

# DEEP CREEK DISPATCH

Fall, 2002

Newsletter of the  
Property Owners' Association  
of Deep Creek Lake, Incorporated

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## President's Letter

With fall upon us after a warm, humid, pleasant summer the POA continues to monitor issues of concern to Deep Creek residents, both permanent and seasonal. The matters raised by the membership, both at the public meetings and in person and the issues generated by the Board itself constitute an ongoing agenda to provide the best solutions possible. For example:

The level of the Lake during all seasons is of real concern to adjacent property owners and all users of the Lake and participants in downstream activities. It is regulated by the permit issued to Reliant Energy by Maryland's Department of the Environment and must fluctuate between an "upper rule band" level and "lower rule band" level throughout the year, controlled by rainfall and discharge through the power plant. There have been some violations of both the upper levels and lower levels in the past, although the current year has produced general compliance, to date, by Reliant. Reliant has recently proposed a definition of the rule bands which differs from the pictorial graph which is displayed on its web site and is in conflict with the understanding of the requirements by all of the affected parties. POA is represented in a workgroup of the interested and affected entities which is organized and supervised by Maryland's Department of the Environment.

Planning and Zoning issues involving the Deep Creek Watershed are monitored by POA as they arise. A number of zoning changes have been proposed by POA and adopted by the Garrett County Commissioners during the past year. A detailed report of the adopted amendments appeared in an earlier issue of the *Dispatch*. More representation of Watershed residents on Garrett County's Planning Commission has

been requested but to date has not occurred. Depredation by bears continues to be of concern; POA has requested that the County Commissioners consider requiring bear-proof trash containers for all rental properties in the Watershed, which produced a County request for voluntary use of bear-proof trash receptacles.

POA has a committee to assist the efforts of the Deep Creek Volunteer Fire Department in acquiring a new fire/rescue boat and is working with the Fire Department to that end.

Construction of lake/shoreline walls to prevent erosion has been an ongoing concern of POA and its committee is working with Paul Durham, Lake Manager, to produce a simplified application and approval process for installation. Noise pollution from the operation of non-conventional watercraft (personal watercraft and conventional boats are not included) has impacted the users of the surface of the Lake and nearby residents and guests. After conferring with representatives of DNR Police on noise regulations and enforcement in state waters, a committee has been appointed to study the problem further with respect to Deep Creek Lake; recommendations are to be made to the Board with referral to the Deep Creek Lake Policy and Review Board.

Less than an adequate means of public communication with the DNR Police in its patrol of the Lake has resulted in POA's contribution of \$3,000.00 to the Wildlife Conservation Enforcement Fund for the purchase of cell phones for the patrolling officers to make communication with them accessible from the McHenry State Police Barrack. POA has made its annual contribution of \$1,000.00 to the Fourth of July fireworks display from Marsh Mountain.

POA, by state law, has a representative on The Deep Creek Lake Policy and Review Board. The President attends the public meetings regularly and keeps issues of importance to the membership before that group. The last meeting of the year was October 23, 2002. The meetings are public and each of you is certainly welcome to attend.

Enjoy the winter!  
Fred A. Thayer, President

## Wind Power

Wind Power is coming. Florida Power and Light has started construction in nearby Tucker County, West Virginia. Blades 120 feet long have been passing through the area on US 219 heading south. There are two wind farms in Somerset County, Pennsylvania, just to the north of Garrett County. One is near Garrett, PA, and is visible from US Route 219 just north of Meyersdale, and the other can be seen from the PA Turnpike just east of Somerset. US Wind Force has applied to construct a wind farm on the top of Big Savage Mt. in nearby Allegany County, MD.

Clipper Windpower Inc. has started the approval route to build a wind farm on top of Backbone Ridge in Garrett County. The project, slated to be operating by the end of 2003, will produce up to 101 megawatts (MW) of power. For comparison the hydro plant at Deep Creek Lake provides 18 MW, while the nearby Mount Storm mouth-of-mine coal fired base load power plant produces about 1,600 MW.

