

7/29  
Approved, with  
No Changes.

Deep Creek Lake Policy and Review Board  
Regular Quarterly Meeting  
Monday, April 29, 2013 at 6:00 p.m.  
Deep Creek Lake State Park – Discovery Center

In Attendance: David Myerberg, Chairman; John Stakem, Barbara Beelar, Bob Browning, Bob Hoffman, Sue Fowler, Larry Iden, Commissioner Bob Gatto, Senator George Edwards and Delegate Wendell Beitzel

Absent: David Moe

DNR Representatives: MD Park Service - Eric Null, Natural Resource Planner for DCL; Major Cindy Ecker, Western Regional Manager; Assistant Attorney General Marianne Disc; Natural Resource Police – Sgt. Dave Marple; Wildlife and Heritage Service - Paul Peditto, Director.

20 members of the public in attendance

**MINUTES:** Chairman Myerberg called the meeting to order at 6:04 p.m. Minutes from the last meeting, dated January 28, 2013 were circulated to the Board prior to the meeting.

Changes: Barbara Beelar had two changes for the January minutes. On page 4 – add “to each of the county high schools” in the discussion about \$500 grant money being awarded for projects. On page 7, first full paragraph – change SAV to EWM (Both changes have been made and a corrected version is on file at the Deep Creek Lake State Park Lake Management Office).

**MOTION:** January 28, 2013 minutes for approval – Bob Browning; Seconded by Bob Hoffman; Unanimously approved by board.

**OLD BUSINESS:**

**Progress on the Watershed Management Plan:** Bob Gatto shared that the County Commissioners met with Secretary John Griffin and are continuing to work on developing the plan. There is hope for an announcement in July about this plan, and hope that more funding sources will open up for Deep Creek Lake. There will be county oversight and a committee set up of private and public members to manage the process and make recommendations for what happens at the lake. This will not only be a lake plan, but a watershed plan as well.

The Chairman read the following email from Rich Norling:

“Recently the Garrett County Commissioners met with Secretary John Griffin and Secretary-Designate Joe Gill to discuss subjects of importance to Garrett County. The first of those subjects was the need for a watershed management plan for the Deep Creek Lake watershed. The Secretary and commissioners have directed their respective staffs to work on the details and logistics for developing this plan. Rich Norling at DNR had been examining all the documents and reports relating to Deep Creek Lake to identify gaps that could be addressed; that effort has now been expanded to include locating and assembling all of the data within DNR that was used to develop those reports. The full collection of data will be an important asset for use in development of a watershed management plan for Deep Creek Lake. DNR expects to be able to provide a much more detailed progress report for the PRB’s next meeting.”

Chairman Myerberg clarified that Rich Norling will be attending the July meeting, on The State of The Lake address.

Questions: Barbara Beelar asked if Rich is working with other agencies on this project. Bob Gatto said yes he is. Chairman Myerberg also said he had shared reports from a variety of agencies during his initial meeting with DNR.

**Phase II Sedimentation Study Update:** Bruce Michael sent the following statement on April 23, 2013:

“DNR is still working with DGS to select the contractor to complete the ‘Alternatives Analyses’ for the DCL Phase II Sediment Plan. We have identified the contractor, but are making sure that the deliverables will meet our needs. There will be a slight delay in the final report deliverable, but we hope to have the work completed by Fall of 2013. Garrett County staff (John Nelson) has been informed of the delay.

DNR will be collecting some additional sediment data from approximately 6 streams over the next 6 months to help better understand the sediment budget for the lake. This project is outside the SOW for the DCL Phase II Sediment Plan, but will help us better understand sediment contributions from the DCL watershed.

DNR will not conduct a EWM control pilot project using the herbicide 2,4-D in DCL in 2013. DNR SAV survey data indicates that EWM is not outcompeting native SAV at this time. We will continue to conduct both SAV and targeted EWM surveys in 2013 to assess any changes to the SAV populations.”

**COMMITTEE UPDATES:**

**Canada Geese** – Paul Peditto, Director of Maryland Department of Natural Resources Wildlife and Heritage Services was present to give a very preliminary report on the status of the Canada Goose problem at Deep Creek Lake. A written report was handed out to board members and can be found online at [www.dnr.state.md.us/publiclands/western/deepcreeknrma.asp](http://www.dnr.state.md.us/publiclands/western/deepcreeknrma.asp)

Representatives from Mr. Peditto's staff surveyed several areas around Deep Creek Lake to assess the Canada goose population and their relationship to homeowner disturbances. Staff found 600 Canada geese total over the areas they sampled. The presentation included videos of addling and pyrotechnics in relationship to Canada goose management.

