

To: John Smith, Maryland Department of the Environment

From: Ken Pavol, Western Md Fishing Guides Association

May 8, 2019

Re: Comments on Brookfield operating permit renewal.

Our fishing guides association supports the renewal of the Brookfield Deep Creek Lake power plant license as it is currently configured and we also support the modifications recommended by Maryland DNR Fisheries Service that would: increase the trigger flow at Oakland from 150 cfs to 200 cfs, begin temperature enhancement releases as soon as possible, and extend TERs to May 15 through September 15. Because TERs are necessary to support trout survival downstream of the Brookfield plant, we do not support tying their implementation to the lower rule band. Our position is that if the protocols predict the need for a TER, than that TER is required to preserve trout and lake elevation should not be a consideration. However, a compromise agreement, where the lower rule band is used as a criteria for TERs outside of the current June 1 to August 31 time frame, is still an improvement for trout.