



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

**LINCOLN CITY COUNCIL CHAMBERS
February 13, 2014
6:00 P.M.**

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

ABSENT: None

AUDIENCE: TigerSharks, Devils Lake Homeowners

STAFF: Paul Robertson, Lake Manager

MEDIA: None

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

I. ROLL CALL

All directors present.

II. CONSENT AGENDA

(6:02 p.m.)

David Skirvin moved to approve the consent agenda (including the minutes of the January 2014 meeting and the financial report). Noel Walker seconded the motion. Unanimous vote in favor.

III. SPECIAL ORDER OF BUSINESS

Representatives of TigerSharks attended to request a \$1,200 donation from DLWID to help provide scholarships for youths to learn to surf in the ocean and paddleboard on Devils Lake.

A video presentation (created by the Lincoln City Visitors and Convention Bureau) was shown to support the group's request.

Keith Galbraith of TigerSharks addressed the board to recap the season, thank the DLWID for its support, and to promote the lake as a great place to do things. He said the scholarships help students participate. Last year's money helped 11 kids participate. The group wants to implement a more structured system with assessments to help kids improve their skills.

TigerSharks Club member Ariana Henton told about the group's California surf trip and how it helped young members improve.

Board members discussed the proposal, asking about the level of participation, the frequency of lake use, and the costs. The board said it would wait until after the public comment period ends before voting on the club's request for scholarship aid.

SEE STAFF REPORT for email comments from TigerSharks participants.

IV. PUBLIC COMMENT

(6:26 p.m.)

GREEN: Noted that several people were signed up to comment, so he reviewed the public comment policy.

Mitchell Moore, 2929 NE Loop Drive, Otis, OR, spoke to introduce the new Devils Lake Neighborhood Association, a 501(c)(3) nonprofit, the city's second incorporated neighborhood. The Devils Lake Neighborhood is generally defined by East and West Devils Lake Roads and by Highway 101 on each end. The association was formed to represent members before city council, county commission, and the DLWID, and to promote education and information related to economic, environmental, and social issues.

Board members present: Tina French, Joe Barnes, Nathan Knott, Moore, Mark Christy. Also attending from the association are Dana Moore and Don Sell.

Moore noted that four of the five DLWID board members also belong to the association.

He asked to have an opportunity to address the DLWID board when appropriate. He said there are many issues to discuss, but the association has particular concern about the lake level and algae.

Moore said the association is asking that the lake level be raised to the maximum impound level of 9.5 feet, saying that the experiment to lower the lake has rendered the lake unusable. Moore noted that algae is still in the lake even though it is February.

Moore said it is not their goal to be contentious, and that he hoped to work with the DLWID board.

Joe Barnes, 1727 NE Devils Lake Rd, Otis, spoke, contending that the current DLWID agenda does not address the algae problem and that he sees nothing on the agenda about improving the lake.

Barnes and board members discussed the current algae issue, with Barnes reiterating that the lake should be raised. He asked if it would hurt to raise the water level.

GREEN: Blue-green algae is a phenomenon around the entire Pacific Northwest. The only thing we can try to control is the phosphorus and nitrogen input, so we are working to sewer the lake. He said the State of the Lake statement on the DLWID website discusses this issue.

Barnes reiterated his earlier points, saying the lake had been healthy until the lake was lowered.

Discussion continued in this vein for several minutes.

Moore spoke again to ask that the lake level issue be placed on the March agenda.

Angie Wright, 4763 NE Devils Lake Road, Otis, spoke in support of the TigerSharks, saying people are using the lake more and using it more safely because of TigerSharks training. She also said families are learning to have confidence in being on the ocean because the club has taught them to surf. She thanked the board and local businesses for their support.

Board discussion followed, indicating support for the TigerSharks request.

WALKER: Expressed concern that the algae problem will prevent the TigerSharks from using the lake; he also expressed concern that the algae could interfere with this year's Devils Lake Revival. He asked for further discussion on possible treatments, including alum. He suggested adding on to the TigerSharks request.

WELDON: Expressed support for TigerSharks, pointing to value of teaching safety. Asked that the board consider directing the Lake Manager to employ some treatment or technique to counter the algae, and he asked about Titrates. He pointed to the recent lack of rain and subsequent increased sunshine as a cause for the increased algae.

WARD: Also asked about algae treatments; asked that people approach the board in a cooperative manner and not be combative.

GREEN: Suggested getting an estimate for the cost of alum treatment.

