

AGENDA

2013 October 10

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



Devils Lake Water Improvement District

Post Office Box 974, 820 SE Hwy 101 Suite D, Lincoln City, Oregon 97367
Phone: (541) 994-5330 Fax: (541) 994-6040
www.DLWID.org

Quick Look:

- Grass Carp
- Septic / Sewer
- Office – Lab Space

I. Special Order of Business

- a. TigerSharks (Keith Galbraith)
- b. Employee Recognition

II. Consent Agenda

- a. Minutes of the Previous Meetings
- b. Financial Report

III. Comments from Citizens Present on Agenda/Non-Agenda Items: *This is an opportunity for members of the audience to bring to the District's attention any item not listed on the agenda for public hearing. Comments are limited to five (5) minutes per citizen, and the Board of Directors may use the light system. Speakers may not yield their times to others, and as a general rule this is not a time for exchange of questions. At the conclusion of this agenda item, a board member may discuss or raise questions regarding an item presented by a citizen. The Chair has the authority to reduce the time allowed for comment in accordance with the number of persons present and signed up to speak.*

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)
- b. Communications Report
- c. Safety Report
- d. MidCoast TMDL
- e. East Devils Lake Road
- f. Policy Updates
- g. Water Quality
- h. SOLVe

V. New Business

- a. Office & Lab Space

VI. Non-agenda Items

VII. Additional Comments from Citizens Present on Non-Agenda Items

VIII. Board Comments & Announcement

- a. OLA-Walpa - October 16-18 – Vancouver, WA
- b. NALMS - October 30- Nov 1 – San Diego, CA

IX. Adjournment

Meetings of DLWID are handicapped accessible under the ADA.
If special accommodations are needed, please contact the District Office at (541) 994-5330 48 hours prior to the meeting.

I. Unfinished Business

a. The Devils Lake Plan

- i. **Septic Tank Revitalization Program** (Lenaerts) No major update from last month. The City is continuing to pursue a way to address septic systems. They have stated that doing nothing is no longer an option and sewerering is the priority. In the meantime the City has said that they will work on passing a septic inspection ordinance that will consist of a thorough inspection. That ordinance, however, would ONLY take effect if we cannot find a successful way to finance sewerering around the lake.
- ii. **Save our Shoreline (SOS)** (Lenaerts) The SOLVE beach and riverside cleanup was postponed in coastal communities due to heavy winds and rain. The District rescheduled their project for Saturday, October 5. The District is teaming up with the Tigersharks Surf club to do a planting project at Randy's and if we have enough volunteers we will also complete a litter patrol at Regatta Park

As of October 1, the State parks will take over maintenance of the rain garden at East Devils Lake State Park. I left a message with Katie Duzik at State Parks to assure a smooth transition. But haven't heard back from her yet. Our agreement with Tam and Barry's Lawn Service also ended October 1. As we head into the winter we can expect that maintenance needs will decrease but in my opinion we still need some maintenance to be done at that site.

I propose starting with \$50 a month and then reevaluating in a couple of months.

iii. Vegetation Management

Grass Carp: (Robertson)

- **Outreach Campaign:** We send an E-Alert to our listserv regarding the upcoming Commissioners Meeting with links to the FAQ and sample letter of support. As a result we generated a lot of interest in the meeting including two news articles and an interview by a local radio station. Since the announcement many folks have dropped by or called letting us know they plan on being there. We also were copied on a number of letters sent to the commission on our behalf. Last item for outreach is we attended the Senior Fair on October 1. We met with and handed out FAQs to hundreds of individuals. (see communications report).

FAQ & Sample Letter:
http://www.dlwid.org/Projects/Vegetation_Management/FAQ_Grass_Carp_Devils_Lake.pdf

Outreach Readiness: Initially completed by July 3, 2013 and ongoing until presentation.

