

AGENDA

2015 Dec 10

Regular Meeting: 6 pm
Oregon Coast Community College
3788 SE High School Drive
Lincoln City, Oregon



Quick Look:

- Sewer Ordinance
- Devils Lake Fishing Derby
- Committees

Devils Lake Water Improvement District

Post Office Box 974, Lincoln City, Oregon 97367
Phone: (541) 994-5330 Fax: (541) 994-6040
www.DLWID.org

I. Consent Agenda

- Minutes of the Previous Meetings
- Financial Report

II. 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.

III. Unfinished Business

(Agenda Support Item A)

- The Devils Lake Plan
 - Septic / Sewer
 - Save our Shoreline
 - Vegetation Management
- Communications Report
- Safety Report
- MidCoast TMDL
- East Devils Lake Road
- Harmful Algal Blooms
- D River Dredging
- Strategic Funding Plan

IV. New Business

(Agenda Support Item B)

- Devils Lake Fishing Derby – Miles Schesinger
- Committees
- Grant Writer
- Financial Review
- SDAO Conference

V. Non-agenda Item

VI. 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.

VII. Board Comments & Announcement

VIII. 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: 2015-12-10

Unfinished Business

Agenda Support Item A

- 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.](#)
 - Comment Period ends 2015-12-15
 - 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: City unanimously adopted Resolution 2015-29 creating district at their 2015-11-23 meeting. Affected properties will be subject to sewer ordinance 2015-14 should it pass second reading and indication of the reimbursement district will be recorded with the County as official record of the property. http://lincolncityor.igq2.com/Citizens/Detail_Meeting.aspx?ID=1649

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.

Sewer Ordinance 2015-14: The City has a proposed ordinance for changes affecting sewers, including triggers for connecting. The ordinance had, and had approved, first reading (vote 7-0) on Nov 23, 2015 and has planned a second reading on Dec 14, 2015. The written record is open until Dec 9th, 2015 at noon.

City Council Meeting:

http://lincolncityor.iqm2.com/Citizens/Detail_Meeting.aspx?ID=1649

Agenda Packet, pages 36-44

<http://lincolncityor.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=1508&Inline=True>

Video starting at 1:07 – 1:28

<http://lincolncityor.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1649&Format=Agenda>

Key Points:

- Separately addresses gravity sewers from low pressure sewers.
- Changes mandatory connection from 120 to 180 days for gravity systems.
- Given cost of low pressure connections which are stated to be up to 5 times greater, provides for connection to low pressure systems within 48 months.
- Defines “installed” as to mean lines are in the right-of-way frontage or under contract to be installed in the right-of-way frontage.
- Defines “Made available” to means that the lines are within 300 feet and accessible by public right-of-way or easement (consistent with DEQ rules).
- City staff would like to facilitate connection to available sewer for: (1) new construction and for (2) failed or failing systems in need of replacement or extensive repair. City staff would like to permit property owners with existing properly functioning septic systems to realize much of their investment in the system before being forced to connect. Accordingly, the general rule triggers connection (as now) when lines are installed – i.e. located in the frontage of the property.
- Triggers to Connect:

1. Connection to an available gravity or low pressure sewer line is required immediately upon a documented **failure of the existing septic system**, cesspool, or other sewage disposal system.

2. Connection to an available gravity or low pressure sewer line is required when any **enlargement, alteration, or change of use of an existing building** is requested and when such request requires expansion, enlargement or replacement of an existing septic system. Connection is required prior to occupancy of the enlargement or the altered or changed [as to use] building.

3. Connection to an available gravity or low pressure sewer line is required prior to any occupancy of **any new residential or non-residential building**. “New” includes buildings proposed for redevelopment where the value of repairs exceeds 50% of the value of the existing structure. This value trigger is cumulative beginning with the date the sewer is first “made available for connection.”

4. Connection to an available gravity or low pressure sewer line is required when an existing septic system is proposed for **replacement or repair in excess of 50% of the value of the septic system or \$9,000**, whichever is less.

5. Connection to an installed gravity or low pressure sewer line is required **within 120 days of the sale of real property** containing a dwelling or nonresidential building serviced by an existing septic system, cesspool or other sewage disposal system. (Note that all but No. 5 above are based on available (within 300 feet) sewer. The sale trigger in No. 5 relates to sewer facilities that are installed in the right-of-way frontage.)

6. Subject to **connection triggers** in paragraph C.1-5 above, connection to an available gravity or low pressure sewer system which is **subject to an approved Local Improvement District is required as set forth in the LID** formation resolution. (The exception to the general rule for connection is intended to encourage participation in LIDs and thus timeframes are subject to those outlined in the LID.)

- **Future ordinances and notes:**

System Development Charge Payment Ordinance: allowing installment payments on SDC if triggered to connect to sewer.

DEQ Loans: City borrows money for loan distribution to private property owners for cost associated with pumps and private infrastructure.

