**Brief History of Conowingo Dam and CAC involvement**

**Background:** During the 2017 Midpoint Assessment the Dam was found to be filled with sediment sooner than predicted when the TMDL was created in 2010. Approximately 6 million additional pounds of nitrogen and 260,000 additional pounds of phosphorous a year are reaching the Bay.

December 2017 the PSC agreed that the Bay jurisdictions will contribute a portion of their federal funding to implement pollution control to reduce or offset the additional loads from the Dam. There will be a separate Conowingo Dam WIP. MD will seek contributions from Dam owner, Exelon Corporation. Additionally, MD has begun a pilot project to explore innovative dredging options.

In late 2019 EPA issued Cooperative agreement for third party help with the Conowingo WIP.

* Activity 1: Conowingo WIP Development and Implementation was awarded to the Center for Watershed Protection.
* Activity 2: Financing Strategy Development was awarded to the Chesapeake Bay Trust.
* Activity 3: Conowingo WIP Tracking, Verifying, and Reporting was awarded to the Chesapeake

**March 2020 CAC Letter**

To the Executive Council in a letter that also about concerns of MD’s Sec 401 Water Quality Certification: CAC expressed concerns that the outcome of the October 2019 negotiated Conowingo Dam settlement agreement will diminish our region’s ability to practicably address the significant pollution and financial challenges required for living resources goals, the Chesapeake Bay TMDL pollution reductions, and the Conowingo WIP. Recommend the Executive Council and Principals strategize and respond to the unanticipated funding gap the Conowingo Dam settlement poses.

**October 2019 MD Settlement with Exelon**

Agreement settles Exelon’s legal challenges to water quality certification issued by MD under Section 401 of the Clean Water Act. $200 Million invested in environmental projects and operational enhancements to improve water quality in the Lower Susquehanna and Chesapeake Bay

**November 2018 CAC Panel in DC**

Nicki Kasi, PA DEP Co-Chair, Conowingo Steering Committee (via conference line); Betsy Nicholas, Executive Director, Waterkeepers Chesapeake; Beth McGee, Chesapeake Bay Foundation; Ted Evgeniadis, Lower Susquehanna Riverkeeper

**December 2012 CAC Letter**

Following a meeting at the Exelon Visitors Center (with presentations by Exelon’s General Manager, Senior Environmental Specialist, MD DNR Power Plant Research Program, Susquehanna River Basin Commission, U.S. Army Corps of Engineers, and the Lower Susquehanna Riverkeeper) CAC issued a letter to EPA Administrator Jackson to engage in the re-licensing process with FERC. Points of recommendation in appended letter.

**Included in Annual Report of Recommendations to the EC:**

**2013**- Since it will not be in the new Chesapeake Bay Watershed Agreement, how will the sediment capacity behind the Dam be addressed?

* It was included in the Bay TMDL Appendix for addressing in the 2017 Midpoint Assessment and may be incorporated in the Phase III WIPs

**2012-** Consider the cost of inaction to addressing the sediment build-up behind the dam

**2010-** Include FERC on the Executive Order Federal Leadership Committee to talk about their role in the impacts of the dam; concern with potential scouring of sediment from large storm events

**2009**- Address the sediment build-up behind the Dam, consider cost of inaction

**2007-** EC Recommendations. “Katrina in our backyard” restoration progress is vulnerable, direct scientist and engineers to best course of action