



## Maryland Association of Soil Conservation Districts

123 Clay Drive • Queenstown • MD • 21658

443-262-8491 • [lindsay.mdag@gmail.com](mailto:lindsay.mdag@gmail.com)

[www.mascd.net](http://www.mascd.net)

### House Bill 517 – Constitutional Amendment – Environmental Rights

Committee: Environment & Transportation

February 19, 2020

MASCD Position: OPPOSED

The Maryland Association of Soil Conservation Districts represents the 24 districts throughout the state of Maryland that spearhead the design and implementation of conservation practices in primarily agricultural but also urban and suburban landscapes.

House Bill 517 requires that the State and each political subdivision of the State serve as the trustees of the State's natural resources and preserve, conserve, protect, and maintain the State's natural resources for the benefit of every person, including present and future. Further, the State or a political subdivision of the State may not cause unreasonable diminution of or degradation to the State's natural resources by action or inaction or infringe on the rights established by the bill.

Soil Conservation Districts are politically independent subdivisions of the State and would therefore be subject to the provisions of this legislation. The district's primary concern with this legislation has to do with the expansion of standing. Currently, a party to a civil action must be authorized to participate, either by statute or by having common law "standing." Standing means that a party has a sufficient stake in a controversy to be able to obtain judicial resolution of that controversy. This bill would expand standing to every Marylander. This is concerning because while the nature of the districts work is to protect and preserve the environment; there have been instances in which parties dislike what is being done and sue. Currently, this is limited to landowners and neighbors to projects. For example, a neighbor with property along a stream has sued a district for a stream restoration project which they felt diverted water away from their property. Expanding standing to every Marylander will undoubtedly increase the number of suits brought against districts, with or without merit.

MASCD respectfully asks for your unfavorable report on HB517.

Contact: Lindsay Thompson, [Lindsay.mdag@gmail.com](mailto:Lindsay.mdag@gmail.com)