Wind turbines are being located along the ridges of the nearby mountains because that is where the wind is. The benefits of the projects are: (1) emissions free green power, (2) up to 150 construction jobs in the County, (3) 6-8 full time staff for the long term, (4) Clipper Windpower could become the fifth largest taxpayer in Garrett County contributing up to \$500,000 each year to the county, and (5) small farms and other area landowners will receive about \$2,000 per year land rent, yet will still be able to graze cattle or grow crops within 60 feet of each wind turbine.

To further put the "green" energy in perspective, the electricity produced will power 30-35,000 homes. The avoided emissions would be equal to eliminating 21,000 sport utility vehicles, or alternatively, to the carbon dioxide absorbed by 60,000 acres of trees.

In the past, several problems have been associated with wind turbines. Initial units out west had smaller and higher speed blades (30-40 rpm) that sometimes killed migrating birds. The newer units only rotate at 12-20 rpm, and birds are better able to avoid the blades. The site on Backbone Mt. has been determined not to be a migratory bird path. In addition, dead birds have NOT been found under similar turbines in Somerset County.

Some people have been concerned about noise. At the beginning of the wind turbine industry, some units were noisy. Your *Dispatch* editor has been within several hundred yards of the units near Garrett, PA, and did not hear them. One gentleman, after visiting that site, stated that the wind rustling the dry corn stalks was louder than the nearby blades. To put the noise generated by modern units in perspective, at the site, noise level is about 55 dB, equivalent to hearing a car traveling at 40 mph pass by 100 yards away. By the time an observer is several thousand feet away, a modern wind farm generates a noise level similar to rural night-time background.

On the down side, they will be visible from various locations around the County and around the Lake. Some people think they are elegant. Some people don't. They will be white and to some extent blend against any clouds on the horizon. If you can see Backbone Ridge from your lake home, you will probably see the wind turbines. Each steel tower typically will be about 260 feet tall, with three 120 foot graphite composite blades, thus the total height will be about 380 feet. Some of the towers will have lights to warn airplanes as required by the FAA. At present it is believed that not every tower will need a light, and that the lights will be flashing red, rather than strobe.

The wind turbines will stretch 3.3 miles along the ridge between Wild Turkey Rock and Eagle Rock, and another batch will run 5.3 miles from near Bethlehem Rd through Kelso Gap at MD Route 560 almost to US Route 50. It will be 2¾ miles from Deep Creek Lake to the nearest wind turbine. It will be almost eleven miles from the extreme northern end of the Lake to the nearest turbine at Wild Turkey Rock.

Some have estimated that some turbines will be visible from about 20% of the lake, although it is very difficult to estimate. Very few folks will be able to see the turbines from their homes. Perhaps in a few cases a

blinking light might be seen through the trees at night. It is most likely that some turbines will be visible from the Glendale bridge, and from nearby water and some docks. Backbone Ridge is between 2900 and 3300 feet elevation in the area which will support turbines. However, between the lake and the ridge lies Hickory Ridge. Typically the height of this Ridge is 2800+ feet. It effectively blocks a view of Backbone Ridge from many parts of the Lake. Likewise Little Snaggy Mt. and Roman Nose block a view of Backbone Ridge from other parts of the Lake. However, the tops of the blades may be visible even if you can't see Backbone Ridge from your lakefront area. Those properties that have built on top of the mountains surrounding the Lake will most likely see the towers. Some Lake residents may think these mountain top properties to be visually more objectionable than the wind turbines. Some may not.

Clipper Windpower has stated that of the entire area only 41 acres will be "disturbed." Most areas are accessible from existing roads. The ridge tops will not be stripped of trees and the ridges will still be green.

