**MINUTES OF NOVEMBER 15, 2016, REGULAR MEETING**

**Board of Commissioners of**

**Bayou D’Arbonne Lake Watershed District Regular Meeting**

Union Parish Courthouse Annex

303 East Water Street

Farmerville, LA 71241

1. Roll Call – President Bruce Hampton called the meeting to order. Commission members present were Bruce Hampton, David Hopkins, Steve Cagle, and Trotter Hunt. Cary Brown and Terri Towns were absent. Also present were Bill Carter, Ron Riley, Ryan Daniels, Lt. Thomas Risser, and Tracy Ambrose.
2. Invocation/Pledge of Allegiance – Trotter Hunt led the invocation, and Steve Cagle led the Pledge of Allegiance.
3. Public Comment Registration – No one signed up to make a public comment.
4. Agenda Approval – Motion was made by Steve Cagle and seconded by Trotter Hunt to approve the November 2016 agenda. The motion passed unanimously.
5. Approval of Minutes – Motion was made by David Hopkins and seconded by Trotter Hunt to approve the minutes of the October 2016 meeting. The motion passed unanimously. At this time, Terri Towns arrived and joined in the meeting.
6. Treasurer's Reports – David Hopkins stated that the October 2016 Treasurer’s report was not complete and a partial report was presented. He stated that there is at least another $12,700 that will be added as a deposit. The balance is approximately $10,000 more than what was presented in this partial report. Motion was made by David Hopkins and seconded by Trotter Hunt to approve the report. The motion passed unanimously.
7. Old and New Business:

1. Channel Markers – (a) FEMA Claims, and (b) Repair Status – Ron Riley reminded the Board that the first FEMA representative he was working with left, his notes could not be found and, therefore, the agreements made with him could not be verified. He also reminded the Board that FEMA would not allow volunteer labor as part of the match. Mr. Riley asked how much money the Board would be able to contribute as a 25% match. He was not comfortable asking for $250,000, knowing the Board would have to come up with $50,000. David Hopkins stated that the Board has $175,000. Mr. Riley stated that if the Board could come up with $30,000, we could get the most important work done. Mr. Hopkins stated that if we had to replace the channel markers ourselves, it would cost around $80,000 to $100,000. Mr. Cagle was of the opinion that it would cost a lot more than that. There are approximately 46 channel markers that would have to be replaced at $2,500 each, not counting the cost of engineering. Mr. Riley stated that there are also approximately 200 signs for the markers, which would cost approximately $130 to $140 each. Mr. Hopkins stated it would cost about $2,700 each with the signs. Mr. Riley stated that the cost would be approximately $150,000 to $160,000. Mr. Riley said there is an outside chance FEMA might agree to a 90/10 match rather than 75/25 but that isn’t likely. Mr. Riley said we could get the worst poles (probably not the leaning poles), but we could replace the ones that are missing. Mr. Hampton recommended approving $40,000 as our 25% match. Mr. Hopkins agreed and stated that it had to be done. There was some discussion that the application will have to be re-submitted, and we need a letter from a contractor on his letterhead that he will do the job for a certain amount of money, which Mr. Riley feels is not legal. Mr. Hampton agreed that we can get FEMA the letter, but we cannot award a contract on that basis. We can get a quote for FEMA but we cannot obligate ourselves to pay anything based on that. Mr. Carter stated that there will be a limited number of individuals bidding on this kind of work. Mr. Carter asked whether there is the possibility of an appeal in connection with the volunteer work. Mr. Riley stated that he did write a letter requesting an appeal, but he has not received an answer. Mr. Carter recommended a motion authorizing the President to sign any documents to implement the FEMA application and to sign any and all documents in connection with the bidding process. David Hopkins made a motion to dedicate $40,000 towards the Lake Commission’s FEMA match program, and Steve Cagle seconded the motion. The motion passed unanimously. David Hopkins made a second motion to authorize the President to sign any documents necessary to implement the FEMA process. Steve Cagle seconded the motion, and the motion passed unanimously.

Mr. Riley also distributed a photo of the lake level in June when it was six inches over pool. When the lake was drawn down five feet, there were a lot of poles under water at 84.5 feet. He said we have a great opportunity to make the lake safer now while it is five foot down, and we could go right now with a chain saw and cut the stumps and leaning poles and, when the level rises, it will be much safer. Steve Cagle volunteered to do the work and use his boat but he requested that the Lake Commission pay for a replacement blade on his chain saw if he needs one. Trotter Hunt made a motion to authorize Mr. Cagle to cut the leaning poles under water at least four feet under pool or more, if possible, and to replace any broken blades and compensate Mr. Cagle for gas for his boat. The motion was seconded by Terri Towns, and the motion passed unanimously.

