

Deep Creek Lake Policy and Review Board
Regular Quarterly Meeting
Monday, October 28, 2013
Deep Creek Lake Discovery Center

In Attendance: Chairman David Myerberg, John Stakum, Barbara Beelar, Commissioner Robert Gatto, Delegate Wendell Beitzel, Senator George Edwards, Robert Browning, Susan Fowler, Bob Hoffmann, Jim Iden, Eric Null, Cindy Ecker, Daryl Anthony, NRP Jeff Sweitzer. 15 members of the public.

Meeting was called to order at 6:00 by Chairman Myerberg.

Robert Gatto made motion to accept minutes from the July 29, 2013 meeting, seconded by Delegate Wendell Beitzel.

Update from County Commissioners: Robert Gatto reported that there is a new Department of Public Works director due to the retirement of Linda Lindsey. Jay Moyer will be heading the Department. There is also a need to improve communication. There is a lot going on around the lake with the sewer system and communication needs to be addressed. Commissioners had their annual tour with the State Highway Administration in reference to their role in the watershed management due to run-off. One area they are going to explore is the reduction in road salt use. The Marcellus Shale committee was reconstituted using citizens with John Quigley as the chairman. They will be starting up November 5, 2013. Discussion on the committee will be on the November 19, 2013 Commissioners meeting agenda.

Robert Gatto had to leave meeting early due to another commitment.

The retirement of Major Cindy Ecker, Western Regional Manager for the Maryland Park Service was announced. Major Daryl Anthony will be taking the role effective November 1, 2013.

Barbara Beelar announced that there will be a Tour involving the six miles of 219 and the 19 culverts affecting Deep Creek Lake on November 15, 2013 starting at 10:00 am. The State Highway Administration and their Director of Hydrology will be attending the tour.

There will be a Wildlands meeting on November 6, 2013 at 6:00 pm at the Deep Creek Lake Discovery Center; Secretary Gill will be presenting the proposed Wildlands at the meeting. Information on the Youghiogheny River sub-basin and the Wildlands designation will be available on the DNR website.

There will be a Deep Creek Lake Watershed Plan Steering Committee Meeting November 12, 2013 at 3:00 pm at the Garrett County Health Department. The topic of the meeting will be to form sub-committees to review and develop objectives dealing with the major issues pertaining to the Deep Creek Lake Watershed.

Canada Geese Issues: Chairman Myerberg composed a letter regarding the geese issues and sent it to Paul Peditto. Mr. Peditto sent back a comprehensive response that was distributed to the PRB members. The floor was opened for discussion of the items in Mr. Peditto's letter.

- The Department of Health & Mental Hygiene does water sampling in 21 spots on the lake. These sites are not where the geese are congregating, Steve Sherrard of Environmental Health may do additional sampling of areas where the geese congregate during the times when the population is at its peak, for example during the molting stage or when we have an open winter.
- Delegate Beitzel brought up the question of what is the allowable number of geese on the lake and if we are going to try and stabilize the geese there needs to be a method of protecting the migratory geese. Are we going to get rid of them all or is there a number that DNR has evaluated that is acceptable. Chairman Myerberg pointed out that Mr. Peditto stated in his letter that it will be impossible to get rid of all the geese. We can attempt to stabilize the geese by methods outlined, but there is no way to get rid of them all. Resident geese are the main problem since none of their offspring have the instinct to migrate.
- Chairman Myerberg asked the PRB members if there were any problems with using the methods outlined in Mr. Peditto's letter. Barbara Beelar was concerned about untrained/unsupervised people going into the wetlands and oiling eggs. She asked that if we use volunteers that we train leaders to go with a group to do the egg oiling. She is not opposed to the egg oiling, just concerned that the volunteers participating be trained properly.

Bob Browning made a motion to support the outline from Paul Peditto. Motion was seconded and voted to proceed.

Laws and Regulations impacting the Deep Creek Lake Watershed:

Chairman Myerberg reported that he has not received any comments yet on the legal compendium of the laws and regulations impacting the watershed.

