



**ANACOSTIA
RIVERKEEPER®**



**SIERRA
CLUB**

March 9, 2023

FAVORABLE Report – HOUSE BILL 0874: Environment and Natural Resources Monitoring Unit - Establishment

Dear Chairman Barve and Members of the Committee,

We are writing in strong support of **HB0874** on behalf of Waterkeepers Chesapeake – a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to protect and maintain the ability of the public to safely enjoy the waters of our State – and allied organizations listed below. Waterkeepers Chesapeake supports the establishment of a permanent Environment and Natural Resources Monitoring Unit within the Office of the Attorney General of Maryland (the Monitoring Unit) in order to more effectively hold bad actors accountable for polluting our waterways and endangering the health of our communities.

What this bill does:

HB0874 will establish the Monitoring Unit to (1) investigate and prosecute cases against persons that violate State criminal environmental and natural resources laws; (2) assist the Department of the Environment and Department of Natural Resources in investigating or bringing a civil action regarding a violation of State civil environmental and natural resources laws; and (3) require the Monitoring Unit to report to certain entities in the State on all its activities, findings, and recommendations. **HB0874** notes that the staff that would be part of the Monitoring Unit would consist of environment and natural resources justice monitors as well as attorneys specializing in environmental and natural resources law, effectively coordinating efforts between environmental experts from different areas. Importantly, due to the nature of investigations into environmental crimes, **HB0874** also provides for assistance to victims of pollution crimes as well as the professionals supporting them instead of waiting for the bad actors to be charged.

What this bill means:

HB0874 will add much needed support as well as accountability to Maryland state agencies that have enforcement authority of environmental laws. MDE's declining rate of enforcement is evidence that state agencies alone can't address the number of current and

ongoing violations around the state. As an example, in Dorchester County, it took the action of ShoreRivers, a local Waterkeeper group, to uncover significant pollution violations at the Valley Proteins rendering plant. The Clean Water Act discharge permit for Valley Proteins was administratively extended by MDE since it expired in 2006, and the facility was in and out of compliance for several years following the continuation of the permit. Lack of inspections and monitoring led to continued violations at the facility with no clear obligation from MDE about when the permit would be updated or if enforcement actions were to be taken. The pollution from the facility's non-compliance will have lasting impacts to the downstream water quality in the Transquaking River and Higgins Mill Pond.

This bill will provide more enforcement resources to investigate violations, while also holding MDE accountable to enforce the laws they're obligated to enforce. In the event that MDE fails to do its job, as was the case with the Valley Proteins, the Attorney General's Environmental Monitoring Unit can step in and assist MDE while holding them accountable. Having a robust criminal enforcement capacity in Maryland will have dramatic ripple effects on rates of compliance by establishing a highly deterrent threat for the most serious violations.

For these reasons stated above, we urge the Committee to adopt a **FAVORABLE** report on **HB0874**.

Contact: Alex Villazon, Climate & Justice Legal Fellow, alex@waterkeeperschesapeake.org

Waterkeepers Chesapeake
Anacostia Riverkeeper
Arundel Rivers Federation
Gunpowder Riverkeeper
Blue Water Baltimore
ShoreRivers
Sierra Club - Maryland Chapter