2. 2016 Drawdown – (a) Ryan Daniels’ Comments, and (b) Update – Ryan Daniels, biologist manager of the Monroe Wildlife & Fisheries office, spoke to the Board regarding the drawdown and other matters. The drawdown, which was set to end November 15, was approved to be extended by DOTD to December 15. The reason for the extension was for vegetation control, particularly giant salvinia. There is giant salvinia in two locations on the lake, and he feels another month of dry warm weather will eradicate it. This is a very scary weed and is a cause for concern. They have had great conditions for vegetation control. They had some requests that came in prior to the drawdown asking to only lower the lake four feet. However, they recommended staying with existing protocol, which is five feet, for the additional vegetation control. Steve Cagle said the biggest problem with five feet is there are only three boat launches out of nine on the main lake that can be used, which puts them into a bind. Mr. Daniels asked at what level the state park is impacted and whether the ramp would be open at four feet, but no one could answer that.

Mr. Cagle said people are asking whether it is okay to spray Roundup around their property now that the bank is dry. Mr. Daniels said that is fine. He said it is not as effective at this time of year as it would be in the spring, but it is starting to die naturally on its own now. Anything that is for aquatic use can be sprayed, and Roundup does have an aquatic label.

Mr. Daniels stated that prior to the drawdown, the lake has been in good shape as far as the amount of vegetation, other than the giant salvinia, and they saw no other real problems. Steve Cagle stated that the Corps of Engineers issued a permit to Mr. Farley on the Maricopia Island project at the mixing hole where the giant salvinia is a problem. He asked if that will be a problem when they stop that flow. Mr. Daniels stated that it could be an issue, because current usually flushes that plant out since it is a floating plant. By stopping the flow, it could hurt the area. He stated that they have one spray crew now working out of Monroe, but they cover ten parishes in Northeast Louisiana. They’ve made a total of nine herbicide applications on D’Arbonne and have sprayed a total of 185 acres on the lake. That is not total acreage because some of those areas were sprayed multiple times where the giant salvinia was. They have focused on that but they have also been spraying the American Lotus, which are the big lily pads all over the lake. They also sprayed 24 acres of alligator weed and other vegetation.

As far as fisheries, they were not scheduled to do any fish sampling on the lake in the near future. Last year, they sampled and next year they will be conducting electrofishing in the spring or fall to get an assessment of the bass population. Last years’ crappie population looked good. There were a lot of six inch fish in the lake. They believe there was a good spawn this year, as well. They have nice size fish in the samplings. The effect of the hand grabbing of flathead catfish has presented no change in the population at all – at least, there has been no decrease. There has actually been a slight increase in the abundance and size of flathead catfish. Mr. Cagle said the only problem is that the Lake Commission has an ordinance against the introduction of foreign items in the water, and that’s where it is being done. He said it looks like a junk yard out there now, with tires, hot water heaters, etc., being placed in the water. Mr. Daniels agreed that it looks bad. Mr. Cagle asked if they could help with an ordinance of their own that it is against the law to put foreign objects in the water. Mr. Daniels said it may be on the books and in the process now. He stated that Lt. Thomas Risser was in attendance at this meeting tonight and could answer questions regarding enforcement.

Lt. Risser stated that cans and drums are legal means of hand grabbing. There is a year license for them just like a hoop net. Mr. Hampton stated that the tires are a DEQ matter.

Mr. Daniels stated that they stocked 300,000 Florida largemouth bass in the lake this past spring in order to add the Florida gene to the lake. These bass have a better chance of reaching trophy size. He also wanted to inform the Board of the Lake D’Arbonne management plan, which includes all the information that we know about the lake. Sampling history is included in the plan, and he recommended that everyone read over them and fact check them. The plan will be updated next spring, and they update the D’Arbonne plan every two years, putting all the latest fish sampling information. Everything about the lake is in the plan and is on their website.

Mr. Cagle asked Lt. Risser if we are getting support from enforcement during the drawdown. Lt. Risser stated that he prepares the schedules for Lincoln, Ouachita and Jackson and they have nine agents. One was shot and paralyzed and another agent tore his biceps so now he only has seven men working for him. If one person works the north end or if he’s a quarter mile in the swamp, he may not be seen by many people. Some people claim they never see a game warden on Lake D’Arbonne, but they are out there.

Terri Towns asked if someone gets a day license whether it expires at midnight, and Lt. Risser said yes. It is for that calendar day. Ms. Towns stated that some people think it is for 24 hours from the time they purchased it, but that is not the case. Ms. Towns also asked about the three-day charter license, and Lt. Risser said that is only for salt water.

Bill Carter stated that someone recently spoke to the Commission about the tainter gate and said we have the capability of keeping the water level near pool stage, especially in the spring when it fluctuates. Mr. Carter asked Mr. Daniels to comment about Wildlife & Fisheries’ position with regard to the spring spawn and the benefit of allowing the lake to fluctuate. Mr. Daniels stated that their interest in regard to the water level is always the fisheries. The recommendation they have made in the past is to allow the lake to fluctuate as naturally as possible and not to completely eliminate the fluctuations that we get from major storm events. They like to see the fluctuations, especially during the spring when we have most of the rainfall, because fisheries’ reproduction is tied very closely to high water levels. With the tainter gates, there is more of a possibility of eliminating or reducing these natural fluctuations, but they ask that we try to mimic what is going on in the spillway and not greatly reduce it from there. They understand that the tainter gates were put in place to prevent private property damage, but their standpoint is for the fisheries in the lake so they want to see the fluctuation.