- **Commission Submission:** We made our submittal electronically on August 23, 2013, and made our presentation during the public forum of the Commissions Meeting, October 5, 2013. The previous week I mailed personal printed to copies to all the Commissioners at their home addresses with an introductory letter. We also provided the Commission with the 20 printed copies of any materials presented at the meeting. Speaking on behalf of the District were myself, Joe Eilers and Chair Green. Speaking in opposition was former DLWID Director Jack Strayer and a bass advocate Lonnie Johnson.

After hearing input from the District in favor of restocking sterile grass carp in Devils Lake and from two members of the public including bass fishing interests who oppose the grass carp, Chair Levy hearing no opposition from any of the other OFW Commissioners directed staff to continue working with DLWID on the District's grass carp application to see if there is a solution. While no indication on how the Commission might ultimately rule on this matter, the District will have the continued opportunity to work on this important matter.

Director Elicker has appointed his Deputy Director Curt Melcher to take the lead on this. Deputy Director Melcher and ODFW fish biologist John Spangler met with DLWID earlier in the year after the District first submitted its application in August, and thus both are familiar with our application.

Thanks to the Commission for taking time during their Public Forum to hear about our application and how it relates to the Devils Lake Plan as a whole. Additionally we extend our gratitude to the many members of the public who took time out of their Friday to support the District and those that have sent letters encouraging the Commission to allow grass carp to be again stocked in Devils Lake in the future.

Next steps include working with Joe Eilers to develop some responses to questions we heard from Commissioners, particularly the urgency of the issue and other forms of vegetation management. We may have to adjust our contract with MaxDepth regarding the way we need to proceed.

iv. Sewer (Chair Green & Lenaerts)

Voyage LID: Direct Link to Engineer Report:

http://www.dlwid.org/Projects/Sewer/Voyage_LID.pdf

Brian, Paul, and I met with the City Manager and Mayor the first week of October to discuss possible ways to finance the costs of a sewer project. At this point no idea was really off the table, except choosing to do nothing. City Council will be discussing options at their Monday, October 14 meeting. They can then narrow that list down to the most feasible. Subsequently, mail a survey out to the effected property owners wherein the property owners can chose which direction they would like to go or if they would prefer septic inspections. In the meantime, effort will be placed on searching for grants. I am attending the OR Water & Wastewater Infrastructure Finance Workshop on Monday, October 7. Although, this workshop is very low interest loan, revolving loan heavy, there are also some grant opportunities. The City Manager also stated that he will be setting up meetings with DEQ, ODFW, and other agencies who may be able to provide grants to bring the cost of the project down.



Figure 1
Voyage Lake LID Boundary

b. Communications Report (Lenaerts & Robertson)

- KBCH Good Morning Wake Up Show: This program has aired weekday from 6-8 am on KBCH am 1400. The District has had a standing interview spot on the THIRD Tuesday of the Month from 7:30 – 8:00 am. Paul is on deck for this month.
- Internet Streaming: Meetings the DLWID are now available for live streaming and/or recorded streaming on the internet. The internet feed can be accessed via the City's website: <http://www.lincolncity.org/> by clicking on Agenda, Packets & Video or from the following link:
<http://lincolncityor.iqm2.com/citizens/default.aspx>
- Government Access Channel 4: The District's monthly meetings continue to be broadcast live and throughout the month repeatedly airs. This channel is available for Charter subscribers.
- Facebook & Twitter: The District uses these social media components to reach the general public periodically.
- Senior Fair: We had a booth at the event, held at Chinook Winds, October 1, 2013. Attendance was a solid 900-1200 people. We handed out over 150 Grass Carp FAQ and obtained numerous photographs. We set up our tent which



vibrantly featured our logo, name and website. We also were offered to take part in a pilot project where individuals had to get a signature or stamp from the six entities listed on the postcard entry form. As a result we got basically every person stopping by our booth even if just briefly. As part of the pilot project we added a \$50 gift certificate prize of Dinner overlooking the D River.

