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December 5th, 2017

Elder Ghigiarelli, Jr.
Deputy Program Administrator, Wetlands and Waterways Program
Water management Administration,
Maryland Department of the Environment
1800 Washington Boulevard, Suite 430, Baltimore, MD 21230
elder.ghigiarelli@maryland.gov.
Re: Section 401 Water Quality Certification Application
Conowingo Hydroelectric Project

Good evening Mr. Ghigiarelli and Maryland Department of the Environment,

Thank you for the opportunity to comment on the 17-WQC-02 Water Quality Certification ("WQC") under Section 401(a)(1) of the Clean Water Act for the Conowingo Hydroelectric Project, FERC Project Number 405. My name is Ben Alexandro. I am the water policy advocate for the Maryland League of Conservation Voters, representing over 19,000 supporters and many more voters. I am also the Maryland State Lead for the Choose Clean Water Coalition, a coalition of over 200 mid-Atlantic nonprofits interested in water issues. On behalf of our voters, supporters and many of our partner organizations, I urge you to ensure that Exelon plays a large role in mitigating the significant pollution to the Chesapeake Bay that comes from the Susquehanna River and the Conowingo Dam.

We recognize that the dam has captured a large amount of sediment from the Susquehanna River as result of the polluting practices of those upstream of the dam. The dam's capacity is now full and the rush of stormwater scours out large amounts of pollutant-laden sediments. Conowingo dam is not the only source of pollution and should never be used as an excuse to abandon local efforts, which are working. However, the dam has a significant impact on the health of the upper Chesapeake Bay. Studies show that the operation of the dam itself is causing some of this scouring and pollutant loading (up to 20% of the pollution coming passed the dam in big storm events). The change in flow rate and temperature that the dam creates by releasing flow at peak energy demand times has an impact on the health and ecology downstream as well. The dam also blocks 97% of historically available spawning habitat for migratory fish in PA and NY.

Under the Clean Water Act and Maryland state law, a federal permit to any facility that discharges to navigable waters may not be issued unless the state certifies that the activity does not violate state water quality standards or limitations. The dam is not meeting water quality standards. Therefore, we believe it is the responsibility of Exelon to be part of the solution.

Funding large scale pollution reduction projects should be a significant stipulation of the relicensing. Exelon should fund on-the-ground restoration projects and best management practices such as funding the planting and maintenance of forests and riparian buffers and other effective BMPs. This could stop the root cause of the problem and reduce far more sediment pollution at a much lower cost. Exelon should partner with Maryland and Pennsylvania and even New York on a collaborative solution to reduce upstream pollution.

The dam should also improve operations to restore the damaged migratory fish populations. Finally, MDE should work with Exelon to explore resiliency measures to mitigate downstream when there are scouring events.

Protection of water quality resource is paramount when making this determination. Addressing the root causes of the problem should be part of the solution as well as addressing the sediment that could flow downstream from scour events. Exelon's application is insufficient without these key components and MDE should send it back. Do not relicense until Exelon's operations can meet water quality standards or Exelon helps fund sufficient projects, including projects upstream, to offset the cause of the problem while addressing the sediment problem at hand.

Thank you for your time.

Sincerely,

Ben Alexandro
Water Policy Advocate
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