

## State of the Lake & Watershed

### Sheriff's Candidate Forum

The Association has noted the frustration of many of its constituents with the lack of sheriff's marine staff to referee, not just the increasing use of the lake, but also new equipment like wake boats that have the potential to damage onshore property. The office of Kootenai County Sheriff will be up for election this year; the incumbent is retiring. The Association is planning a candidate's forum on **April 23, 2020, from 5:30 – 7:30 PM at the Hayden Lake Country Club**. The forum will be a little less than a month prior to the May 19, 2020, primary election. Three questions will be posed to the attending candidates from the Association's Board, and time permitting, more from the attending public. The Board wants the forum to be an event that informs the candidates of our public's concerns and also informs our public of the candidates' positions concerning law enforcement's presence on and around the lake.

### Public Education

The Hayden Lake Watershed Association, Inc. continues to be quite active in the protection of our lake and its watershed. The Association shared a booth with the Improvement District at Hayden Days during the third week of July. The booth focused on educating the public on Hayden Lake issues. A couple weeks later, the Annual Membership meeting was held at the Hayden Lake Country Club. A review of the state of our lake was given as in years past along with other talks focusing on the topics of invasive aquatic plant herbicide treatments, boat wake regulations, marking of regulatory limits with navigational buoys, and enforcement of the regulations. Knowledgeable presenters from the Idaho Department of Agriculture, Idaho Department of Lands, the Watershed Improvement District, and Kootenai County Marine Patrol were present to address these subjects and the questions of those in attendance.

### Association Leadership

The Board has been expanded and re-invigorated with the appointment of three new members: Will Neal, Leo Simpson and Gil Rossner. Election of Officers was held at the October Meeting. The elected officers are Geoff Harvey, President; Jan Wilkins, Vice-President; Barb Neal, Treasurer; and Will Neal, Technology/Communications. Currently, the Board is seeking a Recorder to take notes at Board meetings. The Board voted to split the duties of the Secretary with the Recorder position focusing on publishing meeting notes. The Technology and Communications position will concentrate on keeping the website updated, keeping the membership contact information current, and sending out materials to the membership by e-mail. Gloria Lund stepped down from the Treasurer position this year after serving in that capacity for the nearly eighteen-year history of the Association. We all appreciate her long service and dedication to the protection of Hayden Lake and its watershed. Gloria continues serving on the Board. Bob West retired from the Board after long service representing the community at the north end of the lake. The Association needs additional volunteers: one individual to join the Board and take over the Recorder's responsibilities, researchers and writers to assist in developing information on wake-boat issues, and candidates who are sensitive to the lake's and watershed's needs who will run for positions on the key District Boards (i.e., Sewer Board, Highway District Board). Progress was made on this front when Barb Neal was appointed to the Hayden Lake Sewer District Board.

## Lake Manager Report: Todd Walker

It's the time of year again when winter is in full swing. As the snow falls, accessibility to parts of the lake becomes difficult. The lake had a great summer that was relatively aquatic weed and blue-green algae bloom free. A new aquatic herbicide treatment was administered to the lake. The treatment had a slow start but yielded great results! The lake had a mild, but dry autumn and early winter. We've had one rain on snow event. The resulting increase in runoff caused some sediment to make its way into the lake.

We found un-permitted construction, poor site erosion control, and apparent violations of the lakeshore buffer rule on properties close to Hayden Lake. We reported the violations to the Kootenai County, but the county failed to take immediate action. The county planning and building office had some staff issues during the holidays, so violation issues were resolved in an un-timely manner. The county issued an injunction to one of the offenders. That construction project has recently acquired a permit. The details of the county's poor response in this case are as follows:



Excavation site initially not permitted that continues to export sediment off-site and possibly to the lake.

management practices in place to halt erosion and sediment leaving the project area. The site received proper permits for construction on January 15th. The site continues to export sediment to a Highway District ditch and culvert and from there onto an adjoining property and possibly into the lake. Any export of sediment from the construction site violates the Kootenai County Site Disturbance regulations.

In another case, a property owner has apparently violated the lakeshore buffer rule. Multiple neighbors and our Lake Manager submitted formal complaints over several months to Kootenai County. The county has said they would investigate the site, but has otherwise not returned a clear response. The shoreline clearing remains uncorrected. This case is of greater concern as sediment-laden runoff from this site will directly enter the lake and has no opportunity to be stopped by surrounding vegetation.