Some technical details are available. Each turbine will generate 1.5 MW when operating. It is estimated that they will generate between 50 and 60% of the time. They will begin generation at a wind velocity of 6 to 8 mph. At 65 mph generation stops, and the blades turn away from the wind. The blades are variable pitch and control rpm in that manner.

In terms of cost, each of the proposed 67 wind turbines will cost about one million dollars. The useful life is about 25 years. On a megawatt basis, the capital cost is more than most other methods of generating electricity, but the fuel cost is zero. As the cost of oil increases, (does anyone think it will go down?) the cost of coal will also increase and wind power will become more cost competitive. Several states require that a certain percentage of power sold in their state be "green." Thus, although wind power costs a little more at this time, there is a market. In addition there is a tax credit program in effect through 2003. One would hope that environmental protection activists would request green wind power and be willing to pay a little more.

Early wind generators suffered various problems, and some have been abandoned, particularly in California. Clipper Windpower will be required to post a bond to

remove the towers if operation ceases. It is not yet clear if the bond will be sufficient to remove the towers at the end of their useful life, or how cessation of operation will be defined. The *Dispatch* will keep you posted.

## Property Taxes

Last year the south end of the Lake was reassessed. This year folks north of the US 219 bridge will have their turn. Assessments in Maryland are at full market value, performed by State employees every three years, and audited against actual sale prices. Joe Keating, supervisor of the local assessment office, has been so concerned about the recent very rapid escalation of lake property values, that he came to a recent POA Board meeting, so that we could warn and explain the situation to property owners.

The average market value of lakefront property has increased 96.5%, Lake access land 47.5%, and Lake area land 11%. The value of improvements (homes) in all three categories has increased between 11 and 13%. In summary, the average lakefront assessment will increase 58.5%, and the average lake access will go up 28%.

We present a few examples of lakefront sales over the past couple of years to help you fully understand the situation.

### IMPROVED

Acres	Front Feet	Sale Date	Price (\$1,000's)
0.08	51	May '02	\$260
		July '02	\$310
0.34	100	Oct. '00	\$287
		Sept. '01	\$370

### LOTS

0.07	110	Aug. '00	180
		May '01	269
0.66	22	May '00	101
		Aug. '00	245
1.76	Access	June '01	58
		Feb. '02	110
1.0	Access	Jan. '00	31
		Oct. '02	136

Sale price increases of condominiums vary by location. In general Ski Harbor is up 80 to 90%, Villages of the Wisp 40 to 45%, and older units at Deep Creek

Village 20 to 25%.

Some additional statistics which may be of interest: The number of building permits has increased from 83 in 1999 to 158 so far in 2002. In the same time frame the total value has gone up from \$14 million to \$37 million, and the average size went from 2750 sq.ft. to 3445 sq.ft.

The POA wishes to remind those of you who are **permanent** residents of provisions of the "homestead law." The increase in your actual taxes is limited to 5% per year. Thus if your assessment is up 24%, and the tax rate remains the same, your property tax bill will increase 8% each of the next three years, but if your lake property is your permanent residence (live in Garrett County at least 6 months, vote in the County, have your driver's license show your Garrett County address) your tax bill will only increase 5% each of the next three years. Exceptions are, of course, major improvements to your property.

The notice of new assessment will be mailed in December, and property owners will have 45 days to appeal. For those of you who may wish to appeal, you can obtain assessments of comparable lake properties on the web at [www.dat.state.md.us](http://www.dat.state.md.us) or in person at the Garrett County Courthouse. Also be advised, that should the real estate bubble burst ( a big drop in sale prices) you can appeal your assessment during the three year cycle.

## **Summary of the POA August Membership Meeting**

The membership was greeted by the County Commissioners and State Senator John Hafer and Delegate George Edwards. These officials generally attend all POA membership meetings to keep informed of Lake property owners concerns.

