



HB1104

Standing-Environmental and Natural Resources Protection Proceedings (Clean Water Justice Act of 2024)

Testimony before Senate Education, Energy, and the Environment Committee

Hearing March 26, 2024

Position: Favorable as Amended by House

Dear Chair Feldman and Vice-Chair Kagan, and members of the committee,

My name is Virginia Smith, and I represent the 700+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today **in support of HB1104**, which would provide certain persons standing in environmental and natural resources protection proceedings.

The federal Clean Water Act (CWA) allowed communities to sue when they are harmed by illegal water pollution. However, when the US Supreme Court released its decision in Sackett vs. EPA, it severely cut the number of streams and wetlands that would be protected under the CWA, which means that a citizen's ability to sue was also severely restricted. While Maryland still protects these waterways, a Maryland citizen cannot take action like they could under the CWA.

This is why HB1104 is urgently needed. The Clean Water Justice Act of 2024 would provide a new right for impacted community members to enforce the law in state court, the same way they could previously in federal court.

Communities situated around these waters, can have negative health impacts if they are polluted, but this is just one reason why the need to be able to take action is needed on the State level. But on a greater scale, as we all know, the Chesapeake Bay is an important water system for Maryland and the United States, both economically and environmentally. But the bay itself is fed by many of the streams and wetlands that were stripped from Sackett vs. EPA. If these waterways are harmed, this inevitably leads to the Bay being harmed, which could lead to greater harm to larger populations. With the passage of the Clean Water Justice Act, citizens within these communities will be able to act before larger problems can develop within the Bay.

Thank you for your consideration of this important legislation.

We respectfully urge a favorable report.

Virginia Smith
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