



House Bill 921

Environment – Conowingo Dam – Water Quality Certification

MACo Position: **SUPPORT**

To: Environment and Transportation Committee

Date: February 27, 2019

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** HB 921. The bill codifies reasonable trash and debris cleaning requirements proposed by the Maryland Department of the Environment (MDE) for the Conowingo Dam. The requirements are an important component of ongoing Chesapeake Bay restoration efforts.

HB 921 is an emergency bill that would obligate MDE to include specified trash and debris provisions as part of its Water Quality Certification requirements for the dam. The certification is necessary for the dam's owner, Exelon Corporation, to have the dam relicensed by the Federal Energy Regulatory Commission.

The bill's provisions would require Exelon to: (1) remove floating trash and debris from the Conowingo Reservoir at least 40 times each year; (2) use a self-propelled skimmer barge to remove trash from the reservoir daily; (3) sponsor at least two annual community-based cleanups of the reservoir each year; and (4) conduct a feasibility study on using water wheel trash interceptors in the reservoir.

While much focus has been given to the nitrogen, phosphorus, and sediment coming through the Conowingo Dam, significant amounts of debris and trash also pass through its reservoir. Harbors as far south as Annapolis were flooded with debris from the dam last summer after heavy rains forced Exelon to open the dam's floodgates and clean-up efforts continued through December. Such debris not only poses a hazard to water navigation but can also clog shoreline and stream restoration projects and scour recovering Bay grasses.

While MDE has included the bill's provisions as part of its certification requirements, Exelon has launched both administrative and judicial challenges. The bill would provide a statutory backstop to resist Exelon's challenges and compel Exelon's reasonable participation in Bay restoration efforts. Accordingly, MACo requests the Committee give HB 921 a **FAVORABLE** report.