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Environment and Transportation  
Committee

*Chair*

Land Use and Ethics Subcommittee

Joint Committee on Administrative,  
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Joint Committee on Ending  
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**THE MARYLAND HOUSE OF DELEGATES**  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB 204: Environment and Natural Resources – Complaints, Inspections, and Enforcement – Information Maintenance and Reporting**

January 27, 2021

Environment and Transportation Committee

***What this bill does***

Last session this Committee heard a much stronger version of this bill, [HB614](#) (2020), that would have created an Environmental and Natural Resources Ombudsman to provide additional oversight, investigatory support, and communications assistance for our State Agencies and the public related to our environmental and conservation laws. The Senate cross-file of this bill ([SB460](#)) passed the Senate. The House bill did not advance.

I am back this year with a much simpler version of last year’s bill. HB204 requires the Maryland Department of the Environment (“MDE”) and the Department of Natural Resources (“DNR”) to maintain a public website with inspection, complaint, and other compliance information. The website will publish information regarding enforcement actions that have been initiated by MDE and DNR as well as information on the status of permit process for facilities. The information posted on the website will be updated at least monthly, maintained in a database format to ensure that the information is searchable, and kept online for at least ten years.

***Why this bill matters***

The General Assembly has passed important environmental and natural resources laws over the past twenty years. However, agency enforcement of these laws has steadily decreased as staff and positions have been cut. According to recent Administration reports, since 2002, DNR has lost 17.5% of their positions, and MDE - identified as the agency with the third most urgent agency shortfall - has lost 13.1% of their positions. This staffing shortage has been detrimental to the ability of these Departments to properly function - specifically in their enforcement capabilities. As this Committee knows well, when these Departments are not able to properly enforce our laws, our environment suffers: our WIP goals are not met, our waterways are suffocated with sediment, and our conservation laws are not enforced to the fullest extent possible. I am confident this new approach will still ensure all the necessary data is publicly available in order to recognize where enforcement challenges remain.

MDE and DNR acknowledge that their dramatic reduction in staffing has substantially limited their ability to adequately communicate and engage with the public, or to process and

respond to public complaints of environmental violations. This not only results in a failure to serve the public, but it diminishes the rights of Marylanders to assist in identifying and stopping environmental violations. HB 204 will ensure that public records are clearly presented to the public. This will be a cost-saving measure for MDE and DNR as it will allow these agencies to save valuable time and resources by not having to fulfill the many Public Information Act requests they receive by requiring them to proactively place basic, non-confidential public information, online in a timely manner.

***Why you should vote for this bill***

Passing laws without enforcement mechanisms in place results in laws on paper but leaves us with air, water, and neighborhoods that remain polluted. I ask for a favorable report for this bill it is the most cost-effective way to ensure that our environmental and natural resources laws are being enforced. By increasing transparency and providing easily accessible information regarding inspections, environmental actions and settlements, this bill will reduce the administrative burden for agencies by making sure the public has access to this essential information. Without passing this legislation, our environmental laws will continue to remain laws in name only and our collective efforts to combat climate change will fall short.