

SENATE BILL 61

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(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

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 2, 2016

CHAPTER _____

1 AN ACT concerning

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2012 Replacement Volume and 2015 Supplement)

2 BY repealing

3 Article – Natural Resources

4 Section 8–2A–01(d)

5 Annotated Code of Maryland

6 (2012 Replacement Volume and 2015 Supplement)

7 BY adding to

8 Article – Natural Resources

9 Section 8–2A–01(e)

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2015 Supplement)

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

14 **Article – Natural Resources**

15 5–102.

16 (a) The General Assembly finds that:

17 (10) This title sets forth Maryland’s vision for sustaining Maryland’s coveted
18 forest lands into the 21st century that is consistent with the [Chesapeake 2000 Agreement]
19 **2014 CHESAPEAKE BAY WATERSHED AGREEMENT** and the 2007 Forestry
20 Conservation Initiative.

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

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

28 8–2A–01.

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

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

1 [(e)] (D) "Trust Fund" means the Chesapeake and Atlantic Coastal Bays 2010
2 Trust Fund.

3 (E) "WATERSHED IMPLEMENTATION PLAN" MEANS A PLAN TO ACHIEVE THE
4 NUTRIENT AND SEDIMENT LIMITS REQUIRED UNDER THE CHESAPEAKE BAY TOTAL
5 MAXIMUM DAILY LOAD.

6 8-2A-02.

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

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

14 (f) (1) The Fund may be used only for the implementation of nonpoint source
15 pollution control projects to [achieve the State's tributary strategy developed in accordance
16 with the Chesapeake 2000 Agreement] ~~COMPLY WITH:~~

17 (I) SUPPORT STATE AND LOCAL WATERSHED
18 IMPLEMENTATION PLANS and to improve BY TARGETING LIMITED FINANCIAL
19 RESOURCES ON THE MOST EFFECTIVE NONPOINT SOURCE POLLUTION CONTROL
20 PROJECTS; AND

21 (II) IMPROVE the health of the Atlantic Coastal Bays and their
22 tributaries.

23 8-2A-04.

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

26 (b) (1) The BayStat Program shall implement nonpoint source pollution
27 reduction measures to [achieve the tributary strategies] ~~COMPLY WITH:~~

28 (I) SUPPORT STATE AND LOCAL WATERSHED
29 IMPLEMENTATION PLANS BY TARGETING LIMITED FINANCIAL RESOURCES ON THE
30 MOST EFFECTIVE NONPOINT SOURCE POLLUTION CONTROL PROJECTS; AND ~~TO~~
31 IMPROVE

32 (II) IMPROVE THE HEALTH OF THE ATLANTIC COASTAL BAYS
33 AND THEIR TRIBUTARIES by targeting funds, geographically and by practice, to proven,

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1 scientifically based projects that provide the most cost-effective and measurable water
2 quality benefits to the ~~Chesapeake and~~ Atlantic Coastal Bays **AND THEIR TRIBUTARIES.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.