3. Commission Website – Update – Mr. Hampton stated that Robert Lemoine has begun the website. He is going to make an effort to complete it before our next meeting.

4. Lake Information Pamphlet – Update – Mr. Hampton stated that the lake information pamphlet is dependent on the website.

5. Annual Dam Inspection – Report – Mr. Riley stated that he finally received the Annual Dam Inspection Report last week, and he forwarded it to all Board members. There are not many new things in it. Some items are redundant, like the walkway through the gallery that has a rail on one side, and they want the rail on both sides. We do not want to spend $100,000 installing another rail. There is also a broken drawdown gate that is sealed shut. That is really superfluous because we can draw the lake down with the tainter gates, but they keep writing us up for it every year. He saw nothing in the report that was alarming. There was only one leak in the dam that was on the upside water side so it was a pretty good report.

6. City of Farmerville Old Highway 15 Request – Update – Mr. Riley met with Mayor Baughman and Mike Allen. Basically, they want to raise the elevation of the road in the area that leads to the apartments on the lake. They want to do it themselves if they can afford it. Mr. Riley had no problem with that, but they want to armor the sides of the bank with crushed concrete. Mr. Riley informed them as long as there is no steel in it, then he would recommend to the Lake Commission that there would be no objection to using crushed concrete, contingent on their obtaining a Corps permit. Mr. Cagle asked whether the concrete will be covered if it goes into the water and whose liability it is if someone gets hurt. Ms. Towns asked how crushed it would be. Mr. Riley said it would not be very crushed; it would be riprap or blocks of concrete. Mr. Cagle spoke with John Thomas, and Mr. Thomas stated that they are trying to build it up and cover it with dirt so we don’t have an open liability case. Mr. Riley stated if they put a sewer line in there, it will be under the surface of the road, so our objection is that the sewer line needs to be out of the water, they need a Corps permit, and any riprap they use have no steel in it. Mr. Cagle stated that he would like to see it covered if it is in water. Mr. Riley and Mr. Carter stated that the dirt in the water would wash out. Mr. Riley stated that the embankment would be covered with the crushed concrete. It is not that we are approving it; we just are not objecting to it, as long as these requirements are met. Mr. Hampton stated that at pool stage it would be starting above the water with the riprap. Mr. Hampton asked Mr. Carter if that is something we have jurisdiction over since it is not our servitude. Mr. Carter stated that riprap typically goes to the base of the total slope. When the contractor throws it in there, there is a good chance it will go down to the water. Mr. Carter then asked Mr. Cagle about his previous concern about rebar in the concrete. Mr. Cagle stated that he is concerned because someone previously was injured by rebar in the lake. He reiterated that there is a liability issue and he wants to know who will be responsible in the case of an injury. Mr. Carter preferred not to discuss theoretical liability, but there are some recreational protections and immunity that the Lake Commission has. Mr. Carter stated that this is a fairly typical way of controlling erosion about the body of the water. Mr. Cagle stated that this concrete will have some rebar in it but, even if it is limited, it doesn’t take much to cause a problem. Mr. Cagle stated if it is above the 80-foot contour, he has no problem with it, but if it gets into the water, that could be a problem. Mr. Hampton stated that our position is we do not object to the riprap above the 80-foot contour. If they want to do something below it, they need to advise the Lake Commission but we do not want a hazard in the lake. Mr. Riley stated that the Corps of Engineers will be involved.

7. Lincoln Parish Police Jury Funding – Update – Mr. Hampton stated that he has not heard anything else from the Lincoln Parish Police Jury about this.

8. Access to Annex – Update – Mr. Cagle agreed to make a key to the building and bring it to Mr. Hampton for future meetings.

9. Mega Ramp – Update – Mr. Riley stated there is nothing else to say about this matter. Mr. Hampton stated that we cannot assure a 25% match so it is tabled at this time.

10. Enforcement of Army Corps of Engineers Requirements – Mr. Hampton stated that Mr. Hill discussed this with the Corps of Engineers. He met with Robert Ulmer and several other Corps personnel, and they indicated that they intend to start more enforcement of construction around the lake, primarily in connection with new ramps, boat houses, piers, sea walls in the water and filling in behind them, etc. The Corps may be requiring permits in the future in order to construct sea walls. Mr. Hampton asked the Corps to prepare a notice regarding this to put on our website and to inform the public.

H. Public Comment – Bill Carter stated that the Board typically does not meet in December, so he questioned whether there would be a meeting next month. Because the meeting would fall on December 20, Steve Cagle made a motion to cancel the December meeting and have the next meeting on the third Tuesday in January 2017. David Hopkins stated that he would send out financials. The motion was seconded by Trotter Hunt, and the motion passed unanimously.

I. Adjourn – A motion to adjourn was made by Trotter Hunt and seconded by Steve Cagle. The motion passed unanimously and the meeting adjourned.