

---

By: **Delegates Hutchins, Stocksdales, Stull, Kittleman, La Vay, Schisler,  
O'Donnell, Flanagan, Leopold, Greenip, Brinkley, and Ports**

Introduced and read first time: February 10, 2000

Assigned to: Environmental Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Chesapeake Bay - Dredged Material Management**

3 FOR the purpose of altering a certain definition to include a certain location and  
4 prohibit certain dumping of certain material in a certain location; requiring the  
5 Maryland Port Administration to submit a certain strategic plan to certain  
6 persons for comment on or before a certain date each year; requiring certain  
7 items to be addressed and identified in the strategic plan; and generally relating  
8 to the Chesapeake Bay and dredged material management.

9 BY repealing and reenacting, with amendments,  
10 Article - Environment  
11 Section 5-1101  
12 Annotated Code of Maryland  
13 (1996 Replacement Volume and 1999 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article - Environment  
16 Section 5-1102(d)  
17 Annotated Code of Maryland  
18 (1996 Replacement Volume and 1999 Supplement)

19 BY adding to  
20 Article - Transportation  
21 Section 6-203.1  
22 Annotated Code of Maryland  
23 (1993 Replacement Volume and 1999 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Environment**

2 5-1101.

3 (a) In this subtitle the following words have the meanings indicated.

4 (1) "Spoil" means earth, rock, soil, waste matter, muck, or other material  
5 excavated or dredged from Baltimore Harbor and approach channels.6 (2) "Baltimore County tributary spoil" means earth, rock, soil, waste  
7 matter, muck, or other materials excavated or dredged from an approved dredging  
8 project in any of the Baltimore County tributaries of the Chesapeake Bay.9 (3) "Redeposit" means to dump, scatter, pour, or otherwise deposit spoil  
10 or, if made applicable by the provisions of this subtitle or Title 5 of the Natural  
11 Resources Article, Baltimore County tributary spoil in a confined manner.12 (4) "Baltimore Harbor" means the waterway which consists of the tidal  
13 portions of Patapsco River and its tributaries lying westward of a line extending from  
14 Rock Point in Anne Arundel County to North Point in Baltimore County.15 (5) (i) "Sewage sludge" means the accumulated semiliquid suspension  
16 of settled solids, or dried residue of these solids, that is deposited from sewage in  
17 wastewater treatment plant tanks or basins.18 (ii) "Sewage sludge" includes raw untreated sewage disposed from  
19 the Back River Sewage Treatment Plant.

20 (6) "Deep trough" means any region that:

21 (i) A. Is south of the Chesapeake Bay Bridge and north of a line  
22 extending westerly from Bloody Point; and

23 [(ii)] B. Has a depth that exceeds 60 feet[.]; OR

24 (II) IS WITHIN THE AREA OF THE CHESAPEAKE BAY KNOWN AS  
25 SITE 104.26 (b) The General Assembly declares that the Chesapeake Bay and the  
27 tidewater portions of its tributaries are a great natural asset and resource to the  
28 State and its counties. Portions of these areas are threatened with inundation by the  
29 unconfined dumping of vast quantities of spoil from dredging operations within  
30 Baltimore Harbor and certain dumpings of sewage sludge. This inundation and  
31 unconfined dumping will pollute and despoil valuable portions of the bottomland in  
32 the Chesapeake Bay and its tidewater tributaries and be grossly harmful to fish and  
33 marine life in these and adjacent waters, to use for recreation, and to the economic  
34 and social life of the people of this State.

1 5-1102.

2 (d) A person may not dump, deposit, or scatter any earth, rock, soil, waste  
3 matter, muck, or other material excavated or dredged from the Chesapeake Bay or its  
4 tidal tributaries into or onto the area of the bottomlands or waters of the Chesapeake  
5 Bay known as the deep trough.

6

#### Article - Transportation

7 6-203.1.

8 (A) ON OR BEFORE DECEMBER 1 EACH YEAR, THE ADMINISTRATION SHALL  
9 SUBMIT A STRATEGIC PLAN ON DREDGED MATERIAL MANAGEMENT FOR COMMENT  
10 TO THE LEGISLATIVE POLICY COMMITTEE AND THE GENERAL ASSEMBLY, SUBJECT  
11 TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

12 (B) (1) THE STRATEGIC PLAN SHALL ADDRESS THE SHORT- AND  
13 LONG-TERM DREDGED MATERIAL PLACEMENT NEEDS OF THE PORT OF BALTIMORE.

14 (2) THE STRATEGIC PLAN SHALL:

15 (I) PROJECT NEEDED SHIPPING CAPACITY AND COMMERCE AT  
16 THE PORT;

17 (II) IDENTIFY CHANNELS AND NAVIGATION AREAS TO BE  
18 MAINTAINED AND EXPANDED;

19 (III) IDENTIFY SITES FOR PLACEMENT OF DREDGED MATERIAL,  
20 WITH CAPACITIES AND TIME LINES FOR USE;

21 (IV) IDENTIFY PLACEMENT OPTIONS, INCLUDING LOCATIONS AND  
22 CHARACTERIZATIONS OF THE OPTIONS AT EACH LOCATION;

23 (V) GENERALLY ASSESS THE ENVIRONMENTAL IMPACT OF  
24 PLACEMENT OPTIONS AT THE IDENTIFIED LOCATIONS;

25 (VI) ADDRESS THE AVAILABILITY OF, AND PROMOTE THE  
26 RESPONSIBLE USE OF, BENEFICIAL USES OF DREDGED MATERIAL; AND

27 (VII) REPORT ON EFFORTS TO COORDINATE WITH FEDERAL, STATE,  
28 AND LOCAL GOVERNMENTS AND AGENCIES IN IMPLEMENTING ECONOMICALLY AND  
29 ENVIRONMENTALLY SOUND CONTAINMENT AND BENEFICIAL USES OF DREDGED  
30 MATERIAL THAT BEST ADDRESS THE NEEDS OF THE PORT OF BALTIMORE AND THE  
31 CHESAPEAKE BAY.

32 (C) IN PREPARING THE STRATEGIC PLAN EACH YEAR, THE ADMINISTRATION  
33 SHALL CONSIDER COMMENTS RECEIVED FROM THE LEGISLATIVE POLICY  
34 COMMITTEE AND THE GENERAL ASSEMBLY, AND SHALL INCLUDE ADDITIONAL OR  
35 OTHER VIABLE PLACEMENT SITES TO ADDRESS CONCERNS RAISED OVER EXISTING

1 OR PREVIOUSLY IDENTIFIED PRIMARY PLACEMENT SITES IN PRIOR STRATEGIC  
2 PLANS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 July 1, 2000.