



DEEP CREEK DISPATCH

Fall 2016

Newsletter of the
Property Owners' Association
of Deep Creek Lake, Inc.



The President's Message

Why The Deep Creek Watershed Foundation, Inc?

During the creation of the Watershed Management Plan (WMP) in the time-frame of 2013-2014, several members of the Steering Committee had private discussions on the topic of how the various efforts, programs, and projects included in the WMP would be funded to insure the plan could be successfully implemented. These individuals realized that despite the cooperative effort between the Department of Natural Resources (DNR) and Garrett County to build the plan, it was unlikely either DNR or the county or both would be in a position to provide all funds required to implement the plan over time. An additional source of funding was necessary.

In January of 2016, several interested individuals decided that a not-for-profit organization was needed to partner with state and local officials to solicit funds from private donors and seek grants to support environmental protection, scientific study and education initiatives in the watershed. These individuals, some of whom had served on the Steering Committee to create the WMP, together with a local attorney and Certified Public Accountant developed the Articles of Incorporation, By Laws, and prepared the documentation required by the Internal Revenue Service (IRS) to designate the Foundation as a legally constituted 501 (c) (3) or Public Charity. The IRS letter granting approval for those who donate to the Foundation to deduct contributions from federal taxes was received in June 2016. A board of Directors for the Foundation was created and began meeting with regularity to handle the variety of administrative matters to prepare the Foundation for public fundraising so that donations could be received. These matters included, but were not limited

to, the development of a web site with some initial content, press releases, bank accounts, plans for soliciting donations, and initial coordination with a variety of local and state officials.

Some of the same individuals that were involved in the development of the Foundation now serve on the Board of Directors or on a non-voting Advisory Committee which assists the Board as the Foundation matures into a full-fledged Public Charity focused on the Deep Creek Watershed. The Foundation is a stand-alone organization that will accomplish its goal of supporting the watershed by engaging in fundraising activities, sponsoring educational programs relating to the watershed as well as soliciting and providing funding to support scientific, environmental, and other programs beneficial to the watershed.

In addition to this activity which has taken place over the last ten months, DNR and the Maryland Department of the Environment have agreed in a Memorandum of Understanding with the Garrett County Board of Commissioners to establish an Administrative Council which will be responsible for overseeing the implementation of the WMP, to establish the position of Watershed Coordinator, and to address the development of financial strategies to fund the implementation of the WMP. The Foundation will work closely with the Administrative Council and the Watershed Coordinator to identify projects that will require funding.

Don't you just love it when a plan, or plans, come together?
Cheers,
Bob

<https://www.deepcreekwatershedfoundation.org>



Marcellus Shale/Natural Gas Update

By John Quilty

Recent Dispatch articles have been focused on tracking two developments: the proposed prohibition of vertical drilling for natural gas in the Deep Creek Watershed and the state's development of new oil and gas regulations to be adopted by a legislated 1 October 2016 deadline. At the time the summer Dispatch was published:

- The decision on a zoning amendment to implement the proposed prohibition was in the hands of the County Commissioners. The Commissioners had received a positive recommendation from the Planning and Zoning Commission, and comments at a public hearing had been overwhelmingly in favor of the zoning change.
- The Maryland Department of the Environment (MDE) had released a set of "issue papers" for public comment. These papers focused on potential regulations in 4 particularly important, high public interest areas (e.g., well pad setbacks from personal property lines). MDE had held a public forum at Garrett College, receiving a significant number of strong public comments expressing concern about the projected regulations being "weaker" than those proposed in 2015 during the closing days of the previous state administration. The County Advisory Group (SGAG)—along with other groups and individuals—had submitted comments pushing for "stronger" regulations in general and for restoring selected provisions of the 2015 proposals.

Since that time, the above two developments have intersected in a positive way from the viewpoint of protecting the Deep Creek Watershed. Surprising to many, the MDE-proposed official regulations—released to the public on 26 September following MDE consideration of the comments submitted on the "issue papers"—specifically add Deep Creek Lake to an earlier list of 3 watersheds in which well pads/drilling operations will be prohibited. This provision, if it appears in the final regulations as widely expected, obviously achieves the fundamental objective of the proposed zoning amendment. A caveat: the MDE proposed regulatory language does not also prohibit "associated surface infrastructure" (e.g., storage tanks beyond the well pad itself). Comments on the proposed regulations,

from the SGAG and potentially others, are recommending that this additional protection be added.