- • Oregon Coast Community College: Devils Lake WQ 101 -- Due to low enrollment (min of 6) this course was cancelled.
- c. **Safety Report** (Robertson) Safety is no accident! As a safety measure we cancelled part of Wednesday's on lake monitoring after reports of possible thundershowers.
- d. **MidCoast TMDL** (Robertson) 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 Weeds/Algae, Chlorophyll a and pH and Thompson Creek is listed for fecal coliforms, and thus as a local government we have been invited to participate. Notably, temperature listings are also proposed by EPA for the lake and one of its tributaries. 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>
 - Links to the DEQ's website are posted below.
<http://www.deq.state.or.us/WQ/TMDLs/midcoast.htm>
<http://www.deq.state.or.us/WQ/TMDLs/midcoastLSAC.htm>

Stakeholder Meeting Highlights: No meetings since our last DLWID Meeting.

Bacteria Technical Working Group: we received most of the Load Duration Curves each of the members is evaluating at the last meeting. As part of the group, my share will be to review the north county streams and rivers in the Salmon-Drift watershed, which includes Thompson Creek. I have also three small streams down south. These are to be done by December's meeting..

e. **East Devils Lake Road** (Robertson)

Downloads: http://www.dlwid.org/Projects/EDLR/EDLR_Feasibility_Study-2009-08-31.pdf

http://www.dlwid.org/Projects/EDLR/EDLR_Alternatives_Analysis_Summary-2012-10-19.pdf

Update from SDCWC.



Salmon Drift Creek
Watershed Council
Protecting and Restoring Local Watersheds

P.O. Box 112
Neotsu, OR 97364
541.996.3161 - office
541.994.4739 - fax
www.salmondrift.org

October 3, 2013

Paul Robertson
Devils Lake Water Improvement District
820 SE Hwy 101, Suite D
Lincoln City, OR 97367

Re: Update - East Devils Lake Road Flooding Issue

Dear Paul:

As you are aware, the Salmon Drift Creek Watershed Council (SDCWC) has been partnering with Lincoln County to secure funding to repair the south end of East Devils Lake Road. The current repair design is expected to cost approximately \$4.5 million, and will entail raising the roadway and expanding and raising the two existing bridges, allowing water and wildlife to pass more freely, while keeping the roadway dry and safe.

In pursuit of funding, SDCWC and Lincoln County have submitted grant applications to the National Oceanic and Atmospheric Administration (NOAA) and Oregon Watershed Enhancement Board, as well as two grants to the U.S. Department of Transportation. Unfortunately, our grant procurement efforts have not yet been successful. The primary reason is that the process is highly competitive. As an example, we requested \$2.6 million dollars from NOAA for a Coastal & Marine Habitat Restoration Project Grant. As it turns out, NOAA had received 150 applications requesting \$190 million, but funded only 19 projects, awarding an average of \$500,000 per grantee. Despite this discouraging news, we remain very hopeful that we will ultimately be successful in securing funding and will continue to pursue every applicable grant to make that happen.

To help facilitate the project funding and permitting process, we will also be forming a technical advisory group. The group will consist of representatives from pertinent regulatory and permitting agencies, as well as representatives from organizations with a particular interest or technical expertise in projects of this nature. We intend to hold the first technical advisory group meeting sometime in November 2013, and will, of course, include you in our meeting invitations.

Executive Director
Catherine Pruett, JD, MPA

Board of Directors: **Paul Katen (President)** • **Peter McSwain (Secretary)** • **Laura Doyle (Treasurer)**
Joanne Daschel • **Dave Martin** • **Jim Nicolas** • **Fran Recht** • **Sheryl Smith** • **Jim Stafford**

SDCWC is a 501(c)(3) tax-exempt organization - Tax ID # 20-2951677

Thank you again for the generous support that the Devils Lake Water Improvement District is providing to help cover our time to find a solution to this long-standing problem. Please feel free to contact me with any questions or concerns.

