

HOUSE BILL 1268

M3

5l3083
CF 5l3082

By: **Delegate Jacobs**

Introduced and read first time: March 9, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Implementation of Watershed Implementation Plan – Limitation**

3 FOR the purpose of prohibiting a person from engaging in an activity or a strategy to
4 implement a State Watershed Implementation Plan until the U.S. Environmental
5 Protection Agency completes and publishes the 2017 Chesapeake Bay midpoint
6 assessment and the University of Maryland Center for Environmental Science
7 completes a certain study; defining certain terms; and generally relating to
8 implementation of a State Watershed Implementation Plan.

9 BY adding to

10 Article – Environment

11 Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8. Implementation
12 of the Chesapeake Bay Total Maximum Daily Load”

13 Annotated Code of Maryland

14 (2013 Replacement Volume and 2014 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Environment**

18 **SUBTITLE 8. IMPLEMENTATION OF THE CHESAPEAKE BAY TOTAL MAXIMUM**
19 **DAILY LOAD.**

20 **4–801.**

21 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) “BAY TMDL” MEANS THE TOTAL MAXIMUM DAILY LOAD**
2 **(TMDL) FOR THE CHESAPEAKE BAY ESTABLISHED UNDER THE FEDERAL CLEAN**
3 **WATER ACT BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY ON DECEMBER**
4 **29, 2010.**

5 **(2) “BAY TMDL” INCLUDES ANY MODIFICATIONS TO THE BAY TMDL**
6 **MADE BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY.**

7 **(C) (1) “WIP” MEANS A STATE WATERSHED IMPLEMENTATION PLAN**
8 **(WIP) APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO**
9 **IMPLEMENT THE BAY TMDL WITHIN THE STATE.**

10 **(2) “WIP” INCLUDES ANY MODIFICATIONS MADE BY THE STATE TO A**
11 **WIP.**

12 **4-802.**

13 **A PERSON MAY NOT ENGAGE IN ANY ACTIVITY OR STRATEGY TO IMPLEMENT A**
14 **WIP UNTIL:**

15 **(1) THE U.S. ENVIRONMENTAL PROTECTION AGENCY COMPLETES**
16 **AND PUBLISHES THE 2017 CHESAPEAKE BAY MIDPOINT ASSESSMENT; AND**

17 **(2) THE UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL**
18 **SCIENCE COMPLETES THE 2-YEAR STUDY BEGUN IN 2015 TO QUANTIFY THE**
19 **AMOUNT OF SEDIMENT AND ASSOCIATED NUTRIENTS PRESENT IN MAJOR ENTRY**
20 **POINTS TO THE LOWER SUSQUEHANNA RIVER RESERVOIR SYSTEM AND THE UPPER**
21 **CHESAPEAKE BAY, ANALYZE THE MOVEMENT OF THE SEDIMENT AND ASSOCIATED**
22 **NUTRIENTS, AND ASSESS THE EFFECTS ON WATER QUALITY IN THE CHESAPEAKE**
23 **BAY.**

24 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**
25 **1, 2015.**