

Deep Creek Lake Policy and Review Board

Meeting Minutes

Monday January 9, 2023

In Attendance : Chairman Bob Browning, Patty Manown Mash, Bob Sutton , Commissioner Paul Edwards, Dr. Jim George, Larry Iden, Senator George Edwards, Commissioner Ryan Savage, Marta Schroyer, Dr. Jim George, DNR: Eric Null, Julie Bortz, Emily Vainieri, 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 confirmed. Minutes were approved and posted on the DCL NRMA website in December 2022

Old Business

Canada Geese

Mr. Null stated that the annual goose hunt was held in November, he informed the Board that while all of the sites were booked for all three days of the hunt, only one group of hunters participated for one day of the hunt. He stated that the sites seemed to be reserved by one group that did not use them. Mr. Null stated that he would be in discussion with Wildlife and Heritage to determine a new way of registering the sites that would prevent one group from consuming all of the sites and not utilizing them.

Lake Management Budget

Mr. Null stated that the budget has remained the as the last meeting. He stated that technician Kara Kyle has taken a full-time job with the Department of Agriculture. Kara was the technician overseeing the Shoreline Erosion Control Grant Program.

Water Quality Monitoring

Mr. Tom Parham stated that there was nothing new from the last meeting. He stated that Mr. Null has received the continuous monitoring data for 2022. They are currently working on the new monitoring sites for 2023. He stated that Hydrilla control will be reduced due to the effectiveness of the control program. Mr. Parham stated that the zebra mussel report for 2022 is finished, the report states that the levels of hardness and calcium in DCL are not conducive to zebra mussel colonization.

Water Level Request

Chairman Browning stated that he had a conversation with Brookfield and that they had a new statement addressing the departure below the lower rule band for all of the user groups in winter. Chairman Browning stated that the winter user groups do not require a specific water level and departure below the lower rule band would not be an issue.

Chairman Browning stated that the regulation committee met and advised the Board to write another letter to MDE to open the water allocation permit to insert lower water levels in winter as part of standard operation. Chairman Browning asked for a motion to open the WAP to request for lower levels for 30 days in winter. Mr. Sutton made the motion, Ms. Manowan- Mash second the motion.

Mr. Bruce Michael of the county stated that the County has requested Brookfield to lower the water level to the lower rule band from October to March for the arrowhead dredging project. He stated that Brookfield stated that it would cost \$140k to keep the water level that low for that amount time to pay for the fines that they would receive from the energy companies for not providing their energy requirements. He stated that they would be refining their request to shorten the duration of the draw down request for the dredging project. Chairman Browning asked Mr. Michael if he would like a letter of support from the Board for their request, Mr. Michael stated that they do not need that, at this time ut he appreciated the offer. Dr. Jim George received an email from Brookfield, stated that Brookfield confirmed that they have a monetary penalty for not providing energy. Dr. George state that he discussed the modification of the permit with the allocations division of MDE. They informed him that the permit can only be opened if the current permit conditions are not in compliance or if there are adverse impacts to public health and the environment. He informed the Board to send a letter to the MDE allocations division to receive a formal response. Chairman Browning stated that he is surprised to have these discussions, since historically the lake has been drawn down far below the current lower rule band with no problems refilling.

Senator Edwards asked what the potential start date for the dredging project. Mr. Michael stated mobilization will begin after Labor Day. Senator Edwards stated that they have been working for two to three years on this project. There is a need to push hard to complete this project before the money is reallocated in the state. Dr. George state that there are two issues; a yearly draw down, and a one time event for the dredging. Chairman called for the vote on the motion. All where in favor for sending the letter to MDE.

Publicizing Deep Creek Lake Projects

Mr. Null stated that a new round of shoreline erosion control grants will be starting next month. He introduced Quinn Iden, a Natural Resource Technician at the Lake Management Office, who oversees the fish habitat program. Mr. Null stated that he will be expanding the fish habitat program next year.

Mr. Bob Hoffman of the Deep Creek Watershed Foundation informed the Board that the Foundation entered into a contract with Western Pennsylvania University at California to assess the tributaries of Deep Creek Lake. They have the final report and will be analyzing it over winter. The report will produce future water quality projects for the Foundation. Mr. Hoffman reported that in the regulation committee meeting they discussed ne AIS Regulations. Chairman Browning stated it was discussed but no formal recommendations came form the meeting the committee will continue to research the topic.

County Commissioner Update

Commissioner Paul Edwards introduced Commissioner Ryan Savage. Commissioner Savage will be taking Commissioner Edwards place on the PRB. Commissioner Savage stated that he did not have an update, but is looking forward to serving on the Board. He asked Mr. Michael if he had any updates on the Arrowhead Project. Mr. Michael stated that they would be sending letters to the property owners adjacent to the project to inform them of the upcoming project.

Mr. Sutton informed the Chairman that the POA would supply Lake Management with a new brochure to send to all property owners that will inform them of minding their boat wakes.

New Business

Proposed Regulation Change to PFD

Chairman Browning stated that the PRB was not notified on this change. He suggested to send a letter to the BAAC approving the change but reminding them to send regulation changes to the PRB for review. Mr. Steve Green asked what the change was. Mr. Null stated that it was a change in nomenclature for the types of PFD.

Correspondence to DNR

Attorney General Office Update

No update at this time.

Public Comment

Ed King stated that the goose problem has not been resolved, and that the program is not working. He suggested for the Board go back to Wildlife and Heritage to get details about the amount of geese that are shot on private farms. He suggested to ask for a report of how many geese are killed on the private farms every year.

Senator Edwards stated that he has appreciated working with everyone over the years. He has felt privileged to have helped with the states purchase of the lake and all the other lake projects through his career. He informed the Board that the new Delegate and Senator will continue to work with the Board. He stated if the Board needs any historical information please just ask.

Chairman Browning asked for a motion to adjourn the meeting, Manowan Mash made the motion and Mr. Sutton second. All were in favor.

The next meeting will be April 24, 2023 at 6:00pm

Respectfully Submitted,

Eric Null

Lake Manager