Myerberg also pointed out that we have no Attorney General representative at the meeting as we have in the past. Cindy Ecker said that we have been assigned an attorney, but not a full time one. Our part time attorney is Matt Standeven who is on contract until December. After the December contract is up it is not clear what will happen with the Attorney General position. Wendell Beitzel pointed out that the Attorney General's office will assign an attorney if needed, and if they are not going to attend the meetings are they necessary? It was also mentioned that an attorney need not be present at all the meetings, but could be scheduled in advance if needed.

Myerberg questioned who paid for the contractual attorney. Cindy Ecker reported that the Attorney General's office paid for the position and that we could request that someone else be assigned. The legal compendium of laws & regulations should be put on a website so the public can start reading and then questions and comments can be addressed. Chairman Myerberg is reluctant to put the Laws & Regulations on a website until the Attorney General's Office has reviewed them. This document can be very useful to the Attorney General's Office as well since it deals solely with Deep Creek Lake.

Possible websites for the Laws & Regulations include the Garrett County Website and tag the DNR website from there. The Garrett County Government website could also be utilized. Chairman Myerberg will check with the appropriate persons for approval to use these sites.

SAV's 2013:

First item for the SAV's was the question of what happened with the Environmental Science Project. Barbara Beelar reported that the Environmental Science contract was funded by Friends of Deep Creek Lake. The group was assisted by the DNR SAV Team and checked nine sites within the lake. Good news was that there were no weevils in the lake. The SAV Dive Team was very appreciative for the opportunity to help with the project as it taught them where to look for the weevils and could use the information for other work they would be doing.

Second item was Hydrilla: Bruce Michael reported that separate teams were sent out on October 4 – 6, 2013 and then again on October 21-22, 2013. It was confirmed that Hydrilla is in the southeast portion of the lake. Mr. Michael passed around a map showing the locations that the Hydrilla was found. Twelve sites were confirmed to have the Hydrilla. Secretary Gill was notified as well as the Maryland Rapid Response for Aquatic Invasive Species. There is an expert panel being put together to use their information to control and manage the Hydrilla. The species was first detected in Florida and has made its way up to New England. We are working with Cornell University on the

Northern species which is more adapted to the colder waters of the North. This species cannot be fully eradicated. We will be relying on this panel's recommendations on how to manage and control the Hydrilla. The goal is to manage it and keep it from spreading. The good news is that, for now it is only in the southeast portion of the lake and with management will hopefully not spread to other areas of the lake. The panel will be working in the next couple weeks to analyze and develop a plan to control the Hydrilla. Herbicides are the best option for controlling the Hydrilla, and there are two different herbicides that are used to manage Hydrilla. If herbicides are to be used then a study of possible effects on fish, other SAV's and public health would be addressed. Potential control methods such as boat cleaning stations are also being considered. Hydrilla probably was brought to the lake by a boat that had contact with the weed from another area. Delegate Beitzel asked how different this species is than the native ones. The Hydrilla is very aggressive and can grow up to a foot a day; it also can grow in deep water. It is very dense and covers the surface and is not good fish habitat. The best time to treat the weed is in the spring/summer while it is growing. It may take multiple treatments to control the weed. The key is to control the Hydrilla without killing other species. Citizen information has been placed on the website with pictures to help with monitoring of Hydrilla as well as other invasive species.

It is estimated that Hydrilla has been in the lake for at least five years. There is a possibility of other species coming in also, this is why public education is very important in helping to identify and control the SAV's. It is unlikely that the SAV's are brought in by birds. Plans to control Hydrilla and to educate the public will be a priority in 2014.

Lake Budget: Chairman Myerberg reported that the committee formed to meet with Secretary Gill was unable to do so. Myerberg will add Barbara Beelar to the sub-committee with Myerberg, Bob Browning, Wendell Beitzel and Eric Null. Wendell is to obtain information from Legislative Services of the specific cuts that have been made and the legal ramifications of monetary and staff cuts. Depending on the outcome of this meeting, Secretary Gill will decide who will attend the Finance Committee meeting. This will be a very important meeting. Chairman Myerberg asked Barbara Beelar to gather information and budget figures together.