More broadly,

- The proposed regulations, now expected to be finalized and adopted by the end of the calendar year, are stronger than those suggested by the earlier "issue papers" (e.g. restoral of the 2000' private well setback) and, in fact, stronger in some respects than the 2015 proposals (e.g., requirement for more frequent periodic monitoring of vertical well integrity).
- On the other hand, there are remaining concerns which have been addressed by a 2nd round of comments from the SGAG and others (e.g., unclear requirements for continuous monitoring of air and water quality throughout the life cycle of natural gas recovery). Further, several non-government organizations (NGO's) have taken the position that no set of regulations can provide adequate protection of "public health, safety, the environment, and natural resources." This view is largely driven by public health concerns in particular.
- Given this situation, and as evidenced in various public venues including the Autumn Glory parade, a high profile push for a legislative ban on "fracking" in Maryland can be expected during the upcoming legislative session (January – April 2017). This will likely be led by a broad coalition of NGO's including national as well as local organizations (e.g., the Sierra Club).

- Both the specifics of the final regulations and of any legislative action to ban or limit "fracking" are uncertain at this point as discussed above. In any event, however, it appears that the prohibition of vertical drilling within the watershed will be in place if and when "fracking" occurs in western MD.

A final status note: Bids have been received by the County for conduct of the economic

study addressing the potential impact of "fracking" on tourism, recreational activities, and 2nd/vacation home property values. Bid evaluation is ongoing and the County selection of a contractor will likely be announced by the end of November.

Contact John Quilty at jquilty@mitre.org with any questions or comments.

DCL POA Meetings for 2017
Board of Directors

April 8th	June 3rd
August 5th	October 7th

General Membership Meetings

June 17th	August 19th
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OAKLAND B&O TRAIN STATION COLOR POSITION LIGHT SIGNAL

The 1884 Queen Anne style Baltimore and Ohio (B&O) Oakland train station is one of the finest historical train stations in the entire United States. Years of hard work by many dedicated people has resulted in a historically accurately renovated beauty with state of the art climate control and electrical systems that has been open to the public for several years as the Oakland B&O Museum. (<http://www.oaklandbando-museum.org>)

Many of our members, I'm sure, have enjoyed visiting the station, picturing themselves as passengers on one of the many trains that served Oakland years ago.

The museum affiliated with the B&O Museum in Baltimore, continually is adding new displays and artifacts to heighten the visitor experience. One such acquisition, taking place recently, is one of the very last remaining Color Position Light signals (CPL) that were used on all B&O tracks since the mid 1920's.



CPL signals were exclusive to the B&O Railroad, and its affiliates. You could find them anywhere the B&O went. However, now that all of the former B&O lines are part of CSX, they have been accelerating their efforts to replace the CPL's with modern 3 color light signals everywhere.

The B&O CPL signals were an attempt by the designer, Frank Patenall, to simulate, or mimic the position capability of an upper quadrant semaphore signal.

The B&O decided to use color (red, yellow, green, light blue) in addition to position for their aspects. This provided a margin of safety in the event one of the two lamps was out.

The signal was originally designed to display 14 aspects, of which eight are on the circular mast head. The other six lights, or marker lamps, refer to the speed rating of the route being taken immediately beyond the signal and/or at the next signal. Herewith is a photo of a "fully loaded" signal.

Left photo depicts the signal at the Oakland station (looking eastbound on the south side of the tracks just before passing under the bridge on East Oak Street). The photo was taken before it was removed and installed at its new location on the museum grounds.

The photo on the right is the refurbished signal being admired by folks from Allegheny Welding & Machine and members of the museum committee, which includes POA board member Morgan France on the far right. Relocating the signal from the Main Line tracks behind the museum to near our siding in the museum yard and wiring it to mimic its past function will insure the history of these signals will not be lost. That signal was put in service on 25 September 1931 and retired this spring.

What do all of these lights mean? The red, yellow and green lights are much like the typical traffic signal. The two horizontal red lights mean stop. The two vertical green lights mean go. And the diagonal yellow lights mean slow. The marker lights at the top and bottom further define the train's action relative to speed and caution to be observed until the next set of signals. The



Oakland signal has one white marker light on the top in addition to the red, yellow and green lights.

