



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Crumbles, Secretary
Horacio Tablada, Deputy Secretary

March 17, 2021

The Honorable Paul Pinsky
Senate Education, Health, and Environmental Affairs Committee
Miller Senate Office Building
Annapolis, Maryland 21401

Re: House Bill 267 – Sewage Treatment Plants – Effluent Discharges – Impacts on Midge Populations

Dear Chairman Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE) has reviewed House Bill 267, entitled Sewage Treatment Plants – Effluent Discharges – Impacts on Midge Populations and would like to offer a letter of information regarding this legislation.

House Bill 267 requires MDE to conduct water quality monitoring and to evaluate whether and to what extent water quality may influence midge populations and phytoplankton growth levels. MDE would be required to report to the General Assembly with results and recommendations annually starting in April 2022. There would be associated staffing, fieldwork and laboratory costs required that are unbudgeted and beyond current funding levels. MDE has the expertise to undertake the work, but current staff are focused on significant, mandated requirements to protect public health throughout the year in tidal and non-tidal environments. Existing staff are fully engaged in responsibilities monitoring and responding to harmful algal blooms and toxic events that threaten fish, animals and citizens who contact ambient waters. While large midge populations can be a nuisance, they are not a health threat to the local population and environment.

Additionally, the timeframe when MDE biologists, analysts and response staff conduct their most time-sensitive seasonal work would coincide with the outlined project, potentially causing limited staff to have to choose which public health priority to address at the cost of another. To continue the water quality investigations at our current level and to complete the study required by HB 267, MDE would need to hire an additional two researchers on a contractual basis. The study, at minimum, would need to be conducted at five different locations representing the variety of receiving waters in the State (non-tidal low flow, flowing, tidal flowing, tidal embayment, control). Sampling locations would need to be established at the point of discharge, as well as upstream and downstream of the point of discharge. Constant monitoring would need to be completed throughout the summer months. As the bill is drafted, it does not provide any funding to hire additional staff and equipment.

Thank you for your consideration. We will continue to monitor House Bill 267 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by e-mail at tyler.abbott@maryland.gov.

Sincerely,

Tyler Abbott
cc: The Honorable Robin L. Grammer Jr.