

Deep Creek Lake Watershed Management Plan
Lake Levels Subcommittee, Economic Effect of Deep Creek Lake water Levels
By Jess Whittemore 4-6-14

Since 2010 lake leadership; the Deep Creek Lake Policy and Review Board (PRB), Property Owners Association (POA), Friends of Deep Creek Lake and Garrett County Chamber of Commerce have continually implied that some undeclared low lake levels have a sizable negative impact on the DCL economy and property values thus making it a County wide problem by theoretically linking sizable tax revenue and job loss to this new undescribed low water phenomenon. Since 2010 DCL leaders attempted to resolve this "problem" by seeking a reallocation of water through an MDE water appropriations permit (Permit) as they do now with the latest Morgan France reallocation plan draft #4. If successful, Lake leaders could easily forever hurt Friendsville's present and future economy by taking her water releases. I suspected that DCL leadership rhetoric of economic loss from "low lake levels" is baseless, exaggerated and full of misrepresentation. So I decided to talk to people who are generally neutral position experts on the subject; State assessments and taxation supervisor Joseph Keating, Community Planning and Economic Development Mike Koch, Frank Shap and Logan Marks, Board of realtors Paul Durham, and dozen DCL business owners and realtors.

Joseph Keating and staff are extremely professional and strictly concerned with the valuation process based on market and property sales. In district 18 they take into consideration Lake front lot water issues among many issues, each slightly influencing the valuation process. In talking to Mr. Keating's staff one can easily see that consideration given to shallow cove property is not new and it is not of the Magnitude Lake leadership implies as causing a new sizable property tax revenue loss. Our Lake leaders misrepresent the revenue loss cause and affect of recent times; the cause of recent assessment devaluation is simply the first reflection of the great recession on Countywide property sales not just shallow coves. Everyone knows that shallow cove property cost less than deep-water property, what's new?

Community Planning and Economic Development Mike Koch, Frank Shap and Logan Marks met with Roger Zbel and myself, we looked at MDE data, POA maps and I presented Friendsville's position against having their dam releases taken to help the DCL economy. We all agreed that Friendsville is without a doubt an up-coming area of economic growth in the County with great potential. Could be the brightest star in Garrett Counties inventory of Municipalities. We all agreed that the economic impact and importance of Deep Creek Lake should not be construed to imply that other off-Lake related activities are not economically important to the County. More specifically, the water releases that support whitewater recreation on the Youghiogheny River have economic and marketing benefits to the County and a very significant economic benefit to the Town of Friendsville. We went on to postulate Friendsville as the Adventure sport capitol of the County and might be marketed and developed as such.

The County and State are presently investing in Friendsville infrastructure Geared towards revitalization and economic growth around its river resource and trails. Friendsville has in recent years procured hundreds of thousands of dollars in grants for Whitewater boater / trailhead development. Friendsville annually gets around sixty-six three hour scheduled white water dam releases and a varying number of boatable temperature enhancement releases every summer, all subject to change due to the Permit conditions and weather. We get allot of visitors during this three-month period, existing business thrive on it, and several new up-start businesses have taken root. The Dam releases are not enough to sustain our businesses year round solely; it's barely enough to encourage new business to open. That is why we have apply for grants and support, the Garrett Trails, Eastern Continental Divide Loop Trail development through our Town, it shows promise to fill in the shoulder months with visitors which will further support existing business and hopefully attract more entrepreneurs to start up new businesses, creating even more jobs in the future. Friendsville is growing, State and County officials agree and support Friendsville to the tune of large grants. We wish that our DCL neighbors would consider the same County and State wide vision by living up to their own word as seen in their letter to MDE Feb, 3rd 2006 *"the PRB and POA representatives expressed support of maintaining the status-quo in a new permit with regard to lake levels and rule bands."* Signed President of the POA, Scott Johnson.

De-bunking lake leader stories of economic hardship related to low water is easy. In a petition sponsored by the PRB Water Level Sub Committee dated 2010, they state, *"We want water levels to be reduced more gradually in fall of the year so we will have use of our boats through Autumn Glory!"* This request is stated many times in the petition. The request for higher lake levels past Labor Day until Autumn Glory claiming visitor attraction attributes is another wild story; The POA's online mapping tool uses a Satellite photograph that was taken on October 9th 2011 three days before the Autumn Glory Festival. In this photo the lake was right up against the Upper Rule Band, the highest legal water level possible at 2458.7' on this date. This is exactly what the PRB requested and wanted. The photograph reveals that approximately two thirds of all docks are removed from the entire lake and the ones remaining were almost completely vacant of boats. So here it is, one year after the PRB proclaims the need for higher lake levels for Autumn Glory, the Lake is at it's highest, it's three days before the Autumn Glory Festival and there is next to no one on the lake besides the sound of crickets! POA President Bob Hoffman commented recently on my finding of this saying that weather causes low lake use as an excuse. I checked the weather history of September into October 2011 this season was no different than other years on average, mixed sunny warm and cool days with scattered showers, typical fall weather. The truth is that when School is back in session the Lake visitor count drop's off the charts.

