



MARYLAND LEAGUE OF CONSERVATION VOTERS



Senate Bill 119

Clean Water Commerce Act of 2021

To: Senate Education, Health, and Environmental Affairs Committee
Senate Budget and Taxation Committee

Position: **Support**

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Date: Jan. 28, 2020

The Maryland League of Conservation Voters, Blue Water Baltimore, and the Chesapeake Bay Foundation **SUPPORT** SB 119 which re-authorizes the Clean Water Commerce Act through an annual allocation from the Bay Restoration Fund for projects that reduce pollution into the Chesapeake Bay.

The 2017 Midpoint Assessment of Maryland’s progress on pollution reduction found the State needs to do more in order to meet established pollution reduction targets from stormwater runoff in developed areas and agricultural runoff from farmland. Municipal Separate Storm Sewer System (MS4) permit annual reports from our largest counties and Baltimore City indicate that most of our most populous jurisdictions are not achieving the nutrient and sediment reductions necessary to meet urban water quality targets.

The State is at a critical point in the Bay’s recovery. The clock is ticking until the Chesapeake Bay Blueprint’s goals come due in 2025. Much of the progress up to this point has been through wastewater treatment facility upgrades, infrastructure under state and municipal control. The years ahead require pollution reductions from agricultural lands in private ownership, and through stormwater management in developed areas. At the same time, climate change will make progress more difficult, demanding additional reductions in nitrogen load. The Bay Restoration Fund – the central source of State support for water quality improvements – must be spent wisely.

Through participation in a work group considering the reauthorization of the Clean Water Commerce Act, which expires this year, the Maryland League of Conservation Voters, Blue Water Baltimore, and the Chesapeake Bay Foundation recommended that the Clean Water Commerce Act reauthorization tailor its project funding to address the areas of pollution reduction most needed to meet the State’s Phase III Watershed Improvements Plan. We also advised the work group to prioritize the equitable distribution of the State’s resources for water quality through delineations of specific funding categories. We appreciate the amendments, introduced by the bill sponsor, to take steps toward those aims.

SB 119 seeks to ensure all Marylanders share in the State’s progress on water-quality

This legislation adds an individual representing communities disproportionately burdened by environmental harms and subject to climate risks to the Bay Restoration Fund Advisory Committee. The legislation requires 20% of Clean Water Commerce Act funding is provided to communities disproportionately burdened by pollution and environmental inequities. In addition, it identifies green stormwater infrastructure as a practice that may be employed in these communities. Green infrastructure, including tree plantings in urban areas, can reduce urban heat island effect, improve air quality, clean local waterways, and improve quality of life in urban neighborhoods.

SB 199 aims to direct funding to the most cost-effective pollution reduction practices

This legislation, as amended, focuses on environmental outcomes that reduce nitrogen loads to state waterways. It requires that projects have an expected beneficial life of at least 10 years. The priority for funding fixed natural filters, such as tree plantings on agricultural land. These forested buffers are some of the most cost-effective practices for reducing agricultural runoff.

SB 199 requires environmental considerations for non-agricultural landscape restoration projects and mandates an assessment of project funding in 2025

As amended, the Clean Water Commerce Act will require that non-agricultural landscape restoration projects consider the ecological suitability of the project, such as hydrological conditions and other physical characteristics. This requirement will hopefully promote the installation of large-scale practices, like stream restoration, only in areas where such practices can truly reduce stormwater volumes and reestablish healthy riparian function. The legislation also requires an assessment of minimum project funding percentages in 2025 so that the amount spent on these non-agricultural landscape restorations may be reviewed.

With the friendly sponsor amendments, our organizations urge the Committee’s FAVORABLE report on SB 119.