

SENATE BILL 353

M3, R2

4lr0488

By: **Senator Simonaire**

Introduced and read first time: January 16, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Confined Aquatic Disposal Task Force**

3 FOR the purpose of establishing the Confined Aquatic Disposal Task Force; and generally
4 relating to the Confined Aquatic Disposal Task Force.

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
6 That:

7 (a) There is a Confined Aquatic Disposal Task Force.

8 (b) The Task Force consists of the following members:

9 (1) one member of the Senate of Maryland, appointed by the President of
10 the Senate;

11 (2) one member of the House of Delegates, appointed by the Speaker of the
12 House;

13 (3) the Secretary of the Environment, or the Secretary's designee;

14 (4) the Executive Director of the Maryland Port Administration, or the
15 Executive Director's designee; and

16 (5) the following members, appointed by the Governor:

17 (i) one member who is an expert on confined aquatic disposal
18 programs;

19 (ii) one representative of a sports fishing organization;

20 (iii) one representative of the Chesapeake Bay Foundation;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(iv) one representative of the U.S. Army Corps of Engineers; and

(v) two members from water privileged communities located in Baltimore County, Baltimore City, or Anne Arundel County that are in close proximity to dredged materials from Baltimore Harbor.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Port Administration shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The Task Force shall strive for consensus among its members.

(2) An affirmative vote of a majority of members is needed for the Task Force to act.

(g) The Task Force shall:

(1) discuss and review:

(i) the overall concept, viability, and available options associated with confined aquatic disposal programs;

(ii) the State's requirements and long-term strategies for maintaining functional and thriving ports in Maryland;

(iii) the capacity limitations of the State's dredged material placement sites and the State's needs going forward;

(iv) the potential benefits and risks associated with confined aquatic disposal programs;

(v) the categories of dredged materials that should be permitted within confined aquatic disposal sites;

(vi) any financial impacts on neighboring communities in close proximity to confined aquatic disposal sites;

(vii) any limitations to be placed on confined aquatic disposal programs with consideration given to the following factors:

1 1. the location of confined aquatic disposal sites, including
2 the selection of industrial versus residential areas and distance from shore;

3 2. the size of confined aquatic disposal sites;

4 3. noise levels associated with confined aquatic disposal;

5 4. times of day when dredged material may be added to
6 confined aquatic disposal sites;

7 5. environmental impacts; and

8 6. any other factors the Task Force deems necessary; and

9 (viii) an approach for community outreach for any future confined
10 aquatic disposal program;

11 (2) make a recommendation on whether the Maryland Port Authority
12 should pursue the development of a confined aquatic disposal program or prohibit its use
13 in the State; and

14 (3) if the Task Force recommends developing a confined aquatic disposal
15 program, develop a list of best practices and legislative or other policy recommendations
16 regarding the authorization or implementation of the program, including:

17 (i) selecting locations for confined aquatic disposal sites;

18 (ii) the size of confined aquatic disposal sites;

19 (iii) specifications on allowable dredged materials;

20 (iv) the consideration of impacts to neighboring communities,
21 habitat, and the environment;

22 (v) outreach programs; and

23 (vi) any other subjects the Task Force deems necessary.

24 (h) On or before July 1, 2025, the Task Force shall report its findings and
25 recommendations to the Senate Committee on Education, Energy, and the Environment,
26 the House Environment and Transportation Committee, the Governor, and, in accordance
27 with § 2–1257 of the State Government Article, the General Assembly.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2024. It shall remain effective for a period of 1 year and 6 months and, at the end of

1 December 31, 2025, this Act, with no further action required by the General Assembly, shall
2 be abrogated and of no further force and effect.