

Testimony in Support of HB1101
Standing - Environmental and Natural Resources Protection Proceedings
(Clean Water Justice Act of 2024)
House Environment and Transportation Committee 3/01/2024

To Chair Korman and Committee Members,

My name is Virginia (“Ginger”) Cushing Valliant. I live in Centreville, MD, near the Corsica River, and I urge a favorable report on HB1101. 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.

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.

Our family has lived within the Corsica River Watershed for four generations. We have witnessed the decline of its health firsthand. We are committed to restoration and applaud your efforts to help us by passing this critical legislation.

Thank you for your consideration, and I look to the committee to give HB1101 a favorable report.

Sincerely,

Ginger Cushing Valliant
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