

Property Owners' Association of Deep Creek Lake, Inc.
PO Box 816 McHenry, MD 21541



August 22nd, 2019

Dear John,

At the August 10th Board meeting the POA discussed, in detail, the Fisheries request to extend the Temperature Enhancement Release (TER) protocol from the period of June through August to May through September. Morgan France presented a summary of the meeting activity.

After extensive deliberation the intent of this letter is to express to MDE the POA position, viz. *we oppose any extension of the TER protocol interval whatsoever*. Following are the key points for our position:

1. Little, if any, quantitative evidence for extending the TER protocol period was presented;
2. Since the TER protocol is not subject to LRB restrictions, both Whitewater Rafting and Lake surface use would be impacted—especially in dry years;
3. No evidence of either financial or recreational benefit of an extended TER protocol was presented;

Beyond the request for extending the TER protocol period, we believe that a review of the need for *any* TER protocol is necessary. Fisheries use tax dollars to operate the fisheries between the power plant and the Sang Run Bridge, as well as to fund the creation and evaluation of the TER protocol. The whole idea of fisheries in this reach of the Youghiogheny River may not be the best use of the waters of Deep Creek Lake, particularly when the current protocol is not subject to the rule bands which were implemented to protect the recreational users of the lake. Further, using limited and very valuable lake water to create an artificial habitat for trout in this area of the river which is not naturally a trout habitat for a relatively few number of fishermen also may not be the best use of Lake water.

The POA would look forward to participating in an open and unbiased review of the TER protocol with a view toward:

1. Establishing quantitatively and objectively the need for TER protocols;
2. Determining what is needed to ensure that fishermen will have adequate opportunities to fish in the subject waters; and
3. Ensuring that all parties—Fisheries, Whitewater, and Lake—are treated equitably.

John, thanks in advance for your time and kind consideration of the POA positions.

Paul Weiler,
President