



CHESAPEAKE BAY FOUNDATION

Senate Bill 108

Environment – Water Resources and Wetlands – Enforcement

Date: February 3, 2026

Position: Favorable

To: Education, Energy, and the Environment Committee

From: Alan Girard, Director of Advocacy

The Chesapeake Bay Foundation (CBF) **SUPPORTS Senate Bill 108**, which enhances the Maryland Department of the Environment’s (MDE) authority to enforce critical water-related laws. The bill authorizes MDE to impose administrative financial penalties for violations related to water appropriations and use, dam safety, and any regulation, permit, or license associated with dredging, filling, or modifying tidal and nontidal wetlands.

Under existing law, MDE must rely mostly on civil court actions to enforce violations related to water appropriation and use, dam safety, and tidal and nontidal wetland protection. Enforcement under this framework can be slow, resource-intensive, and inefficient, constraining delivery of meaningful consequences for violators. Water-related enforcement actions declined 67% between 2016 and 2022 compared to the previous six-year period, which is a record low over the past two decades. The agency resolved 48% fewer significant water-related violations in FY 2016 through FY 2021 than in FY 2010 through FY 2015.¹

A recent wetlands program plan calls for expansion of monitoring, assessment, and wetland inventory updates, which can strengthen MDE’s ability to detect and respond to violations.² However, limited staffing significantly restricts the agency’s enforcement capacity. From FY 2002 to FY 2022, MDE’s budget of state general funds fell by more than one-third, contributing to the loss of one out of every seven staff.³ While recent General Assembly commitments to reverse staffing shortfalls help, the adequacy of human resources needed to enforce Maryland’s environmental laws remains a major concern.

SB 108 can help close capacity and performance gaps by authorizing MDE to issue significant administrative financial penalties for violations. This authority allows MDE to act more quickly than the courts when violations are found and provide a meaningful deterrent to bad actors. By requiring consideration of multiple factors when assessing penalties, the bill ensures enforcement is fair, balanced, and well-justified.

CBF urges the Committee’s FAVORABLE report on SB 108. For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

¹ [2022-cap-enfc-scorecard-3922.pdf](#)

² [md_wetland_program_plan_2021-2025.pdf](#)

³ [2022-cap-enfc-scorecard-3922.pdf](#)