



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

**LINCOLN CITY COUNCIL CHAMBERS
July 10, 2014
6:00 P.M.**

PRESENT: Brian Green, chairman
David Skirvin
Kip Ward
Randy Weldon
Kent Norris

ABSENT: None

PUBLIC SPEAKERS: Mitchell Moore

STAFF: Paul Robertson, Lake Manager

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

I. ROLL CALL

All five directors are present.

II. CONSENT AGENDA

Green moved to approve the consent agenda (including the minutes of the June 2014 meeting and the financial report). Skirvin seconded. Unanimous vote in favor.

III. ELECTION OF OFFICERS

a. Chair

Kip Ward nominated Brian Green to be chairman. David Skirvin seconded. Kent Norris nominated Skirvin. Ward seconded. In a roll call, Norris voted for Skirvin; Skirvin voted for Green; Green voted for Green; Weldon voted for Green; Ward voted for Green. Brian Green was elected chairman.

b. Vice chair

Green nominated Skirvin. Ward seconded. Unanimous vote in favor. David Skirvin was elected vice chair.

c. Treasurer

Skirvin nominated Kent. Ward seconded. Unanimous vote in favor. Kent Norris was elected treasurer.

IV. SELECTION OF REGULAR MEETING TIME/PLACE

Green said he would like to keep the regular monthly meetings at the same time and place (at 6:00 p.m. on the second Thursday of every month in the Lincoln City City Council Chambers). Robertson noted a conflict with a lake conference in November.

V. COMMENTS from CITIZENS on NON-AGENDA ITEMS (0:05)

Green outlined the public comment policy. Comments were limited to 5 minutes apiece.

Mitchell Moore, 2929 NE Loop Drive, Otis. Noted recent offer from neighborhood associations around the lake to participate in efforts to improve the lake. Questioned purpose of recent quarter-page ads in the News Guard, called “Know Your Lake.” Said many people are disturbed because they think the ads are an improper use of district funds, are condescending, and are inaccurate. Said there is no basis to the claim that a lower lake creates less contact with dysfunctional septic fields because there are no dysfunctional septic systems on the lake. Regarding flushing, said inflow and outflow at the lake is the same at every lake level. Regarding flooding at the state park, he said the flooding occurred at much higher lake levels, not 9.53’. HABS article said no evidence that lower level creates warmer water, which increases HABS. In the past, Moore has presented evidence that the water is warmer when the lake is lower, despite lower air temperatures. He said there is much evidence that warmer water temperature creates a competitive advantage for algae. Point is that each time the district argues publicly, you will hear back from the community. The tone and content of the articles drives the community away from the district. We should be building bridges in areas that we agree, not driving wedges. Community wants to work with district.

GREEN: References to dysfunctional septic systems doesn’t fix blame on homeowners. Point is that when you have so many systems aged beyond their useful life, a certain percentage have failed by definition. Even though county sanitarian hasn’t found a failed system, doesn’t mean they’re not pumping nitrogen and phosphorus into the lake. Even a good system pumps nitrogen into the lake. We have a much higher percentage of nitrogen to phosphorus than is usually found in a lake.

ROBERTSON: Yes, nitrogen flows through properly working septic systems. Eventually, phosphorus builds to a level greater than soils can hold and the phosphorus flows right through to the lake. A 50-year-old system inevitably puts more nitrogen and phosphorus into the lake.

GREEN: Higher lake level does impede outflow because more water needs to be added before it can flow out. Campground does flood more at higher lake level, especially with a storm event. The park ranger raised that point. Regarding water temperature, HABs occurred last winter when the water was cold. There's a correlation between warm water and HABs because warm water occurs when we have more sun. The sunlight causes the HABs, not the warm water.

