



**MARYLAND**  
*Association of*  
**COUNTIES**

## **Senate Bill 119**

### *Clean Water Commerce Act of 2021*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Education, Health, and Environmental Affairs  
and Budget and Taxation Committees

Date: January 28, 2021

From: Alex Butler

The Maryland Association of Counties (MACo) **SUPPORTS SB 119 WITH AMENDMENTS**. The bill extends the Clean Water Commerce Act that was set to sunset, preserving a funding tool that can assist both the State and counties in meeting their Chesapeake Bay Total Maximum Daily Load (TMDL) requirements. **MACo supports a set of multi-stakeholder amendments to clarify its effects, and to avoid an unwanted depletion of other priorities.**

With the amendments proposed by the workgroup, SB 119 would allow the Maryland Department of the Environment (the Department) to use up to \$20 million a year from the Bay Restoration Fund (BRF) to purchase nitrogen, phosphorus, and sediment practices in support of restoring the Chesapeake Bay. According to the Department, this does not impair the availability of other BRF funding. Investments will need to prioritize cost-effectiveness and longevity of benefits. MACo believes that investments should continue to be made in rural areas, where funding is especially limited.

MACo has always been supportive of having as many “tools in the toolbox” as possible to help meet our Bay TMDL goals. This bill gives MACo a continued role in helping to guide investments through a representative on the BRF Advisory Committee. With the workgroup amendments, SB 119 would maintain a useful and flexible tool that could assist both the State and counties in meeting our Chesapeake Bay restoration targets while protecting key local uses of the BRF and continuing appropriate oversight.

Accordingly, MACo urges the Committee to issue a report of **SUPPORT WITH AMENDMENTS** for SB 119.