



**Senate Bill 119 (Guzzone)**  
**Clean Water Commerce Act of 2021**

**Chairman Pinsky and Members of the Committee:**

January 28, 2021

Thank you for this opportunity to submit written testimony in support of Senate Bill 119 on behalf of Waterkeepers Chesapeake, a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to make the waters of the Chesapeake and Coastal Bays swimmable and fishable.

We support this bill as amended, which re-authorizes the Clean Water Commerce Act through an annual allocation from the Bay Restoration Fund. This fund will support projects that reduce pollution into the Chesapeake Bay. After participating in four, broadly representative stakeholder group meetings, we agree with other advocates that the Clean Water Commerce Act reauthorization should tailor project funding to address the areas of pollution reduction most needed to meet the State's Phase III WIP. We also agree that delineations of specific funding categories should be made, ensuring equitable distribution of the State's resources for water quality through. Amendments to this effect have been introduced by the bill sponsor, which we appreciate and support.

It is critical that we meet our pollution reduction targets by 2025 and beyond—and the Bay Restoration Fund should be spent in a way that meets our targets. Maryland is already struggling to meet our pollution diet goals and practices funded by the Fund must support our efforts to rapidly address pollution. As amended, this bill (1) focuses on environmental outcomes that reduce nitrogen loads in our waterways, (2) requires that projects funded have a beneficial life of at least 10 years, and (3) prioritizes funding for fixed natural filters like tree plantings on agricultural land. Furthermore, the bill requires that non-agricultural landscape restoration projects consider the ecological impact of the project, promoting installation of stream restorations and other large-scale practices—only in areas where these practices demonstrate potential to reduce stormwater volume and healthy riparian function. Finally, the legislation requires an assessment of minimum project funding percentages in 2025 so that expenditures on these restorations may be reviewed.

We also support the equity and environmental justice aims of SB 119. First, this bill ensures that an individual representing overburdened communities will be added to the Bay Restoration Fund Advisory Committee. Second, this bill requires that 20% of Clean Water Commerce Act funding would be provided to communities that are overburdened by pollution and environmental injustices. Finally, this bill identifies green infrastructure as a practice that may be employed in these communities. These practices, such as 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.

We urge a favorable report on this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M.A. Johnson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Morgan A. Johnson, Esq.  
Staff Attorney  
Waterkeepers Chesapeake