

# HOUSE BILL 487

M3, L1  
HB 6/1SS11 – HRU

2lr1179  
CF 2lr1463

---

By: **Delegates Jacobs, Aumann, Bates, Boteler, Cluster, Eckardt, Frank, Glass, Haddaway–Riccio, Hershey, Hogan, McComas, McConkey, McDermott, Norman, Otto, Ready, Schulz, Smigiel, Stocksedale, Szeliga, and Vitale**

Introduced and read first time: February 2, 2012

Assigned to: Environmental Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Watershed Implementation Plan – County Implementation**

3 FOR the purpose of providing that a local jurisdiction may not be required to  
4 implement certain activities or strategies of a State Watershed Implementation  
5 Plan unless certain funding is provided; defining certain terms; and generally  
6 relating to the local implementation of certain activities or strategies of a State  
7 Watershed Implementation Plan.

8 BY adding to

9 Article – Environment

10 Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.

11 Implementation of the Chesapeake Bay Total Maximum Daily Load”

12 Annotated Code of Maryland

13 (2007 Replacement Volume and 2011 Supplement)

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

16 **Article – Environment**

17 **SUBTITLE 8. IMPLEMENTATION OF THE CHESAPEAKE BAY TOTAL MAXIMUM**  
18 **DAILY LOAD.**

19 **4–801.**

20 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
21 **INDICATED.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

7           **(C) (1) “WIP” MEANS A STATE WATERSHED IMPLEMENTATION PLAN**  
8 **(WIP) APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO**  
9 **IMPLEMENT THE BAY TMDL WITHIN THE STATE.**

10           **(2) “WIP” INCLUDES ANY MODIFICATIONS MADE BY THE STATE**  
11 **TO A WIP.**

12 **4-802.**

13           **A LOCAL JURISDICTION MAY NOT BE REQUIRED TO IMPLEMENT A WIP**  
14 **ACTIVITY OR STRATEGY UNLESS FUNDING SUFFICIENT TO PAY FOR THE**  
15 **ACTIVITY OR STRATEGY IS PROVIDED BY THE STATE OR FEDERAL**  
16 **GOVERNMENT.**

17           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
18 **October 1, 2012.**