



DEEP CREEK DISPATCH

Summer/Fall 2019
Newsletter of the
Property Owners' Association
of Deep Creek Lake, Inc.



The President's Message

Folks,

You may have noticed that the "Summer Dispatch" did not come out this summer. The reason is that we have been working with the Department of Natural Resources (DNR) to compile a list of State accomplishments for Deep Creek Lake. This list, which we have

now received, appears below in this letter.

We are fortunate to have a jewel in our midst: Deep Creek Lake! This jewel must be managed and protected. It is true, the State owns the Lake, and one might conclude that all responsibility for the Lake rests with the State. The reality is that the State has done a great deal to preserve and protect the Lake, but there will always be more to do. Obviously, if funds were unlimited, every problem or need the Lake has could be attended to. However, as we all know, funds are not unlimited. Nevertheless, a lot has been done by the State. Following is a short list of just a few of the initiatives that the State has taken for the benefit of Deep Creek Lake. I encourage you to have a look at the complete and detailed list provided by DNR which may be seen [here](#).

- State Lakes Protection and Restoration Fund: Recently passed legislation provides funding in the amount of \$1 million annually over the next three years for the State Lakes Protection and Restoration Fund. Deep Creek Lake will receive approximately \$420,000 in the first year of funding
- Dredging Pilot Project: Through the department's Waterway Improvement Fund (WIF), the Department has agreed to fund \$1 million towards a dredging pilot project in Arrowhead Cove. It is estimated that the cost of a pilot dredging project is over \$2 million. The department is working with the county to identify the remaining funds.
- Deep Creek Lake Sediment Mitigation Plan: The department has allocated \$250,000 from the Waterway Improvement Fund to work with the county and various stakeholders, including the POA, the DC Watershed Foundation, the PRB and the Friends of Deep Creek Lake, towards the development of a Deep Creek Lake Sediment Mitigation Plan.
- Hydrilla Control: The department continues to fund a hydrilla control strategy that was implemented in 2014. Hy-

drilla has mostly been eradicated in the shallow coves. The department has contributed approximately \$1,250,000 for hydrilla control treatments.

- Zebra Mussel Monitoring: In 2018, the department implemented a zebra mussel monitoring program with financial support from the Deep Creek Watershed Foundation and Brookfield Renewable Partners.

Further, in the spirit of Public/Private Partnerships, your POA has also provided numerous enterprises to help preserve and protect both Deep Creek Lake and the Garrett County Community. Among these are:

- Supported DNR with \$10K for the first Hydrilla treatment.
- Donated \$20K towards the 2013 Sediment Study.
- Purchased equipment for use of all of Garrett County for teaching hands free CPR.
- Annually donate to the purchase of fireworks for July 4th celebration
- Paid for/installed signage along the roads entering GC encouraging folks to keep the lake clean.
- Purchased materials for the construction of disposal boxes for Aquatic Invasive Species (AIS) located at state park boat launches and marinas.
- Led a PRB (Policy Review Board) Committee to develop criteria for the PRB and citizenry for requesting No Wake Buoys for DCL.
- Made \$20K contribution to fund installation of portable AED's in Deputy Sheriffs' vehicles.

There is still more work to do. By working with State Agencies, your POA continues to support and advance the welfare of the Lake, Watershed and County.

Best Regards,

Paul W. Weiler
President, POA

Editor's Note

By Grant Callery

POA MEMBERS – AS YOU WILL NOTE FROM THE CAPTION TO THE PRESIDENT'S MESSAGE, WE ARE COMBINING THE SUMMER AND FALL EDITIONS OF THE DISPATCH FOR THIS YEAR. WE WANTED TO INCLUDE THE INFORMATION IN THE LETTER FROM PAUL ABOUT ACTIVITIES BY THE MARYLAND DNR AND OBTAINING THAT INFORMATION DELAYED THE PUBLICATION. THE NEXT EDITION WILL THEREFORE BE THE WINTER ISSUE TO SCHEDULED FOR EARLY 2020. HAVE A GOOD FALL AND HOLIDAY SEASON. WE WILL BRING YOU UPDATES ON TIME SENSITIVE ISSUES THROUGH THE E-BLAST PROCESS.

