

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Judicial Proceedings Committee



THE SENATE OF MARYLAND
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March 1, 2022

Senate Bill 876 – Water Pollution – Civil Penalty Surcharge – Oyster Repletion Fund

Dear Chairman Pinsky and Members of the Committee,

I am writing to introduce Senate Bill 876 – Water Pollution – Civil Penalty Surcharge – Oyster Repletion Fund. This bill establishes a surcharge on civil penalties imposed for water pollution violations that result in the discharge of pollutants into the Chesapeake Bay or its tributaries. Senate Bill 876 also establishes the Oyster Repletion Fund in the Department of Natural Resources to finance the repletion of natural oyster bars in waters impacted by water pollution violations.

This surcharge would go to the Oyster Repletion Fund created by this bill. This Fund would also be able to accept funds from the State budget or other sources as available. The bill requires that, to the extent practicable, revenue collected from this surcharge would be used to fund oyster repletion projects in the county where the water pollution violation occurred in consultation with that county's oyster committee. The bill also includes a provision that states that these funds are intended to be supplemental and not replace other funding appropriated for oyster repletion projects.

Senate Bill 876 is another tool to hold the people who pollute our waterways accountable. This surcharge will ensure that entities that release sewage into the Chesapeake Bay and its tributaries pay to repair the damage that these pollutants cause to the oyster populations in our State's waterways. I am also introducing an amendment with this bill which clarifies that the surcharge would apply to administrative penalties as well as civil penalties.

I respectfully request a favorable report with amendments on Senate Bill 876. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey
District 29
Calvert and St. Mary's Counties