

**SB0876-353723-01.pdf**

Uploaded by: Jack Bailey

Position: FWA



**SB0876/353723/1**

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

24 FEB 22  
14:29:39

BY: Senator Bailey  
(To be offered in the Education, Health, and Environmental  
Affairs Committee)

AMENDMENTS TO SENATE BILL 876

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Civil**” insert “**and Administrative**”; and in line 3, after “civil” insert “and administrative”.

AMENDMENT NO. 2

On page 3, in lines 15 and 21, in each instance, after “**CIVIL**” insert “**OR ADMINISTRATIVE**”.

On page 4, in line 10, after “**CIVIL**” insert “**AND ADMINISTRATIVE**”.

**SenatorBailey\_FWA\_SB876.pdf**

Uploaded by: Jack Bailey

Position: FWA

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

Judicial Proceedings Committee



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

*Annapolis Office*  
James Senate Office Building  
11 Bladen Street, Room 402  
Annapolis, Maryland 21401  
410-841-3673 · 301-858-3673  
800-492-7122 Ext. 3673  
Jack.Bailey@senate.state.md.us

*District Office*  
Dorsey Professional Park  
23680 Three Notch Road, Unit 101  
Hollywood, Maryland 20636  
240-309-4238

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

# **Testimony in SUPPORT of SB0876.pdf**

Uploaded by: Joseph Jankowski

Position: FWA

Testimony in SUPPORT of SB0876 – Water Pollution – Civil Penalty Surcharge  
Oyster Repletion Fund

Dear Chairman Pinsky and members of the Education, Health and Environmental Affairs Committee,

The Protectors of the St Martin River supports SB0876.

Our organization has undertaken numerous efforts in support of the Maryland Coastal Bays Program to restore healthy waterways in the coastal bays of Maryland, through the restoration of natural oyster beds. Our organization has also worked to educate the of residents in critical areas of the Coastal Bays as to environmentally sensitive land management and through an oyster gardening program to reduce excess nutrients in the coastal bays. This bill could provide a significant contribution to the protection of the health and well-being of the coastal bays of Maryland, if they were included along with the Chesapeake Bay.

Respectfully,

Joseph Jankowski, Director  
Protectors of the St Martin River