Options discussed were: Hazing – loud music, red lasers, super soakers, dogs, harassment (no permit needed), pyrotechnics (need a permit and must be legal in the state), nest and egg destruction/ addling of eggs (permit needed), hunting (permit needed).

As far as nest destruction, Barbara Beelar was concerned about wetland destruction. Mr. Peditto said the wetland species can handle people walking in briefly for this activity. He informed the group, however, while you may obtain such a permit, homeowners would not be permitted to go on State land or to your neighbors' yards to destroy nests. Peditto said he would be willing to work to create a management team of volunteers to work with state employees under an umbrella permit for nest destruction on the State's buffer strip.

His overall recommendation was an integrated approach that is legal and viable.

**Questions:**

1. Is harvesting goose eggs illegal? You can get a permit to harvest eggs, but the geese will just re-nest.
2. Barbara Beelar shared that a local farmer acquired a permit to shoot Canada geese in the off season with no bag limit. Mr. Peditto said that not many farmers are taking advantage of this option because they don't have time to hunt the geese.
3. Chairman Myerberg spoke about population expansion and asked how fast does the Canada geese population grow and what should Deep Creek Lake residents expect in respect to this exponential growth. Mr. Peditto said typically 2-3 young will survive per nest. With 300 nesting pairs noted at DCL, a couple hundred are added each year.
4. Sue Fowler asked if resident geese offspring migrate. Mr. Peditto said no, they don't have the physiological homing instinct to migrate. He added that DCL geese can be moved across the state and in a few days the geese will be right back at DCL.
5. Chairman Myerberg asked if there are teams that come out to find the nests? Mr. Peditto said yes, he could arrange staff to take a look around for nests to addle. Mr. Peditto

- suggested the board create a catalog of nests and email him the report upon which he would put together a small group of staff to manage the nests.
6. Chairman Myerberg asked if residents make a maximal effort in this regard, are the geese still going to be here. Mr. Peditto said the population would not expand as quickly and the more participation you have in management efforts, the more likely it is the geese will go elsewhere.
  7. Bob Hoffman asked if the geese go back and forth between farms, golf courses and the lake. Mr. Peditto said once harassment stops, they will return.
  8. Do the birds need access from the water to the lawn? Yes. You can modify your lawn by putting up hedges, adding a wall, not mowing and this will keep them from coming up.
  9. Barbara Beelar was concerned with water quality in relation to geese populations. Mr. Peditto said that 90% of resident goose problems are cultural (people don't like them around), not creating human health hazards.

The Board discussed whether a motion is needed to address water quality in relation to goose populations. It was decided to defer to the Goose Management Subcommittee for recommendations.

**Revision of COMAR regulations for Deep Creek Lake:** Chris Shepherd is meeting with Carolyn Mathews in the next week to review her notebook. Progress is being made and the Board should have something by July in relation to the COMAR and other regulations.

**SAV's in 2012-2013 Update** – Paul Weiler from the Friends of Deep Creek Lake provided an update on a project they are funding. The group is funding a survey the first weekend of August on the possibility of utilizing the EWM weevil to control the aquatic species. The survey will decide if the weevil exists already in the lake and provide data to DNR. Lee Karth from DNR will be accompanying the group during the survey. FODCL will be having a fundraiser for this project with a goal of raising \$3,000.

Chairman Myerberg stated that Envirosciences is a business that sells these weevils and asked if there will be a control aspect to the survey. Mr. Weiler said that no control method was planned to be utilized, but it would be a good idea to add one.

Robert Hoffman recollected a discussion with Bruce Michaels that the weevils would be considered an invasive species and DNR would not be inclined to allow their introduction. And, he recalled that if the weevil species is not here, it would be quite expensive to introduce them. Mr. Weiler said he did a quick cost analysis and the range was between \$50,000 to \$200,000 depending on time frames and how large of an area is needed to be included.

Barbara Beelar said Bruce Michaels supports this project and gave Lee Karrh an extra day at the lake to accompany this survey. Chairman Myerberg sent Bruce Michael an email asking what his thoughts were about this survey. Nowhere in his response email did he say he supported it. Bruce Michael does not think, regardless of the results of this survey, that his opinion on what will be done regarding the weevils will be changed. There is nothing official that says Bruce Michael supports this survey.

