

SENATE BILL 353

M3, R2

4lr0488

By: **Senator Simonaire**

Introduced and read first time: January 16, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2024

CHAPTER _____

1 AN ACT concerning

2 **Confined Aquatic Disposal Task Force**

3 FOR the purpose of establishing the Confined Aquatic Disposal Task Force; and generally
4 relating to the Confined Aquatic Disposal Task Force.

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
6 That:

7 (a) There is a Confined Aquatic Disposal Task Force.

8 (b) The Task Force consists of the following members:

9 (1) the members of the Bay Enhancement Working Group;

10 (2) one member of the Senate of Maryland, appointed by the President of
11 the Senate;

12 ~~(2)~~ (3) one member of the House of Delegates, appointed by the Speaker of the
13 House;

14 ~~(3) the Secretary of the Environment, or the Secretary's designee;~~

15 (4) ~~the Executive Director of the Maryland Port Administration, or the~~
16 ~~Executive Director's designee~~ one member from the Anne Arundel County Office of
17 Planning and Zoning; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (5) ~~the following members, appointed by the Governor:~~

2 (i) ~~one member who is an expert on confined aquatic disposal~~
3 ~~programs;~~

4 (ii) ~~one representative of a sports fishing organization;~~

5 (iii) ~~one representative of the Chesapeake Bay Foundation;~~

6 (iv) ~~one representative of the U.S. Army Corps of Engineers; and~~

7 (v) ~~two~~ three ~~members from water privileged communities who~~
8 represent a waterfront community, one of each located in Baltimore County, Baltimore
9 City, ~~or~~ and Anne Arundel County that are in close proximity to dredged materials from
10 Baltimore Harbor, appointed by the Governor.

11 (c) ~~The Governor~~ majority of the members of the Task Force shall designate the
12 chair of the Task Force.

13 (d) The Maryland Port Administration shall provide staff for the Task Force.

14 (e) A member of the Task Force:

15 (1) ~~may not receive compensation as a member of the Task Force, but~~

16 (2) ~~is entitled to reimbursement for expenses under the Standard State~~
17 ~~Travel Regulations, as provided in the State budget.~~

18 (f) (1) The Task Force shall strive for consensus among its members.

19 (2) An affirmative vote of a majority of members is needed for the Task
20 Force to act.

21 (g) ~~The~~ Using the procedures and policies governing the Dredged Material
22 Management Program under the Maryland Port Administration, the Task Force shall:

23 (1) ~~discuss~~ study and review:

24 (i) the overall concept, viability, and available options associated
25 with confined aquatic disposal programs to meet the long-term dredged material
26 placement needs of the State;

27 (ii) ~~the State's requirements and long term strategies for~~
28 ~~maintaining functional and thriving ports in Maryland;~~

~~(iii) the capacity limitations of the State's dredged material placement sites and the State's needs going forward;~~

~~(iv)~~ (iv) the potential benefits and risks associated with confined aquatic disposal programs;

~~(v)~~ (iii) the categories of dredged materials that should be permitted within confined aquatic disposal sites;

~~(vi)~~ (iv) any financial impacts on neighboring communities in close proximity to confined aquatic disposal sites;

~~(vii) any limitations to be placed on confined aquatic disposal programs with consideration given to the following factors:~~

~~1.~~ (v) the location of confined aquatic disposal sites, including the selection of industrial versus residential areas and distance from shore;

~~2.~~ (vi) the size of confined aquatic disposal sites;

~~3.~~ (vii) noise levels associated with confined aquatic disposal;

~~4.~~ (viii) times of day when dredged material may be added to confined aquatic disposal sites;

(ix) economic impacts of confined aquatic disposal;

~~5.~~ (x) environmental impacts of confined aquatic disposal; and

~~6.~~ ~~any other factors the Task Force deems necessary; and~~

~~(viii)~~ (xi) an approach for community outreach for any future confined aquatic disposal program; and

(xii) any other factors the Task Force deems necessary; and

(2) ~~make a recommendation on whether the Maryland Port Authority should pursue the development of a confined aquatic disposal program or prohibit its use in the State; and~~

~~(3) if the Task Force recommends developing a confined aquatic disposal program, develop a list of best practices and legislative or other policy recommendations regarding the authorization or implementation of the program, including:~~

~~(i) selecting locations for confined aquatic disposal sites;~~

- 1 ~~(ii) the size of confined aquatic disposal sites;~~
- 2 ~~(iii) specifications on allowable dredged materials;~~
- 3 ~~(iv) the consideration of impacts to neighboring communities,~~
4 ~~habitat, and the environment;~~
- 5 ~~(v) outreach programs; and~~
- 6 ~~(vi) any other subjects the Task Force deems necessary using~~
7 confined aquatic disposal as a strategy for meeting the long-term dredged material
8 placement needs of the State.

9 (h) On or before July 1, 2025, the Task Force shall submit a report of its findings
10 and recommendations to the Executive Committee created under § 5-1104.2 of the
11 Environment Article, the Senate Committee on Education, Energy, and the Environment,
12 the House Environment and Transportation Committee, ~~the Governor~~, and, in accordance
13 with § 2-1257 of the State Government Article, the General Assembly.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2024. It shall remain effective for a period of 1 year and 6 months and, at the end of
16 December 31, 2025, this Act, with no further action required by the General Assembly, shall
17 be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.