



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

**LINCOLN CITY COUNCIL CHAMBERS
September 12, 2013
6:00 P.M.**

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

ABSENT: None

AUDIENCE: Don Sell, Miles Schlessinger

STAFF: Paul Robertson, Lake Manager; Seth Lenaerts, Project Manager

MEDIA: None

Chairman Brian Green convened the meeting at 6:00 p.m.

I. CONSENT AGENDA

Randy Weldon moved to approve the consent agenda (including minutes of the August 2013 meeting and financial report). Noel Walker seconded the motion. Unanimous vote in favor.

II. PUBLIC COMMENT

A. SPEAKERS

1. Don Sell, Lincoln City, OR 97367 (6:04 p.m.)

Mr. Sell asked about construction work at a lot on Horseshow Bay and whether governing bodies have reviewed the work, especially in regard to the septic drainfield. He said that in the past a

process was in place for county and city approval, depending on the various applications. He referred to the earlier remodeling of Tanger Outlets, which he said led to excess mud washing into the lake and expressed concern about oversight of current projects.

GREEN: We are not notified about every building permit, but we are notified about requested variances and given an opportunity to comment.

ROBERTSON: Especially in regard to septic systems, the county reviews the system. If all requirements are not met, a property owner can petition to have a different system. When that happens, the state holds a hearing at the building site and neighbors have an opportunity to comment. If an erosion control permit is needed, the city is notified.

III. UNFINISHED BUSINESS

a. The Devils Lake Plan

i. Septic Tank Revitalization Program

(6:08 p.m.)

GREEN: Since this program is closely aligned with city sewer plans, let's discuss this later in conjunction with sewer.

SEE STAFF REPORT

ii. Save our Shoreline (SOS)

LENAERTS: SOS video, shown at last month's meeting, is now being seen on YouTube with over 100 views and should be on Channel 4 shortly.

Northwest Oregon Restoration Project (NORP) has asked us to provide a letter of support to the Bureau of Land Management, which is reevaluating its funding priorities. Letter was sent via email so board members could review; hoping for board's support and Brian Green's signature.

GREEN: Unable to open the letter in the email.

SKIRVIN: Letter seemed acceptable; I approve the idea of having Brian review, edit and sign the letter.

GREEN: Agreed.

iii. Vegetation Management

(6:11 p.m.)

ROBERTSON: Discussed meeting with Oregon Department of Fish and Wildlife officials and staff regarding DLWID submission to ODFW to make a case for more grass carp. Staff meeting was a prelude to ODFW Commission meeting on October 4, 2013, in Newport. Meeting helped ODFW representatives understand DLWID's comprehensive report. Sense

from meeting is that grass carp application doesn't strictly fit ODFW rules regarding the size of the lake and public access, so a rule change would be needed. ODFW indicated that the DLWID had a solid case. DLWID representatives will be able to present their case in a public forum at the October 4 meeting. Public is welcome to attend to see the presentations and support the application.

SEE STAFF REPORT

GREEN: We're not on the meeting agenda, but we're invited to comment and explain our purpose. No action on the application would be taken at the meeting. Best-case scenario is that Commissioners would ask staff to promulgate draft rules that would meet our requirements. ODFW representatives seemed receptive to our application.

WALKER: Since this is an initial step with no decision expected immediately, will the Commission have an additional meeting with its staff and scientists to get their analysis?

ROBERTSON: Yes. If the Commission responds positively, they will direct staff to review and we may be called back to respond. The rule-making process would also require public hearings and extensive review. Our goal is to "win the battle" on the first day. Process still extensive, this is initial step. If the rules are changed, then there is a NOAA Fisheries component, which could take another 18 months of review.

GREEN: ODFW is giving us an opportunity to present our case since the meeting is nearby. A good first impression could help us tremendously.

WARD: How's our carp population?

ROBERTSON: Dwindling and old. Joe Eilers' work shows that the population is somewhere between 300 and 1,000. Our plan would be to add young fish slowly over time in a measured approach. Current population is at least 20 years old. It's time to get restocking permit in hand.

iv. Septic Tank Revitalization and Sewer

(6:33 pm)

SEE STAFF REPORT FOR REVIEW OF LINCOLN CITY STAFF REPORT Re: Sewer Around Devils Lake

LENAERTS: City Council met after DLWID staff report prepared. Thinking now is to combine sewer planning and septic inspection program. City talking about preparing ordinance that would call for complete septic inspection if sewer program stalls. City Council seems prepared to move forward with a \$4.6 million plan for sewers. City Manager Hawker proposed ideas for financing, including a surcharge or a sewer district. Sewer district would have to be approved by voters. Hawker sent letter to DLWID showing support for backbone sewer system.

BOARD DISCUSSION: Board members generally expressed support for either a sewer district or a local improvement district. Suggested a joint workshop with Lincoln City and perhaps Lincoln County, since many properties on the lake are not in the city.

