



C H E S A P E A K E
L E G A L A L L I A N C E

2021 Maryland General Assembly Highlights

April, 28, 2021

Notable Victories



1. Transparency HB 204/SB 324 (Lierman/Elfreh)
2. Legal Intervention in Enforcement Actions HB0076/SB0334 (Del. Love/Sen. Carter)
3. Clean Water Commerce Act HB0507/SB0119 (Del. Stein/Sen. Guzzone and Sen. Elfreh)
4. Stormwater, Climate Change, and the Bay Cleanup HB0295 / SB0227 (Del. Love/Sen. Elfreh)
5. Residential Well Water Safety HB1069 (Del. Stewart)

Transparency & Enforcement Reporting



- Important part of Clean Water Act enforcement
- Saves state agencies and the public both time and money by proactively putting information online.
- Requires agencies to post:
 - number of pollution complaints/number that remain open
 - list of facilities inspected w/copies of inspection reports
 - finalized enforcement agreements and penalties imposed
 - sewage overflows

Legal Intervention in Enforcement Actions



- Partner: Waterkeepers Chesapeake
- Goal: ensuring Marylanders who are harmed by water pollution have the right to intervene in enforcement cases.
- Major win for public involvement.
- Restores the right intended by the Clean Water Act for community involvement.

Clean Water Commerce Act



- Partner: the Chesapeake Bay Commission
- Goal: accelerating progress toward Bay 2025 cleanup target
- Reauthorizes the existing CWCA
- Doubles the appropriation from \$10 M to \$20 M per year
- Sets up boundaries to ensure different types of projects are ranked according to different metrics
- If successful: (1) MD closes some of the gap toward 2025; (2) we steer far more money to communities facing environmental injustice; (3) we educate MDE and helping the Bay means more than just reducing pollution

Stormwater and Climate Change



- Partner: primarily WKC and other Waterkeepers
- Goals: (1) ensure stormwater permits adapt to climate change; (2) ensure Maryland's WIP accounts for modelled impacts to Bay
- Requires MDE to amend stormwater regulations every 5 years to reflect the latest precipitation data
- Requires MDE to consult with NGOs, the CEJSC, and others in developing these regulations
- Requires MDE to FULLY offset the increased nutrient and sediment pollution associated with climate change BY 2025.

Residential Well Water Safety



- Partner: Center for Progressive Reform (CPR) and others
- CPR provided the analytical heft and leadership on this bill
- The bill started as a nitrate testing and well remediation bill
- It ended as a requirement on landlords to test for all kinds of things
- Every 3 years test results must be reported to tenants
- On finding high contaminants, there are 3 options for solution, including alternative water supply or water remediation
- All test results must be reported to the state and local government

Contacts

Angela Haren

Senior Attorney, Director of Legal Innovation
angela@chesapeakelegal.org

Evan Isaacson

Senior Attorney, Director of Research
evan@chesapeakelegal.org

