

MEMORANDUM

To: Representative H. William DeWeese
From: Friends of Duke Lake
Shelly Richardson Brandy Tuttle
Melissa Black Diana Whipkey
Marie Carter
Date: September 4, 2005
Subject: Duke Lake

Here are our points of concerns and our suggested remedies:

- Agencies came for a morning decision making meeting. They decided to drain the lake for the safety of residents. We agree that it was necessary. However, these agencies did not stay and monitor the situation as they promised or did not lend any help or resources to citizens to save the dying wildlife.
It should be made mandatory that in emergency draw downs or other similar situation where the wildlife may die that the DEP be the responsible agency for coordinating help from the Fish Commission, Game Commission, local agencies or residents and the DCNR.
- Duke Lake was being monitored for months prior to it's draining. It has now become obvious to us that no agency had a plan to save the fish or other natural inhabitants of the lake. We feel there was ample time to create a plan and save the natural habitat.
The responsible parties should be held accountable for being negligent in their duties.
- DCNR employees seemed to think that the DEP was the authority once the draw down was ordered and did not make any attempt to aide or assist the dying fish and other inhabitants of the lake. We were not happy that Dennis Miller, park superintendent, sat in his office and sent the other employees to deal with the mess.
We feel that Dennis Miller should be made to understand that as superintendent he should have visibly supported his staff. The ranger who came on duty that evening did not know until he got there that the lake was being drained. This is unacceptable. Whatever happened to working together in a crisis? He was not even aware that the fish were dying in large numbers because he did not have time to leave his office. This is unacceptable. Dennis should have also been given more support and staff from the DEP during the draining phase of the crisis. The DEP just dumped it in his lap and left until the lake was empty. They were not at the lake as they claimed to be.

- There was uncertainty by the game commission, fish commission and citizens regarding whether it was illegal to dip net the fish in order to save them.
We would like a new regulation in the Fish and Game Commission handbook that states that in a situation where wildlife or fish are dying it is lawful to relocate the fish by whatever means are available and by whoever can assist. We also think that it should state that the limit laws do not apply in this type of situation. If the dead wildlife or fish can be harvested rather than wasted then any citizens should be allowed to legally harvest them. (Even citizens from neighboring states)
The fish commission also needs corrected for not making the time to assist.
- We feel that we are uninformed. *We would like to be kept informed from the decision making parties and not just the newspaper.*
We would like to have a time line developed and distributed to the public as to when the lake can be restored and operational again. We also suggest that a monthly or bi-monthly informational document should be distributed to citizens of the county. We want to know about who is responsible for all aspects of the restoration from the names of contractors to where we can get funding for this task. If this process is stalled or halted for some reason we want to know why and by whom so that we as citizens can contact the responsible parties.
- We want to keep the youth visiting the park even though the lake is temporarily gone.
Build a basketball court
Clear off the trails; debris hinders a safe walk
Build an ice skating rink again
Designate a sled riding area
- We are hearing in the community that there is a possibility that the mine is at fault.
We want the matter investigated by an independent agency that is not locally attached to our county or CONSOL. If they are responsible they should foot the bill not the tax payers.
- Ryerson Park looks neglected.
We are in favor of a monthly community clean up day, at least during the months of April through September. This could give community groups a chance to participate such as the Cub Scouts, Girls Scouts, Evirothon, community service participants, etc.
- We are tired of hearing that you will do nothing because you no longer care about the locals.
We think that you should make yourself visible as much as you can. You should bring some information and set up a stand at Arts In the Park if you can get your schedule cleared to attend.

We also would like to say that the clean up was handled nicely, better than we expected.
We hope that the restoration will also be better than expected.