

Deep Creek Lake Policy and Review Board

Meeting Minutes

Wednesday December 9, 2020

In Attendance (in person at the Discovery Center): Acting Chairwoman Patty Manown Mash, Eric Null DNR. Attendees joining from Garrett County: Bob Sutton, David Moe for Delegate Wendell Beitzel, Marta Schroyer, Senator George Edwards, Robert Kelly, Attendees joining from outside Garrett County: Chairman Bob Browning, Dr. Jim George, DNR: Bruce Michael, Emily Vainieri, Julie Bortz

Action Agenda

Acting Chairwoman Patty Manown Mash asked Mr. Null for a roll call of the Board members and where they were broadcasting from, Mr. Null proceeded with the roll call. The Chairwoman asked for the status of the November meeting minutes. Mr. Null stated they were approved and posted to the NRMA web site in on November 23, 2020.

Old Business

Publicizing Deep Creek Lake Projects

Mr. Null stated that three projects are directly related the State Lakes Protection and Restoration Fund; Hydrilla Control, Shoreline Erosion Control Grants, and Fish Habitat Enhancement. He stated that he had just completed an article for the Park Service annual report detailing the three projects. He informed that Board that the Park Service wants to continue publicize the projects.

Mr. Null stated that the Launch Steward Program will continue in 2021, through the partnership with Garrett College. He stated that this season the stewards inspected more boats than in any other season and detected more invasive species on vessels than all the seasons of the program combined.

Water level Letter

Chairman Browning stated that Bob Sutton had received a letter from Brookfield that stated that they would comply with the County's request for the lowering of the lake level for the sewer line installation. Mr. Browning stated that the Board needs to make it clear that they support the lowering of the lake

level in the winter months below the lower rule band if Brookfield needs the water to sustain operations. He stated that as long as the water level is back to normal for the boating season.

Bob Sutton stated that the letter he received stated that Brookfield would lower the level due to the County's emergency project, he stated that they had no interest in lowering the level for any other projects due to their contractual obligations for power. He stated that Kevin Null informed him that the county was not sure when the project would commence. He stated that Brookfield informed him that if we want to lower the level for erosion and SAV management in the 2021 winter, a request would have to be made by March 2021.

Mr. David Moe stated that the county is replacing the water and sewer lines at the Rt. 219 Bridge. Chairman Browning stated that the Board sent a request to the DNR and MDE secretaries, he stated that maybe we should send the letter to Brookfield. Mr. Sutton said that Brookfield received that letter from the Secretary's Office. Mr. Browning stated that the Board should encourage MDE to change the wording in the permit to allow for winter excursions below the lower rule band. Mr. Sutton stated that Brookfield stated that they receive a penalty for not producing enough power.

Dr. Jim George stated that the main issue of lower water levels in winter would be filling the lake back to full pool before the boating season. Chairman Browning stated that historically the lake would be drawn down far below 2455' and they usually had no issues with refilling the lake. Mr. Browning stated that due to the contractual obligations the Board needs to support the insurance of filling their contractual needs. Dr. George stated that an analysis of how fast the lake fills would need to be performed. Mr. Sutton stated that Brookfield was concerned about dropping the lake for the county project and other lake projects, which may involve two drops in level. Chairman Browning stated that the benefits are not just for projects but for erosion and SAV control. Chairman Browning stated he would work with the Lake Manager on the issue.

New Business

Meeting Format for 2021

Ms. Manown Mash asked Mr. Null to describe the upcoming format for future meetings. Mr. Null stated that this meeting was the last one for 2020 and that the 2021 meetings will go back to the regular quarterly schedule. The meetings will remain virtual. He stated that he was proposing January 25, 2021 as the first meeting date. The meeting will be held at the same time as the previous three meetings 4-6:00pm. The Board agreed to the January 25th meeting date.

County Commissioner Update

No update

Correspondence from DNR

No correspondence has been received

Attorney General Update

There is no update from the Attorney General's Office.

Public Comment

Lindsley Williams stated he is having a Shoreline erosion control wall installed, he stated that the contractor would prefer to have the level at 2455'. He stated that the property owners should have a way of predicting when the level will be low enough to install projects.

Jordan Smith stated that she would like to see the age to rent and operate ad rental jet ski increased to 18 years old

John Friel asked what was being done about the wake boat damage to docks. Mr. Null stated that he had been working with individuals on other dock designs, but we will need more in the way of education, possibly regulations. He states that this was the busiest year on record. Many are looking at the future management of the lake.

Mr. Kelly stated that more regulation is needed for wake boats, due to the negligent operation of the wake vessels. Mr. Sutton stated that when they met with the BAAC, the BAAC stated that they will not approve a regulation to protect personal property. He stated that enforcement was the issue with the negligent operation. Mr. Kelly stated the state property is being destroyed with erosion

Bruce Michael wanted to inform everybody that Brookfield will fund some of the zebra mussel monitoring program in 2021. He thanked the Deep Creek Lake Watershed Foundation for paying for the chemical analysis of the water samples for the program.

Mary Rose Franco asked what the is the process for dredging and minimum wake zones. Mr. Null asked her to give him a call the following week and he would discuss the process with her.

Deborah Hutton asked if there could be higher fees for wake boat permits. Mr. Null stated that the Board would have to propose and approve a wake boat permit and approve a fee to accompany the permit.

Barbara Beelar stated that she supports Mr. Kelly's statement for regulations. She encourages the PRB to form a working group to address this issue. She stated that there needs to be fines for negligent operation.

Ms. Manown Mash asked for a motion to adjourn, Mr. Sutton Made the motion, Mr. Browning second all were in favor. The next meeting will be January 25, 2021 from 4:00pm – 6:00pm

Respectfully Submitted,

Eric Null

Lake Manager