

DEEP CREEK DISPATCH

Fall, 2001

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

Summary of POA August Membership Meeting

President Roger Titus introduced Delegate Edwards, State Senator Hafer, County Commissioner Wendel Beitzel, and DNR lake manager Paul Durham. Paul thanked the POA for their support. He said the DNR was investigating 28 cases concerning lake and buffer strip issues.

The President apologized to the membership for any discrepancy in membership data, due to a computer crash last winter.

There were two very serious boating accidents last summer. A sailboat was cut in half by a power boat, and the other resulted in the death of visitor to the lake, when a sailboat came in contact with overhanging electric lines. President Titus presented long time POA Board member and past president Ed King with a plaque honoring his rescue attempts to save the life of one of the sailors, and his successful rescue of the young son of the fatally stricken man.

President Titus reported that The POA and DNR had been in contact with the power company and the Public Service Commission. The power line in question was deactivated and an inventory of lake power lines was conducted.

We reported in the Winter 2001 Dispatch that the Wisp had

requested the use of 200 million gallons of lake water during the period October through March. President Titus reported that the POA had written to the Maryland Department of the Environment (MDE) requesting that the withdrawal of water by the Wisp be prohibited during the months between March and October. (We reported last winter that 200 million gallons represented less than two inches of lake level.) In addition the letter to MDE requested an interpretation of the current Rule Band restrictions in the permit to Reliant Energy, the power company which now owns the dam and power plant. The power company is interpreting the Rule Bands as suggestive levels rather than mandatory.

After accepting questions from the membership, President Titus announced that the new POA president would be the Honorable Fred A. Thayer.

New POA Board members, Bill Nickles, Frank Wolffe, and Lou Battistella, were elected.



President Titus presents plaque to Ed King



President Titus presents gavel to Fred Thayer

Message From The President

Your Board of Directors has conferred on me the duties of President, which I have accepted with a sense of trepidation. Roger Titus, now first vice president, has accomplished a great deal in the past three years as president—three years which have witnessed the acquisition of the lake by the State of Maryland and the creation of the new Deep Creek Lake Policy and Review Board. Roger has seen the POA through these strenuous times with distinction and decided benefit to the POA. He will be hard to follow.

My goal as your president will be to solidify the gains made on behalf of the POA in assuring the status quo in management of the Lake by the State of Maryland, and to provide liaison with local government and business as it affects the interests of the property owners in the Deep Creek watershed. Although I am a relative newcomer to the POA Board, I do bring some experience to the table. From 1958 to 1977 I represented Penelec as local counsel and assisted occasionally, in the day to day management of the lake and buffer strip. I was asked to act as chairman of the Deep Creek Lake-Garrett County Advisory Committee during the negotiations by the State for acquisition of the lake and did so. The Garrett County Commissioners asked me to be a member of its negotiating team which was instrumental in the creation of the new Policy and Review Board. I have been the POA designee member of the Policy and Review Board since its creation, and I will continue in that position.

A new sense of cooperation between the POA, the Garrett County Commissioners, and Garrett Countians in general has developed and grown since March 1998. I believe it is my duty as President to foster and promote that cooperation, building on the base already established and increasing the scope of cooperation in matters of mutual interest. The fact is we need each other to establish further goals for the good of the POA and the County.

Roger will continue to liaise with the State bureaucracy; the POA Board will continue to provide you with a forum to discuss any matters which pertain to your ownership of property in the Deep Creek watershed. Please don't hesitate to call on us.

Fred A. Thayer, President

Natural Resources Police

Sometimes called the DNR Police, these are the folks who patrol Deep Creek Lake. They are the police who issue citations for boating or fishing violations. They have the same authority as the State Police, but they have a different commander. Their boat radios do not communicate with the State Police cruiser radios. This time of year the Natural

Resource Police are more likely to be out in the woods rather than on the Lake. Some people might call them game wardens. There are five DNR Police in Garrett County, and three in Allegany County (Cumberland). Garrett County personnel also patrol Jennings Randolph Lake on the border between Garrett County and West Virginia. Allegany County personnel sometimes help out Garrett County.

Unfortunately you can not contact the Natural Resources Police at Deep Creek directly. To reach the Natural Resources Police you must call 301-777-7771. This is their Western Office in The Bilmeyer Wildlife Management Area near Flintstone, MD. They have radios that will reach the Natural Resources Police in most locations on the waters of Deep Creek Lake. This phone is manned Monday through Saturday from 8 AM to 4 PM. At other times it rolls over to an 800 number in Annapolis. This number is 1-800-628-9944. You may, of course, call this number direct at any time. These people will follow up on a complaint, but you must be sure that they know you are calling about a problem at Deep Creek Lake. There is a Deep Creek that flows into the Chesapeake Bay.

Many lake residents make the mistake of calling Paul Durham's (the Lake Manager) office for on the water problems. The lake manager should be contacted about problems on the buffer strip. Call 301-387-4111. This office can reach Natural Resources Police on the water, but the phone is often manned by summer interns, who may not be trained in its use. On the water issues are the purview of the Natural Resources Police. They do not report to Paul Durham. They report through a different chain of command.

The Garrett County 911 number should only be called for lake emergency situations that will likely require fire and rescue. You should not call them concerning improper boat or personal water craft operation.

Although the Natural Resource Police share the McHenry Barracks with the State Police, they can not normally be reached on the water by the State Police in McHenry.

The bottom line: for on the water problems at Deep Creek you can always use the toll free Annapolis number: 1-800-628-9944.

