



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

**LINCOLN CITY COUNCIL CHAMBERS
November 20, 2014
6:00 P.M.**

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

ABSENT: None

PUBLIC SPEAKERS: Miles Schlesinger
Richard Danielson
Mark Christie
Mark Hyland
Bill Sexton
Julie Sexton
Tina French
Angie Wright

STAFF: Paul Robertson, Lake Manager
Ava Laszlo, Water Quality and Outreach Intern

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

[The video recording of this meeting does not start until the public comment period, about 6 minutes after the meeting convened.]

I. ROLL CALL

All five directors are present.

II. CONSENT AGENDA

Randy Weldon corrected the minutes for the board's October 2, 2014 meeting. The cost of a water-inflated flood control tube from Aqua Dam would be about \$1,900 for a 3-foot tall dam.

Green moved to approve the minutes of the October 2014 meeting. Weldon seconded. Unanimous vote in favor.

Green moved to approve the October 2014 financial report. Skirvin second. Unanimous in favor.

III. COMMENTS from CITIZENS on NON-AGENDA ITEMS

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

[Video recording begins during the comment period.] **(Video: 0:00)**

MILES SCHLESINGER, 1192 NE Lake Drive, Lincoln City: Described a PBS TV show about the restoration of polluted wetlands at San Francisco Bay by the Corps of Engineers and the California Department of Wildlife. Said the work on Devils Lake has been piecemeal and not comprehensive enough. Said restoration calls for looking forward to the future, preparing for climate change and a rising sea level. Called for long-range planning rather than a short-term solution like chemicals. Said the dam should be removed and replaced with a gate or a removable dam that lets the water flow to flush the lake and clean out the algae.

WARD: Asked Lake Manager to comment on the long-term effects from rising sea levels because of global warming.

ROBERTSON: You can expect much bigger storm surges and more wave damage. At some point, the lake could turn into an estuarine bay.

RICHARD DANIELSON, 1824 NW 26th Street, Lincoln City: Said proposal to remove dam and replace it with temporary impoundment is excellent. Has started a Facebook page: Friends of Devils Lake that has received lots of likes and comments. Blames the condition of the lake on bad management. His concerns are for the entire lake, not just some homeowners who are worried about their docks. Before the dam went in, there was lots of recreation and boats on the lake. Vegetation was not as thick as people say. When weeds do come back, can control them with mechanical harvesting. Weeds are important to keep lake thriving. Sewers will take too long. Has the board been in touch with anyone critical to approving removal of dam? What species of plant could be encouraged in the lake to replenish oxygen without aeration?

ROBERTSON: Randy will speak to agency question; native plant survey in 2012 showed we have more plants in the lake than expected, including 22 species, only 4 of them non-native.

Without grass carp, plants will come back. Native plants do better with lower, more natural water levels. Non-natives take over when nutrients in lake increase.

GREEN: A goal of replacing grass carp is to raise weed coverage from current 0% to 20%, preferably native plants, not invasives. Replacement of the dam will be discussed later under New Business.

MARK CHRISTIE, 3184 NE Loop Drive, Otis: Update from Devils Lake Neighborhood Association. DLNA now has more than 300 members with more than 400 on their mailing list. After DLNA offered to share data from core samples, the Lake Manager did ask for data and the protocol used. DLNA said it would be pleased to share information. DLNA is 100% supportive of aeration Requests For Proposals, based on receipt of at least 3 qualified bids. DLNA supports a workshop on proposals. Many areas where DLNA and DLWID can work together for good of the lake. Samples were taken from more than 100 sites. Lake has 8 to 10 feet of compacted sludge. Would like to discuss participation in Save Our Shoreline projects.

MARK HYLAND, 2170 NE Lake Drive, Lincoln City: Why are we addressing dam removal now when aeration process is just starting? Whoever is chosen for aeration project would have to consider dam removal as well. Where are we with the aeration process?

BILL SEXTON (lake contractor), “always on the lake”: Up in arms about agenda item regarding life jacket stations. How relevant is that topic during recreation season when lake is not in condition for swimming? How much of a priority is that given the water quality?

