



OFFICE OF THE GOVERNOR  
**Wes Moore**

February 7, 2025

The Honorable Brian Feldman  
Chair, Education, Energy, and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

***RE: Favorable with Amendments - SB0428 - Chesapeake Bay Legacy Act***

Chair Feldman, Vice-Chair Kagan, and Distinguished Members of the Education, Energy, and the Environment Committee,

On behalf of the Moore-Miller Administration, I respectfully ask the committee for a favorable report on SB0428 - Chesapeake Bay Legacy Act.

Maryland is at a pivotal point for the Chesapeake Bay's future. While significant progress has been made, the EPA recently reported that Maryland and the neighboring states have fallen short of meeting key environmental benchmarks. With Maryland leading the Chesapeake Executive Council chaired by Governor Moore, Maryland has a unique opportunity to drive bold actions, strengthen restoration efforts, and reaffirm Maryland's leadership in safeguarding this vital resource for the generations to come. This proposal outlines a comprehensive strategy to accelerate Bay restoration, focusing on agriculture, fisheries, and aquaculture, and streamline the environmental permitting process to ensure long-term sustainability.

The legislation **establishes the Maryland Leaders in Environmentally Engaged Farming (LEEF) pilot program, to incentivize farmers to implement targeted best management practices**, ensuring a more efficient investment while advancing conservation efforts to enhance the Bay's water quality. This also **expands the "healthy soils" definition to include regenerative agriculture** drawn from Indigenous and traditional land management practices that enhance farmland and ecosystems by improving soil health, restoring biodiversity, mitigating climate change impacts, and providing community benefits.

Based on the Comprehensive Evaluation of System Response (CESR) report and the Whole Watershed Act of 2024, this legislation takes **a data-driven approach to address and modernize Maryland's water quality and monitoring (WQM) program**. It enhances the

collection and accessibility of water quality and habitat data, focusing on areas where Marylanders interact most with the Bay, coastal bays, and their watersheds. The existing WQM program, developed over 40 years ago, has become outdated due to a lack of adaptation to the advancements of scientific techniques. This initiative will ensure a more effective, science-based strategy for protecting Maryland's waterways.

In addition, the legislation takes a critical step in supporting the industries that depend on the Chesapeake Bay to survive and thrive, which collectively contribute nearly \$500 million to Maryland's economy. To foster growth and sustainability, the legislation **streamlines the aquaculture leasing process** to allow more efficiency and provide leaseholders more flexibility. Additionally, it strengthens the state's **fisheries management to better adapt to climate-related impacts and launches a pilot program for ike jime, a unique and sustainable fish processing method** poised to bolster Maryland's seafood industry. By prioritizing both economic and environmental sustainability, this legislation encourages greater investment in the health of the Bay while creating lasting economic opportunities for Marylanders.

Finally, the legislation **establishes a collaborative permitting process between the Department of Natural Resources and the Maryland Department of Environment** to better coordinate the review of Whole Watershed permit applications, requiring the state management teams to collaborate with the project sponsors to develop a comprehensive permit plan.

The administration requests several amendments on the following page that aim to provide additional clarity and reflect the modifications made to the LEEF program through the Governor's proposed budget.

With these provisions and amendments, the Chesapeake Bay Legacy Act clarifies the legislative intent and refines key programs to foster a more collaborative approach to Bay restoration.

With that, I respectfully request the committee for a **favorable with amendment** report on Senate Bill 428.

Sincerely,



Saif Ratul  
Deputy Legislative Officer  
Office of Governor Moore

AMENDMENTS TO SB428  
(First Reading File Bill)

On page 6, strike in their entirety lines 15 through 20, inclusive, and substitute “(E) FOR FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$900,000 TO THE FUND.”

On page 10, after line 11, insert

“(C)THE DEPARTMENT MAY ASSESS AND INCORPORATE WATER QUALITY MONITORING DATA THAT MEETS THE QUALITY ASSURANCE AND USE GOALS OF THE STATE DATA SETS INTO THE STATE WATER QUALITY MONITORING PROGRAM.”; in line 30, strike the first bracket; in the same line, after “(b)” insert “(1)”.

On page 11, strike in their entirety lines 1, 4 through 5, inclusive, and 8 through 22, inclusive; in lines 2, 3, 6, 7, 23, and 24, strike “(2)”, “(3)”, “(6)”, “(7)”, “(23)”, and “(24)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively.

On page 12, in line 1, strike “(25)” and substitute “(VII)”; in the same line strike “ray” and substitute “RAY.”; in the same line, strike the bracket; and in the same line before “FOR” insert “(2)”; in line 2, strike “PLAN” and substitute “PLAN, AS AUTHORIZED UNDER § 4-301 OF THIS ARTICLE.”; in lines 5, 7, 9, and 13, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(I)”, “(II)”, “(III)”, and “(IV)”, respectively; in line 6, after “PLANS” insert “AND ANY SUPPLEMENT TO THOSE PLANS”; in line 10, after “THE” insert “TIDAL FISHERIES ADVISORY COMMISSION, THE SPORT FISHERIES ADVISORY COMMISSION, AND ANY OTHER”; in line 12, strike “AND”; in line 14, strike “SECTION” and substitute “SECTION; AND

(V) MAY MANAGE THOSE SPECIES IN ACCORDANCE WITH A FISHERY MANAGEMENT PLAN PREPARED BY THE DEPARTMENT IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.”; in line 16, strike the opening bracket; in the same line, strike “Commission and” and substitute “COMMISSION.”; in line 17, strike “Commission” and substitute “COMMISSION, AND ANY OTHER”; and in the same line, strike the closed bracket.

On page 13, in line 16, strike “ANGLERS” and substitute “COMMERCIAL AND RECREATIONAL FISHING PARTICIPANTS”

On page 14, in line 13, strike “ANGLERS” and substitute “FISHING PARTICIPANTS”.

On page 18, in line 16, strike the first bracket; in the same line, before “fishermen]” insert the first bracket; and in the same line, after “fishermen]” insert “COMMERCIAL AND RECREATIONAL FISHING PARTICIPANTS”.