

Brian Russell, Member
Shore Thing Shellfish LLC
PO Box 74
Tall Timbers, MD 20690

February 25, 2024

To: Members of the Senate Environment and Transportation Committee
Re: SB653 Standing - Environmental and Natural Resources Protection Proceedings

Position: Support SB653

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

My name is Brian Russell, one of the three owners and operators of Shore Thing Shellfish LLC, a small oyster farm in Piney Point Maryland. We support SB653 Standing - Environmental and Natural Resources Protection Proceedings.

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 most 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.

As an oyster farm, we rely on clean water in St. George Creek where we have two of our oyster leases. Wetlands and streams are the livers 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.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Russell", with a stylized flourish extending to the right.

Brian Russell