For a complete explanation of signaling and more information about the signals themselves follow this link: <http://www.railroadsignals.us/signals/cpl/>

While you're in Oakland enjoying the B&O Museum and its new CPL signal, stop in at the two other fine museums, the Garrett County Museum of Transportation and the Garrett County Historical Museum. You won't be disappointed.

By Scott Johnson

Efforts to Prevent Aquatic Invasive Species (AIS) From Getting Into Deep Creek Lake

By **Bob Sutton**

The POA is working with Maryland DNR on efforts to prevent “AIS” such as hydrilla, zebra mussels, and other non-native plants and animals from establishing themselves in the lake. AIS can ruin a lake such as Deep Creek in a relatively short time by pushing out native species and changing the available habitat (food, water chemistry, and structure). DNR has already spent over \$600,000 trying to control hydrilla. The main method of introduction of many species of AIS into a lake is via launching contaminated boats that have been in other bodies of water.

Many lakes and rivers in Maryland and neighboring states are already contaminated with many different types of AIS to include both plants and animals. It is vital that boats going into Deep Creek that have been elsewhere be cleaned and inspected which includes the trailer, bait wells bait buckets, bilges, tubes, recreational gear and anywhere water can be stored etc. High pressure HOT water is the best way to effectively clean and disinfect a contaminated boat or gear.

However in lieu of that, a 10% bleach solution can be used to help reduce the risk of an AIS introduction. In addition, boats and gear should be allowed to dry completely before launching. Drying times vary by season and weather conditions but general guidelines suggest 7 days in the summer, 18 days in the fall or spring and 30 days in the winter.

Any craft going into the lake should be cleaned if it has been anywhere else – the public needs to be diligent in this effort.

To increase awareness of this issue, we have begun a project to place signs on roads leading to the lake which will notify people of the issue and tell them to make sure boats are clean. The POA and DNR are working with the Maryland State Highway Administration on locations for the signs. A map showing desired locations has been submitted to SHA for their review. DNR and SHA are coordinating the design to meet specs for informational signs. The POA Board of Directors has authorized \$6,000.00 to purchase the signs once a design is approved. We hope to place these in early Spring 2017.

The POA is also working with DNR on an informational trifold on this issue which will be distributed around the lake in the Spring. The information will also be placed on the POA and DNR websites. Self-inspection along with inspections at the state park ramp and marina ramps is going to be the most effective way to prevent AIS so we are asking for cooperation from everyone. The POA is also looking into helping DNR with construction of cleaning stations that would be placed at various launch ramps other than the state park. These are containers that AIS components can be disposed in safely.



Hydrilla



Zebra Mussel

Minutes of General Membership Meetings

Your Board has decided that going forward we will include the minutes from our general meetings in the *Fall Dispatch*. This is a part of the Board’s ongoing effort to keep members informed, for we realize not all members are able to attend our general meetings. Feel free to contact a board member should you have questions.

Property Owner's Association of Deep Creek Lake Inc.
MINUTES OF THE GENERAL MEMBERSHIP MEETING
Saturday, June 25, 2016

Meeting called to order at 8:30 AM at Garrett 8 Cinemas, Route 219 Deep Creek Lake MD. President Bob Hoffmann presided

Attendance: Bob Hoffmann, Tom Myers, Lauren McCann, Tony Lombardi, Morgan France, Karen Smith, Gary Shafer, Tom Craven, John Quilty, Susie Crawford, Paul Weiler and Barbara Hafer.

Excused Absences: Kathy Gemberling, Ed King, George Evans, Bob Sutton and Lulu Gonella.

Invited Guests: Sgt. Mike Friend with Natural Resources Police, Greg Snook, Chairman Policy and Review Board, Eric Null Lake Manager with DNR, Julie Bortz Biologist with DNR, Commissioner, Larry Tichnell, Delegate Wendell Beitzel, Commissioner Paul Edwards, Debbie Carpenter, Director of County Planning and Land Management and County Manager Kevin Null.

Call to Order: Bob Hoffmann called the meeting to order at 8:36 AM. Bob started by welcoming everyone to the first of two general membership meeting for 2016.