Dredging on Deep Creek Lake An Overview

All lake property owners know that in certain of Deep Creek Lake's coves, particularly at the Southern end of the lake, sediment build up in the ninety plus years of the lake's existence has become an serious issue that can significantly interfere with property owner and visitor enjoyment of this recreational treasure.

The solution to this problem is, however, not as clear as the recognition of its existence. There are those who strongly support dredging as the answer to the problem and there are those who take a more skeptical view of dredging as the solution. One thing is clear and that is that dredging is a very costly exercise and County and State funding is a scarce resource.

A preliminary study in 2017 produced a Q&A on the issue - www.garrettcounty.org/resources/watershed/pdf/Publications/MES/DCL%20Webinar%2029%20June%20QA%20Summary.pdf –

which placed a cost of dredging the Arrowhead Cove (the least expensive of the three coves where dredging might be undertaken) in excess of \$1 million. Earlier this year the Garrett County Commissioners authorized expenditures of somewhat in excess of \$100,000 to finance the County's share of a more detailed feasibility study by Maryland Environmental Services, a State agency.

Your POA has not taken a position on large scale dredging efforts on DCL but recognizes that it is an important issue for the lake community and requires careful study and identification of funding sources prior to implementation.

For this reason, we are presenting two views on the issue by POA Board members (who express their own thoughts and not those of the POA), Ed King and Morgan France, both longtime residents of Garrett County and the lake area. We hope that these articles will provide readers insights into the issue.



Dredging of Deep Creek Lake

By: Ed King

The purpose of this article is to put forth an alternate view with regard to dredging in Deep Creek Lake from a civil engineering viewpoint. The POA has not taken a position on dredging of the lake and possibly this article could aid in the decision process.

In December 2013 the Maryland Department of General Services received a Sediment Study of Deep Creek Lake. The study was conducted by Whitney, Bailey, Cox & Magnani (WBCM) of Baltimore, MD., under Project Manager of Environmental Water Resources, Charles Griffith, a Professional Engineer. I point out their professional status in that their report is factorial, taken from field measurements and not observations from lay people speaking in public meetings reporting many times on their opinions, which are not always correct.

Without going into the 48-page report, some of the findings in the conclusions are:

- 1) The accumulated sediment in the 10 subject coves represents only 0.16 % of the lake volume.
- 2) The increase in sediment has no observed negative impacts to the lake or ecological conditions. The lake is currently in a mesotrophic state. Mesotrophic is an excellent condition for a lake, low nutrients, cooler water and clean. The preferred state.
- 3) The loss of the submerged aquatic vegetation (SAV) that follows dredging practices would negatively impact the ecosystem of the lake.
- 4) It is recommended at minimum every ten (10) years that a bathymetric survey is completed and sediment accumulation be reviewed.
- 5) It is recommended that conditions upstream of the lake are monitored using DNR Maryland Biological Stream Survey (MBSS). Monitor stream erosion rates.
- 6) Monitor shoreline erosion rates.
- 7) Monitor all development.
- 8) Enforce strict guidelines for agricultural fields.
- 9) Add vegetation, remove impervious areas, and create a continuous buffer strip for the entire shoreline.
- 10) Final conclusion: The recommended course of action is to not dredge Deep Creek Lake, but to take steps to prevent further sediment runoff throughout the watershed.

My feelings are to go with this professional report and to prevent further runoff prior to even considering dredging. In considering the above recommendations, it would be nice if the State would pre-design several acceptable shore line erosion walls and give landowners a subsidy

instead of charging a fee to protect their shoreline. Also address newer boats operating with ballast tanks and causing shoreline erosion. Property owners should be made aware of the rip-rap erosion control at the State Park and how effective it is.

Permitting: Erosion control as well as dredging will come under extreme permitting criteria along with very high costs.

A case in point. The King Wall: A practical solution to shoreline erosion and dredging involving a wall with filter cloth and hydraulic pumping of the sediment out of the lake to behind the wall, recapturing the land that had been eroded into the lake. Some of the features of the King Wall are:

- 1) A win-win situation. The property owner reclaims the lost land and can landscape it. The sediment preventing boat operation has been removed.
- 2) No treatment of the sediment. Water would drain through the filter cloth back into the lake.
- 3) No long distance hauling the sediment and resulting damage to local roads or spills of mud.
- 4) Relatively inexpensive equipment, involving trash pumps, piping, and pontoon boats. This would permit local contractors to bid this work.
- 5) The cost is greatly reduced from other methods.

