

Minutes of the Deep Creek Lake Watershed Management Plan Steering Committee (SC)  
April 7, 2014

Held at the Garrett County Health Department, Room 107  
1025 Memorial Drive, Oakland, MD, 21550

Members of the Steering Committee (SC) present were:

David Myerberg, Chair,  
Pete Versteegen, vice chair,  
Steve Green,  
Bob Browning,  
Bob Hoffmann,  
Lulu Gonella,  
Willie Lantz, and  
John Forman.

Staff to the SC participating were Catherine Shanks and Christine Conn of MD DNR,  
Deborah Carpenter of Garrett County and  
Mike Bilek of the Hughes Center for Agro-ecology, U. of M.

Welcome, introductory remarks, the approval of the March 17, 2014, minutes

Chair David Myerberg called the seventh meeting of the SC to order around 12:00. He began with a brief comment about the work of the subcommittees, and under the topic of 'no surprises' offered that, having read all the minutes and notes from each of the subcommittees, some of the recommendations may be controversial. David suggested that the recommendations should be made available to the groups for which they may be controversial in order to get their feedback. He asked the SC for discussion. Lulu asked if the recommendations would be different from what has been reported in the subcommittee notes and minutes? David responded 'no, but the impacted agencies and groups, such as DNR or the realtors may have thoughts, or comments on the proposed recommendations, and he suggested starting the process (of review) early. A SC member asked if the recommendations would reflect the opinion of the interest group, and David responded 'no, but added the recommendations will reflect a majority and minority opinion. Bob Hoffmann asked about the timing of approaching the impacted agencies and groups, noting that the subcommittees will likely continue to change and fine tune the recommendations and the same may happen at the SC level. Mr. Hoffmann suggested that the closer the recommendation is to its final form, the better. Steve Green added that the notes and minutes of each meeting are on the DNR website for all to review. More discussion ensued, and David concluded that the interest groups and agencies would see the recommendations when the public sees them.

David asked if there were any corrections to the minutes from the March 17<sup>th</sup> meeting. No corrections were noted and David asked for a motion. A motion to approve the minutes was made by John Forman seconded by both Pete Versteegen and Bob Hoffmann. **The minutes from the March meeting were unanimously approved.**

## SC Education

David introduced Mr. Rich Ortt the first featured education speaker of the day. Mr. Ortt is the director of the Maryland Geological Survey, an agency of DNR.

Mr. Ortt spoke on the sediment of Deep Creek Lake and used a power point presentation which can be found on the DNR website at <http://www.dnr.state.md.us/deepcreekwatershedplan> He began by covering the goals of the presentation for this meeting: a discussion of what has happened with the analysis of sediment in DCL and a discussion of the alternatives analysis, and sediment reduction strategies. After covering the history of DNR's involvement with the sediment issue and the completed work during the past six years, he focused on the September, 2011 study. Rich noted that of the ten sites studied, there are four sites that show deposition with an average observed change of greater than 0.5 feet, and those sites are Chadderton School Cove, Arrowhead Cove, Pawn Run Cove and Poland Run Cove. Later in 2011, DNR issued a Sediment Management Plan, the goals of which include:

- Identify the accumulated sediment,
- Understand the environmental relationships
- Analyze the alternatives (Alternatives Analysis)
- Reduce sediment input.

Mr. Ortt continued with an explanation of the work completed under the plan. He discussed the sediment character based on the 50 samples collected in 2011, the sample locations, the sediment types and the metals concentration. A summary page is in the power point presentation. He also explained the sediment mapping that was done, including sub bottom seismic and Bathymetry survey work, the side scan imagery, and its comparison to the historical data. Rich discussed the work done on the sediment cores, and the radio dating of the sediments. This data, including a Bathymetry map, a sediment distribution map, and a sediment accumulation map are available in the report which is posted on the DNR website at <http://www.dnr.state.md.us/ccs/pdfs/dclwmp/DCLAlternativesFinal.pdf>

Mr. Ortt concluded his presentation by discussing the Alternatives Analysis, which considered an analysis of no dredging, mechanical dredging (wet and dry), and hydraulic dredging. Evaluation criteria included recreational use benefits/cost, environmental costs/benefits, economic costs/benefits and community costs/benefits. An explanation of the decision matrix was given and the final results of the study were explained:

- DNR supports the findings of the independent contractor to not perform any mitigation on accumulated sediment.
- DNR is committed to work with the citizen-led watershed management team to continue monitoring, restore streams, and to reduce sediment and nutrients to the lake.
- Deep Creek Lake is a spectacular resource and DNR is committed to preserving this legacy.

He went on to clarify that no dredging does not mean do nothing and proceeded to discuss the following points.

