



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

House Bill 109

Natural Resources – Submerged Aquatic Vegetation – Alteration or Removal
Requirements

Date: January 31, 2024
To: Environment and Transportation Committee

Position: Favorable
From: Doug Myers
Maryland Senior Scientist

Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 109 which makes important clarifications and updates to Maryland's submerged aquatic vegetation (SAV) removal statute. The bill will now require, rather than encourage, notification to the Department of Natural Resources (DNR) when SAV removal is proposed. It also reduces from 60' wide to 20' wide the allowed removal of Submerged Aquatic Vegetation to aid navigation. It further expands these requirements to all tidal waters, not just the Chesapeake Bay watershed.

Submerged Aquatic Vegetation is a crucial habitat for many Bay organisms. Blue crabs find cover amongst the leaves during molting. Numerous fish species find cover and food from the grass blades themselves or the rich growth of algae and invertebrates that cover the leaves. Migrating waterfowl graze on the decaying leaves and roots during the winter. This bill's reduction in allowable width of control and restriction to trimming or cutting would allow regrowth of the plant canopy from the roots and protection of carbon sequestration benefit in the below ground biomass as well as some biological habitat. In the case of utility or telecommunications rights of way or wastewater treatment plants, complete removal of the 20' corridor is still allowed.

Both current law and the bill exempt holders of a national pollution discharge elimination system permit or a publicly or privately owned sewage treatment plant from the requirement to consult with DNR prior to SAV trimming or removal. CBF is not advocating for an alteration to this exemption at this time, but note that there is potentially a significant amount of SAV removal or alteration that may occur outside of the supervision of the Department.

CBF urges the Committee's FAVORABLE report on HB 109.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

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The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.