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FAVORABLE Report – SENATE BILL 0471: Water Pollution Control - Discharge Permits - Stormwater Associated With Construction Activity

Dear Chairperson and Members of the Committee,

We are writing in strong support of **SB0471** on behalf of Waterkeepers Chesapeake, a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to make the waters of the Chesapeake and Coastal Bays swimmable and fishable. As we at Waterkeepers work to protect and maintain the ability of the public to safely enjoy the waters of our State, we are concerned about the damage that sediment runoff from construction sites causes to our waterways. This type of polluted runoff is a fast growing source of water pollution in our region due to over development, weak regulations, outdated infrastructure, and increasing frequency and severity of storms due to climate change. When construction projects occur, activities such as grading and demolition create pollutants that runoff through stormwater from the site and harm our waterways—sediment being the main pollutant of concern and a major contributor to water quality concerns.

SB0471 is important in helping prevent this source of pollution as the current general permit does not typically provide much protection on its own. In addition, the bill will establish a new mandatory penalty for construction without a permit and make it a violation to have construction pollution runoff from the site, holding developers liable for the damage caused. Maryland's discharge permits are to ensure our environment and public health are adequately considered and protected from unregulated polluting activities. Unfortunately, there are instances where bad actors have broken the law and begun construction projects with no permit whatsoever. Maryland must set a standard

and demonstrate that unpermitted construction activity will not be acceptable. As our state's Department of the Environment has stated, maintaining runoff from construction activities is critical in achieving Maryland's goals for reducing the levels of nutrients and sediment in the Chesapeake Bay.

When construction sites lack adequate monitoring and strict enforcement, development activities can cause enormous damage to our waterways and neighboring communities. If polluted construction runoff management practices are not regularly inspected and enforced long after construction is complete their ability to function properly cannot be guaranteed. Too many Maryland communities have experienced damage to their property from flooding and sediment runoff from nearby poorly planned, regulated and maintained developments. **SB0471** would be a positive step in helping Maryland meet its 2025 Chesapeake Bay restoration goals. Our northern neighbor Pennsylvania already requires individual permits for construction projects taking place in designated healthy watersheds and Maryland should not fall far behind in enacting similar protections for our waterways. Therefore, we believe these requirements would properly be carried out under **SB0471** in order to establish a more rigorous review to ensure appropriate construction stormwater runoff management to better protect all Marylanders' health and safe access to our waterways.

For these reasons stated above, we urge the Committee to adopt a **FAVORABLE** report on **SB0471**.

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