Introduction of Invited Guests/Remarks from Guests

Wendell Beitzel, MD House of Delegates. Del. Beitzel welcomed everyone back to the lake for the summer and reported that the State is in pretty good fiscal shape. There have been no tax increases for 2 years.

Paul Edwards, Chairman of Garrett County Board of Commissions. Commissioner Edwards reported that the County passed budget at last meeting. The budget has no tax increases of any kind including the real estate tax rate. A lot of development going on in the county; behind Dairy Queen in Oakland there is a new restaurant and hotel going in. In Accident, Harvest Moon Grocery Store is now open. In Grantsville the grand opening of iHop will take place next month.

Updates on Marcellus Shale, the state has released their issue papers recently. You can find this online.

Question: Can you comment on the use of carbon dioxide for fracking rather than water?

There are several new technologies that are coming into play. ATK in Cumberland is working on technology of forced air.

Commissioner Larry Tichnell: Everything is running pretty smooth in the County. He encouraged anyone with concerns to contact him.

Kevin Null: Dredging update. In 2015 our local delegation had the law changed so that Deep Creek Lake could be include in the Waterway Improvement Fund. The state is still working through the process to change the regulations, manual and criteria. Deep Creek Lake has been classified as a tier two project, that means it is a 50% match, while the state owns the lake the county has to apply for funding. If we go forward with the project the county will have to come up with match based on today's regulations.

Sewer Spills. The first spill occurred on Glendale off of Spur Road, we had very heavy rains that under minded a pipe, a large rock fell on sewer line and cracked it. We estimated about 6,000 gallons of sewage that discharged into a stream near Glendale Cove. Water was tested right away and repeatedly. Some people are concerned about notification process. This was a natural event, there's no way to prevent it, it's not a result of lack of maintenance. The second incident occurred in a private yard. A check valve fail on the grinder pump which allowed a back flow of sewage; estimated to be about 2,500 gallons. Testing indicated no contamination to the lake. The POA newsletter will include an update on sewer issues.

Debbie Carpenter: Update on Watershed Management Plan. The draft document was agreed upon but has not been signed yet.

Three things they have agreed to:

1. Better communications
2. A dedicated staff person to address watershed plan issues. County is currently recruiting this position, called a Watershed Coordinator to start in July.
3. Long term funding: all 3 agencies commit to sit down and find a long term sustainable financial strategy and get something done.

Question: Time frame for MOU?

They have been looking at it for about a month, hoping it will be signed within the next month.

Julie Bortz and Eric Null Presentation: Deep Creek State Park to close boat ramp for 4-5 hours a day for Savage Man River Run for September 17th & 18th. They will put signs up a week prior to.

Julie spoke on AIS and how it can drastically change an ecosystem. Julie showed how to identify different AIS. Zebra mussels are spread by ballast water also. Julie does a lot of education out reach.

If you have any questions you can reach Julie or Eric at 301-387-4111 or 301-387-4112

John Quilty: John gave a quick update on Marcellus shale. Issue papers are available on line for public review. On June 29th MDE will be sponsoring a public forum.

President's Comments. June 27th PRB committee meeting will be examining the request for loosening restrictions on when personal water craft can be used on the lake. The meeting will be open to the public at 6 PM in Room 205 at Garrett College. Bob encouraged any member with an opinion on this matter to attend.

July 25th 6-8 PM at the Discovery Center is the next PRB meeting.

Would like to recognize Chuck Hoffeditz for all the work he has done trying to bring local to channels to Garrett County. Chuck received an email from Comcast indicating that their subscribers in the area will have access to some Baltimore channels through "on demand."

Comments from the Membership and The Public.

Comment to July 12th activities?

A member stated that she has a petition with respect to a proposed zoning amendment which would prohibit fracking. She asked other members to attend the meeting July 12th at Garrett Auditorium to support her effort.

Meeting Adjourned 10:47 AM

Property Owners' Association of Deep Creek Lake, Inc.
MINUTES OF GENERAL MEMBERSHIP MEETING
August 20, 2016 at 8:30AM
at Garrett 8 Cinemas, Route 219 Deep Creek, Maryland

President Bob Hoffmann presided.

Attendance: Bob Hoffmann, Tom Myers, Lauren O'Brien McCann, Tony Lombardi, George Evans, Morgan France, Karen Smith, Gary Shafer, Bob Sutton, Tom Craven, Ed King, Susie Crawford, Lulu Gonella, Chris Nichols, Barbara Hafer and Paul Weiler.

