

Deep Creek Lake Policy and Review Board

Meeting Minutes

Monday October 23, 2023

In Attendance : Chairman Bob Browning, Patty Manown Mash, Bob Sutton, Marta Schroyer, Wendell Beitzel (for Senator McKay), Delegate Jim Heinbaugh, Jim Iden, Jim George. Bruce Michael DNR Eric Null, Sarah Milborne, Quinn Iden Paul Peditto, Tom Parham.

Action Agenda

Chairman Browning asked for a roll call, Mr. Null preformed the roll call at the request of the Chairman. A quorum was present at the time of roll call. Minutes were approved and posted on the DCL NRMA website October 2023

Old Business

Canada Geese

Quinn Iden, Natural Resource Technician for Lake Management reported that a new site would be added to the goose hunt, this site will be in the Skippers Point area. He stated that there has been an open online application for the lottery-based awarding for the hunting sites. He stated that they already had 75 applicants for the lottery. Mr. Iden reported that the public had positive comments about the new lottery process and interest in the hunt has risen compared to previous years. He stated that four HOAs are interested in establishing blind sites for goose hunting. Mr. Null informed the Board that they are exploring expanding the hunting from shore in the late goose season after receiving positive public support for the expansion. Mr. Null stated that Mr. Iden built the lottery system and at the request of the Wildlife and Heritage Service, Lake Management included the four Broadford Lake sites in the lottery system.

Chairman Browning recognized Mr. Ed King, a long time resident and 50 year member of the Deep Creek Lake POA that passed away earlier in the year. The Chairman asked for a moment of silence to recognize Mr. King.

Lake Management Budget

Mr. Null introduced Sarah Milborne, the Acting Western Regional Manager. Mr. Null stated that Forest and Parks have given the Lake Management budget about \$400k more in the total budget. Mr. Null informed the Board that this surplus will be used to acquire much-needed new equipment for the NRMA. He stated that he received correspondence from Resource Assessment Service that the three

State Lakes Fund Projects for Lake Management have been approved for funding. The hydrilla treatment program now has a three-year contract established, therefore it will not have to be rebid for two more years. This helps with the efficiency of the project. The shoreline erosion control grants are refunded, and they received \$10k for the 10 in 10 project. Mr. Null informed the Board that he and the DCWF met with a native plant nursery from Ligonier Pennsylvania that has agreed to grow and supply native plants for the program at low prices. The nursery is part of the Brandywine Conservancy in Philadelphia. Chairman Browning stated that we have a three-year contract for Hydrilla but not a three-year commitment for the State Lakes Fund. Mr. Null asked Mr. Tom Parham if RAS has completed the SAV drone survey. Mr. Parham stated that they completed the survey a few weeks ago.

The Chairman asked the Delegate and Senator's designee for any updates on the State Lakes Fund. Mr. Beitzel stated that Senator McKay will be introducing a bill to remove the sunset from the fund and also have DNR commit to funding the fund in perpetuity. Mr. Sutton stated that he attended a meeting at Rocky Gap State Park with the committee that would be reviewing the State Lakes Fund. He stated that DNR had a great presentation on what has been accomplished with the State Lakes Fund. He said that it was a very positive response for continuing the State Lakes Fund. Mr. Sutton stated that the POA and Silver Tree Marine donated the use of the pontoon boat for the meeting.

Regulation and Boater Education

Mr. Null stated that Ms. Vaineri has a draft of the proposed regulation for changing the regulation on deploying docks at Lake Manager discretion after March 15. Mr. Null asked the Board if they would like to vote on the regulation. A motion was made to approve the draft by Ms. Manown Mash, Ms. Shroyer second the motion, all were in favor of the regulation change.

Mr. Null stated that the committee is still working with the regulation change to the AIS regulations.

Water Quality Monitoring

Mr. Tom Parham stated that the SAV drone survey was funded by the State Lakes Fund. Mr. Parham updated the Board on the Administrative Council. He stated that the County has posted the Watershed Coordinator Position. He informed the Board that there will be a mercury study done on the Arrowhead cove area and that the dredging of arrowhead is progressing. The Chairman asked if the drone study was complete, Mr. Parham stated that it will take several weeks to stitch the images together of the survey but once complete the Board will receive a full report on the survey. He informed the Board that there would be surveys on controlling upland sediment contributions once the new county watershed coordinator is hired.

