

# HOUSE BILL 486

M3  
HB 20/1SS11 – HRU

2lr1174  
CF 2lr1461

By: **Delegates Jacobs, Bates, Boteler, Cluster, Eckardt, Frank, Glass, Haddaway–Riccio, Hershey, Hogan, McComas, McConkey, McDermott, W. Miller, Norman, Otto, Schuh, Schulz, Smigiel, Stocksdales, and Vitale**  
Introduced and read first time: February 2, 2012  
Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Watershed Implementation Plan – Ranking Best Management**  
3 **Practices**

4 FOR the purpose of requiring, on or before a certain date, the Department of the  
5 Environment to develop a certain list of certain best management practices in a  
6 certain manner; authorizing the Department to include certain information in  
7 the list; requiring the Department to update the list annually; requiring the  
8 Department to publish the list on the Department’s Web site and to mail hard  
9 copies to each county in the State; and generally relating to best management  
10 practices under the State Watershed Implementation Plan.

11 BY adding to  
12 Article – Environment  
13 Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.  
14 Implementation of the Chesapeake Bay Total Maximum Daily Load”  
15 Annotated Code of Maryland  
16 (2007 Replacement Volume and 2011 Supplement)

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

19 **Article – Environment**

20 **SUBTITLE 8. IMPLEMENTATION OF THE CHESAPEAKE BAY TOTAL MAXIMUM**  
21 **DAILY LOAD.**

22 **4–801.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1           (A)    IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3           (B)    (1)    “BAY TMDL” MEANS THE TOTAL MAXIMUM DAILY LOAD  
4 (TMDL) FOR THE CHESAPEAKE BAY ESTABLISHED UNDER THE FEDERAL  
5 CLEAN WATER ACT BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY ON  
6 DECEMBER 29, 2010.

7                   (2)    “BAY TMDL” INCLUDES ANY MODIFICATIONS TO THE BAY  
8 TMDL MADE BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

9           (C)    “BEST MANAGEMENT PRACTICE” MEANS A CONSERVATION OR  
10 POLLUTION CONTROL PRACTICE THAT REDUCES THE LOAD OF POLLUTANTS  
11 DISCHARGED INTO THE SURFACE WATERS OF THE STATE, INCLUDING  
12 SEDIMENT, NITROGEN, AND PHOSPHORUS.

13           (D)    (1)    “WIP” MEANS A STATE WATERSHED IMPLEMENTATION PLAN  
14 (WIP) APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO  
15 IMPLEMENT THE BAY TMDL WITHIN THE STATE.

16                   (2)    “WIP” INCLUDES ANY MODIFICATIONS TO A WIP MADE BY  
17 THE STATE.

18   4-802.

19           (A)    (1)    ON OR BEFORE OCTOBER 1, 2012, THE DEPARTMENT SHALL  
20 DEVELOP A LIST OF THE BEST MANAGEMENT PRACTICES THAT A COUNTY MAY  
21 USE UNDER A WIP TO IMPLEMENT THE BAY TMDL.

22                   (2)    THE DEPARTMENT SHALL RANK THE BEST MANAGEMENT  
23 PRACTICES ON THE LIST BASED ON THE COST AND EXPECTED POLLUTION  
24 REDUCTION VALUE OF EACH PRACTICE.

25                   (3)    THE DEPARTMENT MAY INCLUDE INFORMATION IN THE LIST  
26 RELATING TO THE COMBINATIONS OF BEST MANAGEMENT PRACTICES THAT  
27 MAXIMIZE POLLUTION REDUCTION AND MINIMIZE COST.

28                   (4)    THE DEPARTMENT SHALL UPDATE THE LIST ANNUALLY.

29           (B)    THE DEPARTMENT SHALL PUBLISH THE LIST REQUIRED UNDER  
30 SUBSECTION (A) OF THIS SECTION ON THE DEPARTMENT’S WEB SITE AND MAIL  
31 A HARD COPY OF THE LIST TO EACH COUNTY.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   June 1, 2012.