Comments: When this concept was presented to the MDE, their instant response was that we would need a discharge permit to drain the lake water back into to lake in that we had disrupted the dormant sediment and impurities were now exposed to the lake water. My comment is that any type of dredging will do the same thing and as soon as a piece of equipment touches the sediment this occurs. In the Green Glade Cove the prop wash of boats is continually disrupting the sediment and causing a very poor turbidity situation. If we have a mentality of instantly saying why we cannot do something instead of getting creative and figuring out a way we can do something, we are just kicking the can down the road for another few years.

In closing I feel we should pursue the pilot work planned for the Arrowhead cove. It will answer many questions regarding permitting and cost as well as the opportunity to measure the efficacy of the pilot work. Also, we should be listening to the comments of professional people qualified to address those situations.

An Alternative to Mass Dredging

By: Morgan France

The intention of Brookfield Renewable, the Power Company, is to use a predictive methodology to maintain lake levels in the middle of the upper and lower rule bands (URB & LRB). Bothersome lake sediments accumulated rapidly after 1980 when the Power Plant operator kept lake levels to the URB throughout the summer season and beyond. This change allowed development of the shallower areas of the lake, particularly in the southerly coves.

An unintended consequence has been the erosion of the shoreline by wave action from the wind and increased boat traffic when the water level is high. Lately this may also have been exacerbated by the proliferation of wake boats. With the water level up to the top of the bank these waves erode the shore. The wave action carries the eroded material out away from the shore where it settles out. There is anecdotal evidence that the lake bottom around the docks was rocky shingle at one time. Presumably this was due to the large variance of lake elevation throughout the summer. Perhaps some of our readers can add substance to this notion.

The potential for using dredging to fix the sediment issue has been discussed at great length. The Winter 2018 Dispatch article “Sediment Mitigation Plan” is another.

An alternative plan would be based on the notion that the lake level could be reduced to near the LRB after Autumn Glory and maintained there until the middle of February. If the water level was about 2455.5, just six inches above the LRB, a lot of the sediment would be exposed to weathering by rainfall and snow melt. At the upper reaches of the shallow coves the freezing temperatures may inhibit the growth and viability of the shallow water submerged aquatic vegetation (SAV). In addition, the sediment could be conveyed to the thread of the streams now flowing through the coves at a greater

rate because of the reduced cross-sections.

Some of the advantages of this solution are: 1. No permits would be required. 2. No disposal of removed material. 3. No contractors would be involved. 4. No down time for lake recreation. The primary attraction of this scheme is that there is no capital involvement.

Some of the disadvantages are that it will take years for the plan to work. The first few years will allow assessment of the process.

There are concerns that the lake may not reach full pool by the targeted middle of May if such an approach were implemented. However, in July of 2012 there were 23 temperature enhancement releases and three whitewater releases. The volume of these releases was about 3,900 acre feet of water. An acre-foot is the volume of water in an acre, one foot deep. The nominal area of Deep Creek Lake is 3,900 acres. Coincidentally the lower rule band drops from 2459 to 2458 through July. During July of 2012 the lake level bounced very close to the LRB. The implication is that the discharge losses, minor losses, and evaporation were offset by recharge from what little rainfall there was during the period plus groundwater recharge.

Given the records available on-line regarding lake water elevation and turbine operating times, the recharge rates from all sources can be calculated. Perhaps these groundwater recharges could be determined this winter. This would be done by the relationship that the change water level = inflow – outflow, or, inflow = change in water level plus outflow. Consideration must be given to appropriate units, but it is a straight forward process. Are there any volunteers to do this service?

