

Notes from the fourth Lake Levels subcommittee meeting, held on March 12, 2014, at the Chamber of Commerce building in McHenry:

The meeting began around 1 pm with a welcome from co Chair Bob Browning and a brief statement by Bob Hoffmann. All subcommittee members were present. Bob reviewed the agenda, and proceeded to introduce the speakers for the Temperature Enhancement Releases, which is the first topic.

1. Alan Klotz, DNR's regional fisheries manager for western Maryland spoke first on the coldwater fishery in and below the lake. Alan focused on the questions that the Lake Levels subcommittee had raised and forwarded to him to address. His presentation and recommendations can be found on the DNR webpage at <http://www.dnr.state.md.us/deepcreekwatershedplan/>. His topics included the 2010 lake wide fish kill due in part to the unusually warm water temperatures, and the restocking that occurred a few seasons later. Alan also included some recommendation for improvements including:

- Reforestation of the lake tributary streams,
- Reforestation of the public buffer,
- Reduction of rapid stormwater runoff,
- The use of bioretention practices.

Alan continued with a discussion of the questions raised by the subcommittee on the Yough River fishery. Alan's recommendations include:

- Continuance of the TER's,
- Continuance of the catch and return fishery,
- Reforestation of the river tributary streams.

Neil Jacobs, of Trout Unlimited, followed Alan Klotz and wrapped up the presentation by adding that TU is opposed to changing the TER protocols. Mr. Jacobs continued by explaining the economic value of the destination fishery that exists in western Maryland with the Yough, North Branch of the Potomac and Savage River. Beneficiaries of the fishery include restaurants, lodging, guide services (growing from one in 1994 to six in 2014).

2. Steve Schreiner was next, and spoke on the work that Versar, the contractor for DNR's Power Plant Research Program, had done to develop the Yough River TER. Steve's presentation is also on the DNR website and includes links to the reports and publications referenced in his presentation. Mr. Schreiner covered the history of the TER, its development and performance. He touched on the temperature model including the TER requirements of the Permit, to maintain water temperatures in the river between the tailrace and Sang Run at below 25 degrees C at all times during June thru August, and the ongoing evaluations of release scenarios and simulations. Photos were included to show the terrain. He concluded by identifying protocol improvements under consideration to include the use of local flow data at Hoyes Run and local weather data and forecasts at Garrett County airport to improve TER performance.

3. Morgan France, Lake Levels Subcommittee member, spoke on his continuing work on potential improvements to the TER protocols and the use of a predictive model based water budget. He presented the number of temperature exceedences during the TER season of 2012, and charted the actual temperature on several of those days. His analysis also includes

interpretations of the temperature, had different water release protocols been used. Changes to the existing protocols could be made, that would benefit all the stakeholders, and his conclusion is that there is a glimmer of hope that better answers exist. Morgan's work will be available on the DNR website later this month.

4. After a short break, Jess Whittemore, Lake Levels Subcommittee member, offered two suggestions that would extend boating use in the shallow coves of the lake but would not impact releases. The suggestions would entail changes to the Code of Maryland Regulations (COMAR). His suggestions are:

- In order to help shallow cove slip owners and not impact other stakeholders; Amend COMAR to allow docks in shallow cove areas to push out into deeper water as long as it does not impede navigation or have an adverse esthetic value. The new legal distance from shore should provide around two feet of water depth at the end of a slip at the lake elevation of 2457'.
- In order to help shallow cove slip owners and not impact other stakeholders; Provide upon request a DNR "eligibility report" which contains the existing elements with the addition of comprehensive information on individual property lake water conditions. Conditions include dry/wet year calendar of water depth fluctuation history, bathymetric map of waterfront, SAV and sediment history. Promote and advertise its value to the public.

Jess concluded his remark, after some discussion, by adding that this offers a win-win opportunity for this committee to support.

Given the time, the co chair skipped the discussion of recommendations to be made to the Steering Committee and went directly to the last speaker on the agenda.

5. Mr. Chris Nichols, of the DCL Property Owners Association presented an analysis of Lake Levels and Dock Access, quantifying the number of boat slips that would be likely to have navigation issues at different lake levels, using lake bottom contours. With the caveat that the data is informational, the analysis indicates that around 23% of boat slips could be at risk in areas with shoreline levels less than 2456 feet. For the full presentation including the analysis and caveats, go to the DNR website, or visit the POA website at <http://www.deepcreeklakepoa.com>.

After some questions and discussion, the co chair thanked Mr. Nichols, and all the speakers, and closed the meeting. The meeting ended at 4:15 p.m.