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Coalition Counties Commend Hogan Administration for Bold and Historic Permitting Decision, Long-Overdue Conditions on Conowingo Dam Operations

CHESTERTOWN, MD (April 30, 2018) - The Clean Chesapeake Coalition commends Maryland Governor Larry Hogan and his Administration for the Clean Water Act, Section 401, water quality certification issued on April 27 by the Maryland Department of the Environment to Exelon for the relicensing of Conowingo Dam, with special conditions essential for safeguarding our waters and our downstream restoration efforts, and for the betterment of the Chesapeake Bay.

“This is indeed a watershed moment in the history of Chesapeake Bay restoration,” said Kent County Commissioner Ron Fithian, Chairman of the Clean Chesapeake Coalition. “For nearly 6 years our Coalition has been shining a spotlight on the Conowingo factor and insisting that the multi-state Bay cleanup agenda was flawed for ignoring the elephant in the room. Thanks to the leadership of Governor Hogan and MDE Secretary Ben Grumbles, we finally have a plan to begin addressing the enormous threats posed by the operation of Conowingo Dam on the ecology of the Bay and on our downstream efforts and expenditures to improve water quality.”

Well-supported by science and enforceable under the law, the Hogan Administration has responsibly embraced the once-in-a-generation opportunity to impose licensing conditions requiring the owner of Conowingo Dam to properly manage the vast quantities of nutrients, sediment and other contaminants that are accumulated in the reservoir above the Dam and scoured into the Bay during major storm events and now with more regularity in equally harmful proportions because of the loss of trapping capacity in the reservoir.

The Susquehanna River is the single largest source of pollution loading to the Chesapeake Bay and because all that flows down the Susquehanna flows through the Conowingo Dam, the Dam is a significant point source of sediment and nutrient pollution that negatively impacts the Chesapeake Bay. The Dam converted the lower Susquehanna River into the Bay watershed’s largest stormwater management pond. That reservoir has been trapping upstream nutrients, sediments and other contaminants for nearly 90 years; has never been dredged or otherwise maintained and, until this significant permitting decision by Maryland, nobody has been legally responsible to dredge or otherwise maintain it or mitigate against its adverse environmental impacts. Since Hurricane Agnes in 1972, the devastating impacts on the Bay from the accumulated nutrients and sediments above the Conowingo Dam when coupled with the forces of Mother Nature have been well-known, well-documented and thoroughly studied.

Quite frankly, there was enough science and law available to previous administrations at the State and federal level to see things differently and recognize the enormity of the Conowingo factor in the context of the Chesapeake Bay TMDL (aka “pollution diet”) program. But instead of focusing on past decades of ignoring, denying and downplaying the Conowingo factor by many entrenched organizations and agencies, the Coalition now sees a more promising and less wasteful future for our Bay water quality improvement efforts in light of Maryland’s decision to hold Exelon accountable in the relicensing of Conowingo Dam, which necessarily focuses more attention on upstream PA and NY pollution sources. Smartly, MDE’s permit conditions promote adaptive management and reserve to Maryland the ability to re-open the water quality certification as information is learned and/or events occur that may impact the efficacy of the permit.

We hope Exelon officials will embrace this historic moment on the Chesapeake Bay clean up continuum and take up the mantle of Bay stewardship in an equally bold way. We want to collaborate, not litigate. With Maryland’s conditional permit for Conowingo relicensing and a Conowingo specific watershed implementation plan to be developed under the auspices EPA’s Chesapeake Bay Program, the stage has been set for regionally addressing one of the Bay’s most vexing threats. We look forward to discussing short and long-term strategies, including dredging, that reduce pollution loading into the Chesapeake Bay and that make fiscal and scientific sense.

The Clean Chesapeake Coalition is an association of Maryland county governments (currently Caroline, Carroll, Cecil, Dorchester, Kent and Queen Anne’s) whose local elected officials have coalesced to pursue improvement to the water quality of the Chesapeake Bay in the most prudent and fiscally responsible manner – through research, coordination and advocacy.