GREEN: We do not always have a water contact advisory. We expect life jackets to be used at some time during the year.

JULIE SEXTON: Main concern is removal of the dam and whether we have done all our homework. Is it possible to remove the dam? Who is involved in permitting process? Is one person making this decision? Will there be a workshop to let the public know what’s going on? The dam is valuable to everybody in the city.

IV. UNFINISHED BUSINESS

(Video: 0:25)

a. The Devils Lake Plan

i. Septic/Sewer

SEE STAFF REPORT re: no staff update

<http://www.dlwid.org/Projects.html#Septics>

<http://www.dlwid.org/Projects.html#Sewer>

GREEN: Heard from city engineer re: Voyage LID. City has been unable to obtain easements it thinks it needs. City discussed revisions to eliminate Lake Cove Drive and limit project to the Voyage, 15th Street, and Lake Drive area, reducing project by about 23%. Some Council members waited to hear from Green, who wrote a letter to the Council saying delays are affecting property values and property sales. The city suggested establishing a

Reimbursement District, where new owners would reimburse sellers for any sewer assessment. Green argued against scuttling the LID, saying it should not wait for the entire lake to be sewerred. Before the entire lake is sewerred, it would be helpful to have the experience of installing and operating a 50-pump system. Cost per property owner would be about the same or less if Lake Cover area eliminated. Council expected to decide at next meeting whether to continue project.

Direct Link to Engineer Report:

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

ii. Save our Shoreline (SOS)

(Video: 0:37)

SEE STAFF REPORT: re: Intern report from Ava Laszlo on homes she visited door to door, distribution of seed packets, live plants (sedges and bulrush), visited 134 homes, 6 live contacts, only one interested in plants. Board member Kent Norris also visited several homes.

iii. Vegetation Management

SEE STAFF REPORT re: status of grass carp application, awaiting response from Oregon Department of Fish and Wildlife.

b. Communications Report

(Video: 0:43)

SEE STAFF REPORT re: strategies for public outreach (Internet, Channel 4, social media (YouTube, Facebook), AM radio 1610 broadcasts, radio interviews, Clearwater E-Newsletter, 100 Years on the Lake presentations, Know Your Lake column ad in News Guard).

ROBERTSON: Lake Manager attended North American Lake Management Society annual conference November 11 to 14 in Tampa, Florida. Top conference in country for state-of-the-art discussion of lake management. He attended several presentations and field trips, particularly on Devils Lake related issues such as oxidation, stormwater, nutrients. Looked at a large-scale alum treatment project to capture phosphorus from stormwater runoff.

c. Safety Report

SEE STAFF REPORT re: revised safety manual has been prepared; no accidents to report.

d. MidCoast TMDL

SEE STAFF REPORT re: no update on Oregon Department of Environmental Quality project. Next meeting of the Bacteria Technical Working Group is in January.

e. East Devils Lake Road

SEE STAFF REPORT re: water is crossing the road but no fish reported; salmon are running in D River.

f. Policy Updates

SEE STAFF REPORT re: no update.

g. Harmful Algal Blooms

(Video: 0:58)

SEE STAFF REPORT re: Requests for Qualifications for aeration engineering plan must be issued before Requests for Proposals. Many prospective vendors are interested in project. State requires qualifications of vendors to be reviewed before cost considered. Engineering plan to establish scope of project must be approved first. Lake Manager outlined protocol and timeline for obtaining and considering proposals.

Board discussed state requirements and timeline, expressed approval for RFQ as prepared, and instructed Lake Manager to release RFQ.

h. Water Quality Update **(Video: 1:14)**

SEE STAFF REPORT re: water clarity much improved, though areas of lake still have remnants of algae bloom. Lake may be de-listed in a week.

Board discussed state requirements for testing and need to protect public health.

i. Intern **(Video: 1:23)**

SEE STAFF REPORT for Ava Laszlo discussion of water quality monitoring, outreach, safety manual, Save Our Shoreline.

j. Life Jacket Kiosk (Randy Weldon)

Since DLWID focuses on water quality and public safety, life jackets are seen as another way to promote safety. Life Jacket Loaner Station sign unveiled. Sign made by OCE Sign Shop in Ontario, Oregon. Cost was less than \$300. Kiosk to be built at Regatta Park.

