

# SENATE BILL 823

M3  
SB 13/ISS11 – SRU

2lr1461  
CF HB 486

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By: **Senators Pipkin, Brinkley, Colburn, Glassman, Jacobs, and Shank**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

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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; requiring the Department to include certain information in the  
7 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.**

23 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
24 **INDICATED.**

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

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

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

16 **4-802.**

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

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

23           **(3) THE DEPARTMENT SHALL INCLUDE INFORMATION IN THE**  
24 **LIST RELATING TO THE COMBINATIONS OF BEST MANAGEMENT PRACTICES**  
25 **THAT MAXIMIZE POLLUTION REDUCTION AND MINIMIZE COST.**

26           **(4) THE DEPARTMENT SHALL UPDATE THE LIST ANNUALLY.**

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

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

