

A GENDA
2015 Nov 12

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



Devils Lake Water Improvement District

Post Office Box 974, Lincoln City, Oregon 97367
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www.DLWID.org

Quick Look:

- **Strategic Funding Plan**
- **Devils Lake Dash Presentation**

I. Special Order of Business

- a. Strategic Funding Plan – Tia Cavender, Chase Park Grants
- b. Devils Lake Dash – Bill & Dawn Cox

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 / Sewer
 - ii. Save our Shoreline
 - iii. Vegetation Management
- b. Communications Report
- c. Safety Report
- d. MidCoast TMDL
- e. East Devils Lake Road
- f. Harmful Algal Blooms
- g. D River Dredging

V. New Business

(Agenda Support Item B)

- a. Next Meeting Date / Time

VI. Non-agenda Item

VII. Additional Comments from Citizens Present on 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 board discussion. 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.*

VIII. Board Comments & Announcement

- a. NALMS – Nov. 17-20, Saratoga Springs, NY

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.

Devils Lake Water Improvement District
Staff Reports: 2015-11-12

Staff Reports 2015-11-12

Robertson

Special Order of Business

a. Strategic Funding Plan – Aeration, Presentation by Chase Park Grants President Tia Cavender

A special meeting of the Devils Lake Water Improvement District was held on October 5, 2015 at 6pm at the Oregon Coast Community College to receive a presentation and have questions and answers on potential strategic funding plans. This was a follow up to a meeting Director Brian Green, former City Manager David Hawker, City Financial Planner Ron Tierny and I had with Tia Cavendar of Chase Park Grants in August. [Chase Park Grants](#) is a Denver, Colorado based company who focuses on funding strategies for capital and infrastructure projects. They have worked extensively with the City of Newport in the past on sewer improvements and were part of a recent water summit put on in part by the City of Newport & Surfrider Foundation. Subsequently the City of Lincoln City asked for and received a proposal for a strategic funding plan for sewer around the lake. Cost of the plan is quoted at \$22,500. The District asked for and received complimentary proposal (\$31,000) for sewer and aeration as well as a stand-alone (\$17,000) strategic funding plan for aeration. At the October meeting the District asked for a revised more in-depth proposal on aeration to what had been previously provided and for a presentation at the District's next meeting. This is the culmination of that work.

- [Strategic Funding Plan Propsoal Aeration Version 2.2](#) Click Link to download copy

b. Devils Lake Dash Presentation- Bill & Dawn Cox. Bill and Dawn are the key organizers of the event and will provide a brief presentation with opportunity for questions and answers on the future direction of the event.

- a. **The Devils Lake Plan:** A watershed based plan adopted by the Board in 2011 that seeks to address the root causes of nuisance aquatic vegetation and/or Harmful Algal blooms which are excessive nutrients.

Executive Summary excerpt:* “Devils Lake is a shallow, 680 acre coastal lake that has long suffered from the effects of inputs of excess nutrients. Most prominent of these effects was the domination of the lake by nuisance aquatic plants in the 1980’s. Aquatic weed infestations largely choked the lake covering over 60% of the surface. Recreation was greatly impacted, and property values were in decline. In 1984, a local government entity, Devils Lake Water Improvement District (DLWID), was formed with the purpose of improving water quality, improving the environment for fish and wildlife, and generally reestablishing beneficial uses, including safe navigation and public access.

“Current concerns in the watershed are ongoing inputs of nitrogen and phosphorus, increasing sedimentation, erosion, stormwater, annual cyanobacteria blooms, and the threat of the return of nuisance aquatic plants to the lake.”

*View the full document online:

http://www.dlwid.org/Projects/Devils_Lake_Plan/Devils_Lake_Plan_v2.1.pdf

Projects within the scope of the plan are being worked on simultaneously and are listed on the Agenda and in this staff report as subheadings. Updates to the work on the projects are presented month to month as change happens and are left on the agenda until the project is complete. For a full background and all updates, please refer to previous staff reports and the Projects Page of the District’s Website under these headings: <http://www.dlwid.org/Projects.html>

i. Septic / Sewer

- ❖ <http://www.dlwid.org/Projects.html#Septics>
- ❖ <http://www.dlwid.org/Projects.html#Sewer>
- ❖ [http://www.dlwid.org/Projects.html#Sewer Devils Lake](http://www.dlwid.org/Projects.html#Sewer_Devils_Lake)

Devils Lake Sewer System Pre-Design Report: Submitted comments to the City based on the District’s discussion and previous staff report.