- A Watershed Management Plan and various citizen-led committees have been assembled to identify and actively address many issues facing the Deep Creek Lake watershed. Results from this deliberate planning process will guide planning, restoration, and management decisions.

- DNR is committed to working with its partners to implement the recommendations related to sediment reduction strategies proposed for the Watershed Management Plan.
- DNR is committed to continue monitoring sediment within the Lake. Studies researching sediment load began last fall and shoreline erosion documentation will begin this summer.
- DNR will continue to monitor the Lake for SAV, fisheries, recreational use, sediment, water quality, and wildlife.

Rich responded to several questions and comments by the SC and members of the public. He concluded by adding that in about three weeks, a dye trace study will be conducted in DCL. David thanked Mr. Ortt, and moved on in the agenda.

The second educational presentation of the day was on the topic of forestry. Tim Culbreth from DNR-Annapolis and Ernie Metz, the DNR forester for Garrett County were the speakers. Tim presented first, and referenced the DNR forestry report that is on the DCL website as Deep Creek Lake Watershed Characterization - Forests. Tim focused on the Healthy Forests for Healthy Watersheds Analysis, and spoke to the various factors found in watersheds that combine to produce the cleanest water. Tim noted that the watersheds with the most forest blocks, wetlands, floodplains, and forested buffers rank highest with clean water. He also spoke on the restoration efforts on non-forested areas such as turf land and ag land, and referenced the Conservation and Restoration Targeting map, Figure 7. He also discussed the efforts where resources could be allocated to plant forest or install BMP's such as forest buffers and urban tree canopy initiatives. Also, Tim went on to describe an initiative underway that identifies landowners in the watershed with 10 acres or more of forest land in order to initiate the development of Forest Stewardship Plans. The county Forestry Board, in cooperation with the county and DNR, has created a database of some 150 landowners. The County Forester will contact the landowner to propose the Forest Stewardship idea. (see also DCLWMP SC minutes from 12-2-13 meeting.)

Garrett County Forester Ernie Metz continued with his discussion of the outreach to landowners for Forest Stewardship Plans. Ernie provided several handouts, including interesting county FORESTRY FACTS, Forest Taxation in Maryland, Forest Stewardship Plan Format & Implementation Policy, as well as a landowner questionnaire, all which can be found on DNR's DCL website at <http://www.dnr.state.md.us/deepcreekwatershedplan> as SC meeting handouts. Mr. Metz explained the purpose of the various handouts is to help promote the Forest Stewardship Program, and to keep forests and forestry in place in the county. Today, for example, a 50 acre stand is considered a large stand, whereas 40 years ago, a 50 acres was considered a small timber stand. Ernie closed by discussing his work with the county Forestry Board to contact the 150 landowners regarding the Forest Stewardship Program.

Closing out the discussion of forestry in the county, SC member and forestry representative John Forman mentioned that private foresters can also write Forest Stewardship Plans.

### Reports from the Subcommittees

#### Lake Levels

Co Chair Bob Hoffmann reported that the Lake Levels subcommittee will meet again this coming Wednesday April 9<sup>th</sup> in McHenry. The previous meeting of the Lake Levels

subcommittee was on March 12<sup>th</sup>, and the SC was updated on that meeting at the March 17<sup>th</sup> SC meeting.

#### Water Quality

Chair Willie Lantz reported that the next meeting was this coming Wednesday, April 9<sup>th</sup>, at his office in Mountain Lake Park, and the topic is sediment. They will meet again on April 17<sup>th</sup>, and the topic is geese and other general water quality topics still to be determined. He added that the most recent meeting of March 20<sup>th</sup> focused on finalizing the SAV goal: to manage SAV in Deep Creek Lake to maintain and improve the ecological stability of the lake, as well as reduce and minimize the interference of SAV with recreational uses of the lake. Objectives under the goal include:

- to continue the existing monitoring plan
- to manage the lake SAV communities in the lake and
- to control the existing populations of invasive SAV.

Strategies under each of those will be developed, and can be found on the DNR DCL website.

#### Impacts of Growth

Chair Bob Browning reported that the subcommittee met on March 13<sup>th</sup> at the Chamber offices in McHenry. County staff from the Environmental Health department, Steve Sherrard, Craig Umbel, Richard Shoemaker and Patrick Hudnall were the guest speakers. Mr. Sherrard provided specifics regarding On-site sewage disposal systems and percolation tests. He stated that his office requires systems to be replaced if they are failing. There are known areas of septic concerns and when asked what the subcommittee could do regarding these concerns, he encouraged supporting expansion of public sewerage into these areas. His office does water sampling in the lake and there is no evidence to suggest that failing septic systems are impacting the lake. Sewerage spills were discussed by Mr. Shoemaker and Mr. Hudnall. Containment mechanisms were suggested, but there is not enough land at the pump station to accommodate this, also the Western Conveyance system will alleviate problems. The cost of new public systems to the homeowner was discussed, and it was suggested that a different means of debt repayment be devised, since cost is the main reason people fight public systems.

