

DEEP CREEK DISPATCH

Fall, 1999

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

Special Bulletin

The Maryland Department of the Environment has announced that an initial public meeting has been scheduled for 1:00 pm on Saturday, October 23, in the auditorium of Garrett Community College for the purpose of considering possible changes to the operating requirements of the water appropriation permit for Deep Creek Lake in connection with the transfer of ownership to Sithe Energy. There are a number of groups having vital interests in Deep Creek Lake that would like to make changes in those operational characteristics, some of which could affect the levels of the lake. A number of organizations would like to provide for more, or more frequent, releases from the lake. These are matters in which all members of the Property Owners Association have a vital interest. All members of the Association are urged to make every effort to attend this all important meeting.

Existing Water Use Permit

In the winter 1999 we published an abbreviated version of the current water use permit. To refresh your memory, that article is reprinted.

If you have followed lake issues, you may have heard of the term "rule bands." What are the rule bands? They are upper and lower lake levels which must be maintained by GPU in operation of the power plant. They are defined by the Appropriation and Use Permit issued Jan. 1 1994 by the Water Resources Administration of the Maryland DNR. The water levels specified as feet above sea level by month are as follows:

<i>Month</i>	<i>Upper Level</i>	<i>Lower Level</i>
January	2457.9	2455.0
February	2457.9	2456.0
March	2457.5	2458.0
April	2461.0	2459.6
May	2461.0	2460.0
June	2461.0	2460.0
July	2460.0	2459.0
August	2459.0	2458.0
September	2458.5	2457.0
October	2457.9	2456.0
November	2457.9	2455.0
December	2457.9	2455.0

Exceptions to these requirements are defined as, (1) an emergency in PA, NJ, & MD power grid, (2) a site emergency—possible dam failure, and (3) inability to operate the equip-

Attention

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 **See Special Bulletin** 

ment. The power plant operator is limited to a daily average use of 94,000,000 gallons figured on a yearly basis, and a maximum daily withdrawal of 420,000,000 gallons. To put these large numbers in some perspective, at an elevation of 2459 feet the lake is about 3700 acres. To lower the lake one foot would require the removal of 1,200,000,000 gallons of water. Operating the power plant flat out this would require 68 hours. During July, August, and September the power plant typically operates 5 hours per day 5 days per week. This is about 0.5 inches per day. Or with average rainfall and evaporation the lake drops about one foot per month during each of the three summer months. If the weather is warm and there is very little rain, evaporation alone can lower the lake about 8 inches in a month. The above is only a brief summary of a complex document, and we have not attempted to cover all the "what ifs", exceptions, and special requirements.

The rule bands are important to our enjoyment of Deep Creek Lake. In late December and early January this winter, the Youghiogheny reservoir between Friendsville, MD and Confluence, PA was empty. The old route 40 bridge became visible for the first time since the reservoir filled in the mid 1940's.

A large section of the water use permit deals with white water rafting on what has come to be known as the "Upper Yough." The stretch between Sang Run and Friendsville is mostly class IV and V rapids, and may be the most challenging white water in the Eastern US. The length of the whitewater season is defined as from April 15 to October 15. Basically, releases from Deep Creek Lake during this period

are to be three hours in duration, on Fridays, Mondays and one Saturday per month. Release information is to be available to the public on a recorded telephone message, on Thursdays for the coming weekend, and between 7 and 8 am each day for the coming day.

There are also requirements for water releases to maintain the water temperature between the tail race and Sang Run below 25 degrees C during the three summer months. This is to provide habitat for trout. Also a minimum water flow of 40 cubic feet per second should be maintained in the Yough River. With all these requirements, it is no wonder that GPU would like some changes.

There is another important item in the permit—it is not transferable. When title changes from GPU to Sithe Energy, a new permit will be required. This could be an opportunity to change the rule bands. The DNR is no longer responsible for the permit, it now comes under the Maryland Department of the Environment.

For the record, the water level on October 14, 1999 was 2456.6 ft.

A New Campground?

A hearing was held Sept. 16, 1999 to obtain a special exception to The Deep Creek Watershed Zoning Ordinance. The proposed campground is located on an 80 acre tract between Sand Flat Rd, Pergin Farms Rd. and The Penn Cove section of Deep Creek Lake. Initially, maps given to area residents, showed about 200 feet of frontage on the Penn Elec Line. The maps used at the hearing show about 1200 feet. However, very little, if any of the frontage is usable lake front.

The hearing for the campground did not begin until 11 pm and went on until 2 am! Sixty-six letters against the campground were read into the record. The first letter was from Charles Bender, Chairman of the Garrett County Planning Commission, which gave an advisory opinion under ordinance 1009 that the Zoning Board of Appeals deny the Special Exception for the campground. There were four letters in favor. Those present report that two of those were from relatives of the property owner. A common concern of many of those opposed

to the campground is increased traffic on Sand Flat Rd. Section 1006 of the Deep Creek Watershed Zoning Ordinance requires the Zoning Board of Appeals to consider whether the proposed use is "suitable in terms of effects on road traffic and safety with adequate access arrangements to protect roads from undue congestion and hazard." The board voted 3 to 2 in favor of the special exception with the following conditions.

1. All campsites shall have a 600 ft. minimum set back from Pergin Farm Road.
2. A 50 ft. wide firebreak shall be established around the entire camp ground.
3. A 24 ft. wide roadway with split entrance shall be installed and paved within 200 ft. of Sand Flat Rd. All roadways must be paved within 2 years of the Board's decision.
4. Access roads must be designed to provide drive through campsites.
5. A final site plan and evidence of compliance with all stipulations of this decision must be submitted back to the Board for final approval.
6. A 6 ft. fence must be installed on south, east and west sides of the 18 acre campground.
7. Development of campsites may only occur within the wooded portion of the property and owner agrees to have the northern row of campsites located within 50 ft. inside the edge of the woods.
8. Final Board approval is contingent on:
 - A. Receipt of Health Dept approval
 - B. Receipt of Storm Water & Grading Permit
 - C. Receipt of Stream Crossing Permit
 - D. Receipt of Water Appropriation Permit
9. Clear signage for the campground be erected on Sand Flat Road.
10. A No Lake Access agreement for the campground must be provided to the Board.
11. A No ATV Agreement for the campground must be provided to the Board.
12. A final Site Plan to demonstrate compliance with the conditions of this special permit.

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See details inside

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