These dedicated officers would like to be able to do a better job policing the waters of Deep Creek Lake. There are several ways to help. Maryland residents might wish to contact their local Delegate or State Senator to request better budgetary support of the Natural Resources Police. Another, more direct method is by a donation to the Wildlife Conservation Enforcement Fund, Inc. The WCEF, a 501-C3 charitable organization, was initially formed in 1998 by several Maryland Natural Resources Police Officers in Western Maryland. These officers saw the need to acquire additional support equipment. Items that would be useful on Deep Creek lake as well as in State Forests include: cell phones,

night vision goggles, cam corders, and radios for better communication. Tax deductible donations may be sent to: Wildlife Conservation Enforcement Fund, Inc., P.O. Box 302, Oakland, MD 21550. For more information you might wish to visit their web site: www.mdwildlifeprotection.org.

Deep Creek Lake Policy and Review Board

After the POA August membership meeting, The Deep Creek Policy and Review Board (DCP&RB) met to solicit public input and comment on the proposed Deep Creek Lake Land Use and Recreation Plan. Those present expressed concern about boating safety and debated the merits of requiring training and licensing for all motor boat operators. The age limit for operation of a personal water craft (pwc) is 16, but there is no age limit for operation of a motor boat. It was noted, by one individual, that two-cycle motors discharge large amounts of unburned oil and gasoline into the water, while four-cycle engines are less polluting. Such engines are now available as outboard engines and in pwc's. Another participant said that the permitting process to comply with shore line erosion needs to be streamlined. Presently up to four government agencies must be consulted before a shore line erosion permit may be granted. And we note that this past summer the lake was often at, or slightly above, the required rule band level, which caused more shore line erosion.

It was pointed out that bears frequently get into garbage, often at rental properties. Bear proof garbage containers of suitable size should be provided by property owners, and renters should be instructed to put garbage out only on days of scheduled trash collection.

Deep Creek Lake Plan Approved by DNR Secretary

Maryland Department of Natural Resources Secretary, J. Charles Fox has approved the Deep Creek Lake Recreation and Land Use Plan, which had been prepared by the DCP&RB. The plan recommended three studies of the lake, including recreational boat use, shoreline erosion, and water quality. The boat carrying capacity study is scheduled to begin next year. However the DCP&RB has not had sufficient time to review and approve the request for a proposal which had been prepared by the DNR. The last such study was done in 1987-88. This study will form the basis for possible revisions to lake regulations. A copy of the plan may be found at www.dnr.state.md.us/publiclands/western/deepcreeklake.

Automobile Registration—A Catch 22

A seldom enforced section of the Maryland Transportation Code came to the attention of a resident of another state who maintains a summer residence at Deep Creek Lake. There is a section of the Maryland Vehicle Law in COMAR regulations which states that if you reside in the State of Maryland for more than sixty (60) days, then you must either apply for a Nonresident permit or obtain dual registration in the two states in which you reside. The Nonresident permit would not be allowed for more than a one year period, thus for example, this would not be an option for multiple summer visits or summer residency in Maryland. The alternative, dual registration, also presents a problem in that one would have to apply for such, pay taxes on the vehicle in Maryland and have appropriate insurance. Insurance companies do not want to insure a car that will change its license plates to reflect that of another state for a portion of the year. While this appears to be a dilemma, the actual case as presented before the District Court was dismissed, but that is not to say that further enforcement might not result in a costly citation. The POA is investigating the possibility of repeal of this onerous section of the law.

Street Name Signs

Several years ago, Garrett County undertook a plan to name every road, State, County, and privately maintained. And everyone was assigned a street name and number address. This was part of a new 911 emergency system. Fire, rescue squad, police, USPS, FedEx, UPS, and friends can find your home.

From time to time some of these signs have disappeared. We wondered how to get these signs replaced. The following is County policy. If the sign is at the intersection of two County maintained roads, the county will replace the sign. Call the Garrett County Roads Department at 301-334-3988. If the sign designates a County road at the intersection of a State Road, the State of Maryland is responsible. If the sign designates a privately maintained road at the intersection with a County road, then those who maintain the privately maintained road are responsible. The County limits its responsibility! We wonder why the County will not replace signs on its own sign posts? Although the Dispatch does not normally accept ads, if your sign is missing we suggest you call Signs by Domenick at 301-334-1344. They will be able to provide a sign that will fit the county supplied post and match the design of other street signs in

the county.

Noise Pollution

Many of you have complained about loud motor boats roaring up and down the lake. Perhaps you have heard the term "Captain's Choice" or "Captain's Call Exhaust." This is an optional feature available on 12 of 13 Cobalt models. The normal exhaust on I/O drive Cobalts is underwater through the center of the outdrive. According to a Cobalt factory representative, the "Captain's Call Exhaust diverts the exhaust to above the water and makes the boat real loud."

If you still have the urge to go "brooom brooom," use the captain's choice, or order your next boat with this optional feature. If you wish to be considerate of your neighbors and other lake residents, don't.

One solution to boat noise on Deep Creek Lake might be to require all boats to have underwater exhaust.

According to a DNR police dispatcher the motor boat noise limit throughout the state of Maryland is 90 decibels (dB) at idle and in neutral. To quote from Grolier's Encyclopedia, "regular exposure to sounds above 90dB will eventually cause hearing loss."

As an editorial comment, we note that the sound level will most likely increase as engine rpm increases when the vessel is under way. While such decibel levels may be suitable several miles from shore in the middle of the Chesapeake

Bay, the dB level in the regulation does not appear suitable for Deep Creek Lake.

POA Board Members

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|-----------------------------------|--------------|
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