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Testimony in SUPPORT of SENATE BILL 428– The Chesapeake Bay Legacy Act

Education, Energy, and the Environment
February 11, 2025

Dear Chair Feldman and Members of the Committee,

Thank you for the opportunity to submit testimony in **SUPPORT OF SB428** on behalf of Arundel Rivers Federation. Deeply rooted in the South, West, and Rhode Rivers, Arundel Rivers Federation heals and protects our waterways and champions clean water across Maryland. Our vision is healthy waterways for all, and we achieve our mission through restoration, education and outreach, and Riverkeeper programs.

Arundel Rivers commends the administration for The Bay Legacy Act and wholeheartedly supports the intent of the bill. As we are currently facing the 2025 targeted deadlines outlined in the 2014 Chesapeake Bay Agreement and uncertain environmental priorities set by the new administration at the Federal level, we are at a pivotal point in considering the protection and restoration of the Chesapeake and Coastal Bays. Senate Bill 428 takes a comprehensive step towards accelerating Maryland towards meeting water quality goals. However, we respectfully request the committee consider the following recommendations to further strengthen the legislation:

The Maryland Leaders in Environmentally Engaged Farming (LEEF) Pilot Program

The Comprehensive Evaluation of System Response (CESR) Report suggests that current nonpoint source programs are not generating enough pollutant reductions to meet Bay water quality goals. We need to focus more on addressing one of the largest and most manageable sources of nutrients to the bay – agriculture. The LEEF pilot program is an innovative approach that will result in more Best Management Practices (BMPs) installed, directly supporting CESR’s recommendations. **Arundel Rivers recommends that Environmental Goals be more specifically defined based on existing outlined goals such as the Chesapeake Bay Total Maximum Daily Loads (TMDL), Chesapeake Bay Agreement Goals, and the Tree Solutions Now Act goals. We also recommend a steering committee, stakeholder advisory committee, or board be established to work with the program administrator as they develop the LEEF program.**

Water Quality Monitoring Program

As a licensed Waterkeeper group that bases the foundation of our programmatic work on water quality monitoring data, Arundel Rivers enthusiastically supports elevating the need for more water quality data within the state to develop a deeper understanding of how we are meeting water quality improvement goals, the state of our aquatic resources, and to better inform management actions and public education. Arundel Rivers currently monitors 34 tidal and over 25 bacteria stations on the South, West, and Rhode Rivers and are certified at the highest tier level by the Chesapeake Monitoring Cooperative, a partnership of multiple organizations in the Chesapeake that provide technical and programmatic support to water quality monitoring programs in the watershed. Arundel Rivers has two decades worth of certified data and will hopefully continue to monitor for parameters including dissolved oxygen, nitrogen, phosphorus,

clarity, salinity, fecal coliform, and more. Given this extensive historical data and existing resources being currently used by groups such as Arundel Rivers and other Waterkeeper groups, **we encourage the Department to expand its access to water quality data by leaning on the expertise and experience of existing water monitoring groups through funding support and advisory groups to the Department's modernized Water Quality Monitoring Program.**

Fishery Management Plans

Arundel Rivers supports the addition of considering climatological factors when considering the management of species in the Bay. While we understand the intent to streamline management with Fishery Management Plans (FMP) created by the Atlantic States Marine Fisheries Commission or a Federal Regional Fishery Management Council, we want to make sure that **critical species to the Chesapeake Bay such as oysters and blue crabs not be left off the Fishery Management Plan list unintentionally.** Arundel Rivers supports the inclusion of language shared by the Chesapeake Bay Foundation and The Nature Conservancy to strengthen this section of the legislation.

Oyster Restoration Projects & Water Quality Trading Credits

Arundel Rivers enthusiastically supports and engages in oyster restoration to benefit water quality, aquatic habitat, and support other fisheries and Maryland economy. However, because oyster restoration is an in-water best management practice, it does nothing to address the source of pollution. As such, allowing trading credits for oyster restoration projects may result in negatively impacting overburdened environmental justice communities. Localized effects from pollution should be offset with localized mitigation. We support oyster restoration efforts and any programming that may result in an increased oyster population in the Bay, and we encourage **any mitigation oyster restoration projects be implemented within the watershed for which they are offsetting pollution for.**

Arundel Rivers Federation strongly supports our state taking any step that will assist in reaching our restoration and water quality goals. The Bay Legacy Act is a good step in the right direction towards achieving those goals and we respectfully request a **FAVORABLE REPORT on SB428.**

Sincerely,



Elle Bassett
South, West and Rhode Riverkeeper
Arundel Rivers Federation