



Elder Ghigiarelli -MDE- <elder.ghigiarelli@maryland.gov>

Conowingo Dam - MDE Water Quality Certification Public Comments

Scott Budden <scott@orchardpointoysters.com>

Wed, Dec 20, 2017 at 8:38 PM

To: elder.ghigiarelli@maryland.gov

Cc: Johnny Shockley <johnny@cgoysters.com>, Jordan Shockley <jlshockley@hoopersisland.com>

Hello Elder,

Please find attached, formal comments on the Exelon Water Quality Certification (application #: 17-WQC-02) application.

These comments and observations are submitted by two commercial oyster aquaculture companies, operating in the Upper and Middle Chesapeake Bay. We are also commenting as members of the Maryland general public.

Please let us know if there is anything more we can do to elaborate and/or make our concerns better known. We will also be submitting a hard copy via mail to your office.

Happy Holidays!

Best,

Scott Budden
Orchard Point Oyster Co. LLC
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(443) 480-0302



Johnny Shockley

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Cell: (443) 521-1635
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Oyster farming the watermen's way



OPOC HIOC Joint CD MDE Comments 12.19.17.pdf
166K

12/19/17

Re: MDE Conowingo Dam Water Quality Certification for Exelon Corp.

To Whom It May Concern:

Please consider this a formal request to add conditions to Exelon Corporation's MDE Water Quality Certification renewal. We own and operate commercial oyster aquaculture operations in the Upper and Middle Bay regions, respectively. Through careful record keeping, and discussions with those most knowledgeable with the Dam's operation, we feel its openings and closures have a direct and profound effect on our businesses and the aquaculture industry, as well as the public oyster fishery.

We have witnessed severely depressed salinity levels in the Bay and its tributaries, directly following extended high-flow freshwater output from the Dam. These low levels of salinity negatively affect our oyster's survival, growth-rates and flavor, as well as jeopardize our nursery and hatchery operations. In addition, the regular sediment spill-overs can increase mortality, even for oysters raised off the bottom. These conditions also negatively affect the public oyster fishery, arguably to an even greater degree, given the lesser ability to control growing conditions.

These are just our small observations on how the current operation of the Dam has negatively impacted our businesses. The high late winter-summer flow levels from the Dam disrupt and impact all downstream Bay species during critical annual spawning periods. Oysters, unlike other finfish and shellfish, cannot move to evade low salinity, low dissolved oxygen, or sedimentation. Neither can farm operations, which are tied to leased bottom/water. Their ecological services provide a public benefit to all.

Exelon **must** take these concerns into account when operating the Conowingo Dam. There needs to be a more transparent opening/closure schedule. There needs to be more public input (from all relevant stakeholders), on both the schedules and rate of flow emitted. A 46-year lease term w/o periodic public comment/review is also unacceptable. Without a formal public input process in place, there is less incentive for the public and those operating commercially in the Bay, to become valued stakeholders. The Dam is the single largest emitter of nutrient-laden freshwater from a single point-source in the Bay. With such scale, public input is essential, given the externalities it generates. And Exelon, as the largest electric holding company and largest regulated utility in the US, owes it to the public to be beholden to more than just the bottom line.

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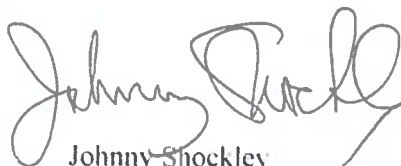
Sincerely,

DEC 26 2017



Scott Budden
Owner, Orchard Point Oyster Co.

Non-Tidal
Wetlands and Waterways Program



Johnny Shockley
Founding Partner, Hooper's Island Oyster Co.