Some other concerns are about the destiny of the sediments that are flushed out to deeper water. Perhaps we will get some reaction to this article on that subject. In any case, it will be much easier to

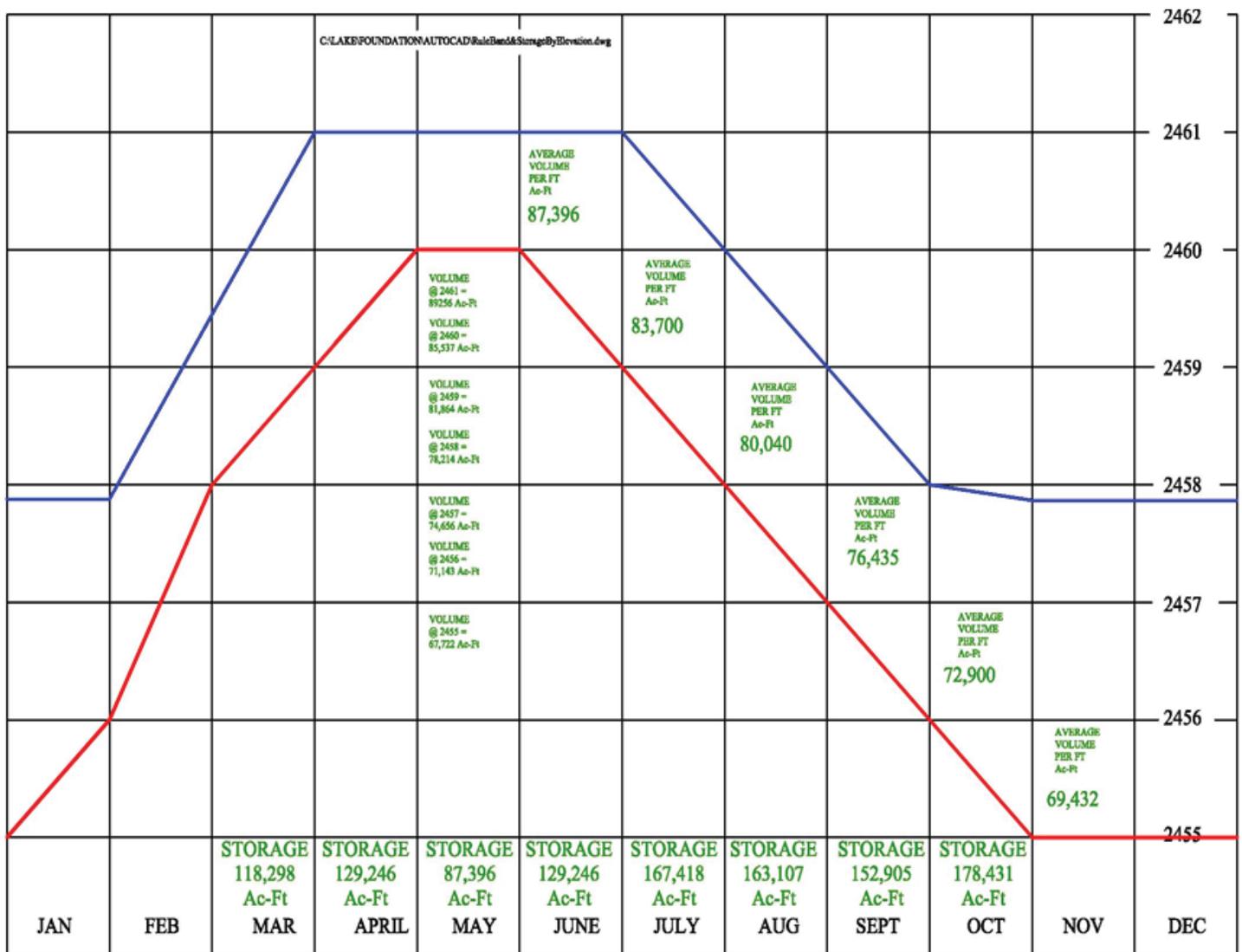
remove the sediment by dredging away from the shore if it becomes necessary.

Some other impediments to the value of dredging are the physical impacts, limitations, and costs. Dredging will take whole areas of the lake out of circulation for the period when dredging is done there. Fisheries will lament the disturbance to fish habitat, both short and long term. Some of the limitations as we understand them are no dredging can be done below the original ground under the lake. Given that the lake is about 70 feet deep at the dam, how deep is it at the end of a cove? Pawn Run Cove has a thread gradient of about two tenths of a foot per one hundred feet from where the feeder stream enters to the 2450 contour near the mouth of

the cove. When the stage of the lake is about 2455 during winter a lot of sediment will be exposed in Pawn Run Cove.

