

2013 February 5

Mr. Ralph Bush, General Manager
Mr. Jacob Owens, Executive Editor
The Cecil Whig
Elkton, Maryland

Dear Mr. Bush and Mr. Owens:

On Friday the Whig printed a letter to the editor that I wrote about your editorial on the Conowingo Dam that appeared on Monday, January 28, and I thank you for doing that. But since it is difficult to adequately respond to a 700-word editorial with a 250-word letter, I wanted to follow up with you directly.

As I mention in my LTE, nobody doubts that the Susquehanna River is a major contributor to the Chesapeake Bay's poor water quality, and that the sediment loads released from the dam after major storms are a complicating and undesirable factor for the Bay's health. However, you have apparently taken statements about the dam made by Senator Pipkin and the Funk & Bolton attorneys at face value, repeating them in your editorial without seeking any independent information. This is a disservice to readers and a lapse in journalistic professionalism.

This is admittedly a long letter, but the topic of the Bay cleanup will be with us a long time, so we all need to be smart about what's going on, and able to separate the wheat from the chaff. I hope you will bear with me for a few minutes.

Both Mr. Pipkin and the Funk & Bolton attorneys are political players with their own agendas. (More on that below.) They are not scientists, do not have an objective view of the problem, and any statements about scientific matters from them (or indeed from any politician) need a thorough fact checking. I have attached to this letter the four documents that I mention in my LTE that address the issues of the dam in response to statements made in recent months by the Funk & Bolton lawyers and Mr. Pipkin. I hope you will look them over.

But the quotations in your editorial are not hard to check; most of the information is online or otherwise readily accessible.

Inaccurate Statements Quoted in the Editorial: The first incorrect statement is from Kent County Commissioner Ron Fithian, who said that every time they open the gates at Conowingo, the Bay is set back 100 years. At least you allowed that his statement may contain "a bit of hyperbole." But actually it is just plain wrong. Leaving aside the rather obvious point that it matters a lot whether 10 gates or 40 are open at Conowingo, apparently Mr. Fithian has a short memory. In September 2011, Tropical Storm Lee resulted in either the second or third largest discharge from the dam on record (depending on how you count), which muddied the upper Bay waters so much that the brown color was visible from space, almost down to the Potomac River. Yet the Bay recovered well the next year. In 2012, there were plenty of grasses on the Susquehanna Flats, and the Chesapeake Bay Foundation's recent State of the Bay report showed that the Bay's health index was actually up slightly in 2012 compared to 2011. The lesson is that a reasonably healthy Bay can rebound from these events.

Next, the editorial quotes Mr. Pipkin as saying that in the past two decades there have been enormous increases in sediment coming over the dam (up 250%, he says), and also increases in nitrogen and

phosphorus. Well, all you have to do is look at the DNR graphs for the Susquehanna at Conowingo at http://www.dnr.state.md.us/bay/monitoring/river/load_flow.html (which run from 1985-2010), and it is obvious that no such increases are evident. In fact, DNR states that for this period, “There are no apparent trends or patterns in the loads for the Susquehanna River.” A U.S. Geological Survey report covering the same period, at <http://pubs.usgs.gov/sir/2012/5093/pdf/sir2012-5093.pdf>, indicates that, adjusting for river flow, the Susquehanna at Conowingo has actually improved in nitrogen and sediment and that there is no significant change in phosphorus.

Then we have the statement that you quote from Funk & Bolton attorney (not scientist) Chip MacLeod, asserting that “the impact of the dam has been overlooked in the (bay) restoration process.” This contention is nonsense but part of the usual F&B propaganda. Just as an example, I draw your attention to Appendix T of the EPA’s TMDL document for the Bay at http://www.epa.gov/reg3wapd/pdf/pdf_chesbay/FinalBayTMDL/AppendixTSusquehannaDams_final.pdf, which provides a review of the literature on the dam and presents a table of possible mitigations and their costs. Note that dredging the reservoir behind the dam is estimated to cost about \$50 million annually—just to keep up with what’s coming downstream—and the logistics of such a project are daunting. Since Mr. Pipkin is so interested in this kind of solution, will he advocate for public funding for this work? Or should Exelon rate-payers pick up the tab? Why not ask him?