Continuing the discussion of objectives and strategies related to Land Use, the following objective will be forwarded regarding shale gas drilling:

- The Garrett County Planning Commission should not permit shale gas drilling wellheads within the Deep Creek Watershed.

The next meeting is April 10<sup>th</sup> with the topic of recreation. Eric Null and Paul Durham are the guest speakers.

#### Accountability

Lulu Gonella, chair of the subcommittee reported that they had met twice since the last SC meeting, once on Friday, April 4<sup>th</sup>, and again Monday April 7<sup>th</sup>. The subcommittee has been drafting several goals, objectives and strategies, and at today's meeting spent much of the time 'wordsmithing' the strategies, and discussing the possible options for the governance structure. To recap, the staff has shared many models of structures to consider. A straw man exists, unrefined, a framework for an entity with entities below it, a structure that will be able to implement the Watershed Management Plan. The subcommittee will meet again on Friday,

April 11<sup>th</sup>. The subcommittee conveys its thanks for the thoughts and comments from the members of the SC.

### The Vision Statement for the DCL WMP and the Visioning Exercise

During a recent Executive Committee conference call, David suggested the need for a Vision Statement for the watershed management plan. Discussion followed which indicated the value of recording what the Steering Committee was thinking and hoping to achieve with the creation of this plan. At the March 17<sup>th</sup> meeting, David asked the each SC member to prepare their own vision statement for the full watershed plan, and to bring it to the next meeting. In the pre meeting notice to the SC members, a brief description of the visioning exercise planned for this meeting was shared, and each member was asked to review their personal vision statement and to select the most important key words or phrases. These key words would be shared with the entire group, and a volunteer team would take the key words and string together a vision statement to be presented at the May SC meeting.

The following is the list of Key Words and Phrases that the SC shared:

#### **Visioning Exercise 'FLIP CHART NOTES' from the April 7<sup>th</sup> SC meeting**

- Healthy and vibrant environment \*
- Preserve natural beauty of the area
- Conservation (wise use) Sustainable
- Cooperative (all involved)
- Measurable scientific base for monitoring
- Balance environmental and economic interests/viability
- ...another vote for economic interests
- (under HOW we achieve the vision) A well implemented watershed management plan supported by county/state and citizen-led partnerships
- Recreation
- ...another vote for recreation
- Resources and funding behind the... (efforts to implement the plan)
- Accountability and oversight for future generations
- Governmental financing and stewardship
- Rebuild, restore and retain the strengths of the physical health (of the resource)
- For local residents and visitors (\* applies or completes the thought above)
- Enjoy and engage in the preservation of
- Promote education and understanding of
- The Brand: Deep Creek Lake ...it's important!
- (retain) Forestry and Farming
- Rural
- ...through government support

After the exercise was completed, a request was made for someone to craft a draft out of the information garnered, and Pete Versteegen agreed to work on it.

## The Schedule for DCLWMP Completion

During one of the earlier Executive Committee conference call, there was discussion about the time line for completion, and also the need for clear deadlines to be given to the subcommittees for the work that they are doing. Staff agreed to put together a timeline for this purpose. The table on the following page represents the due dates for the remaining tasks to be completed by the subcommittees and the Steering Committee. David reviewed the completion schedule and with some discussion it was agreed that the schedule can be met. **David called for and got a motion from Lulu Gonella to accept the Completion Schedule as presented, and the motion was seconded by Willie Lantz. The motion passed unanimously.**

## **Deep Creek Lake Watershed Plan Completion Schedule**

April 7th	SC review current status of Subcommittee work products
May 1st	Subcommittees submit draft Goals Objectives and Strategies to Staff to be compiled for Subcommittee Review
May 5th	Subcommittee reports to Steering Committee on draft goals, objectives and strategies
Weeks May 12th or 19th	Schedule a work session over 2 days (afternoon one day and morning the next day) to review and finalize goals objectives and strategies to be included in the final Plan for public review. Also identify any other items for inclusion in the document.
June 2nd	Steering Committee meeting to finalize the Plan contents
June	Staff prepares the documents for public review ( formatting, editing, etc)
May through June	County and State staff conduct internal review as goals, objectives and strategies are prepared. Advise subcommittees of any potential issues
End of June	Release document for public review for 30days. Provide for on-line input of comments
End of July/Early August	Hold public meeting on the Plan
August	Make changes needed as a result of public comments
September	Present final plan to County Commissioners and Secretary of DNR

It was suggested in the Completion Schedule that a two-day extended work session be convened, in order to allow sufficient time to review the final goals, objectives and strategies for the plan. After discussion, the dates selected for the two-day work session will be May 20<sup>th</sup> and 21<sup>st</sup>. The

staff will scout a location for this additional meeting. The location and other meeting details will be announced on the county and DNR DCL website.