- [Draft 117 page plan from the City.](#)
 - Comments can be provided to the Stephanie Reid, Lincoln City’s City Engineer, 541-996-1236 or via email at stephanier@lincolncity.org
- [DLWID Comments:](#)

Reimbursement District – NE 19th Street – Oar to Port: The City has been asked to form a reimbursement district for a sewer line extension to an area unserved and difficult to serve by gravity sewer. The proposal would be to use a pressurized sewer similar to that being utilized in the Voyage Lake LID and would potentially benefit up to 8 existing parcels and up to 12 if fully developed. The estimated cost is approximately \$50,000 for the improvement which if approved would be reimbursed to the City. The City held a public hearing on the matter on Monday, October 26, 2015. The District provided the comments in support of extending cost effective sewers with details of the ages and types of septic based on the 2009 survey of county records.

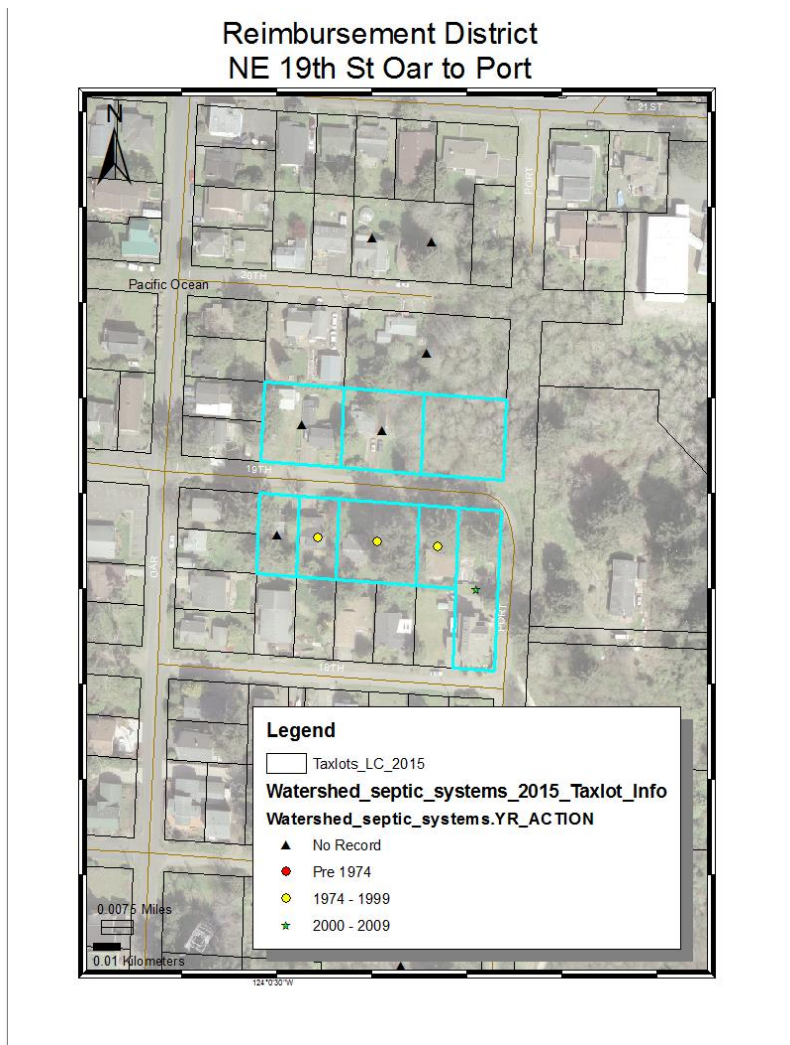
The Council did provide direction to pursue a design and bid process, but held off on formally forming the District until some ordinance changes could be in place that would

align the City with the State's requirements dealing with how properties would be required to hook up when a repair was required and a sewer was within 300'. These are slated to come back to the City Council in November.

Video link to the public hearing: Starting at 15:00 for approximately 50 minutes.
<http://lincolncityor.igmp.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1647&Format=Agenda>

Table - Onsite records from Lincoln County as of 2009.

| ParcelId_1 | OwnName | SitusAdd | MATERIAL | TANK_SIZE | ACTION | YR_ACTION |
|----------------------|--------------------|------------------|----------|-----------|------------------|-----------|
| 07-11-10-DA-02700-00 | SMITH AARON | 1843 NE 19TH ST | | 0 | NO INFO | Unknown |
| 07-11-10-DA-02800-00 | OLSEN KURT E ETAL | 1911 NE 19TH ST | | 0 | NO INFO | Unknown |
| 07-11-10-DA-03300-00 | DECAIR CHARLENE D | 1832 NE 19TH ST | | 0 | NO INFO | Unknown |
| 07-11-10-DA-03200-00 | PARK DELLA TRUSTEE | 1842 NE 19TH ST | PLASTIC | 1500 | REPAIR | 1993 |
| 07-11-10-DA-03100-00 | PETERS VICKY J & | 1906 NE 19TH ST | STEEL | 750 | NEW CONSTRUCTION | 1974 |
| 07-11-10-DA-03000-00 | HORN DONALD LEROY | 1924 NE 19TH ST | STEEL | 1000 | REPAIR | 1984 |
| 07-11-10-DA-03900-00 | HOFFMAN ROBERT E | 1855 NE PORT AVE | CONCRETE | 1500 | NEW CONSTRUCTION | 2000 |



Septic Inspector Training: DLWID to host a DEQ sponsored training for certified septic inspectors on Dec 9, 2015 at Oregon Coast Community College.