Catherine Pruett

Catherine Pruett
Executive Director
Salmon Drift Creek Watershed Council

f. Policy Updates: The District is proposing updates and additions to its Policy Manual for the following items: Proposed changes will be made available on a time available basis, and carried over to subsequent meetings with all updates previously slated for completion by the August 2013 meeting. While this was seemingly reasonable at the time, it is now clear that that was optimistic and thus I am seeking to push back this work until after the summer monitoring which consumes a lot of time, after the Grass Carp appeal is complete, and after the OLA/WALPA conference. We also have an Erosion Control Seminar to put on this fall, plus I have a teaching obligation through OCCC which have taken precedence. I will still try to bring these forward as time may become available, but seeking to have until January 2014 to do so. No updates for October.

- Personnel Policy/Manual
- **Mandatory Reporter Policy (Completed: May 2013)**
- Safety Policy
- Financial Policy
- Records Policy
- Board Duties and Responsibilities
- MSDS
- Employee Training
- Light Duty Return to Work

g. Water Quality Monitoring: (Robertson)

HABS: We have continued to sample for Microcystin weekly using the less expensive, semi-quantitative strip tests. Indications are showing the bloom while not necessarily visually subsiding, the toxin, Microcystin, has in the most recent samples at least come under the 10ppb. However to lift the advisory we will need to be assured that the cells counts are also below the thresholds, which from the looks of some of the shoreline sample sites, not all sites would likely be less than 40,000 cells/ml or 100,000 cells/ ml depending on the types of cyanobacteria present.

With the amount of rain, a certain amount of dilution occurred, helping to lower the toxin numbers, but due to the diametrically opposed hydraulic flow with the wind patterns of late, cell counts in the north half of the lake remain high. Wind blows the HABs up the lake, and most of the freshwater short-circuits out of Rock Creek more or less straight to the Pacific. As you may remember cells counts were the original tool we used to list, but replaced that with toxin monitoring for Microcystin as that was the major toxin of concern for what was often our dominant species – Gloeotrichia. Over the course of the season through we have had effectively three blooms now as the initial Gloeotrichia (weak toxin producer) we had was replaced by Microcystis (strong toxin producer) in early to mid August. This has now been supplanted with what appears to be Anabaena (strong toxin producer, particularly Anatoxin-a). As both Microcystin and Anabaena are multiple toxin producers we will have to be sure that all the toxins are below the threshold, as well as aforementioned the cell counts which visually seemed unlikely at some of the sites in the most recent sampling (Wed October 2). Strip tests monitoring will be continued for now.

New Business

- a. **Office and Lab Space:** Last year the issue was raised by a constituent whether now that the District's meeting were at City Hall, if we needed the larger office as we no longer held the Board Meetings there. It was suggested that this would be a good thing to look into as the District might be able to save some resources. Subsequently it has come to my attention that an opportunity exists to rent space at the North Campus of the Oregon Coast Community College including the opportunity to share in the resources available in the building, namely their newly completed science lab, the Community Room, a large conference room, staff lounge, and the video conferencing room. This offer comes contingent that the District allow observation of WQ monitoring at a minimum of six times a year, and to be done in cooperation with OCCC staff and one presentation or demonstration to the biology classes per term. The purpose and extent of this offer is outlined in the draft MOU below. While other commercial spaces are also available in town, I know of no other facility currently that would be a comparable. However a few are shown below to provide a bit of context to our current location and as cost comparison.

MEMORANDUM OF UNDERSTANDING

Between

Oregon Coast Community College & Devils Lake Water Improvement District

This is to define the relationship between Oregon Coast Community College (OCCC) and the Devils Lake Water Improvement District (DLWID), regarding the use of OCCC property by the DLWID.

1. Duration

This agreement covers a six-month time period, from Nov. 1, 2013 to April 30, 2014. This agreement will be continued for a further 12-month time period, beginning May 1, 2014, unless canceled by either party with 60 days' notice.

