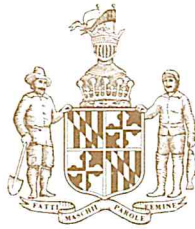


STEPHEN S. HERSHEY, JR.
Legislative District 36
Caroline, Cecil, Kent, and
Queen Anne's Counties

—
MINORITY WHIP

—
Finance Committee
Executive Nominations Committee



James Senate Office Building
11 Bladen Street, Room 420
Annapolis, Maryland 21401
410-841-3639 · 301-858-3639
800-492-7122 Ext. 3639
Fax: 410-841-3762 · 301-858-3762
Steve.Hershey@senate.state.md.us

The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

March 11, 2020

The Honorable Paul G. Pinsky
Education, Health and Environment Committee
Senate Bill 955 – Federal Clean Water Act – Authority of State

Dear Chairman and Members of the Committee:

Senate Bill 955 is an emergency bill that prohibits the State to waive its authority under the Clean Water Act in settling an agreement related to the federal relicensing of the Conowingo Dam.

The agreement to relicense is currently pending before Federal Energy Regulatory Commission (FERC), which expired September 1, 2014, and it will receive automatic renewals until it is relicensed. FERC is unable to act on the agreement unless a clean water application (CWA) is issued by Maryland Department of Environment (MDE). Additionally, the State and Excelon agreed to waive the CWA on October 29, 2019 for the next 50 years.

One of the greatest concerns is the current state of the Conowingo and the more frequent and more intense storm events. Our attached slides show the plums after such events the last several years. The bay programs latest modeling suggests the by 2050, increased rainstorms will cause more pollution to flow out of the Conowingo than what flows into the dam.

Senate Bill 955 is meant to protect the water quality of the lower Susquehanna and the Chesapeake Bay, the nation's largest estuary.

Certification conditions serve the State's paramount interest in protecting and preserving the Bay and I ask for your favorable support of Senate Bill 955.