



TESTIMONY FOR HB1101

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

Bill Sponsor: Delegate Love

Committee: Environment and Transportation

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB1101 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

The Clean Water Justice Act restores rights lost when the U.S. Supreme Court's reduced the scope of federal Clean Water Act (CWA) jurisdiction in *Sackett v EPA*. It will bring the full federal Clean Water Act's public enforcement capabilities to Maryland and will allow us to better protect our wetlands and streams.

The primary function of the bill is the creation of a cause of action allowing the public to sue in Maryland Court to stop illegal pollution or compel an agency to act on a nondiscretionary duty (similar to the "citizen suit" provision that exists under Federal law).

- The bill pairs the new cause of action with expanded standing to be consistent with federal constitutional standing.
- The bill includes the Natural Resources Article (Critical Areas and Forest Conservation Act), and 3 Titles of the Environment Article that pertain to water quality.

Whenever the Supreme Court seeks to reduce rights that Marylanders have, our members feel that it is incumbent upon the legislature to reinstate those rights. We support this bill and recommend a **FAVORABLE** report in committee.