Voyage Lake LID: (Director Green): City Council awarded bid of \$278,700.25 made by Devils Lake Rock, project to be completed by May 2016.

To Do and Pending Items:

- Volunteer Inspection Program: DLWID & Lincoln County
- Mandatory Septic System Inspection Ordinance: Lincoln City
- Urban Growth Management Agreement: Lincoln City and Lincoln County, with FY 2014-2015, DLWID to provide comments to City.
- Devils Lake Sewer System Pre-Design Report - Lincoln City [Draft Completed](#)
- Strategic Funding Strategy: City? DLWID?

Devils Lake Plan (continued)

ii. **Save our Shoreline (SOS)**: reconnecting with existing SOS participants. Provided SOS garden art medallion to one owner which advertises the project and got updated on their project. Received from another owner an extra coir log unused in the project he completed which we have in store now for another project in the future. Now is a good time to plant the shoreline and we certainly encourage additional property owners to participate in the program.

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

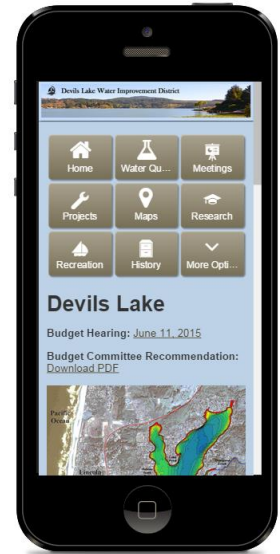
iii. **Vegetation Management**: I have spoken with John Spangler, District Biologist at ODFW in Newport, and he would recommend reenergizing the grass carp application after the aeration system was in place and being monitored for some time. This would provide the department and their commission a better grasp of the needs for vegetation management or lack thereof following the oxidation of the sediment with aeration. In certain applications aeration has decreased the need for vegetation control as nutrient get more scarce and native vegetation become more competitive than the nuisance non-native vegetation that people are trying to control. Should the need for vegetation management not be reduced significantly by the aeration program such that grass carp or other control would still be necessary, one could reasonably speculate that our application would be more likely to be given a favorable review given the internal control (aeration) efforts already in place. It is reasonable to suggest that having a sewer around the lake and/or other external controls also bolster our application which may sway policy makers at the commission who otherwise might object to restocking the lake with grass carp.

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

b. Communications Report

- www.DLWID.org: mobile friendly website complete with water quality information, research reports, staff reports, links to meeting, maps and more!

- **Internet Streaming:** Meetings of 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.

- **Social Media:** The District uses these social media components to reach the general public periodically.
 - YouTube: <http://www.youtube.com/user/DLWID>
 - Facebook: <https://www.facebook.com/DevilsLake.Oregon>
 - Twitter: https://twitter.com/Devils_Lake

- **KBCH am 1400:** The District has had a standing interview spot on the THIRD Tuesday of the Month from 7:30 – 8:00 am.

- **100 History of Devils Lake:** http://www.dlwid.org/Communications/Know_Your_Lake/100_Year_History.pdf

- **Know Your Lake:** Download copies of the articles from our website's Project Page: <http://www.dlwid.org/Projects.html>

- **Devils Lake Radio 1610 am:** Short recorded messages broadcasted on 10 KW AM frequency from Regatta Grounds.

- **Clearwater E-Newsletter:** Fall issue: <http://myemail.constantcontact.com/Devils-Lake---Fall-2015-E-newsletter.html?soid=1102761961457&aid=QjhW DtttGNk>



- **Senior Fair – Chinook Winds - Oct 6th, 10-4:** District had a booth at this annual event.

- **SDCWC- REEF Program:** Forty Taft High School students (two science classes) came to the college as part of this science curriculum. Provided two ½ hour presentations on Devils Lake's water quality monitoring program for the students. Follow this up with a trip to D River at Hostetler Park where we discussed landuse,

water quality, and anthropogenic impacts associates with the 100 Year History of Devils Lake shown above. Discussed solutions including aeration, sewerage, SOS and stormwater management. Students also conducted their own water quality monitoring using the equipment DLWID provided a couple of years ago as part of our grant to the Chemistry Class at Taft. Monitoring included flow calculations which I assisted in.

c. Safety Report (Robertson) Following the murders of nine individuals at Umpqua CC in Roseburg, OCCC has implemented additional safety messaging on campus to educate the public on how to respond to an active shooter. In addition phones have been installed in all the classrooms including the lab as an emergency communication tool.

d. MidCoast TMDL (Robertson)

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

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.

