

Draft

**Deep Creek Lake Watershed Plan
Accountability Committee Minutes
December 17th, 2013**

Attendees:

Lulu Gonella, SC – Subcommittee Chair

David Myerberg, SC

John Nelson, Garrett County

Eric Null, DNR

Barbara Beeler, FODCL

Paul Weiler

Catherine Shanks, DNR

Carrie Decker, DNR

Ellen Williams

(Refer to the attached presentation. The meeting was held as a conference call/web conference.)

Lulu reviewed the group membership and discussed ground rules for the subcommittee.

Barbara requested we add time on the agenda for public comments and make the invitation for public participation at the subcommittees on the website more welcoming.

Problem statement discussion:

Barbara commented that at the large scale, lake management as it is currently, is not being managed as a 'watershed' approach. More holistic approach is needed.

David noted that lake management is geographically limited to the lake.

MDE and DNR do not work together to properly manage the lake.

Barbara also pointed out that the Deep Creek Land Use and Recreation Plan was written in 2001. She also mentioned that another lake in VA (Smith Mountain Lake) is in three counties and has a separate board to oversee planning and management. Paul suggested we look at other watersheds that have a single body to manage all rules and regulations including taxing authority that would be run independent of state or county to help oversee and pay for services. John stated that one reason for the structure of the Smith Mountain Lake authority may be that there are three counties involved. He also noted that any approach that takes away the taxing authority from the County or the State would probably not be received favorably by the County or the State.

The committee decided to research other lake management structures. Barbara suggested the North American Lake Management Society as a good group to look into. Cathie suggested we could also look at other watershed models like in the Anacostia Watershed and not be limited to lake governance.

Ellen will send out some examples to share w the group.

Another focus of this subcommittee is on public participation. Getting people in the watershed to be involved is difficult. Recommendations need to be included in the plan on this issue and concern.

Draft

MDE/ DNR coordination and organizational chart::

Catherine Shanks reviewed the organizational charts of the Maryland departments of Natural Resources and Environment. This was a quick overview of the units in each department and where the responsibilities lie for different issues related to Deep Creek Lake.

Lulu asked how we discuss DCL issues within DNR and between departments.

DNR has regional offices to handle local issues. We have a weekly policy meeting where we will begin to present the outcomes of the subcommittees and issues raised. We also have regular communication with other departments which can serve to bring up DCL issues as well.

David said he would like to figure out how to keep up interest in Deep Creek Lake with the state agencies. Should there be appoint one group or person appointed to be responsible for the lake? Ellen noted that there needs to be a formal mechanism to ensure state collaboration and attention.

DNR Lake Management /Park service:

Eric Null discussed the responsibilities of the Lake Management Office . DNR controls the buffer, lake water and lake bottom. The office manages the conservation easement and improvements to the easement area but not property disputes. Enforcement is through Natural Resources Police. Lake management conducts inspections of the buffer as well. MDE controls water levels. Eric also reviewed the chain of command in the Maryland Park Service for the Lake Management Office.

Garrett county structure:

John Nelson presented an organizational chart of the County with responsibilities for the Deep Creek watershed. He included the County Health Department which is actually a State agency under the Department of Health and Mental Hygiene. In addition, the Health Department manages and enforces regulations regarding septic systems and wells which fall under the authority of the Department of the Environment. Some residential areas in the south end of the lake are on septic systems. Questions arose regarding nutrient, sediment and bacteria sampling conducted by the Health Dept in the coves and how that differs or overlaps with what DNR collects. Barbara noted that the Health Dept sampling is only in the coves where DNR sampling is mostly in the lake. The Health Dept has been sampling since 1990 but have only recently recorded data in a digital format. Data needs to be analyzed.

John continued to present on the responsibilities of Public Works Dept. They develop the County Master Water and Sewerage Plan which should be out for review in January. It will then be submitted to MDE for review with a public hearing expected to be held in April.

John Nelson is the Director of the Planning Department which includes sediment control review and stormwater management. Stormwater and sediment control are issued as a joint permit. Enforcement for Sediment and erosion control is through MDE. John noted that he hopes that increased man power for inspections from MDE could be a recommendation.

There is only one State inspector for all of Western MD.

Also in Planning is the management of the floodplain ordinance which has just been revised. As well as the sensitive areas ordinance. Last comp plan was adopted in 2008 by the County. It will need to be updated on a 10 year cycle and will need to include new septic rules.

Draft

Management plan for the Yough River was developed in 1998. It states that local advisory board would be developed. They only meet once a year or as needed. Barbara asked for the membership on that advisory board and John said he would get that to her. She also asked for the names of the Ag board members.

DCL Policy Review Board:

David Myerberg reviewed the establishment and responsibilities of the PRB. He noted that the PRB may review, assess, actions on the lake if and when DNR secretary needs input. 2001 a management plan was developed by DNR. David showed a slide assessing the accomplishments of that plan and who is responsible. This information was compiled by Paul Weiler. It showed how diverse the responsibilities are and that not much progress has been made in accomplishing the recommendations in the Plan. A Business Plan is needed if we are going to have people take a pro-active approach and use this in the future. David also shared a Parable with the group which demonstrated how and why the current structure of leadership and management of the lake is flawed in terms of accountability, stability in leadership and funding. It was an effective way to frame the issue at hand for this sub-committee.

Lulu discussed the next steps and homework assignments.

Homework:

1. Examples of other lake management approaches (Ellen/Barbara)
2. Other watershed plans (Carrie/ Cathie)

Future considerations

1. What from the county and DNR is going to be do-able for change (authority) and how would we position a major change to the structure so that it would be acceptable to all parties?
2. Business plan- what will /should it look like?

Parking Lot Issues:

- How are other lake districts set up financially?
- Public input and outreach strategies.
- Ask about funding available for EFC to put together a formal financing strategy? (Cathie).