



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

**LINCOLN CITY COUNCIL CHAMBERS
August 14, 2014
6:00 P.M.**

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

ABSENT: None

PUBLIC SPEAKERS: Miles Schlesinger
Mark Christie
Mitchell Moore
Alex Ward

STAFF: Paul Robertson, Lake Manager
Ava Laszlo, water quality and outreach intern

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 July 2014 meeting and the financial report). Skirvin seconded. Unanimous vote in favor.

III. COMMENTS from CITIZENS on NON-AGENDA ITEMS (0:01)

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

Miles Schlesinger, 1192 NE Lake Drive, Lincoln City. Asked for board to respond to his proposed plan for a water retention device that opens and closes fully to replace the current concrete dam, which does not allow lake to drain properly through the D River.

SKIRVIN: Has read plan but doesn't want to explore major infrastructure change without better understanding of the water flow through the watershed.

WARD: Has read report a couple of times; it has lots of good ideas.

SCHLESINGER: Any timeframe for when we will know what the water patterns are in the lake?

GREEN: RFP to be discussed later in meeting will include understanding of water flow

Mark Christie 3184 NE Loop Drive, Otis, board member of Devils Lake Neighborhood Association. Members wanted to thank board for trying to reach full impoundment level, definitely improved recreation. DLNA sponsored 5th of July fireworks, enjoyed by many; 4th of July boat parade with 45-50 boats, largest in a long time.

Mitchell Moore, 2929 NE Loop Drive, Otis, re important RFP before you. Of the two responses, one extremely thorough, other had great ideas. Cost is a quarter of district's budget. Is the scope proper for what we're trying to accomplish since the monitoring would be such a large portion of the entire project. Asked board to consider working with DLNA volunteers on lake projects.

Alex Ward, president of Bay Area Merchants Association. The BAMA helped keep Devils Lake Revival alive, relying heavily on previous work by Paul, Seth, and new intern Ava; well-attended – 300-400 people. BAMA represents businesses south of No Man's Land, often forgotten. Feel kindred spirit with lake as an amazing resource that often gets overlooked. Thanked board for the work they do for the lake

IV. UNFINISHED BUSINESS

(0:14)

a. The Devils Lake Plan

i. Septic/Sewer

SEE STAFF REPORT re: potential septic inspection program; Urban Growth Management Agreement to control development after sewer installed (including a sample riparian zone ordinance used in Coos County), possibility of holding a workshop on UGMA to explore sensible regulations to protect watershed; stormwater management as it relates to development; full buildable lands inventory (including entire watershed, with a look at current zoning); funding opportunities for sewer backbone (Oregon Department of Environmental Quality may be a source of significant funding); environmental review of sewer impact in watershed.

GREEN – Asked for examples of possible stormwater requirements.

ROBERTSON: Mostly to not increase runoff from your property through development, which is difficult when you add a roof and a driveway and compacted soils; you can use rainguards, bioswales, a green roof; stormwater is a big conveyor of waste, of nutrients, of dog feces. After a big rain, the bacteria count in the lake rises significantly.

SKIRVIN: Asked about a timeline for these requirements.

ROBERTSON: Not quick, don't know; maybe spring; draft UGMA available.

Board discussed possible UGMA workshop on a Saturday in October (October 4 or 11).

GREEN: Asked about the Coos County riparian zone agreement.

ROBERTSON: Usually a riparian zone applies to rivers. For Devils Lake, an agreement like this could apply to the lake and tributaries.

GREEN: Asked about the buildable lands inventory.

ROBERTSON: It compares existing zoning to possible city zoning and how that applies to housing with septic systems or with sewers. If you add sewer without zoning changes, you get very small difference; but if sewer comes in with zoning changes, development potential greatly increases.

GREEN: Asked about the potential for state funding through DEQ.

ROBERTSON: At April meeting with the city, a USDA official said it could start talking about \$1 million (one-fifth of project), conditioned on updates of sewer master plan; DEQ interest was in low-interest loans. Questions remain about funding. Even if the federal and state governments fund half the project, a lot of money still needs to be raised from local homeowners.

GREEN: The Voyage LID is still hung up on getting easements from Lake Shore Drive homeowners; still moving ahead but taking time.

ii. Save our Shoreline (SOS) (0:43)

SEE STAFF REPORT: no progress; hoping for additional outreach in October when rains come.

GREEN: Again suggested asking landscape professionals to identify properties that could benefit from shoreline work and make suggestions for plantings at particular properties.

iii. Vegetation Management (0:48)

No additional updates. Board discussed grass carp allocation. Oregon Department of Fish and Wildlife might make a decision by the end of the year.

b. Communications Report (0:51)

SEE STAFF REPORT re: strategies for public outreach (Internet, Channel 4, social media (YouTube, Facebook), radio interviews, e-newsletter; 100 Years on the Lake; Know Your Lake column ad in News Guard).

ROBERTSON: Introduced Ava Laszlo, water quality and outreach intern, who took a lead role in organizing Devils Lake Revival.

LASZLO: Devils Lake Revival very successful July 19 event at Regatta Grounds; 300-400 people, with at least 225 signed up for water quality updates; lots of help from Bay Area Merchants Association; educational booths; kayaks, pontoons; Backpacks for Kids program sold food; \$2,200 spent, not counting staff and volunteer time.

ROBERTSON: Also acknowledged Dave Price, OCCC Small Business program. Ava revised Revival planning guide.

