

February 14 2024

Dear Honorable Senator Mike Mckay

My name is Roger Zbel and I represent the commercial outfitters on the Upper Youghiogheny in Western Maryland. I have over 47 years of rafting and kayaking experience on the Upper Yough in Garrett County, and I feel I have a much better insight to how this request to hold the level of Deep Creek lake at lower level for this time period can have devastating affect on the rafting companies, white water interests and the fishery.

We are strongly opposed to Senate bill 837 for several reasons. First of all requiring Brookfield renewable energy to hold the lake at the lower level for that period of time has great potential for not being able to refill the lake for the next summer season. This exception to the Appropriations permit should be handled thru the Triennial review process thru MDE so that all stake holders have a chance to review and make comment.

Second The time period to study the SAV's in the winter months can be difficult if the lake is frozen over from December to March. No specific time frame other than 4 weeks between Nov and end of February has been described to make a better judgement.

Lastly if this bill is passed then the requesting party, the Deep Creek water shed Foundation/ thru the proxy of the Garrett county, Kevin Null, needs to have the MDE guarantee that if this study at the proposed low levels prevents Brookfield from filling the lake for the following boating season then they need to have an exception to the permit from MDE to allow Brookfield to release water for all the whitewater releases to occur regardless of lake levels.

Just to recap the commercial whitewater outfitters strongly oppose this bill because there has been no public process and no transparency to the other stakeholders.

Respectfully,  
Roger Zbel

Commercial Outfitters representative for the Upper Yough.