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/midcoastLAC.htm>

Stakeholder Meeting: No recent meetings.

Bacteria Technical Working Group: No recent meetings

e. East Devils Lake Road: Road improvements appear to be handling the flows of the recent storms. No flooding reported. No update received on any future actions of the stakeholders group.

f. Harmful Algal Blooms: Bloom finally fully cleared at all sample sites. Website updated to reflect improvements to water quality.

Aeration/Oxidation Project: <http://www.dlwid.org/Projects.html#Aeration> Meeting with Dr. Horne and HBH Engineering being rescheduled. Hoping we can find a meeting date when all the Board would be available. HBH is available basically any night they said, but Dr. Horne is traveling from CA. I will provide update at meeting on availability.

g. D River Dredging: Feedback from the Pre-Application meeting held October 21, 2015 in Portland along with follow up research by staff.

- DSL - In order to dredge the material we will be subject to a gravel license.
 - Chuck Perino
 - http://www.oregon.gov/dsl/Aquatic_Resource_Management/Documents/Applications%20and%20Forms/app_royalty_lic_fillable_05_07_13.pdf
 - \$750 non-refundable application fee:
 - Gravel License cost determined to be 0.88 / cubic yard ~ \$1,760 based on 2,000 yards
- Removal Fill Permit \$720 non-refundable application fee
 - USACE – 4-6 months up to a Year to review (Brad Johnson)
 - DSL – 120 day process includes cultural resources, Endangered Species Act consult, Tribal consult, SEF (see below)
 - Advised that we can apply for maintenance dredging up to seven year period.
 - Carrie Landrum
 - Volume Fee \$145
 - http://www.oregon.gov/dsl/Aquatic_Resource_Management/Documents/Applications%20and%20Forms/2015%20Removal-Fill%20Fees%20100114.pdf
- DSL - Short-term access permit
 - Chuck Perino
 - http://www.oregon.gov/dsl/Aquatic_Resource_Management/Documents/Applications%20and%20Forms/app_short_term_access_06_06_14.pdf
- County Flood Plain Permit - \$100?
- Possible Solid Waste Beneficial Use Determination permit through DEQ
 - <http://www.deq.state.or.us/lq/sw/disposal/beneficialuse.htm>
- Sediment Evaluation Framework (SEF)
 - Fairly complicated process includes details of outfalls, historic uses, Spill sites, brownfields, land uses, a conceptual site modeling matrix and more for the Level I
 - See 211 page SEF document:
 - http://www.nwp.usace.army.mil/Portals/24/docs/environment/sediment/2009_SEF_Pacific_NW.pdf
 - Sampling and Analysis Plan Guidance: 28 pages
 - http://www.nwp.usace.army.mil/Portals/24/docs/environment/sediment/PSET_SAP_Guidance_08092012.pdf
 - General Website:
 - <http://www.nwp.usace.army.mil/Missions/Environment/DMM.aspx>



- Department of Land Conservation and Development (DLCD): (details based on information received for similar project) Coastal Zone Management Act requires that activities permitted by federal licenses and permits, and which affect any use or resource of a state's coastal zone, be consistent with that state's coastal management program. This process is known as "federal consistency." Project is proposed to occur within the boundaries of Oregon's coastal zone, and will affect coastal uses and resources. DLCD will be reviewing the project under the federal consistency provisions of the CZMA. The regulations applicable to this project are available at 15 CFR § 930, Subpart D.

DLCD's review will determine the proposed project's consistency with the Oregon Coastal Management Program (OCMP). To be consistent with the OCMP, the proposed project must comply with enforceable policies contained in: 1) the statewide land use planning goals; 2) the applicable acknowledged city or county comprehensive plan and land use regulations; and 3) selected state authorities (e.g. those governing removal-fill, water quality, and fish & wildlife protections).

To initiate federal consistency review, applicants must provide DLCD with the necessary data and information required by 15 C.F.R. § 930.58 and Oregon Administrative Rule 660-035-0050, including:

1. A copy of the application for the federal license or permit.
2. If not included in the federal application, a detailed description of the proposed activity, its associated facilities, the coastal effects, and any other information the applicant relied on to make the certification.
3. An evaluation that includes a set of findings relating the coastal effects of the proposal and its associated facilities to the relevant enforceable policies of the management program.
4. Draft NEPA documents, except for when a federal statute requires a federal agency to initiate CZMA consistency review prior to its completion of NEPA compliance.

- **Preliminary cost estimate for permitting is \$3,475 (minimum)**

New Business:

Agenda Support Item B

A. **December Meeting:** City double booked facility and asking if we can change the dates. Dec 3 or 17th available for Council Chambers of Dec 10th at OCCC.