### Public Comments

1. Richard Matlick, a member of the Lake Levels subcommittee spoke on the sediment study. Having listened to the sediment presentation twice now, he would like to point out observations that the SC should review and question. The scientific portion of the study seems right except:
  - Identifying where the sediment is coming from and why it accumulates in some areas and not others and
  - The averaging of sedimentation to six inches is a false conclusion because the real concern of sediment is at shorelines and coves. The average then would be in 'feet', not inches.

The presentation concluded that “no dredging” was the best option from a decision matrix.

One of Mr. Matlick’s requests is to review the goals of the study, to identify accumulated sediment, understand the environmental relationships, analyze the alternatives (the Alternatives Analysis) and reduce sediment input.

1. Missing from the list of goals is “what should be done with the sediment in impacted coves”. From this, it seems the goal all along was to do nothing.
2. This conclusion was made using a decision matrix designed by the engineering contractor doing the study. This contractor was directed by the goals of the study to conclude “reduce sediment input”.
3. Changing the criteria to long term benefits makes the ‘no dredging’ conclusion by far the lowest score. His score would be 132, not 320, and would make the ‘no dredging’ option the worst option.

As a graduate Engineer, a Green Glade Cove property owner since 1980, a swimmer, boater and fisherman, active for many years attending POA and PRB meetings, many public meetings and now sitting on the Lake Levels subcommittee of the DCLWMP SC, he understands the dynamics of Deep Creek Lake. Using his professional experience, his ‘feet in the water’ for 50 years, and his involvement in the DCL issues, his conclusion is totally different when scoring the impacts. The report is focused on only the short period of time during the dredging, and ignores the long term benefits.

The results from the guided and misleading matrix need to be questioned. DNR supports the findings of the independent contractor to not perform any mitigation on the accumulated sediment. BUT, the findings DO NOT include an understanding of limnology and lake aging processes. The impacts they used in the decision matrix only look at the negative impacts of dredging which are not balanced with an assessment of impacts of allowing sediment to continue to accumulate.

- EXAMPLE: dredging would have a short term impact on recreational boating but doing nothing already has a negative impact of areas available for boating now and expanded areas in the future.

From the geological study it can be derived that the sediment in coves in the south end of the lake is not coming from streams. Also this study indicates the most of the sediment could be

coming from the massive SAV growth that has accelerated in the past years. Green Glade and other coves that are down wind on the lake receive the cultivated SAV's from boat props when the wind drives them into the coves and along the southern and eastern shorelines.

No Dredging does mean Do Nothing.

In conclusion, the study has not addressed the issue of sediment and where it is coming from. The study has also not identified the total area of surface water that is or may be affected. This could be as much as 25% of the boat able surface water.

Richard hopes the DCLWMP SC will take his questions and review his concerns related to the DNR Sediment study. He also requests that the sediment issue be reviewed by the Lake Levels subcommittee as well as the Water Quality subcommittee.

2. Barbara Beelar, a member of the Accountability subcommittee also spoke on the sediment report. She had hoped for a look at the impacted coves and what sediment in those coves is contributed from the shorelines. Ten coves are mentioned. Start with the top six: is their shoreline erosion contributing sediment to the lake? Then, we can get BMP's from DNR added to the public owned buffer strip.

The state owns the buffer strip, and therefore, it is the responsibility of the state. Is it a problem? Most coves are well protected with native grasses. But, the sediment is coming from somewhere. There is little sediment in Green Glade.

Look at the tributaries. That's the concern. There needs to be another conversation, and more question and answers. Barbara concluded her remarks by noting she likes to see the geo-referencing.

As a note regarding the previous comments, Willie Lantz announced that at the upcoming Water Quality subcommittee meeting, on Wednesday April 9<sup>th</sup>, Sediment is on the agenda. Rich Ort may be on the phone to answer questions.

#### Motion to Adjourn

Seeing no additional requests for public comments, **David Myerberg asked if there was a motion to adjourn. The motion came from Lulu Gonella, with the second from Bob Hoffmann, and a unanimous vote by the SC.** The meeting ended after just 3 pm.