SKIRVIN: Suggesting finishing TigerSharks discussion and hold alum discussion for new business.

Green made a motion to provide \$1,200 to the TigerSharks in exchange for their participation in the Devils Lake Revival, especially to help with water safety. Skirvin seconded.

WALKER: Discussed raising the funding to \$1,500.

GREEN: Withdrew motion.

Walker moved to increase the amount to \$1,500 and that we grant that to the TigerSharks as per their request. Ward seconded.

GREEN: On principle, you don't give people more than they ask for.

Call for vote. Unanimous in favor.

V. UNFINISHED BUSINESS

a. The Devils Lake Plan

i. Septic/Sewer

(7:05 p.m.)

ROBERTSON: Noted that the Devils Lake Plan, which was adopted while Joe Barnes was a DLWID board member, calls for vegetation management through the use of grass carp. He said weeds and blue-green algae are symptoms of a degraded lake, and that unless the nutrient base is eliminated, some strategy will always be needed, whether it's grass carp or alum treatment, to address those symptoms. The District's goal has been to help fix the watershed. The sub-items within the Devils Lake Plan – septic and sewers (a major undertaking); Save Our Shoreline (the number-one correlation across the nation for the health of a lake is whether the shoreline is intact; ours is not; Devils Lake will not get better with a developed shoreline and with failed septic systems). Any treatment we apply would be just a band-aid to hide the symptoms.

WALKER: We still need to be able to use the water. Short-term solutions are needed as well. We need to address immediate needs so people can use the lake.

SEE STAFF REPORT re: Senator Merkley's bill to finance water infrastructure; city buildable lands inventory (sewer would not cause a significant increase in the number of buildable lots); DEQ funding opportunities for a sewer system; potential Urban Growth Management Agreement to plan for future development.

GREEN: Commented on buildable lands inventory, noting that the impact of sewers would be negligible.

ROBERTSON: The concern about future building relates to large acreage outside the city, so some plan needs to be in place regarding the potential development of that acreage and how it could affect the health of the lake.

Board discussion followed on development as it relates to water runoff, lake water quality, vegetation, and blue-green algae.

VOYAGE LID (Green: nothing significant to report.)

ii. Save our Shoreline (SOS)

(7:29 p.m.)

SEE STAFF REPORT re: State Parks Department refused to accept the proposed student service project at East Devils Lake State Park; the project is moving ahead at less cost on private land owned by Linda Burt, the former DLWID recording secretary.

iii. Vegetation Management

(7:30 p.m.)

SEE STAFF REPORT re: update on grass carp application; new techniques for estimating number of fish in the lake.

GREEN: Commented that he sees value in putting a small number of carp into the lake when vegetation is low rather than waiting for the weeds to become overwhelming; he suggested pointing this out in a letter to the Oregon Department of Fish and Wildlife before ODFW decides on the grass carp application.

Board discussion ensued.

b. Communications Report

(7:52 pm)

SEE STAFF REPORT re: radio, internet, social media (36,000 hits on the site to see D River when it was sanded in, subsequent dredging); Clearwater E-Newsletter; Crowley Creek field trip for students to learn about water quality testing; new sign at OCCC office; web usage.

c. Safety Report

SEE STAFF REPORT: no accidents reported. Safety policies have been updated.

d. MidCoast TMDL

SEE STAFF REPORT re: nothing to update.

e. East Devils Lake Road

SEE STAFF REPORT re: no activity reported.

f. Policy Updates

(8:00 pm)

SEE STAFF REPORT re: changes to District's 80-page Personnel Policy Manual. Website includes a link to the proposals.

SKIRVIN: Noted that under state law, overtime applies to any hour over 40 in a week, not to an 8-hour day; different rules for government; comp time ok; we should just refer to state guidelines.

Green moved to adopt policies and procedures manual with the changes suggested at the last board meeting. Weldon seconded. Unanimous in favor.

Board members and Lake Manager continued discussion of personnel policy changes.

SKIRVIN: Suggested posting personnel policy revisions before the next meeting so the public can see the planned changes.

ROBERTSON: (Technical problem: unable to open manual on computer screen.)

Board consensus was to review further personnel manual changes at the next meeting.

Discussion of proposed investment policy changes also deferred.