Water Level Request

The Chairman stated since there last meeting there has been not movement by Brookfield on the drawdown of the lake. He stated that there could be legislation introduced to study the impacts on drawdown. Drawdown controls the SAV and allows for shoreline erosion control projects to be installed. The Chairman stated that drawdown is a needed management tool for these reasons. A meeting was held with the legislators and commissioners, that led to a meeting with DNR and MDE leadership. He asked Mr. Michael if he had any other information. Mr. Michael stated that the goal of these meetings

were to draft legislation to submit to the General Assembly for the study of the effects of drawdown. Mr. Parham asked the Board to keep DNR involved in the legislative process associated with this topic. Mr. Null stated that the SAV survey had been redesigned two years ago to monitor drawdown.

Chairman Browning stated that this is a management tool that will be needed. He asked for a motion for support of the legislation. Mr. Sutton made a motion to draft a letter to the County in support of the legislation for the drawdown. He stated that a level would have to be set for the study, he suggested a level of 2457' for a period of four consecutive weeks in December February. Mr. Beitzel stated that the County Commissioners need to be included in the discussions, Mr. Sutton stated that the County has been and will continue to be involved in the discussion. Delegate Heinbaugh suggested that Delegate Baker of the Environmental and Transportation Committee be contacted to lobby for this legislation within the committee. Mr. Michael suggested that MDE and DNR be informed throughout the legislative process so that the state supports the legislation. Dr. George stated that there was a letter sent from the Board a few years ago with the request for lowering the water level in winter. He stated that MDE had no objections to the letter. Dr. George stated that MDE may take a stance of no opposition on the legislation, since it is consistent with the letter. Dr. George informed the Board that the State has a 12-year permit with Brookfield and he does not know how that legislation would affect the permit. The Chairman called for a vote on the motion. Mr. Iden second the motion, all were in favor. The motion passed unanimously.

Publicizing Deep Creek Lake Projects

Mr. Null stated that the 10 in 10 will be releasing a letter to stakeholders to ask for interested applicants to apply. He stated that there are several large area permit holders that want to participate in the program. The Chairman stated that the Buffer Strip makes DCL unique and needs to be maintained. Mr. Null stated that shoreline erosion control is ongoing but two of the large shoreline erosion control contractors have sold their businesses. Mr. Michael asked how many contractors were performing shoreline work at DCL, Mr. Null stated that there were seven contractors at this time that install the revetments. Mr. Beitzel stated that several years ago they introduced legislation to have three designs for shoreline erosion control. Mr. Null stated that the original three designs were still the only approved designs for DCL. He stated that for high erosional areas the Rosetta revetments are used, areas with less vertical fall use a 2:1 slope riprap revetment, and shoreline scour areas use GeoWeb and riprap to stop the scouring. He stated that when new permit applicants and contractors ask about the types of erosion control permitted, he sends them to the County's demonstration project at Silvertree.

County Commissioner Update

Mr. Michael stated that the County is very close to having Brookfield lower the lake level for the Arrowhead Project. He stated that they have agreed to lower the level to 2457.5' in November. Brookfield had a list of conditions for the drawdown and the County has agreed to the conditions that the County can control and are working with MDE to satisfy the conditions that involve MDE. Once these conditions are met, they will inform the public of the beginning of the dredging. Once the water is drawn down, Byco will install a coffer dam and begin the excavation of the bottom material. Chairman Browning stated that it looks like Brookfield could have made it easier by drawing down gradually rather than all at once. He stated that if they have an emergency and need to generate power, their permit allows for the withdrawal below the lower rule band. Mr. Iden asked if the stream in Arrowhead Cove will be diverted. Mr. Michael stated that it would be diverted. Mr. Sutton asked if they were going to

dredge the original amount of material, Mr. Michael stated that they had to adjust the number due to inflation.

New Business

Correspondence to DNR

No correspondence at this time

Attorney General Office Update

No update at this time.

Public Comment

Ms. Karen Myers asked if there was a timeline for the Zeddock Miller Road connection to Gelendale Road. Mr. Michael stated that the project should be completed in the next few weeks.

Chairman asked for a motion to adjourn, Ms. Manown Mash made the motion, Mr. Sutton second the motion, all were in favor.

The next meeting will be January 29, 2024 at 6:00pm

Respectfully Submitted,

Julia Vache

Reviewed by:

Eric Null

Lake Manager

DCLNRMA