

Department of Legislative Services  
 Maryland General Assembly  
 2024 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 886 (Delegate Chisholm, *et al.*)  
 Environment and Transportation

Confined Aquatic Disposal Task Force - Established

This bill establishes the Confined Aquatic Disposal Task Force and specifies its duties and responsibilities. The Maryland Port Administration (MPA) must provide staff for the task force. By July 1, 2025, the task force must report its findings and recommendations to the Governor, the General Assembly, and specified legislative committees. **The bill takes effect July 1, 2024, and terminates December 31, 2025.**

Fiscal Summary

**State Effect:** Transportation Trust Fund (TTF) expenditures increase by an estimated \$125,000 in FY 2025 and \$50,000 in FY 2026, as discussed below. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	125,000	50,000	0	0	0
Net Effect	(\$125,000)	(\$50,000)	\$0	\$0	\$0

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** The bill does not directly affect local government operations or finances.

**Small Business Effect:** None.

Analysis

**Bill Summary:** The task force must discuss and review:

- the overall concept and available options associated with confined aquatic disposal programs;

- the State’s requirements and long-term strategies for maintaining functional and thriving ports in Maryland;
- the capacity limitations of the State’s dredged material placement sites and the State’s needs going forward;
- the potential benefits and risks associated with confined aquatic disposal programs;
- the categories of dredged materials that should be permitted within confined aquatic disposal sites;
- any financial impacts on neighboring communities in close proximity to confined aquatic disposal sites;
- any limitations to be placed on confined aquatic disposal programs with consideration given to specified factors; and
- an approach for community outreach for any future confined aquatic disposal program.

The task force must also make a recommendation on whether MPA should pursue the development of a confined aquatic disposal program or prohibit its use in the State. If the task force recommends developing such a program, it must also develop a list of best practices and legislative or other policy recommendations regarding the authorization or implementation of the program, as specified.

A member of the task force may not receive compensation but is entitled to reimbursement for expenses under the Standard State travel regulations, as provided in the State budget.

**Current Law:** MPA, through its efforts to increase waterborne commerce, promotes the economic well-being of the State and manages the State-owned facilities at the Helen Delich Bentley Port of Baltimore. MPA is governed by its Executive Director and the Maryland Port Commission. MPA is expressly authorized to acquire, construct, reconstruct, rehabilitate, improve, maintain, lease as lessor or as lessee, repair, and operate either directly or through State-created private operating companies port facilities within its territorial jurisdiction, including the dredging of ship channels and turning basins and the filling and grading of land.

Through its [Dredged Material Management Program](#), MPA maintains the shipping channel in the Chesapeake Bay, Baltimore Harbor, and the Chesapeake and Delaware Canal. MPA deposits the dredged material across its [five active dredged material containment facilities](#).

**State Expenditures:** In the execution of its duties, the Maryland Department of Transportation and MPA often engage expert consultants to handle research, evaluations, studies, reports, and staffing duties, and MPA anticipates engaging a consultant to handle the staffing and reporting duties required by the bill. Therefore, TTF expenditures increase by an estimated \$125,000 in fiscal 2025 and \$50,000 in fiscal 2026 to hire a consultant to

support the work of the task force. To the extent existing staff can handle some of these responsibilities, costs could be less.

Expense reimbursements for task force members are assumed to be minimal and absorbable with existing budgeted resources.

**Additional Comments:** MPA has been exploring the use of confined aquatic disposal and completed a successful pilot program in 2016. A summary of MPA's recent research and activities on the use of confined aquatic disposal can be found on [MPA's website](#).

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader – February 25, 2024  
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