Barbara Beelar reported that the Deep Creek Lake Management is a special fund that is found on the Revenue of the figures that she provided. The expenditures were harder to obtain. The following is a breakdown of the numbers:

2012 \$897,000

2013 \$950,000
2014 \$760,000 *changes to allowances

This is a drop of \$200,000 and brings up the question of what is happening. There are overhead payments going to the Secretary's office for administrative costs. There is also, automatically 25% of the revenue paid to the county. It is not clear if this is Lake Management revenue or the Park Service revenue. The county received \$234,000 in 2012, \$246,000 in 2013 and \$198,000 in 2014. Is the difference from 2013 to 2014 that there is only one staff person? In 2013 there were five with Carolyn, Eric and three full time Rangers that did mainly Lake Management work. Carolyn has retired and the Rangers have been moved to the Park Service. Cindy Ecker reported that a funding study was done with a goal in 2015 to add two Natural Resource Technicians with a background in Science and also an Administrative Specialist. This will give Lake Management four full time employees in 2015 if all goes as planned. At one point Lake Management was paying for some seasonal employees at the Discovery Center and the Boat Ramp in addition to five seasonal employees of their own. Lake Management no longer funds the seasonal employees for the State Park.

Wendell Beitzel questioned if the Boat Ramp money was going into the Lake Management income after the split with the Park Service since the income has dropped so dramatically. This drop in income effects the county government also. Cindy Ecker reported that the Boat Ramp income for a year is around \$30,000 and should not have an effect on the county income. Wendell Beitzel questioned why the income has dropped so much since there has been no change in the amount of dock permits issued. Major Daryl Anthony, the new Western Region Manager will check on the question.

Barbara Beelar asked that with the reduction in 2014 do we have sufficient funds for an effective Lake Management program? If we do not then do we need to raise fees to make up for the lack of funds? Cindy reported that Lake Management used to pay Maryland Environmental Services \$200,000 and that is no longer coming out of the budget, so possibly the budget was reduced because of it. Barbara Beelar asked what the process would be if, in fact fees would need to be raised? DNR would need to present the facts of budget shortfall to the Legislature or the Commissioners could request a budget adjustment. The budget may have to be increased. It was questioned whether a budget was given in advance but it had not been done in the past. All of these issues will be covered in the meeting with Secretary Gill.

New Business: None

Correspondence Received by DNR:

The Water Quality Work Group lead by John Wilson has been terminated. Dave Myerberg reported that the Steering Committee may appoint a sub-committee for Water Quality that would bring issues to the Steering Committee for review.

The draft for the Sediment Study has been received and after briefing with Secretary Gill will be distributed for review.

Barbara Beelar circulated articles from the Journal of North American Lake Management Society that are useful to the watershed management approach of Deep Creek Lake.

Eric Null reported that the Lake Management Ottercraft is up and working better than before.

Public Comments:

First public speaker was Carol Jacobs who addressed her comments to Wendel Beitzel. She had spoken with a Biologist who noted that the Milfoil can be controlled by harvesters. The pesticides used for control of the weed can be very harmful to humans with the same effects as Agent Orange. Geese also help to control the Water Milfoil. He also wanted her to mention that an increase in the hunting of geese in October & November will help to control them since that is when they are coming off the lake. She also pointed out that ATV and Motorcycle sales tax is going to MVA and should be going to DNR since that is who manages the trails.

Second speaker was Richard Matlick who attended Secretary Gill's State of the Lake meeting. He said that Secretary Gill used 2013 as an example year, but it was not like other years in the past. There is still twice the sewage leakage allowed going into lake. SAV's this year in some areas of the lake were not there. This may be because of higher water and a cooler summer. Green Glade Cove this year was the best year in a long time for SAV's. The geese are getting worse. Mr. Matlick reported that he had 200 to 300 geese off his dock the previous weekend. Water Sampling in Green Glade is taken on the south shore, but the wind blows to the north shore. The sampling is not done where the geese molt or eat the grass. Also his cove is filling up with sediment and as a result he has lost 25 to 30% of his property value. Sediment control is an issue that needs to be kept up with.

Third speaker on list was Brian Greenberg who had no comments.

Fourth Speaker was Ellen Williams who wanted to voice her concern on the end of the Water Quality Work Group.

Parker Jacobs had a question on what was used to oil the goose eggs.

Next meeting was scheduled for **January 27, 2014**. Bob Browning made motion to adjourn the meeting, seconded by John Stakem. Meeting was adjourned at 8:03.

Respectfully Submitted,
Sue Steyer, Administrative Specialist III