Given that the dam still has some unused trapping capacity, the most cost-effective strategy is to reduce the amount of nutrients and sediment that are coming down the Susquehanna from New York and (especially) Pennsylvania. But wait—that’s the very thing that the multi-state Watershed Implementation Plan (WIP) is intended to do, and the very thing that Mr. Pipkin and Funk & Bolton oppose. This strategy does not preclude more direct projects to relieve some of the sediment buildup behind the dam, but it would be foolish to start such work without implementing the upstream reductions. Anybody who really wants a solution to the dam sediment problem should be supporting the WIP.

The Agenda of Sen. Pipkin and Funk & Bolton: The real objective of both Mr. Pipkin and the Funk & Bolton consortium of counties (which includes Cecil) is to halt implementation of the WIP in Maryland. They simply don’t want to spend significant amounts of public money on Bay cleanup—because of the taxes and fees that would be needed to finance it—nor do they want any new regulations that might be part of the package. That is a legitimate political view, undoubtedly shared by many conservatives, and they should be honest about stating it. (My thinking is that they are using tunnel-vision economics, neglecting the economic value of a cleaner Bay and the continuing economic cost of doing nothing.)

But since it isn’t good public relations for anyone to say they’re against cleaning up the Bay, they have latched onto the issue of the sediment loads from the dam, and have been promoting the position that we should do nothing further in Maryland to clean up the Bay until that problem is solved. To justify this stance, they have made false statements about the dam and accused the state of using “faulty science” in the WIP process. None of this will stand up to scrutiny, as the attached documents show.

Our Piece of the Problem: As I pointed out in my LTE, most of the nutrient and sediment load coming into the Bay originates below the Mason-Dixon line (see Section 4 of the EPA’s TMDL document at http://www.epa.gov/reg3wapd/pdf/pdf_chesbay/FinalBayTMDL/CBayFinalTMDLSection4_final.pdf).

The Chesapeake Bay “report card” for 2011 (a product of the University of Maryland and NOAA, including both the Bay and the tidal rivers) gives most of the river systems in Maryland and Virginia a lower overall health score than the portion of the Bay they empty into. That simple observation indicates that a significant part of our water-quality problems are local. Indeed, if we look at the Sassafras River Association’s report card for that river for 2012, we see that the river’s water quality generally gets worse the farther upstream you go. This is *not* consistent with the idea that the Susquehanna River is the source of most of the Bay’s problems.

We have plenty of work to do here in Maryland to clean up our local rivers and the Bay, and it’s too bad that Mr. Pipkin and the Funk & Bolton lawyers are in denial about it. It also saddens me that the Cecil County government has joined their misguided crusade to kill the WIP, and wasted \$25,000 in taxpayer money in the process.

Local Resource People: Fortunately, there are many people in Cecil County with expertise in water quality, and with a more balanced view of these issues than you’ll hear from our politicians. There is actually a lot of good work ongoing in the county to monitor and improve our water quality, which is not well known—and much of it is independent of public tax money. It would make for some good stories in the Whig. I urge you to enlarge your list of contacts and, as they say, “get out more”.

I recently discussed your editorial with staff of the Sassafras River Association and the Chesapeake Bay Foundation. They would be happy to meet with you or other Whig staff to provide a broader view of water quality issues than you might have heard before. The points of contact are Pam Duke or Erin McVey of the Sassafras River Association and Alan Girard or Bess Trout of CBF’s Easton office. It would also be worthwhile for you to talk to Rupert Rossetti, a local clean water advocate and expert on stream quality, who is also the citizen representative to Cecil’s WIP committee (and a past recipient of the state’s Bernie Fowler environmental award). Additionally, Bill and Phyllis Kilby, local dairy farmers in Colora, have been leaders in applying agricultural best management practices for improved water quality. If you like, I will be happy to help you connect up with these folks and arrange a meeting, or provide you with more contact information.

Sincerely,

George Kaplan
Past president, Cecil Land Use Alliance
35 Oak Street
Colora, MD 21917
410-658-0484
gkaplan@zoominternet.net

Attachments:

- (1) Chesapeake Bay Foundation Fact Sheet
- (2) Copy of D. Boesch letter from U.Md. Center for Environmental Science
- (3) U.S. Geological Survey FAQs
- (4) MDE response letter to Senator Pipkin