Cathy Mateer, of the State Office of Real Estate, spoke to the members about the "buy-down." The survey (as of late August) is complete to the Hoop Hole area. Settlements are well into the Green Glade area. Owners were admonished to watch extension of property lines, particularly in coves and on peninsulas. If your buy-down area is especially flat, the computer estimate of the area to be bought could be in error by more than 10%. If the actual survey shows that your

buy-down will be at least 10% more than the computer estimate, you may withdraw your offer to buy with no penalty. She estimated that another 12 to 18 months will be required to complete the process. The total time required to complete the process will be 3 to 3½ years. The original estimate was 2 years.

Lake Manager Paul Durham addressed the group. He noted that after a lake property owner closes on the "buy-down," his office will send a letter to remind the new owner about the easements. Next summer additional meetings will be held at the Discovery Center to help owners understand the regulations as they apply to the "buy-down." Watch the *Dispatch* for time and dates.

Paul was asked about the noise regulation. The limit is 90 db measured at idle 3.5 feet from the exhaust. POA President Judge Fred Thayer noted that the POA is working to get some changes. The *Dispatch* reported that the requirement used to be 75 db measured from shore. This was difficult to measure, but why the standard was increased to 90 db is still unknown. Since the decibel measurement scale is a logarithmic function, 90 db is 30 times more powerful than 75 db! We wrote to the DNR headquarters in Annapolis requesting an explanation. We understand why they now measure 3.5 feet from the exhaust at idle, but not why the limit is as high as 90 db. For comparison, a retired railroad executive checked the specification for maximum noise level in the cab of a new 6,000 horsepower diesel locomotive at full throttle. The number is 85 db.

## **State to Fund Deep Creek Boating Study**

Lake Manager Paul Durham has informed the Deep Creek Lake Policy & Review Board (P&RB) that the State Department of Budget and Management approved \$100,000 for a lake-carrying capacity study. The last such study was done in 1987-88. The study will focus on lake boating and commercial uses and will form the basis for possible revisions to lake regulations.

## **New Fire Boat**

Lake Manager Paul Durham told members of the P&RB that the Department of Natural Resources (DNR) plans to purchase a fire boat for the Lake. Meetings will be held with the DNR Police and the

Deep Creek Volunteer Fire Department to determine the type of boat and necessary equipment. A pump to extract water from the lake for transfer to tankers to fight fires around the Lake is a necessary feature.

## Bears

The *Dispatch* has previously reported various interactions between bears and people. As the number of bears in the area increase as well as an increase in the number of people, encounters will also increase. Many of you may have read or heard about the 5-month old baby girl that was killed by a bear in New York State.

The Governor's Bear Task Force voted 6 to 4 to recommend a bear hunt in Garrett County. A limited hunt will reduce the number of bears, although it may not specifically remove bears which frequent farms, homes, cabins, and Lake properties. Since Maryland now has a new Governor, the Task Forces recommendation just might be accepted. They also recommended that problem bears be shot. The complete draft report can be seen at [www.dnr.state.md.us/wildlife](http://www.dnr.state.md.us/wildlife). The Task Force would like your comments. These can be sent via e-mail to [customerservice02@dnr.state.md.us](mailto:customerservice02@dnr.state.md.us), or by conventional mail to Black Bear Management Plan, P.O. Box 1138, Cumberland, MD 21501-1138.

## County United Way Campaign

The Garrett County United Way wishes to thank POA members for contributing over \$7,500 to last year's campaign. Information about the next campaign will be included in the Spring 2003 *Dispatch*

## POA Web Page

Don't forget, back issues of the *Dispatch* may be accessed at [www.deepcreeklakepoa.com](http://www.deepcreeklakepoa.com). Other web pages of interest include:

- [www.saildeepcreek.com](http://www.saildeepcreek.com),
- [www.deepcreektimes.com](http://www.deepcreektimes.com)
- [www.therepublicannews.com](http://www.therepublicannews.com)
- [www.deepcreekyhydro.com](http://www.deepcreekyhydro.com)

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