2. Purpose

This agreement serves to...

Achieve the highest and best use of the facilities of Oregon Coast Community College for the communities it serves and the taxpayers of Lincoln County

Maximize efficiencies for the Devils Lake Water Improvement District

Cement a stronger connection between the general public and the natural resource that is Devils Lake, through public water testing sessions at the OCCC science lab facilities and through other outreach opportunities.

3. Agreement

OCCC and DLWID agree to the following terms:

\$1,000 per month payment by DLWID to Oregon Coast Community College, prepaid by the first of each month

Within 30 days of signing, DLWID will provide OCCC with documentation reflecting that the College is listed as added insured on DLWID policy(ies) in the event college property is damaged due to DLWID activities or accidents.

In exchange, DLWID receives 24/7 access to, and unencumbered use of, two offices at the North (Lincoln City) Campus of OCCC, at 3788 SE High School Drive. In addition, DLWID receives access to the Science Lab at OCCC North between the hours of 11 am and 6 pm Wednesdays, and additional access to that laboratory up to four times per month, when OCCC schedule permits.

College provides two key cards and access codes to the main campus doors, and two keys to the office doors. DLWID staff have access to building during non-business hours. Other stakeholders/board members, etc., may access during non-business hours only when accompanied by staff.

The \$1,000 monthly contribution is inclusive of WiFi, utilities, telephone and other charges. Oregon Coast Community College will not provide printers or computers to Devils Lake

Water Improvement District.

Devils Lake Water Improvement District will welcome members of the public to observe water testing processes a minimum of six times per year, scheduling such events in coordination with OCCC staff.

Devils Lake Water Improvement District staff will address, or demonstrate to if timing permits, biology classes taught at OCCC a minimum of once per term, if requested by instructor.

Agreed upon this first day of October, 2013, by:

Bruce Koike Brian Green

Interim President President

Oregon Coast Community College Devils Lake Water Improvement Dist. Board

Other properties:

Price	Address	Smoking	Pets	Available	
\$850.00	2604 NE Hwy 101	No	No	Now	Map
		An office suite of about 800 sq ft. Vaulted ceilings. Professional complex. Some utilities are paid. Contact us about your office needs. This site is not really suitable, in my estimation, as a retail site, but your business needs come first!			
		4041 Nw Logan Road 4041 Nw Logan Road, Lincoln City, OR 97367 2,400 SF \$12.00/sf/year (\$2,400 per month) <i>Retail</i>			
		4175 Nw Highway 101 4175 Nw Highway 101, Lincoln City, OR 97367 1,100 - 31,047 SF \$12.00 - \$25.00/sf/year (\$1,100 - \$64,681 per month) <i>Retail</i>			
		Ancor tenant opportunity. Other tenants include Grocery Outlet, Goodwill, Blockbuster Video, Dollar Tree, West Coast Bank, McMennimans Brewery, 60's Cafe, Lighthouse Donuts and Cold Stone Creamery. Shadow anchored by Safeway, Rite Aid, Walgreens, McDonalds. Walking distance to Chinook Winds Casino.			

Considerations:

- Lease \$1,000 (*Save \$273/month through 2013, Save \$311/month in 2014) *
 - This calculation is what we are contracted for, however with the tax credit our current landlord gets and passes on to us, our effective rent is approximately 13% less, thus savings are more likely around \$108/ month in 2013, and \$141/month in 2014.
- Wifi included (Save \$50/month)
- Phones included (Save \$65/month)
- Utilities & other charges included (No change)
- Offices: Two private secure offices -- one 12 'x 12', the other 12' x 18' (approx) = 360 ft² (Currently approx 1400)
- 24 hour access to the offices for two DLWID Staff (No Change)