Excused Absences: Kathy Gemberling and John Quilty.

Call to Order: Bob Hoffmann called the meeting to order at 8:39AM. Bob started by welcoming everyone to the second General Membership meeting for 2016.

Introduction of Invited Guests:

George Edwards—State Senator

Debbie Carpenter—Director of Planning and Land Management

Gary Aronhault—Watershed Coordinator

Introduction of Gary Aronhault Watershed Coordinator for Garrett County.

Gary works with Debbie Carpenter in the Department of Land Management. His position includes working with all the watersheds in Garrett County, including the Deep Creek Lake watershed.

A History of Garrett County in Map—Chris Nichols. Chris gave a presentation of the history of Garrett County maps via slide show, which will be available on the POA website.

Introduction of the POA Board of Directors. Bob Hoffmann asked all members of the board to stand to be recognized, there are currently 18 members who will

remain on the board going forward into 2017.

Reminder. Bob Hoffmann stated this meeting is open to the public, since this is a POA meeting it is not a forum for other groups to advertise events. We allow this in the lobby before and after the meeting.

Preventing the Introduction of AIS into Deep Creek Lake & Related Topics (Q&A) – Julie Bortz. Julie spoke on prevention of Aquatic Invasive Species, and how it can drastically change an ecosystem. Julie showed slides on how to identify Aquatic Invasive Species.

Question & Answer. Are you working with the rental companies? We haven't yet, we have been actively pushing to get with the marinas and make sure we have an option to send these boats. That is a huge issue we need to get to the rental agencies and get them the information they need to send out to renters.

Question & Answer. What is on our boats at the end of the year? Algae, it is a natural algae nothing problematic.

Question & Answer. Are there other locations people can launch within Deep Creek Lake? Yes, we have 8 different launching ramps; also any dock is a point of entry.

Question & Answer. Do you have the authority to stop a launch? Yes, currently it is protected by a law in the books that makes it a federal crime to knowingly

launch a boat with AIS. The enforcement has been a little challenging, we have been working with NRP to make sure they understand the law and feel comfortable enforcing it.

Presidents Comments.

Comments from Membership & The Public. *What is the position right now on dredging the coves that need dredged?* It is fair to say with regards to the POA, we recognize there are at least 10 coves that are sediment impacted. There are other areas of the lake that are sediment impacted as well, not just coves. We had 6 members of the POA on the sediment committee, and we worked for some time in trying to come up with a potential solution. At this point in time the county has not established the MOU with the Maryland Environmental Services yet, but this is going to happen. There was about \$162,000 that Senator Edwards and Delegate Beitzel helped arrange from 2015 Legislative session. That money went to the County to be used by the County in conjunction with MES to develop a plan for sediment removal from the lake, part of that plan is to identify a single cove which will be dredged. We are handicapped here in some respect, because of the climate. The POA is supportive of the process of developing a plan and going at it logically.

Adjourn General Membership Meeting

A Brief POA Board Meeting followed adjournment. See note on last page.



Thank You from the United Way of Garrett County

Thank you for your support of United Way of Garrett County this past year with donations that totaled nearly \$10,000.

The money raised, in part, will fund solutions for human service needs like prescription assistance, disaster relief and Meals on Wheel to the elderly and to those in need. Additionally, community impact programs focus on strong families, effective schools and supportive

communities with education as the cornerstone of individual and community success, like the after school and summer partnerships and Garrett Mentors.

Without the support from the Property Owners, United Way would not be able to support these valuable programs. Thank you for your generosity.

*By Mary Beth Pirolozzi
Executive Director, Garrett County United Way*

The Heise Legacy

By Ed King

Evelyn Lambert Heise died September 25, 2016 after approximately four years in Oakland's Dennett Road Nursing Home. She was born January 19, 1928 in nearby Terra Alta, West Virginia. She was preceded in death by her husband Helmuth "Ace" Heise who passed on August 11, 2009. They met in a restaurant in West Virginia where Evelyn waited tables and Ace had stopped in for lunch. In later years Ace would tell the story with a wink in his eye about meeting Evelyn. It was in that restaurant the first time he had ever seen her and she was bent over the ice cream cooler to dip ice cream. "I knew she was the one for me." Shortly thereafter in 1947 the young couple (Evelyn 19 and Ace 20) were married and a great relationship began as well as the Heise Legacy.

