

SENATE BILL 61

M1

(PRE-FILED)

6lr0553
CF 6lr0583

By: **Senator Simonaire**

Requested: August 10, 2015

Introduced and read first time: January 13, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Forest Lands and the Chesapeake and Atlantic Coastal**
3 **Bays 2010 Trust Fund – Miscellaneous Corrections**

4 FOR the purpose of repealing references to the “Chesapeake 2000 Agreement” in certain
5 provisions of law relating to forest lands and the Chesapeake and Atlantic Coastal
6 Bays 2010 Trust Fund and substituting references to the “2014 Chesapeake Bay
7 Watershed Agreement”; repealing references to the term “tributary strategies” in
8 certain provisions of law relating to the Chesapeake and Atlantic Coastal Bays 2010
9 Trust Fund and substituting references to the term “watershed implementation
10 plan”; defining a certain term; making conforming and clarifying changes; and
11 generally relating to forest lands and the Chesapeake and Atlantic Coastal Bays
12 2010 Trust Fund.

13 BY repealing and reenacting, with amendments,
14 Article – Natural Resources
15 Section 5–102(a)(10) and (b)(2), 8–2A–01(e), 8–2A–02(b) and (f)(1), and
16 8–2A–04(b)(1)
17 Annotated Code of Maryland
18 (2012 Replacement Volume and 2015 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Natural Resources
21 Section 8–2A–01(a), 8–2A–02(a), and 8–2A–04(a)
22 Annotated Code of Maryland
23 (2012 Replacement Volume and 2015 Supplement)

24 BY repealing
25 Article – Natural Resources
26 Section 8–2A–01(d)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Natural Resources

Section 8–2A–01(e)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Article – Natural Resources

5–102.

(a) The General Assembly finds that:

(10) This title sets forth Maryland’s vision for sustaining Maryland’s coveted forest lands into the 21st century that is consistent with the [Chesapeake 2000 Agreement] **2014 CHESAPEAKE BAY WATERSHED AGREEMENT** and the 2007 Forestry Conservation Initiative.

(b) It is the policy of the State to encourage the retention and sustainable management of forest lands by:

(2) Affording due consideration to the protection and retention of forests in the State through existing land conservation programs where they have the highest value in terms of promoting the State’s compliance with its clean water goals under the [Chesapeake 2000 Agreement] **2014 CHESAPEAKE BAY WATERSHED AGREEMENT** and the 2007 Forest Conservation Initiative;

8–2A–01.

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

[(d) “Tributary strategies” means each of Maryland’s 10 watershed–specific plans as amended from time to time to reduce the amount of nitrogen, phosphorus, and sediment pollution that enters the Chesapeake and Atlantic Coastal Bays and their tributaries.]

[(e)] (D) “Trust Fund” means the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund.

(E) “**WATERSHED IMPLEMENTATION PLAN**” MEANS A PLAN TO ACHIEVE THE NUTRIENT AND SEDIMENT LIMITS REQUIRED UNDER THE CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD.

1 8-2A-02.

2 (a) There is a Chesapeake and Atlantic Coastal Bays 2010 Trust Fund.

3 (b) The purpose of the Fund is to provide financial assistance necessary to
4 advance Maryland's progress in meeting the goals established in the [Chesapeake 2000
5 Agreement] **2014 CHESAPEAKE BAY WATERSHED AGREEMENT** for the restoration of
6 the Chesapeake Bay and its tributaries, including the Patuxent River, and to restore the
7 health of the Atlantic Coastal Bays and their tributaries, by focusing limited financial
8 resources on nonpoint source pollution control projects in all regions of the State.

9 (f) (1) The Fund may be used only for the implementation of nonpoint source
10 pollution control projects to [achieve the State's tributary strategy developed in accordance
11 with the Chesapeake 2000 Agreement] **COMPLY WITH STATE AND LOCAL WATERSHED
12 IMPLEMENTATION PLANS** and to improve the health of the Atlantic Coastal Bays and
13 their tributaries.

14 8-2A-04.

15 (a) The BayStat Program shall direct the administration of the Trust Fund in
16 accordance with this section.

17 (b) (1) The BayStat Program shall implement nonpoint source pollution
18 reduction measures to [achieve the tributary strategies] **COMPLY WITH STATE AND
19 LOCAL WATERSHED IMPLEMENTATION PLANS AND TO IMPROVE THE HEALTH OF
20 THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES** by targeting funds,
21 geographically and by practice, to proven, scientifically based projects that provide the most
22 cost-effective and measurable water quality benefits to the Chesapeake and Atlantic
23 Coastal Bays.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2016.