ROBERTSON: Discussed possible advantage of lot surcharge rather than sewer district as a way to move forward faster on sewer installation.

b. Communications Report

(7:07 pm)

SEE STAFF REPORT.

c. Safety Report

ROBERTSON: No incidents to report. We did get letter from facility where NORP has a nursery regarding security at the facility, which is essentially a juvenile delinquent house.

d. MidCoast TMDL

(7:09 p.m.)

SEE STAFF REPORT.

e. East Devils Lake Road

ROBERSON: Temporary fix completed with 6-12 inches of asphalt. Still expected to flood in winter. Water still only 2-3 inches from surface. Should help flood recede sooner in spring, summer. The road is expected to sink again.

BOARD DISCUSSION: Questions raised about water flow under bridges and effect on salmon.

WELDON: Noted that it's a plus that cars aren't being continually washed underneath.

ROBERTSON: Negative that gravel they used not clean, will leave fine sediment, could threaten fish.

f. Policy Updates

NONE

g. Water Quality

(7:17 pm)

SEE STAFF REPORT.

ROBERTSON: Good year for E. coli levels, which are low in the lake. Thompson Creek levels are a concern. HABs still serious. Now using strip tests, which are less expensive and less comprehensive than complete monitoring but still useful as a faster testing method.

SKIRVIN: Conditions are about to change; less sunlight, cooler temperatures will reduce algae growth. Strip tests should be adequate.

ROBERTSON: Full testing required in order to remove toxin warning. Strip test tells us if full testing needed.

h. Aquatic Plant Survey (7:32 pm)

SKIRVIN: Pointed out that discussion of this agenda item was not included in staff report.

ROBERTSON: Omission was an oversight. Biologist Joe Eilers did conduct aquatic plant survey; Paul was able to observe and gain familiarity with survey equipment and methods. Paul says survey could eventually be performed by staff. Result of survey is that lake is very much devoid of vegetation, unchanged from last year. Highest densities of vegetation were 12%; overall it's 0.3%. Vegetation did not resurge over summer. Existing grass carp continue to control aquatic vegetation.

VI. NEW BUSINESS (7:35 pm)

a. North American Lake Management Society (NALMS) meeting

SEE STAFF REPORT Re: San Diego meeting in October/November and list of talks by nation's top lake scientists

BOARD DISCUSSION: Board saw value in sending the Lake Manager to the San Diego conference. Skirvin suggested that a DLWID director might benefit from attending, but the rest of the board disputed the value of sending a director to these highly technical talks.

ROBERTSON: There is also great benefit from networking with other experts in the field.

ROBERTSON: Discussed Oregon Lakes Association/Washington Lake Protection Association Joint Conference in Vancouver, WA, 3 days starting October 16, 2013.

Skirvin made a motion to approve the expenditure of \$1500 for the Lake Manager to go to NALMS. Walker seconded. Unanimous vote in favor.

Skirvin made a motion to approve the expenditure of \$1500 for a board member to go to the NALMS conference. Weldon seconded. Carried 4-1, with Walker opposed.

Skirvin volunteered to go to OLA if the district pays the \$125 conference fee paid.

Green moved to approve the expenditure of \$125 for the conference fee if a board member wants to go to the OLA/WLAPA conference in Vancouver, WA. Walker seconded. Carried, 4-0, with Skirvin abstaining.

b. Senior Fair (7:52 pm)

SEE STAFF REPORT re: Senior Fair on October 1, 2013, at Chinook Winds.

ROBERTSON: Good opportunity for outreach ahead of the ODFW Commission meeting.

Ward made a motion to authorize the Lake Manager and staff to set up a booth at the Senior Fair for a \$150 fee. Green seconded. Unanimous vote in favor.

c. SOLVE (8:01 pm)

STAFF REPORT re: lake cleanup project on September 28, 2013, at Regatta Park.
Volunteers are welcome.

IV. NON-AGENDA ITEMS (8:03 p.m.)

SKIRVIN: Discussed possibility of bringing Dragon Boat races to Devils Lake, possibly in August. Delegates from Dragon Boat group invited to look at spaces at parks for venue for event. Good draw for the city as many teams and their families participate.

LENAERTS: We could apply for a Visitors and Convention Bureau grant.

SKIRVIN: Could be fun for city residents to participate on boats.

WARD: City has a challenge in August because the hotels and parking lots are already full.

SKIRVIN: Race sponsors bring the boats and I think they park them in the water.

V. PUBLIC COMMENT (8:09 p.m.)

No additional comment.

VI. BOARD COMMENTS AND ANNOUNCEMENTS

ROBERTSON: Rockey Stone Memorial Kilo is the weekend of October 5 and 6. Posted at kiosks for partial lake closure. New race planned.

VII. ADJOURNMENT

Green adjourned meeting at 8:12 p.m.

The next regularly scheduled Board meeting will be October 10, 2013 at 6:00 p.m.

Respectfully submitted,
Rick Mark