirvin moved to cancel the November Board meeting and to extend the December meeting as needed and to authorize Robertson to pay the bills due for November. Walker seconded the motion. Vote: Unanimous. Motion carried.

The Goal Setting Workshop will take place on Saturday, October 13, 2012, beginning at 10:00 AM. The Board will analyze the survey responses from the public; establish goals for the future to ensure that they are continuing on track.

Erosion Prevention & Sediment Control Summit is set for October 25, 2012 from 8:00 AM to 1:00 PM. This is a free event for contractors, landscapers, and others who are moving soil. The City has sent out an invitation to the folks on their list; posters have been displayed about town, and an e-mail alert was sent out. There will also be door prizes for attendees.

Ward: November 16, is the Beach Park Auction at the Eventuary to benefit animals of those without means to obtain veterinary service for their pets. Last year, \$18,000 worth of vet services was paid for by the event. Ward encouraged anyone with something worth auctioning to bring it to the Eventuary.

He invited everyone to a Halloween party at Taft Elementary School from 5:00 PM to 9:00 PM on Halloween. The event is for families and will be a 1950's type Halloween party.

Green: Regarding the public comment on lake level, he said we are doing monitoring and surveying. The information that Mitchell Moore brought forward and the comments of Pat Dooling is information that we should incorporate into the monitoring and surveying considerations and value it. It might be helpful and it needs to be evaluated. There was a letter read for the second or third time regarding comments I've made at previous meetings, saying that I was attacking a statement that was not actually made. Go back and read the minutes of the previous meetings. Audio is also available. We don't just represent the interest of lakefront property owners. The District is bigger than Lincoln City and part of the watershed is outside the city. It is not just the interest of lakefront properties. I have talked with people who understand the factors that go into our decisions and they say that they appreciate the considerations that we take. Lakefront owners have said that they thought impounding to a level of 9.0 was a good decision and we are continuing to obtain more information to evaluate. We will have more information to make a decision next May. Walker said that he has heard some adverse comments from people regarding access to their boats. He personally would like to see us opt for a higher lake level. He said we have had no rainfall; he does not know what would have happened if we had had normal rainfall.

The meeting adjourned at 8:10 P.M.

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

Respectfully submitted,

Linda Burt

DLWID Board members,

I regret that I am unable to attend tonight's meeting due to a business conflict.

I do want to weigh in for the official public record of this month's meeting on inaccurate statements made by Brian Green in last month's Board comments and announcements section as it relates to comments made by Larry Rich in the public comment section of the September meeting.

As you can see below (highlighted) Larry clearly asked about the vote that was taken by the Board in June to lower the lake level **not** remove the Dam as Brian stated in his comments. The Board did vote and take official Board action to establish the impoundment level of the lake at 9.0.

Furthermore, there are numerous references by Brian in the June meeting minutes that would give the impression that complete dam removal could be a possibility at some point in the future which contradicts his statement in September that says "there is no plan to remove the dam", really Brian?

Brain is correct that there was no vote taken to give up the District's current water right to impound up to the 9.53'. However at the end of the June 7th meeting there was a serious discussion between Brian Green and Randy Weldon to instruct Paul to permanently and officially request a termination of our current water right of 9.53' to 9.0'. In fact, Brian made an official Board motion "**Green moved to request the WRD to reduce the impoundment right by an amount of water sufficient to keep the lake level at a maximum height of 9.0 feet.**"

Mitchell Moore was able to defuse the motion by correctly stating the facts of the current water right. This fact, by the way should have been known and stated by Paul with any discussion around or concerning the DLWID water rights with the WRD.

Gary Ellingson (Lincoln City Councilor) took me on a tour around Lincoln City and showed me firsthand how they have correctly spent millions of tax payer's dollars securing water rights to protect the future livability and growth of Lincoln City and the surrounding County. Some of you within minutes would have thrown that right away without even knowing what you were doing!

You wonder why we have trust issues.