



**Testimony in SUPPORT of SB354 – Bay Restoration Fund –  
Intended Use Plans and Privately Owned Wastewater Facilities**

February 24, 2022

Dear Chairman Pinsky and Members of the Committee,

Thank you for this opportunity to submit testimony in **SUPPORT** of **SB354** on behalf of ShoreRivers. ShoreRivers is a river protection group on Maryland's Eastern Shore with over 2,000 members. Our mission is to protect and restore our Eastern Shore waterways through science-based advocacy, restoration, and education.

This bill will provide much needed oversight to the Maryland Department of Planning (MDP) and Department of Environment (MDE) on how Bay Restoration Funds (BRF) are allocated to assist local governments – as intended with the fund, versus assisting privately owned wastewater treatment plants that have the financial capacity to purchase or upgrade their treatment system.

This bill also builds upon the General Assembly's 2021 position to require a 50% cost-share for any BRF funds that are allocated to a privately owned treatment plant. Through this bill, however, the cost-share option is only available for a privately owned plant that (1) delivers service to the public, (2) is small, independently-owned and not a subsidiary of another business, and (3) has not violated their discharge permit within the prior two years, or if they have violated their permit they (4) lack the financial capacity to come back into compliance on their own.

**ShoreRivers supports this bill because it removes barriers and prioritizes BRFs to assist small rural towns on the Eastern Shore that have long struggled to receive prioritization in the BRF allocation process.**

Sewer overflows in the City of Cambridge occur frequently due to the unique inflow and infiltration (I&I) problems that result from stormwater and tidal influences in their sewer collection system. The City has requested for many years support from BRF to address the sewer overflow issues that cause local public beaches in Cambridge to fail to meet bacteria water quality standards nearly 50% of the time and making it unsafe for families and pets to swim in the Choptank River near these areas.

In 2021 on MDE's "Final Project Priority List for State FY2022 Clean Water Funds"<sup>1</sup> the City of Cambridge was ranked 56 (of 99) for their request for a \$1.9 million loan. Similarly the towns of Hurlock, Sharpstown, Snow Hill, East New Market, Easton, and Federalsburg and the cities of Fruitland and Pocomoke all failed to receive priority ranking status that year. Meanwhile, Valley Proteins, a *privately-owned* rendering facility in Dorchester County worth \$1.1 billion that has repeatedly and significantly violated their discharge permit for at least the last five years was ranked 5 (of 99) for their request for a \$15.3 million *grant* that would not need to be paid back. Thankfully the General Assembly stopped this allocation from happening in 2021 and removed the possibility of Valley Proteins receiving this gift of public funding as a reward for their years of noncompliance.

This bill will make it clear that situations like with Valley Proteins won't happen again, freeing up millions of dollars of funding in the BRF for the small rural towns on the Eastern Shore that have struggled to receive this much needed funding in the past.

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<sup>1</sup> <https://mde.maryland.gov/programs/Water/WQFA/Documents/FFY20SFY22CWPPPL.pdf>

For these reasons stated above, ShoreRivers urges the Committee to adopt a **FAVORABLE** report on **SB354**.

Sincerely,



**Matt Pluta**

Choptank Riverkeeper, on behalf of:

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***ShoreRivers***

Isabel Hardesty, Executive Director

Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper

Elle Bassett, Miles-Wye Riverkeeper | Zack Kelleher, Sassafras Riverkeeper

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