

March 26, 2025
The Honorable Marc Korman
Chair, Environment and Transportation Committee
251 Taylor House Office Building
Annapolis, MD 21401

Re: Letter of Support – Senate Bill 168 –Confined Aquatic Disposal Construction Moratorium

Dear Chair Korman and Committee Members:

The Maryland Department of Transportation (MDOT) supports Senate Bill 168 as amended and offers the following information for the Committee’s consideration.

As amended, SB 168 prohibits the Maryland Department of the Environment (MDE) from processing or making any recommendation on an application submitted for the purpose of constructing a confined aquatic disposal (CAD) cell from June 1, 2025, through May 31, 2029 and prohibits the Board of Public Works (BPW) from approving a certain application submitted for the purpose of constructing a CAD cell from June 1, 2025, through May 31, 2029.

During the 2024 Legislative Session, Senate Bill 353 was introduced to create a legislative task force to study CAD and make recommendations to the General Assembly. While this legislation did not pass, MPA nonetheless committed to dedicating the necessary resources and funding to implement a broad-based study of CAD under the existing statutory structure and process of the Maryland’s Dredged Material Management Program (DMMP). Specifically, in 2024, the Maryland Port Administration (MPA) voluntarily established a CAD Subcommittee under the Bay Enhancement Working Group (BEWG).

The CAD Subcommittee held seven meetings from September 2024 until March 2025. All meetings were open to the public, and the Subcommittee members consisted of elected officials from District 31, State and federal regulatory agencies, scientific experts, environmental organizations, community groups, and citizen representatives. Throughout the course of these meetings, the Subcommittees assessed and evaluated a wide range of topics related to CAD, including, its technical aspects, environmental impacts and benefits, socioeconomic benefits and effects, community impacts, and financial impacts to the State and surrounding communities. The CAD Subcommittee is now preparing a report that will be submitted to the DMMP Management and Executive Committees and made available to the public in 2025.

While the report has still yet to be fully drafted, the preliminary consensus of the Subcommittee is that there is more study and environmental evaluation needed before the State can begin the process of selecting potential sites for a second CAD pilot project, let alone design such a pilot site, and perform the necessary public outreach and participation that would take place before the submission of an application to the MDE and the BPW to construct a CAD.

Considering the State’s current budget constraints, and the financial needs for other dredged material placement options that create significantly more dredged material capacity for the State, such as the construction of the Mid-Bay islands, expansion of the Masonville and Cox Creek Dredged Material Containment Facilities, and development of the recently purchased property by MPA for innovative reuse of dredged material, MPA supports the moratorium on CAD set forth in Senate Bill 168 with amendments.

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Respectfully Submitted,

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