In 2010 The Garrett County Chamber of Commerce made a position containing these words: *"It considers useable lake levels essential to maintain recreational use. This year DCL levels have gone below that useable level."* This is another perfect misrepresentation of the facts; according to DNR weekly aerial boat counts, the use of the lake progressively increased during the summer of 2010 as it does any other year, the number of boats throughout the summer of 2010 was perfectly average to all other years showing no loss of Lake recreation. The great misrepresentation is that the Chamber used Lake recreation loss that did not exist to endorse higher lake levels for shallow cove properties.

Now the POA publishes its DCL level analysis also targeting the economic need for higher lake levels, it's based on the lake elevation of 2456' that is 1.5 feet lower than the average lake level at Labor Day. The report uses remarkably accurate and expensive bathymetry mapping data but that's where the accuracy ends. The report fails to mention pertinent data that would hurt the POS's desired conclusions. They did not use a realistic low lake level and time of year, they mentioned it but did not use the fact that many dock owners could push their dock out to sufficient depth and last but not least they did not mention the boat draft considered while making their conclusions. This report is based on incomplete and arbitrary information designed to exaggerated the preexisting condition in shallow coves. I Used the POA mapping tool and counted a total of 5% slips that would have definite navigation issues if all of my recommendations came true. The POA being perfectly consistent with their history of exaggeration would have us believe 25%. Of course my findings are based on the positive outcome of "COMAR dock push out wars" between lake leadership and DNR lake management.

I have talked to numerous DCL business owners and managers and questioned them specifically about the recent drought summer of 2010 and how lower than normal lake levels impacted their business. Business types included boat rental, restaurant, gas station, hotel, and construction. Generally the interview was granted if their name was not divulged. They all said that there was a significant impact on their business from the recession but did not attribute any loss of business due to low lake levels. Most of them heard something about cove property owners having issues with docks but didn't elaborate on the affect to them.

Its true, house rentals, sales and property value suffer in shallow cove areas and always have. What is also true is that these same affected properties got a significant increase in value in 1995 when the new MDE Permit took affect. At that time the Lake got an annual average of an additional two feet of water level. These two feet of water came from cutting the equivalent of forty-eight whitewater dam releases into the Youghiogheny River. This was a great expense to Whitewater recreation and business opportunity days that Friendsville would certainly welcome today. Amazingly DCL leaders have grown tired of this huge gain in Lake value and want more undeclared higher water levels than ever before. Since 2010 Lake leaders have continually suggested taking dam releases from down stream recreation and Friendsville to relieve the new undeclared "low lake levels" which seem to be anywhere between 2456' to 2459' lake elevation.

After meeting with many County and State officials and with business owners seeking evidence or data of any kind supporting economic loss attributed to "low lake levels" I have found nothing that has not already been attributed to preexisting condition's since the lake was made.

I find Lake leaders making up elaborate economic stories to justify taking water from fellow lake water stakeholders but in a few instances I think I found the truth. Pete Versteegen sums it all up when he posed a philosophical point of view in a recent email to me *"The lake house owners pay a great deal of taxes that the County and local residents take advantage of to build a better infrastructure, good schools, and subsidize a lot of living standards. It also incentivizes the State to put more money into the local area, because it is a vacation playground for its taxpayers". "people are willing to pay the taxes, but want a return for some of that."* I need to set the record straight with Lake leaders, the sizable property tax revenue generated by lake real-estate is great and we all appreciate the contribution but it has put our County in a bad position in regards to the State Aid Wealth Formula, which helps to keep the Friendsville Elementary School constantly on the chopping block for School closure. The Friendsville Elementary School is our **number one** priority to the residents of Friendsville. So when Lake leaders tell Friendsville about how much their contributions help us it may be true to some extent but Friendsville has a hard time feeling the love over the terrible possibilities of losing her School. School closure and taking our water, that's the value that's is easy to see from the banks of the Youghiogheny River in Friendsville.

The Fact is DCL people paid more for their property thus pay higher taxes at the Lake because they are getting something of great value in return that other tax payers do not get, Lake access. Not only does the shallow cove property owner get exactly what they wanted when they bought their property, they get to access the People of Maryland's Lake for a known and predictable portion of the year thanks to the existing Permit. Pete's philosophical comments are not alone; this same sentiment has been injected time and time again into letters to the editor, public meetings and PRB meetings. These people actually think they deserve to take water from other recreational uses and the economy of Friendsville because they have grown tired of what they were at some point happy with, their property value. As if they can buy the resource from others to increase their property value. I am certain that property value, sediment build-up and SAV proliferation are not considered by MDE as condition's worthy of reallocating water away from whitewater recreation dam releases. These dissatisfied property owners could simply sell and BUY UP to deeper water and let someone buy the shallow cove property that can appreciate it. The Taxes will always be paid according to fair assessment values and the water levels will always fluctuate and sometimes end up low on drought years regardless of the presents of dissatisfied property owners.

I find the arbitrary nature of lake leader economic justification to take water from other stakeholders amazingly baseless, its as if they're throwing one goofy story after another at a wall to see if any will stick. I now call Lake leaders to task, show us evidence or data proving the claim of economic loss attributed to "low lake levels" try to make your stories stick. Assessment story, Autumn Glory story, 25% of slips have navigational issues at "low water", and last but not least, Wealthy property owners deserve higher lake levels.