- Shared use of Community room, Conference Room, Video Conferencing Room, Staff Lounge (Supplants need for larger rental space, large meeting space is already set up, and wired w/ projection)
- Use of laboratory for weekly monitoring (times to be coordinated), but store room available regardless of classroom activities. (significant upgrade, provides safety equipment and resources not available at current location)
 - Chemical Fume Hood (\$4,160 - \$5,390 value)
 - Chemical Shower & Eye Wash (\$863, uninstalled – water main and drain required)
 - Lab grade counters
 - Deep sinks
 - Bunsen burners for sterilization
- Modern desks and chairs included
- Accessible parking
- Further from lake
- Further from City Hall & Post Office
- Nearer Native Plant Nursery at Taft 7-12
- Nearer Boat Storage (3 blocks away)
- Modern building built to LEED Silver standards
- ADA accessible with elevator
- Non-Smoking Campus
- Providing class room presentation and viewing access to Water Quality Monitoring is aligned with outreach and education mission of the District.
- Increased opportunity to partner with college on internships for Water Quality
- Insurance – no change expected
- Time intensive to move
- Longtime held office (approx 10 years)
- Phone switch over may cost District a one time cost
- Storage limited
- **Over all save approx \$256/month or \$3,072/ year**

Recommendation: Provide 30+ days notice to current landlord to vacate by Dec 5, and sign lease starting Dec. 1, 2013 with OCCC.



Plate 1. OCCC - North Campus. 3788 SE High School Drive, Lincoln City, OR



Plate 2. Entrance



Plate 3. Community Room, available for large presentations, meetings or courses.



Plate 4. Conference Room



Plate 5. Video Conferencing Room.



Plate 6. Entry



Plate 7. Student Commons



Plate 8. Pair of offices, lower level north east corner of building



Plate 9. 12' x 12' Office



Plate 10. 12' x 18' Office

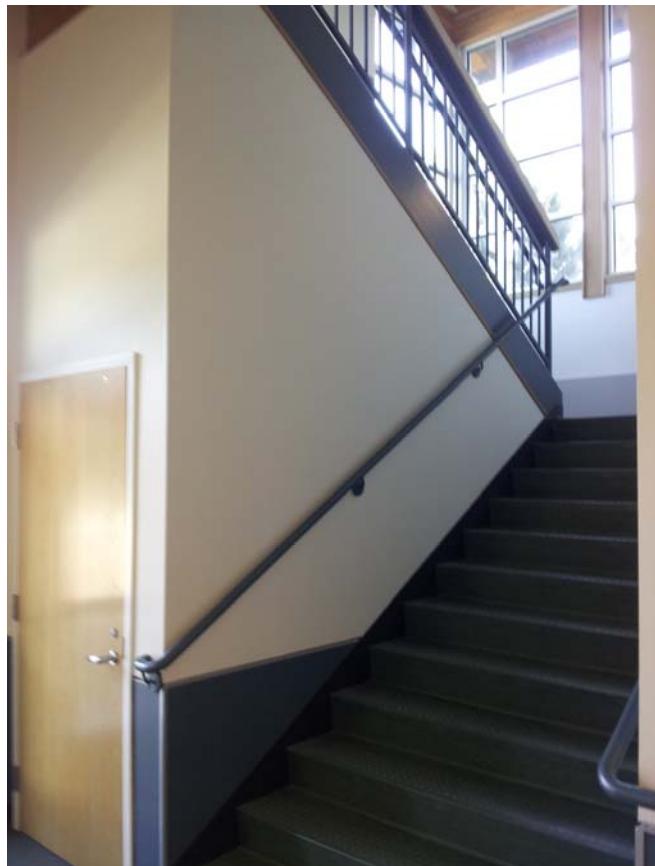


Plate 11. North stairwell, right across from offices.



Plate 12. Science Lab, includes projection capabilities



Plate 13. Secure chemical store, with two doors connecting to lab.



Plate 14. Ventilated chemical hood for chemical mixing and volatile lab work.

Plate 15. Emergency Eye Wash and Shower

Plate 16. Sink in chemical store room.