V. NEW BUSINESS **(Video: 1:35)**

a. Replacement of the Water Impoundment Device (The Dam)

SEE STAFF REPORT for Weldon's proposal to replace concrete dam with temporary, removable impoundment device that allows lake to be raised during the summer recreation period and lowered during the winter rain season. Improved water quality can be expected if lake is returned to natural flow for 8-9 months of the year. Increasing flow from lake in winter will prevent sand buildup; lower lake in winter would reduce erosion and contact with septic fields, flush algae buildup, allow lake to absorb more rainfall, ease fish travel, open up lower lake to kayaks, paddleboards and canoes. Reduction or elimination of the sandbar in front of the dam would reduce the summertime gathering of gulls and related E. coli danger. D River dredging will still be needed at times. Questions include status of water impoundment right, estimated costs, state agency permits.

Board discussed possible effect on HABs, continued need to remove nutrients, install sewers, continue with aeration project, need for hydrologist to review proposal, involving public, community decision so people feel they have a voice, possible timing, public workshop, permitting process.

SKIRVIN: Proposed scheduling January workshop for public review, possibly January 10.

VI. NON-AGENDA ITEMS

(Video: 2:17)

NORRIS: Discussed project to stabilize lakefront banks, proposed by Kent Norris and his neighbor, the Norris-Luebke project. Reviewed history of project, proposals to address erosion, permitting difficulties (complicated by salmon habitat; helpful to include agencies in planning process with site visits), possible model for other homeowners, creation of a pattern for government agencies to make permits easier, asking for support from board to help permitting process.

Board members expressed approval and willingness to cooperate, suggested making video of process.

VII. ADDITIONAL COMMENTS from CITIZENS on NON-AGENDA ITEMS

(Video: 2:40)

MARK CHRISTIE: Favored workshop idea for dam removal, suggested larger room, suggested bringing in authoritative professional to review plan, invite state agencies to workshop, need approvals in writing, consider all the stakeholders and everyone who would be affected.

SKIRVIN: Professional review of dam removal would be part of the process.

TINA FRENCH, 260 NE East Devils Lake Road, Otis: Supported workshop for dam removal, supported Norris proposal. Pointed out that D River was dredged every year before dam was installed.

JULIE SEXTON: Two ideas being discussed, aeration and dam removal. Doesn't dam removal need same sort of engineering process as aeration?

ROBERTSON: Agreed that a professional opinion needed for dam removal.

RICHARD DANIELSON: Complimented life jacket sign, suggested putting life preservers at docks. Regarding SOS money, thinks homeowners should pay for their own plantings. Salal and Oregon grape are native plants that will grow on their own. Obvious that professional opinion and permitting needed for dam removal. Aeration will stir up silt throughout lake. Hopes boat anchors don't damage aeration tubing.

MARK HYLAND: Thanked Randy for dam removal report and Kent for shore protection proposal. What keeps winter storms from moving sand further into lake and in larger quantities if dam is not there? Dredging was often needed before the dam was installed. Sees benefit in lake flushing. Possible that aeration will reduce sludge in bottom of lake and help lake flow. Asked about possible sources of E. coli. If dam is removed, how will carp be retained?

SKIRVIN: Dam no longer considered necessary to keep carp.

HYLAND: Asked if any homeowners complain about flooding when lake is high.

WELDON: Cited flooding issues in certain areas around lake.

ROBERTSON: District has been sued over flooding in the past.

WELDON: Letting lake drop in winter will let it capture more rain without creating flooding.

ANGIE WRIGHT, 4763 NE East Devils Lake Road, Otis: She can submit photos of her property and her basement, which get flooded a few times a year when lake is high.

VIII. BOARD COMMENTS AND ANNOUNCEMENTS

WARD: Retracts earlier comment that hydrologists not needed.

IX. ADJOURNMENT

Green adjourned the meeting at 9:13 p.m.

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

| Respectfully submitted,
Rick Mark