These events have reminded us that we all need to do our part to protect the lake. Let's be sure we understand and follow the County Ordinances. The brochure, *Waterfront Buffers, the 25' No Disturbance Zone & Lakefront Clean-up* at <https://www.kcgov.us/documentcenter/view/1498> is a great resource that you can review and share with your neighbors. Then, if you see anybody or anything that you think may

On December 22, a call was made to the county planning and building office about a site excavation project that was discharging sediment. Haul trucks were also tracking mud on the road. We talked with planning and building staff, who told us that the site had no permit. During this time, the county planning and building director, David Callahan, was on vacation. On December 27, another call was placed as no action had been taken against the offending site. During this call, we were told that a red tag would be placed on the site ceasing work until the proper permits were issued. It was not until January 8th that a red tag was actually placed on the site. The developer was given two days to put best

be in violation of County Ordinances, discuss your concern with your neighbor. If the concern remains, please call Todd Walker (208-771-0525), our Lake Manager and a member of the Association Board, or the Kootenai County Planning Office. See the Improvement District's page, *Rights, Permits, Questions, Concerns: Who to Contact* at <https://haydenlakewid.com/contact-list/> for contact information.

### **Lake & Inflow Water Quality Monitoring**

The Association continues to review all of the water quality data gathered by the Watershed Improvement District concerning their two on-going studies: 1) the North Arm Study of overall water quality, plant-growth nutrient conditions, and the effect these have on suspended plant and animal communities and 2) the South Shore Study of phosphorus loading due to runoff from densely developed slopes. These data inform us of the lake's health and any adverse trends, including the possibility of blue-green algal blooms. In recent years, blue-green algal blooms have occurred nearly annually in Fernan Lake. Last year, they affected Twin Lakes. The blue-green algal blooms will occur in years of higher temperatures and lower effective winter precipitation, in shallow lakes and some shallow areas of deeper lakes. Hayden Lake's North Arm is one area susceptible to such blooms. Summary write-ups of both studies are expected this spring.

### **Forest Service Honey-Badger Planning Process**

The Association has established membership on the Collaborative Team working with the Forest Service on its Honey-Badger planning effort. The plan developed and the decisions made will affect the 63% of the Hayden Lake Watershed that the Forest Service manages for the next twenty-five to thirty years.

Among the many scoping comments made by the Association are those concerning Forest Service Road 437 that leads into the Forest from the upper end of Hayden Lake. This road is a bleeding sore that donates sediment and nutrients to Hayden Creek, just upstream of the lake's North Arm. The Association has proposed that the Forest Service abandon and remove this road, and install a new road across land that it manages between Nielsen Creek Road and Ohio Match Road. Access to the National Forest from the lake would remain intact, but the road would be situated away from Hayden Creek and constructed on the dryer, southern side of Hudlow Mountain.



Section of Forest Service Road 437 along Hayden Creek (down and to the left) just north of Hayden Lake

Removal of this road segment between the Forest Service boundary and Ohio Match Road will also address the issue of the hazards resulting from the use of the Hayden Creek shooting pit. Currently, this site may warrant a RCRA<sup>1</sup>-regulated site designation under federal law because of the lead present. Given the household appliances that have been shot up on the site over the years, and because of other hazardous contaminants, it could quite possibly merit a CERCLA<sup>2</sup> (Superfund) site designation. The Association has offered the position that the Forest Service either designate a cooperating group to manage the site, as is required for the Fernan Rod & Gun Club Range, or shut it down and remediate it. Closing the road to the site (FSR 437) would better support the second alternative.



One of many cleanups of the “shooting pit” that removed surface trash but not the lead from ammunition use or the heavy metals and other pollutants from the shooting of household appliances

Additional comments covered protection of key trout and salmon spawning streams, removal of potential large erosion and sedimentation features, and care that sediments from any timber harvest are strictly minimized. As more details on the Forest Service’s plans become available, the Association will be analyzing those plans and making substantive comments.