Removed sediment by dredging cannot be redeposited in the lake. That is because of the nutrients it contains such as phosphorus. If the rain and snow melt remove it the removal will not be subject to this limitation.

Not to say that there are no costs or difficulties attributable to the procedure of maintaining low water levels in winter. The Power Plant operator may object. Ice fishermen will have farther to walk to reach the ice. Compared to the existing estimates for dredging the lowering of the lake in winter has some appeal.



DCL POA 2018 Form 990 – EZ

By: Karen Smith and Susie Crawford

In a continuing effort to keep our membership informed about the operations of the POA we are providing a link to the POA's 2018 990-EZ tax filing. As you will see, the membership dues collected in 2018 ran short of our expenditures for the year. Although we experienced a reduction in the overall value of the investment fund during the 4th quarter of 2018, the income generated by that fund kept the POA in the black for 2018.

Here's the link - <https://deepcreeklakepoa.z2systems.com/neon/resource/deepcreeklakepoa/files/Form%20990%20-%202018.pdf>

2018 saw a second consecutive year of declining POA membership. Consequently, in September 2018 the Board agreed to use the services of NEON membership systems. It is our expectation that NEON will streamline the process of membership renewal and member communications. As NEON offers our members the option to make credit card payments of dues via a secure on-line system and the opportunity to make dues an automatic recurring annual charge, we anticipate a reversal of membership decline. In fact, with the implementation of NEON along with mailing dues

reminders, we have already achieved a reversal of that decline

As in past years, the POA was a sponsor of the 4th of July fireworks at Deep Creek Lake for 2018. We also contributed to the After-Prom event for both Garrett County High Schools and participated in the Deep Creek Lion's Club Boat Parade in support of the Lion's Club Blind Skier's program. Many hours were dedicated to keeping our members updated on a number of issues important to Deep Creek Lake property owners including wake surfing regulations, dock regulations, the upcoming renewal of the Water Appropriations Permit, and the State Lakes Preservation and Restoration Fund.

Your continued support and membership in the POA is vital to the POA's ability to keep you informed about the issues that impact Deep Creek Lake and support worthy causes that are important to the larger Garrett County community.

From the Editor

Minimum Wake Zone Criteria Review and Application Process

The PRB minimum wake review that was adopted this Spring will allow for a more expedited review of formal minimum wake zone requests. The PRB voted to adopt the Criteria used by the Boat Act Advisory Council for determining minimum wake zone eligibility, they also are using the historic minimum wake areas on DCL as a direct comparison for new requests. The other important factor coming from this review is that a minimum wake zone will not be approved if there is a law that already exists that covers the issue covered by the request. For example, if many people sign a pe-

tion and submit a formal request for a minimum wake zone at a particular location because their docks are getting disrupted by boats coming too close to the docks, the request would be denied since it does not meet the BAAC criteria, mirror historic minimum wake zones at DCL (which fit the BAAC criteria), and a law (the 100 feet from shore law) already exists that when enforced would alleviate the issue.

If an interested party wishes to present a proposal, they must submit a formal narrative, petition, and any evi-

dence that supports the request. The proposals can be submitted to the Lake Manager who will share them with the PRB before their next meeting. If the Board votes to review the proposals, Lake Management and NRP will review the proposal against the BAAC criteria, historic areas, and current laws. If the proposal does not meet these three areas of review it will be recommended that the proposal be turned down, since, if these areas are not met the BAAC will not approve the request. If a proposal meets all the review areas and

is voted by the Board to accept, then the Board will choose a subcommittee to acquire public input by way of public meetings. Once the meetings are held and the committee submits a formal report to the Board at their next meeting, the Board will vote whether to accept the proposal or reject it. If the proposal is accepted, then it will be sent to the BAAC and scheduled for one of their quarterly meetings. If the BAAC accepts the proposal, it will be sent to the next session of the General Assembly.