Noted that DLWID hosted youths from Lincoln City Summer Rec Program for water quality training (monitoring E. coli, toxins, bacteria).

c. Safety Report

SEE STAFF REPORT re: updated safety policy; Ava updating chemical inventory audit and labeling; no accidents reported.

d. MidCoast TMDL

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

e. East Devils Lake Road

SEE STAFF REPORT re: county involvement in improving road to address flooding, difficulty in funding.

f. Policy Updates

Postponed until further notice due to HABs

g. Harmful Algal Blooms

(1:05)

GREEN: Discussed distribution of and responses to Request for Proposals for lake monitoring and modeling.

ROBERTSON: Two responses: one complete, the other less so. Clear Current LLC was unable to address the modeling side, no dollar quote. Complete response from MaxDepth Aquatics, showed detailed understanding of challenges; very solid proposal from highly qualified people; \$97,790 bid, not including \$17,890 in costs associated with instrumentation that DLWID would acquire and retain, including a \$12,000 deployable probe device.

Board continued discussion on:

- Scope of data needs;
- Possible in-kind work by DLWID staff;
- Concern about having to buy expensive probe;

- Limited number of proposals (could a less expensive proposal provide enough data?);
- Need for data from groundwater;
- Possibility of using data for other purposes;
- Asking aeration providers for advice on what data is needed;
- Possible alternatives to aeration;
- Need to change homeowners' engrained ideas about planting along shoreline (adding lots of trees and reducing grass);
- Possibility of extending deadline in order to attract more proposals;
- Integrating plan for grass carp to control vegetation;
- Need to understand makeup of sediment and sources of nutrient loading;
- Question about leasing lake bottom from Oregon Department of State Lands in order to place aeration tubing;
- Propriety of sharing MaxDepth proposal with aeration contractors for comment;
- Whether other state agencies think they have jurisdiction over lake.

[Recess]

h. Water Quality Update

(2:59)

SEE STAFF REPORT re water contact advisory issued July 31, 2014.

SEE WATER QUALITY PAGE on DLWID web site for report posted August 14, 2014:

<http://www.dlwid.org/Water%20Quality.html>

ROBERTSON: HABs toxicity increasing compared to previous sample. The state standard for this algal toxin is 10 ppb. Levels above 25 ppb were found at multiple sites. Water advisory increased severely as of today.

Do not ingest or inhale water (such as by water skiing); skin contact is less of an issue. Catch-and-release fishing is okay; pleasure boating okay; sunbathing okay. If you're going to eat fish, remove head and organs, including skin, before cooking because cooking does not destroy toxins. You cannot kill a toxin by cooking it, as you might kill bacteria.

E. coli levels, on the other hand, have come down and are all within the low-risk categories.

Public welcome to visit DLWID laboratory at Oregon Coast Community College to learn more about water quality testing.

Board discussed various algae species and relation to toxicity. Board discussed appropriate frequency of monitoring. Lake is observed continually, and E. coli is monitored weekly. Constant visual observation of lake and clarity provides guidance for monitoring toxins.

AUDIENCE QUESTION: How much ingestion is needed to make a person sick?

ROBERTSON: That depends on the toxin concentration in the water you are exposed to. The risk varies depending on acute short-term exposure versus chronic long-term exposure.

Sampling and monitoring is a full day's work. If toxins have been found, little is gained by repeated monitoring as long as the algae is visible.

i. Intern (3:23)

SEE STAFF REPORT for Ava Laszlo report on her work to date (Devils Lake Revival, water monitoring, organizing lab, labeling, updating documents, PowerPoint training presentation for E. coli water sampling).

V. NEW BUSINESS (3:26)

a. Thompson Creek

SEE STAFF REPORT for proposals for Salmon-Drift Creek Watershed Council's salmon restoration work on Thompson Creek. DLWID had previously offered a \$10,000 grant toward the work, but the Oregon Watershed Enhancement Board wanted more information before approving the project.

Skirvin moved to release \$3,000 of the \$10,000 committed to the Thompson Creek restoration project for Salmon-Drift Creek Watershed Council to use to prepare for their grant submission, with the remaining \$7,000 to be released when needed. Ward seconded. Unanimous vote in favor.

b. Financial review/audit

SEE STAFF REPORT re new contract with auditor.

Board discussed options for a financial review versus an audit, with the need to determine whether the current contract had expired. Skirvin offered but then retracted a motion for an audit.

Green moved to authorize the Lake Manager to issue a request for proposals (RFP) for a financial review for the year after the current one expires. Skirvin seconded. Unanimous vote in favor.

VI. NON-AGENDA ITEMS (3:38)

WELDON: Oregon State Marine Board works with a life-jacket loaner program (example shown from Detroit Lake). Lets people, especially young kids, borrow life jackets when playing along shore or out in small boats. Program includes signs with instructions on how to properly wear a life jacket. Program through prisons creates signs with instructions and loaner life jackets. 4,000 people drown every year; 20% are children. This could save a life some day. I've been here 24 years: five people have drowned; two of them kids. Discussed possible grant funding, including a program with a deadline at the end of August.

Board reacted favorably, with concern about maintenance, frequency of replacement if jackets are not returned. Weldon will pursue grant.

VII. ADDITIONAL COMMENTS from CITIZENS on NON-AGENDA ITEMS

Tina French, 260 NE East Devils Lake Road, Otis, OR: great discussion, though long, about actually getting something done on lake. Questioned spending \$100,000 just to collect more data; favors moving ahead rather than waiting two years while collecting data. Putting \$100,000 into the aeration system might make for a terrific system rather than a mediocre system. Adding vegetation and natural hydrology sound great, but not practical on an inhabited lake. Let's get lake healthy now.

VIII. BOARD COMMENTS AND ANNOUNCEMENTS

None.

IX. ADJOURNMENT

Green adjourned the meeting at 9:56 p.m.

The next regularly scheduled Board meeting will be September 11, 2014, at 6:00 p.m.

| Respectfully submitted,
Rick Mark