V. UNFINISHED BUSINESS (0:21)

a. The Devils Lake Plan

i. Septic/Sewer

SEE STAFF REPORT re: Voyage Lake LID workshop; sewer system pump station upgrade; pending items, including septic system inspection ordinance, Urban Growth Management Agreements, buildable lands inventory, sewer master plan update.

ii. Save our Shoreline (SOS) (0:31)

No additional interest in program.

NORRIS: Have we tried to determine why participation so low after five years. What should we be doing differently? It's an important part of restoring the lake; how can we improve participation.

ROBERTSON: Offer is attractive (75% of a \$1,000 planting project), so no idea why SOS not more popular. Shows the video to everyone who comes to office, trying to get the message out.

GREEN: Maybe get landscapers to go around lake and make suggestions to property owners who might not realize what can be done to their property

WARD: Door hangers?

NORRIS: Coordinate with bulkhead upgrades. State will have to be involved with planning. Norris currently working with a landscaper because his property is threatened by loss of shoreline.

ROBERTSON: People need to understand that upgrade plans must include something more than rocks; vegetation must be included for the state to approve; roots and vegetation hold soil; rocks do not. Number One problem for impaired lakes across country is lack of a shoreline; planting vegetation pays dividends for 30 years.

GREEN: We could pay a landscape professional to find properties and make suggestions for attractive options that go beyond rocks.

ROBERTSON: Properties with steep shorelines are a problem; if you're trying to replace vegetation, you'll disturb soil.

Discussion continued on strategy for attracting more properties to participate in SOS.

iii. Vegetation Management

(0:52)

No additional updates.

b. Communications Report

SEE STAFF REPORT re: strategies for public outreach (Internet, Channel 4, social media, radio interviews, e-newsletter)

Have done four "Know Your Lake" ads. Have heard only positive comments.

GREEN: Intent is to be informative and to address issues that are being discussed; can link to them from DLWID website.

c. Safety Report

SEE STAFF REPORT: no accidents reported.

d. MidCoast TMDL

SEE STAFF REPORT re: Total Maximum Daily Load, no update.

e. East Devils Lake Road

[Agenda item postponed]

f. Policy Updates

[Agenda item postponed]

g. Harmful Algal Blooms

(0:55)

GREEN: Draft RFP for Monitoring and Modeling by Paul extremely well done; favors issuing as written; we're seeking bids from qualified lake scientists to monitor different parts of the lake for certain nutrient inputs from outside the lake and from sediment; prompted by our interest in aeration. Aeration contractors tell us we need to know inputs in order to design an effective aeration system. It's not just another study; it's essential to create chance for success. We can monitor for up to a year. Aeration contractors say best time to install system is March in order to get a head start on the algae blooms. Timeline is to monitor for at least a year, trying to install pilot aeration system in March 2016.

Green moved to approve RFP as written by Paul with very minor changes that do not affect the substance. Weldon seconded.

ROBERTSON: Suggested moving response deadline date to August 8.

Green withdrew prior motion and moved to approve RFP with one substantial change to move date for response from August 1 to August 8, 2014. Weldon seconded. Four ayes; one nay (Ward).

Ward departed for prior commitment.

e. East Devils Lake Road

ROBERTSON: Talked to state Rep. Gomberg today, who asked about bringing parties together to back road improvement, but problem is funding not consensus. County is looking at improved maintenance. Road is backing up sediments, nutrients, and water. Very tight funding.

f. Policy Updates

Postponed until further notice due to HABs

h. Water Quality Update

ROBERTSON: updates available each week via email, online, and at kiosks around lake <http://www.dlwid.org/Water%20Quality.html>

VII. NEW BUSINESS

(1:11)

a. Intern

SEE STAFF REPORT for message from new intern, Ava Laszlo (absent because of prior family commitment), who has been working with water quality testing, newsletter, Devils Lake Revival

b. Devils Lake Revival

SEE STAFF REPORT for effort by Bay Area Merchants Association, Chinook Winds Casino, and OCCC; Revival is Saturday July 19 at Regatta Grounds (win a kayak)

c. Lincoln City Urban Renewal Agency

SEE STAFF REPORT re: agency amendment; no comment from board

d. DNA Microbial Source Tracking

[Agenda item postponed]

VIII. NON-AGENDA ITEMS

(1:18)

ROBERTSON: Oregon Special Districts has established a trust for workers compensation.

