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Caroline, Cecil, Kent, and
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Environment and Transportation
Committee

Subcommittees

Motor Vehicle and Transportation

Natural Resources, Agriculture
and Open Space

Joint Committee on Administrative,
Executive, and Legislative Review



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Emergency Bill HB 427 Federal Clean Water Act-Authority of State

Chairman Barve and members of the Environment and Transportation Committee

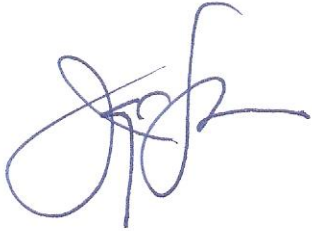
In October 2019, The State of Maryland and Exelon reached a tentative agreement that is before FERC now for the relicensing and approval that would waive the State's authority to the Federal Clean Water Act for the 50 year term of the lease. This emergency bill would prohibit the State from entering into an agreement that waives the State's authority under 401 of the Federal Clean Water Act.

Exelon's operation of the dam significantly alters the form and timing of pollution to the bay. During storms or other events that result in high flows, slugs of sediment laden with nitrogen and phosphorus are released downstream. The problem is only expected to worsen as the CLIMATE CHANGES. The Bay Program's latest modeling suggests that by 2050, increased rainfall and more intense storms will cause more pollution to flow out of the Conowingo than flows into the dam. In other words, as the river scours legacy phosphorus, nitrogen and sediment from the dam's reservoir, Conowingo will become a larger source of pollution than it is now.

In the terms of the agreement, Exelon agrees to pay a total of roughly 200 million dollars, which about half of that amount is in cash and the other is in-kind services and land. I believe along with many others that Exelon could have and should do more to better mitigate the Conowingo effect.

Certification conditions serve the State's paramount interest in protecting the water quality of the lower Susquehanna River and the Chesapeake Bay, the nation's largest estuary.

I ask for your favorable vote for HB 427

A handwritten signature in blue ink, appearing to be "Jeff", located on the left side of the page.