**Water Quality Working Group:** Chairman Myerberg asked Bob Browning to be a representative on the Water Quality Working group and Bob Browning gave a report on a recent meeting: Eric Null gave an overview of Lake Management activities, including the scanning of Lake Management records to a more electronically conducive system. Bruce Michaels and Rich Orr gave a report. There are still issues with Sediment Phase II because costs came in a lot higher than they planned. In general, there is about 4/10<sup>th</sup> of an inch of sediment increase on the bottom of the lake. In some places it is as much as 2 feet, in another the bottom is actually lower. There was review of the 2012 monitoring results and the monitoring group will continue with the same gathering sites they have used in the past. The lake quality is good. The milfoil monitoring is very good with no increases found.

#### **Update from County Commissioners –**

- Commissioner Bob Gatto said the State is going to step up the promotion and exposure of the good things going on at DCL.
- Glendale Road should be finished by Memorial Day.
- Western Conveyance hasn't moved forward.
- The County preliminary budget is online and there will be a budget meeting on May 8<sup>th</sup> at Garrett College.
- There will be no tax rate increase this year.
- There will be no more waving on tipping fees at the landfill.
- We had a permit review for the Harbor Community Association for work they wanted to do. The county will be doing some projects in that area to improve the water flow in addition to what they will be doing on their own. Chairman Myerberg asked if it would be reasonable to approve their permit. Commissioner Gatto said yes.

#### **NEW BUSINESS**

Chairman Myerberg introduced Mr. Larry Iden, who has been appointed by the Governor to represent the Maryland Bass Federation on the PRB, and Mr Eric Null, Deep Creek Lake Acting Manager. Chairman Myerberg read an email that was circulated to the PRB prior to the meeting describing the separation of the Deep Creek Lake State Park from the Deep Creek Lake Resource Management Area.

Chairman Myerberg said Joe Gill will be providing a budget for the transition and a meeting of the finance committee will be called to review this. Eric Null will be a member of the finance committee.

The PRB appreciates the separation of the two entities – park and lake. Barbara Beelar asked what was happening to the Yough Corridor. Cindy Ecker said the Yough stays with the State Park.

#### **Comments from the public:**

Ellen Williams of FODCL passed out a handout overview of the findings of the culvert project the group completed. Ms. Williams said there might be some funds from the Allegany Highways. Senator Edwards said that was only available for 219 North to the Pennsylvania Line. Chairman Myerberg asked if the group was satisfied with the response received from the State Highway Administration. Ms. Williams said yes. Barbara Beelar said there is a component of this folded into the SHA's alternative analysis component on watershed water quality. Sue Fowler asked for more explanation on highway redesign. Barbara Beelar explained that elsewhere in the state the SHA has taken a highway length and converted into a "main street" redesign process with more eye appeal, sidewalks, etc.

Ralph Schmidt stated he was glad to hear about the county's efforts at Harvey's Peninsula and South Shore Road to slow down the flow of water. However, he is concerned about the cost for the additional work. He believes this cost should be shouldered by the State of Maryland. It is a watershed issue, not an association issue. The county, state and DNR needs to do more to come up with money for the lake. Chairman Myerberg said he hoped these concerns would be addressed in the long-term Watershed Management Plan.

Bob Dave, president of Harvey Community Association, shared more concerns about the Harvey Peninsula/South Shore Road water runoff situation. The Association submitted a permit. It was still in review at time of the PRB meeting.

At 8 p.m., Barbara Beelar moved to extend the meeting for sake of conversation past the 2 hr limit. Motion failed due to lack of second.

Bob Browning asked if the Lake Management Office was planning a public warning for navigation hazards, ie, downed trees, in the lake. Eric Null asked anyone who sees something to report it to the Lake Management Office. Chairman Myerberg will ask the POA to put out an email blast about this issue.

The next meeting date was set for Monday, July 29, 2013 at 6:00 p.m.

**MOTION:** Bob Browning moved to adjourn the meeting at 8:07 p.m. Motion was seconded by Bob Hoffman and passed unanimously.

Respectfully submitted:  
Debra Spurrier on behalf of Eric Null, Acting Deep Creek Lake Manager