Reimbursement Districts: continues to provide reimbursement option for extending sewer past neighboring properties either if the city extends or a private property owner.

City committed to upfront the funds to extending sewers within the City per available funds in the unbonded assessment fund. Notably that if lines are extended that properties formally not with 300’ may become with 300’ and thus prompt further investment either public as funds are available or private. Privately funded extensions would be eligible for

reimbursement districts. Local Improvement Districts continue to exist as alternatives as well.

Regatta Grounds Pump Station: Bid awarded at City Council Meeting 2015-11-23
Worth noting that the city continues to invest in sewer infrastructure. Project will bring the station up to current standards to meet Environmental Project Agency Class 1 Reliability and increases the pumping capacity to 250 gpm. Upgrade includes converting the existing manhole outside the pump station building into a new wetwell and placing new submersible Flygt pumps into it with new pump controls.
Video starting at 1:41 Agenda Packet pages: 73-74

To Do and Pending Items:

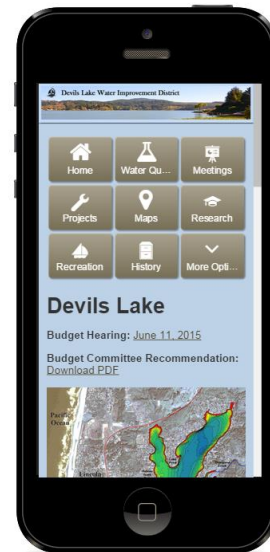
- Volunteer Inspection Program: DLWID & Lincoln County
- Mandatory Septic System Inspection Ordinance: Lincoln City
- Urban Growth Management Agreement: Lincoln City and Lincoln County, with FY 2014-2015, DLWID to provide comments to City.
- Comprehensive Plan Update: Lincoln City, DLWID to likely asked to serve as Committee Member.
- Devils Lake Sewer System Pre-Design Report - Lincoln City [Draft Completed](#)
- Strategic Funding Strategy: City? DLWID?
- SDC installment Ordinance: Lincoln City
- DEQ/City Loans for pumps: Lincoln City

Devils Lake Plan (continued)

- ii. **Save our Shoreline (SOS)**: Mild winters often allow for plantings year round.
❖ <http://www.dlwid.org/Projects.html#SOS>
- iii. **Vegetation Management**:
❖ <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=QjhWDtttGNk>



c. **Safety Report** (Robertson) No Update

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/midcoastLSAC.htm>

Stakeholder Meeting: No recent meetings. - A new dissolved oxygen technical working group has been formed as a means of addressing impairments. A preliminary talk was given at the previous stakeholder meeting, and the new group held its first meeting last month.

Bacteria Technical Working Group: No recent meetings

- e. **East Devils Lake Road**: Flooding reported on the old section of the road (Seid Creek Bridge). This area periodically flooded before, and it was speculated by Lincoln County Public Works, that if the Rock Creek Culvert and road height increase was successful that the Seid creek section would have a similar improvement in an upcoming year. New section appears to be passing water under the road well. No update received on any future actions of the stakeholders group.

f. **Harmful Algal Blooms / Aeration**:

Aeration/Oxidation Project: <http://www.dlwid.org/Projects.html#Aeration> Meeting with Dr. Horne and HBH Engineering has been scheduled for January 14, 2016 at City Hall.

- g. **D River Dredging**: Significant progress on addressing the needs of the Level I assessment in the Sediment Evaluation Framework. This first level assessment seeks to provide reasonable assurance that containments of concern would not be present in the dredged spoils. Materials researched, prepared, and incorporated thus far includes property ownership histories of parcels, sewer infrastructure, spill histories, other sources of potential contaminants, storm drainages, and multiple maps.

To Do / Considerations:

- Sediment Evaluation Framework, beginning with Level I assessment - USACE
- Gravel License - DEQ
- Removal Fill Permits – DSL / USACE
- Short-term Access Permit – DSL
- Private Property Access – Permissions – Lincoln City Urban Renewal & Quality Inn
- Flood Plain Permit – Lincoln County
- Solid Waste, Beneficial Use Determination - DEQ
- Federal Consistency with Coastal Zone Management Act – DLCDC and Oregon Coastal Management Program

- h. **Strategic Funding Plans**: The District has a proposal for \$17,000 for a strategic funding plan for the aeration project. A separate proposal also exist to the City for a strategic funding plan for sewer around the lake. Cost of the plan was 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.

Options for Consideration:

- Conditionally accept the Aeration Only proposal based on the District's need to conduct a due diligence in regards to public contracting law which would seek at least two other proposals.