GREEN: Does not affect terms of coverage, simply addresses how they govern themselves.

Green moved to authorize Paul to execute workers compensation agreement on behalf of district. Weldon seconded. Unanimous vote (four ayes) in favor.

VII. NEW BUSINESS (continued)

d. DNA Microbial Source Tracking

(1:22)

SEE STAFF REPORT and Presentation: http://www.dlwid.org/Meetings/FY_2014-2015/Presentation_2014-07-10_DNA_Microbial_Source_Tracking.pdf

Purpose is to see which warm-blooded animals are responsible for fecal contamination. If a hotspot for E. coli found, goal is to try to determine source of contamination.

VIII. NON-AGENDA ITEMS (continued)

(2:03)

WELDON: Purple loosestrife, seeing resurgence of this invasive plant; could we get someone in to attack that plant? Square-stemmed plant found up out of the water. Could import weevils to attack plant.

ROBERTSON: History of success with weevil, which does not tend to cause other problems. Plants that are pretty are hard to fight because people like them, like the yellow-flag iris that runs around the lake.

(2:09)

GREEN: Lake level has not come up to 9.53'; looks like it won't reach the maximum height because we're not getting much rainfall. The reason for trying to raise the lake was to protect our impoundment right, but since that hasn't happened, we are now in danger of leaving the shoreline inundated for the rest of the summer. We picked the wrong time of year to try to protect the permit.

ROBERTSON: Level tonight is 9.38', so it's slowly going down.

SKIRVIN: Let it draw down and establish impoundment early in spring.

GREEN: If it doesn't just go down, then we're stuck in this range.

NORRIS: We're seeing more use on the lake; is that because of the higher lake level?

GREEN: Greater use with higher lake level causes more erosion.

WELDON: I don't think 0.4' causes people to boat or not boat.

Green moved to direct lake manager to immediately take actions necessary to reduce lake level to 9.0' and to maintain that level in accordance with our existing permits for the rest of the summer. Skirvin seconded.

WELDON: Original reason to raise lake level was to secure our water right, but we're not accomplishing that. If we're going to try to do that next spring, then by reducing the lake level now, we would be going back to our normal board policy.

SKIRVIN: Continue natural drawdown; maybe with rain, it will rise.

ROBERTSON: We have until October 31 to reach impoundment, so with rain in fall, will reach maximum in a couple of days. Maximum impoundment does not have to be over any period of time in order to maintain water right; merely needs to reach maximum for a moment.

NORRIS: Would like to keep board in and let lake draw down; if we get rain, it rises.

Call for vote. Weldon and Green voted aye. Skirvin and Norris voted nay. Motion failed.

Board discussion continued on determining a preferred drawdown period for the lake.

Green moved to direct lake manager to take action to reduce the lake level to 9.0' either after the lake reaches 9.53' or August 1, whichever comes first, and then to maintain that level in accordance with our permits for the rest of the summer. Norris seconded. Unanimous vote in favor.

IX. ADDITIONAL COMMENTS from CITIZENS on NON-AGENDA ITEMS

None

IX. BOARD COMMENTS AND ANNOUNCEMENTS

SKIRVIN: Coast Guard Reserve is holding a boater safety class in Depoe Bay on July 26. Also wanted to remind people in the Devils Lake Neighborhood Association about our Save Our Shoreline program.

X. ADJOURNMENT

Green adjourned the meeting at 8:33 p.m.

The next regularly scheduled Board meeting will be August 14, 2014, at 6:00 p.m.

| Respectfully submitted,
Rick Mark