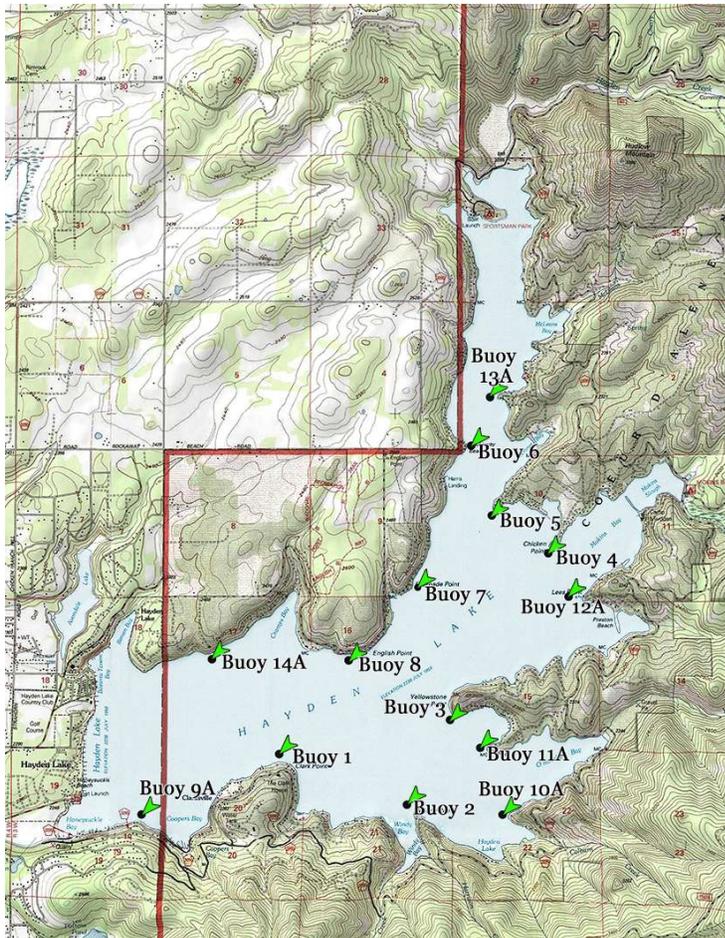
<sup>1</sup> Resource Conservation and Recovery Act (<https://www.epa.gov/rcra>)

<sup>2</sup> Comprehensive Environmental Response, Compensation and Liability Act (<https://www.epa.gov/enforcement/comprehensive-environmental-response-compensation-and-liability-act-cercla-and-federal>)

## Boat No-Wake Zone Enforcement

As reported at the annual meeting last summer, the Association organized a meeting of the county government, state agencies, and districts responsible for management of boat wakes, bank erosion, and water quality in the lake. From that meeting, a plan was developed to permit and install fourteen legal navigational buoys to mark the current 200-foot no-wake zone county regulation. The sheriff's marine deputy can only enforce the regulation based on the legally-placed and position-defined buoys. These buoys are slated for installation this spring by the Watershed Improvement District. The Association also suggested a wake speed navigation channel for the North Arm north of Henrys Point, with no wake restrictions elsewhere in this area. This measure will require changes to Kootenai County regulations. Although nearly 150 interested voting citizens signed a petition supporting this proposal, some understandable resistance exists in the affected North Arm community itself. The Association is planning community meetings with the residents of this area to explain why it believes the lake needs these restrictions to retard the cycle of blue-green algal blooms in that section of the lake and to see if some compromise plan might be worked out. These meetings will occur in late next spring when many of those who are not full-time residents return to the lake.

Board members are also representing the Association in on-going county wide discussions concern boats creating oversized wakes (wake boats).



Location of navigation buoys expected to be installed spring 2020

## **Association Communication & Housekeeping**

The Association does not want to add unnecessarily to the volume of e-mail we all receive on a daily basis. Except for e-mail alerts, the Association's Board prefers communication with its membership routinely through the website. Meeting notes will be posted to the website as soon as reviewed and approved by the Board, allowing members to track the actions of their Board. Time is reserved in all Board meeting agendas to hear the concerns of members and the general public. The current website is designed with an interactive link where questions and concerns can be addressed to the entire Board or individual members. Appropriate Board members will respond to any and all inquiries or issues raised. The new website will retain this feature. The annual membership meeting held each summer will continue to focus on informational presentations of interest to those concerned for the Hayden Lake.

Association dues will be payable annually from the first of each year until the annual meeting.

## **Informational Book on Hayden Lake Now Available**

Hayden Lake: A Brief Primer is now available in either hard copy or digital tablet format from Amazon Books. The self-published book is authored by Geoff Harvey, long-time south shore resident and current president of the Association. The book is designed to provide basic information on access to Hayden Lake and the watershed, the geology underpinning the lake, the vegetation of the lake and watershed, and the wildlife that inhabit the lake's ecosystems along with a history of human activities on and around the lake as these pertain to the physical condition and management of the lake and watershed. Based on this foundation, the actual workings of the lake and watershed are laid out. A final chapter makes suggestions for wise management of the lake into the future. The book is richly illustrated and presented in a large format making it a useful bookshelf or coffee table reference.