- Ask that the offer be tabled, to be reconsidered potentially at a future date
- Reject the Aeration Only Proposal
- Conditionally accept the Aeration / Sewer Proposal based on the District's need to conduct a due diligence in regards to public contracting law which would seek at least two other proposals as well as conditional on the City's involvement.
- Ask that the offer be tabled, to be reconsidered potentially at a future date
- Reject the District's involvement in the Aeration / Sewer Proposal

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

New Business:

Agenda Support Item B

A. **Devils Lake Derby:** Miles Schesinger

B. **Committees:** At its last meeting the District established a number of committees and while there were individuals who were able to commit who were present at the meeting the District continues to seek public participation. No limits were set on any of the spaces available within each committee at the time, but a minimum and a maximum which maybe different within each committee should be discussed as should what the goals for the individual committees might be. Meeting of these committees will be public meetings and must follow public meeting laws including notices requirements and record keeping.

- **Events/Promotions – Devils Lake Revival, Devils Lake Dash**

1. Julie Sexton
2. Steve Brown
3. Nancy Brown
4. Miles Schlesinger
- 5.

Board Representative: _____

- **Septics – Volunteer Inspections**

- 1.
- 2.
- 3.
- 4.
- 5.

Board Representative: _____

- **Sewer**

1. Miles Schlesinger
- 2.
- 3.
- 4.
- 5.

Board Representative: _____

- **SOLV – Annual lake clean up**

1. Ren Jacob
2. Julie Sexton
- 3.
- 4.
- 5.

Board Representative: _____

- **SOS – Save our Shoreline**

1. Ren Jacob
- 2.
- 3.

4.
5.
Board Representative: _____

- Water Quality Monitoring
 1. Larry Rich
 2. Mariellen Rich
 - 3.
 - 4.
 - 5.Board Representative: _____

C. Grant Writer: Rick Mark proposes that DLWID hire him as a grant writer to apply for either grants or low-interest loans for the lake aeration project and possibly the sewer project. Rick has 30 years experience as a researcher, writer, and editor, both as a journalist and as a certified paralegal. The DLWID board is familiar with his work as recording secretary.

Rick has some experience as a grant writer, having applied for several grants to support the restoration of a historic house on the campus of Marylhurst University, outside Portland:
<http://www.marylhurst.edu/about-marylhurst/features/belluschi-pavilion.html>

POSSIBLE SOURCES for GRANTS and LOW-INTEREST LOANS

Rick's initial research has identified several possible funding sources. There could very well be more.

[Grants.gov](http://www.grants.gov)
<http://www.grants.gov>

Oregon Department of Environmental Quality
<http://www.deq.state.or.us/wq/loans/loans.htm>

Oregon Watershed Enhancement Board
<http://www.oregon.gov/OWEB/Pages/index.aspx>

Rural Community Assistance Corporation
http://www.rcac.org/#Oregon_2

USDA Rural Development
<http://www.rd.usda.gov/programs-services>

US Environmental Protection Agency water
http://water.epa.gov/grants_funding/eparecovery/index.cfm
http://water.epa.gov/grants_funding/shedfund/watershedfunding.cfm
http://water.epa.gov/type/wetlands/initiative_index.cfm
<http://water.epa.gov/type/lakes/cllkspgm.cfm>

Siletz Tribe Charitable Contribution Fund
<http://www.ctsi.nsn.us/charitable-contribution-fund>

NOAA Fisheries Pacific Coastal Salmon Recovery Fund
http://www.westcoast.fisheries.noaa.gov/protected_species/salmon_steelhead/recovery_planning_and_implementation/pacific_coastal_salmon_recovery_fund.html

D. Financial Review: Grimstad and Associates have completed our annual review, which is now on the website. With the current contract no presentation to the board is included. A link is provided. http://www.dlwid.org/Financials/Audits-Reviews/2015-06-30_Review.pdf

E. SDAO Annual Meeting: Funds within M&S: Public Relations are available for Board Member or Staff Attendance.

2016 SDAO Annual Conference - *Registration is now open!*
February 5-7 | Pre-Conference: February 4 | Sunriver, Oregon

Largest training and networking event of the year for special district board members and staff. The 2016 SDAO Annual Conference will take place in Sunriver, Oregon and will offer over 20 educational sessions and multiple opportunities for interacting with your colleagues through business meetings, caucus meetings, social activities, and more!

Hundreds of representatives from Oregon's special districts will attend; [register now](#) to reserve your spot.

For more information about the conference, please reference the [conference brochure](#) or [conference website](#). As with last year's event, electronic handouts will be provided for each session. These can be accessed prior to and during the conference at www.sdao.com/ac.

Registration: \$230
Pre-conference Training: \$50 - \$100
Rooms: <http://www.sunriver-resort.com/landing-special-districts-association-of-oregon>
\$102/night plus tax x 4 nights = \$408 plus tax
15% Resort Tax \$61.20
9% Lodging Tax \$36.72
Meals per diem \$40 x 4
Travel – fuel

21 day advance cancelation for room deposit

Approx: \$995.92 plus fuel