At Evelyn's funeral, their son Martin gave the eulogy of all eulogies honoring his mother and father. He mentioned that their romance started out as a physical one, but it instantly turned into a very close relationship that lasted their 62 years together. Martin mentioned how his Mom was not only a mother, a wife, and home maker, but how hard she worked in all the different enterprises Ace had fostered. Ace was a builder and what he built Evelyn was able to manage, from janitorial work, to the office, to keeping books and accounting. Whatever it was, Evelyn was on top of it.

In 1952 they purchased the Will O' the Wisp from Ace's parents. It had originally been owned by Dr. Thurl Bullard who had named it. During February the first year they owned the row of modest board & batten cottages they made all of \$14. This was the seed that turned the tide and prompted them to think four season activities for Garrett County and Deep Creek Lake. They joined with several businessmen to form Recreational Industries, Inc. and leased a farm on Marsh Hill Road to create a ski area. In 1955 skiing began with a rope tow, one room warming hut, and ski rentals department out of the rear of a pickup truck. In 1956/57 the Promotion Council pulled out of the ski venture leaving the Heise's and a few associates to pursue on their own.

Over the next twenty years WISP blossomed. The

rope tow was history, replaced by three double chair lifts, more-modern snowmaking equipment, larger and improved lodge. Night skiing and a 48-room hotel and restaurant were added. At Will O' the Wisp in 1964 they opened the Four Seasons Dining Room. Their son Martin after returning from Cornell with a major in hospitality management was given roles in the restaurant. Wedding receptions were their specialty and Martin's first gig was Don and Susie Sincell's wedding reception.

The drive of Ace and Evelyn are to thank for that dream materializing. Keep in mind they had not only turned Deep Creek into a 4-season resort, they had added to the goods & services of local industries that affected thousands of jobs throughout the county. Plumbing, heating, new construction, restaurants, and the tax base, to name a few, grew with leaps and bounds because of the extended season activities. Every home in Garrett County is affected directly or indirectly by the four season activities.

In 1998 the annual "Helmuth and Evelyn Heise Award for Entrepreneurial Spirit" was created and presented to Ace and Evelyn. They not only had a dream but reinvested almost all of any proceeds back into growing the resort.

Evelyn was active in the Garrett County Chamber of Commerce and its predecessor, the Promotion Council. She and Ace were Autumn Glory Golden Ambassadors and Evelyn was inducted into the Garrett County Women's Hall of Fame.

Helmuth's nickname "Ace" came from his outstanding skill in handball. Very few ever beat him at handball and thus the name Ace.

Their work went on. In 1975 they built a 7-story prestige condominium at Will O' the Wisp followed several years later with an 18-hole golf course at the ski area. Ace was also the owner of HMM contracting, very active in doing work for Texas Eastern in the gas industry. In 2001 D.C. Development, Inc. purchased Recreational Industries, Inc. Ace was retained as a consultant for several years until his health began to fail. He was in the office bright and early each day during that time and was consulted on many issues by the new owners. Needless to say, Evelyn and Ace may be gone but their legacy will never be forgotten.



Evelyn Heise

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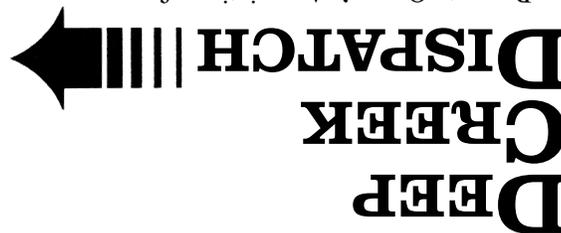
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At the August 8, 2016, General Membership Meeting, President Bob Hoffman listed the following officers going forward in 2017. President Bob Hoffman, First Vice President Susie Crawford, Vice President of Communications Paul Weiler, Vice President of Membership Chris Nichols, Treasurer Tom Myers, Secretary Karen Smith, and Assistant Treasurer Karen Smith. Everyone listed is available to hold his/her position for the POA Board next year. He encouraged someone to start thinking about the President position for next year. A motion was made for all board members to hold their positions for 2017, Tony Lombardi moved, Paul Weiler seconded.

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