



FAQs



Have questions about the Conowingo Dam, the water quality certification and licensing process, and the implications for the environment? You are not alone! Find answers to common questions in the list below.

What can an ordinary citizen do to support this process?

Sign the petition telling MDE Secretary Serena McIlwain that you support the requirements stipulated in the 2018 water quality certification. Most importantly:

- Constellation must address the nutrient load attributed to the Dam's operations or pay their fair share in lieu of nutrient reductions.
- Nitrogen pollution is limited to 6 million lbs per year and Phosphorus pollution to 260,000 lbs. per year.
- Constellation must take actions to allow 5 million shad and 12 million herring to migrate over the dam each year.

What happens if we don't take this opportunity to make sure that Constellation takes responsibility for the pollution it is causing?

The water quality certification is the first step in getting a 50 year license from the Federal Energy Regulatory Commission. So whatever requirements for protecting water quality and the environment that are stipulated in the certification will also be in effect for 50 years. We can't miss this opportunity to make sure that the current owner of the dam is taking all necessary steps to reduce its impact on Chesapeake Bay; something that hasn't been done since the dam was constructed in 1928!

What is at stake for recreational anglers and commercial fishing captains?

Nutrient pollution (like that trapped in the sediment behind the dam) creates low oxygen conditions that harm fish habitat. It also fuels the growth of algae toxic to both humans and wildlife, including the fish, crabs and oysters we love to eat and which are the basis for Maryland's seafood economy. Moreover, as major storms dislodge the sediment behind the dam and dump it into the Bay, fishermen are more likely to suffer the effect from this excess nutrient and sediment pollution as well as debris coming over the dam. This can have serious economic impacts, on both a region-wide scale and for the individual fishermen whose livelihoods depend on the health of the Chesapeake Bay.

What is at stake for tourism?

In 2020, Maryland's total tourism sector spending was \$11.6 billion, providing 104,000 jobs and \$1.7 billion in state and local tax revenue. Over 200,000 anglers take part in recreational fishing in Conowingo reservoir, alongside photographers hoping to catch a glimpse of a bald eagle. Beyond economic impacts, poor water quality conditions can threaten the natural beauty of the region and the many people who feel tethered to it culturally and socially.

What does this mean for me?

If you're like us, you feel a strong sense of pride for the Bay region. This is a special

place, and it requires special care. When faced with private companies who use OUR public resources for profit, we need to step up! If Constellation doesn't pay, then as taxpayers we are forced to clean up the mess that owners of Conowingo dam have failed to address over the past 90 years. This means that while we pay, they keep benefiting.

How will this impact the Bay's Blue Crabs?

An estimated one-third of the nation's blue crab catch comes from the Bay, but already we are seeing a 19% decrease in blue crab populations brought on by many factors including habitat loss. Not only does poor water quality affect the whole ecosystem by harming Blue Crabs, but can also have serious economic impacts.

How will this impact the Bay's oysters?

Anytime there is overflow from a storm or the dam's gates are opened, sediment is released from behind the dam and brought into the Bay. This can smother oyster beds and contribute to decreased levels of salinity which hinder oyster growth and survival. Debris flowing over the dam can make its way downstream, damaging gear used for oyster farming. Responsible management of the dam, including operative flows for fish and freshwater as stated in the 2018 certification is needed to ensure the health of the Bay's oyster population and economy.

Don't we want clean energy?

Absolutely, however the energy coming from Conowingo is anything but clean when you consider the impacts to Chesapeake Bay. Constellation, a company worth \$30.23 billion, must act responsibly and clean up after themselves. Clean energy does not need to come at the cost of clean water, especially when the solutions have been outlined for Constellation as part of the 2018 certification.

What is the certification that Constellation needs to get a dam license?

In order to receive a new 50 year operating license, Constellation must be awarded a water quality certification from the Maryland Department of the Environment (MDE). This certification will include several requirements that Constellation, as the dam owner and operator, needs to meet to protect water quality and the environment.

What is the process for certification?

The dam owner, Constellation, must conduct several water quality and environmental studies that will allow MDE to determine the dam's impact on the Susquehanna River and Chesapeake Bay. The results of these studies are submitted along with the certification application.

Because Constellation's recent license was vacated in federal court because it did not include the 2018 certification, in violation of the Clean Water Act, MDE is restarting the process to review Constellation's certification application. MDE will give Constellation and environmental groups 60 days to respond with new, updated, and relevant information to review. There will also be a 30-day comment period for members of the public to express their views about WQ issues in the dam starting on July 1st. Then, MDE will assemble the feedback from the public and other parties in August and consider issuing a certification.

What are the requirements that Waterkeepers wants to include as part of the new certification?

Waterkeepers wants MDE to impose the terms Maryland originally set forth in the 2018 certification. The key requirements being:

- Constellation must address the nutrient load attributed to the Dam's operations or pay their fair share in lieu of nutrient reductions.
- Nitrogen pollution will be limited to 6 million lbs per year and Phosphorus pollution to 260,000 lbs per year.
- Constellation must take action to ensure that 5 million shad and 12 million herring can migrate over the dam each year.

What is special about Waterkeepers' legal win that forced a restart of the certification process?

In short - it's never happened before! Nobody has successfully challenged a FERC hydroelectric dam license before. Because the State of Maryland abandoned the requirements of the 401 water quality certification it granted in 2018, a federal judge ruled that the dam license FERC awarded to Constellation in 2021 was illegal. This now provides legal precedent for others to challenge questionable dam licensing and help ensure that our waterways are protected around the country!