VI. NEW BUSINESS

(8:13 p.m.)

a. Budget Committee

SEE STAFF REPORT re: budget committee vacancies, staggered terms, no applicants yet; committee will have five DLWID members plus five members from the public; six are required for a quorum; consider more advertising because the spots don't have to be filled until May. Applications are available on the DLWID website.

b. Devils Lake Community Grant Opportunity

(8:21 p.m.)

SEE STAFF REPORT re: Taft High School chemistry teacher's request for a grant so the school can buy water sampling instruments for his class to help teach water sampling techniques; he would also convey information about water quality to the rest of the school.

Ward moved to fund the proposal. Skirvin seconded.

Board discussion ensued with Skirvin suggesting the District use the funds instead to get better new equipment for the District and then donate the District's older equipment to the school. Board continued discussion on the nature of the equipment.

Ward withdrew his motion.

Skirvin made a motion to approve the expenditure of \$1,042 for the equipment plus up to \$250 for a suitable case. Green seconded. Unanimous in favor.

Ward asked that the teacher and students report back within a year to give feedback on the program.

c. Coho in Thompson Creek

(8:40 p.m.)

SEE STAFF REPORT re: good news from January 21 coho salmon survey with ODFW (Ben Clemens and Stacy Polkowske) and Salmon-Drift Creek Watershed Council (Paul Katen organized the survey); 41 coho, including adults, found in 0.75-mile stretch of Thompson Creek above the KOA; survey included review of barriers in creek and possible mitigation.

ROBERTSON: We could provide funds to seed matching grants to support SDCWC efforts to have creek barriers removed.

SKIRVIN: Could use salmon rescue budget to pay for creek mitigation to remove fish barriers.

Board discussion ensued with members expressing support for funding removal of barriers. Robertson will let SDCWC know that funding help might be available.

IV. NON-AGENDA ITEMS

(8:50 p.m.)

WELDON: We should look at the cost of alum treatment for algae, which is used in many lakes; everything is costly because the lake is so large.

ROBERTSON: Focus has been on vegetation, but we can look at other lake management tools (alum, peroxide-based treatment), which has been done in the past; we would look at the 25-year lifecycle cost. Alum estimate could be provided in March.

WELDON: It's important to the board and to the public, as we heard tonight; water quality is important to us but so is recreation on the lake.

WARD: How long might it take for the current bloom to wash out?

ROBERTSON: Usually, the flows are high in February, but it's been very dry.

WARD: Rather than waste a lot of time talking about the lake level, which is not the cause of the algae, we should focus on the actual causes.

WALKER: A lot of people are upset because they don't know what we can do.

ROBERTSON: Misinformation is our biggest enemy; unfounded assumptions get made.

Board agreed that the Lake Manager should provide a dollar estimate for an alum treatment for the lake and identify other methods for HABs control.

SKIRVIN: Would prefer taking time for a comprehensive report, maybe in April, rather than a piecemeal approach in March.

WELDON: Would like to see data on the correlation between rainfall and toxin levels over the years.

ROBERTSON: Can go back to 2008; many variables besides rain and we have a small sample; we do know the algae is getting worse and has been since the 1960s; we should expect that the lake will turn green because the sediment record shows an increase in nutrients; could be blamed on an increase in failed septic systems. ODFW would have to approve any treatment, which would take more than a year; short-term solutions to HABs are not possible immediately.

SKIRVIN: Weather has been changing on the coast; we can't stop the sun. An extra 6 or 8 inches of water does not affect the algae.

ROBERTSON: Water temperature doesn't affect algae that much; neither does air temperature.

SKIRVIN: Need a good winter rain to flush algae out; rainfall has been in decline.

ROBERTSON: Annual rainfall used to be 80 inches on the coast; now it's 60. The lake will flush out, but it takes time.

WALKER: Lake use is down and we have a responsibility to do what we can so people can use the lake; that's why the district was formed.

The board consensus was to call for cost estimates and a summary of the regulatory procedure for HABs control by the April meeting.

V. PUBLIC COMMENT

(9:20 p.m.)

None.

VI. BOARD COMMENTS AND ANNOUNCEMENTS

WARD: Police report in the news says Ward was cited for burning a mattress, but actually he called it in; Beach Bite (benefit for Humane Society) was cancelled because of weather, so rescheduled for February 22; 20 restaurants are participating at The Eventuary.

VII. ADJOURNMENT

Green adjourned meeting at 9:23 p.m.

The next regularly scheduled Board meeting will be March 13, 2014, at 6:00 p.m.

Respectfully submitted,
Rick Mark