RESOLUTION NO. 680

A RESOLUTION IN SUPPORT OF A COMPREHENSIVE UPPER CHESAPEAKE BAY SEDIMENT MANAGEMENT PLAN THAT INCLUDES DREDGING SEDIMENTS ACCUMULATED ABOVE CONOWINGO DAM FOR THE BETTERMENT OF BAY WATER QUALITY AND TO PROTECT DOWNSTREAM EFFORTS AND EXPENDITURES TO SAVE THE BAY.

WHEREAS, local County Commissioners and County Council officials request urgent assistance from State and Federal partners to fund and support dredging operations at the Conowingo Dam, as it is a significant polluter of the Chesapeake Bay. The heavy rainfall and the resulting loading (influx) of accumulated sediments through the dam directly impact local oyster beds, covering and killing oysters, vital bay grasses, and hindering Rockfish spawning in the upper reaches of the Bay. Some of these species are all vital to water filtration and improving Bay water quality; and

WHEREAS, Chesapeake Bay is a national treasure. The reasons to save the Bay are limitless and need not be debated; and

WHEREAS, the health and water quality of Chesapeake Bay is impacted more by what flows downstream and from other watershed states than from the shoreline, tributaries, and human activity in Maryland; and

WHEREAS, the Susquehanna River is the largest tributary to the Bay, providing more than 50% of the freshwater to Chesapeake Bay, and is (where it flows through Conowingo Dam) the single largest point source of pollution loading to Chesapeake Bay in terms of total nitrogen, total phosphorus, and sediment that is loaded annually into the Bay as a whole; and

WHEREAS, it is imperative to prioritize dredging to regain sediment trapping capacity in Conowingo Reservoir and other reservoirs along the lower Susquehanna River as the most cost effective method for improving Chesapeake Bay water quality and ensuring the success of long-term restoration efforts; and

WHEREAS, the option of pumping dredged materials directly to land could provide an innovative solution to reduce disposal costs while creating valuable land-based projects, such as the construction of an animal sanctuary or other sustainable land uses that benefit local ecosystems and communities; and

WHEREAS, the economic feasibility of dredging, sediment reuse, and innovative solutions such as shoreline stabilization at Aberdeen Proving Ground (APG) should be evaluated to maximize both environmental and economic benefits for the region and Upper Bay; and

WHEREAS, for more than 95 years, the Conowingo Dam has been harnessing the Susquehanna River to produce hydroelectric power for sale while also functioning as a large sediment trap. The dam converted the lower Susquehanna River into the Chesapeake Bay watershed's largest stormwater management pond. The 14-mile reservoir above the dam, also known as "Conowingo Reservoir" or "Conowingo Pond," is 8,500 acres or 310,000 acre-feet in size, and is now full; and

WHEREAS, Conowingo Reservoir has lost its trapping capacity (reached "dynamic equilibrium") whereby all that flows to the dam passes through unchecked (without settling, as if the dam was not there) into Chesapeake Bay. At equilibrium, the annual average pollution loadings from the Susquehanna River are exacerbated. Additionally, because Conowingo Pond is full, devastating amounts of accumulated nutrients, sediment, and other contaminants are scoured from the reservoir and dumped into the Bay during storm events, and in equally harmful proportions now on a regular basis; and

WHEREAS, Conowingo Reservoir has never been dredged or otherwise maintained, and, until the 2018 Water Quality Certification ("WQC") issued by the State of Maryland, nobody had been legally responsible to dredge or otherwise maintain it or mitigate its adverse environmental impacts; and

WHEREAS, in the popular book Turning the Tide — Saving the Chesapeake Bay by Tom Horton first published in 1991, it was correctly forecasted that "a loss of trapping at Conowingo would cause major problems for water quality in the upper bay and also for dredging the economically vital ship channels serving the Port of Baltimore" - in a section of the book aptly titled "Time Bomb at Conowingo"; and

WHEREAS, in September 2011, a Lower Susquehanna River Watershed Assessment ("LSRWA") team of experts and scientists was formed by MDE, DNR, EPA-Chesapeake Bay Program, Susquehanna River Basin Commission, and U.S. Army Corps of Engineers, Baltimore District, to undertake a study to estimate and evaluate the quantities of sediment and associated nutrients flowing downstream to the system of hydroelectric dams located on the lower Susquehanna River; and

WHEREAS, the LSRWA final report in 2015 found that the sediments and associated nutrients washing downstream into the Upper Bay during storm events are contributing to dissolved oxygen impairments in the Bay, and Chesapeake Bay Program has calculated that an additional 6 million pounds of total nitrogen and 260,000 pounds of total phosphorus annually are loaded into the Bay as a result of Conowingo Pond infill; and

WHEREAS, bringing attention to the Conowingo Dam and its associated pollution is necessary for continued dialogue and action among federal, state, and local stakeholders to take coordinated action to restore the health of the Chesapeake Bay; and

WHEREAS, the Chesapeake Bay has been in a state of decline despite billions of dollars spent in restoration and regulatory efforts, and dredging Conowingo Reservoir to regain sediment trapping capacity offers the most cost-effective and environmentally beneficial means to improve the Bay's water quality and ensure long-term restoration goals are met; now, therefore, be it

RESOLVED, by the County Council of Dorchester County, Maryland, that we hereby find the urgency and need for a comprehensive Upper Chesapeake Bay Sediment Management Plan, inclusive of a plan to address the accumulated sediments and pollutants in Conowingo Pond; and be it further

RESOLVED, that Chesapeake Bay needs, at a minimum, the water quality improvement protections and conditions embodied in the 2018 WQC issued by Maryland for Conowingo Dam relicensing; and be it further

RESOLVED, that a public hearing(s) be conducted as part of MDE's reconsideration of the WQC for Conowingo Dam; and be it further

RESOLVED, that the findings from the Conowingo Sediment Characterization and Innovative Reuse and Beneficial Use pilot project by MES confirm there are economic development and commercial opportunities for the private sector in addressing the accumulated sediments in Conowingo; and be it further

RESOLVED, that responsible Federal and State agencies continue to refine feasibility and cost determinations for a larger environmental dredging project, including:

- Work with Chesapeake Bay Program on convening an expert panel to evaluate nutrient reduction credits from an environmental dredging project;
- Development of a hydraulic and water quality model for Conowingo Reservoir that will inform the expert panel process and quantify nutrient reductions from environmental dredging;
- Work on Conowingo dredging right of entry and scoping considerations to inform more specific dredging scenarios. This includes preliminary engineering/design of an environmental dredging program to better define suitable dredging locations, seek agreement on annual dredging windows, and identify the most feasible and cost-effective dredging, dewatering, and related transportation

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 7 day of January 2025.

ATTEST:

Jerry Jones
County Manager

THE COUNTY COUNCIL OF
DORCHESTER COUNTY, MARYLAND

George L. Pfeffer, Jr., President

Mike Detmer, Vice President

Rob Kramer, Jr.

William V. Nichols

Ricky G. Travers