Most Common Boating Violations on DCL this Summer

The “editorial staff” of the Dispatch has noticed that on busy days on the lake from our vantage point just south of the Glendale Bridge the amount of “flashing blue light” activity is substantial. We inquired of DNR folks as to what the most common causes of boating stops this summer has been here’s what was discovered.



The majority of the vessel stops on Deep Creek Lake are for safety issues. In the spring it is for registration issues as

many boat owners forget to apply the new validation emblem to the vessel. Once the season takes off the main reason for stops will be safety issues.

Negligent Operation is the number one reason for stops on the lake. This is riding on the vessel in inappropriate locations. These include on the seat backs, on the gunwale (the top edge of the hull for you land lubbers), out front or out back of the vessel and otherwise outside the normal seating areas. The reason for this law is that when someone falls overboard, they are frequently struck by the boat’s prop. Even when coming into a dock, all passengers must stay inside the vessel while the motor is in gear and moving.

Water skiing issues. These include distance violations and PFD issues. When towing a skier, the boat and skier must be 100’ from all other boats, docks (except leaving dock), buoy’s, swimmers and any other object in the water. Wake surfers must stay 200’ from every-

thing.

Life jackets must be worn when riding the tube or ski’s and it cannot be the Type 1 or 2 “orange” life jackets. These are not impact rated and may come off if you fall off the device. They must have a Type 3 or 5 life vest. The wearable type life jacket.

For more information on life jacket types see - <https://www.boatus.org/life-jackets/types/>

Life jackets are required on all vessels or anything that transports you across the water. This includes Paddle Boards, Paddle Boats and Kayaks.

Children under 13 years old must wear a life jacket when onboard a recreational vessel less than 21 feet long while underway.

Personal Watercraft. Most of these stops are for distance violations. They must maintain a distance of 100 feet from any other vessel, buoy, dock, shore, or anyone in the water.

For more information on DCL boating safety and regulations go to - <https://dnr.maryland.gov/nrp/Documents/BoatingSafety/DeepCreek-FactSheet.pdf>



POA Board Members

Grant Callery.....'21.....202-669-1245
 Dispatch Editor gcallery1@gmail.com
 Tom Craven.....'21.....301-387-6202
 tom_craven@hotmail.com
 Susan Crawford.....'22.....First Vice President
 George Evans.....'20.....301-501-2224
 gevans21561@gmail.com
 Morgan France.....'21.....301-616-5097
 silverdagger@gmail.com
 Lulu Gonella.....'20.....240-475-4131
 VP Communications lulu@lwgconsult.com
 Bob Hoffmann.....'22.....301-387-4839
 rahoffmann93@gmail.com
 Ed King.....'20.....301-387-5702
 edjeanking@verizon.net
 Tom Knapp.....'20.....301-717-3129
 thomas.j.knapp@gmail.com
 Tony Lombardi.....'22 ..lombardi.tony.jr@gmail.com
 Walt Malecki.....'22.....410-746-6923
 waltterp1973@gmail.com
 Lauren O'Brien McCann.....'22lnobrien0@gmail.com
 John Quilty.....'22.....301-387-2499
 jqilty@mitre.org

Chris Nichols.....'21.....301-387-5134
 VP Membership, Assistant Treasurer dimesy23@gmail.com
 Gary Shafer.....'21.....301-616-9940
 rxshaf@gmail.com
 Karen Smith.....'21.....301-387-0251
 Treasurer dclpoasmith@comcast.net
 Robert Sutton.....'20.....301-387-4957
 rsutton166@comcast.net
 Paul Weiler.....'20.....301-387-6391
 President paul_weiler@verizon.net

Emeritus Board Members -- Past Presidents

Lou Battistella.....301-387-2094
 Lbatt859@aol.com
 Mike Belmonte.....mfbelmonte@gmail.com
 Troy Ellington.....301-387-9232
 troyellington1@gmail.com
 Jan Finkel.....jfinkel1@comcast.net
 Scott Johnson.....301-387-8547
 sboyumj2@comcast.net

Property Owners' Association
 of Deep Creek Lake, Inc.
 P.O. Box 816, McHenry, MD 21541

DEEP CREEK DISPATCH ←



U.S. Postage
 PAID
 Permit No. 13
 Oakland, MD