

Testimony in Support of SB0653
Standing - Environmental and Natural Resources Protection Proceedings
(Clean Water Justice Act of 2024)
Senate Energy, Education, and Environment Committee 2/27/2024
Submitted on 2/26 by 6pm

To Chair Feldman and Committee Members,

My name is Karen Holcomb. My husband and I live at Fairlee Cove Drive, Chestertown, Maryland. **We have a waterfront parcel on Fairlee Creek that is in a designated critical area zone. The Chesapeake Bay with all its estuaries is a precious jewel that needs dedicated stewards to maintain and improve the health of our Bay today and for the generations to come.**

For all the reasons listed, I urge a favorable report on SB653. The Clean Water Justice Act allows communities harmed by illegal water pollution to enforce state law. Access to the courts to enforce laws that protect communities from pollution was at the heart of the federal Clean Water Act (CWA). Unfortunately, the U.S. Supreme Court recently removed a majority of streams and wetlands from Clean Water Act protection. Fortunately, Maryland still protects these waterways, but it has no right for communities to enforce the law like under the CWA.

Wetlands and streams are the lungs and kidneys of our landscape – filtering out pollution, keeping drinking water clean, protecting us from flooding and storm surges, and providing billions of dollars in benefits. These aquatic ecosystems are also among the very most valuable biodiverse habitats. Now, the majority of these waterways are only protected by Maryland law. Given our urgent climate and biodiversity crises, we should be doing everything we can to protect these waterways.

The Clean Water Justice Act will:

- Provide a new right for impacted community members to enforce the law in state court the same way that they were previously able to do in federal court under the Clean Water Act.
- Give Marylanders the same degree of access to state courts as they have in federal court.
- Repair the threat to Maryland's critical water resources caused by the U.S. Supreme Court decision.

It's important to note that the bill does not create a right of judicial review of final agency actions, and does not expand standing beyond that provided by federal courts, essentially restoring the enforcement of clean water laws to what existed before the Supreme Court's ruling.

We support this bill because we care about preserving the Bay for today and tomorrow. After 18 years, we continue to enjoy sailing on the Bay. As recent property owners in a critical area, we see ourselves as the current caretakers of our Fairlee Cove home, land and all the surrounding waters. We want to be responsible stewards in partnership with all involved in the Clean Water Justice Act.

Thank you for your consideration, and I look to the committee to give SB653 a favorable report.

Sincerely,

Karen Holcomb & Peter Brown