



February 14, 2023

The Honorable Brian J. Feldman
Chair, Senate Education, Energy and the Environment Committee
2 West Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

RE: SB 392- Support

Dear Chairman Feldman and Members of the Committee:

The undersigned members of the Choose Clean Water Coalition strongly support SB 392- "Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment". The passage of this bill is critical to restoring water quality in the Chesapeake Bay and throughout Maryland, protects the many billions of dollars in local, state, and federal investments in Maryland's wastewater infrastructure, and restores a long tradition in the United States of ensuring adequate funding support for municipally owned wastewater infrastructure.

One of the central features of the Clean Water Act created by Congress just over 50 years ago was a massive new federal program of funding support designed to modernize the country's fleet of wastewater treatment plants. At the time, sewage received minimal treatment prior to discharging municipal pollution to our nation's waters. Unfortunately, after 15 years of robust capital grant funding, federal financial support of locally owned wastewater treatment plants began to decline significantly. Thus, for more than 30 years now, municipal wastewater treatment plants have been asked to continually upgrade their treatment technology with ever more sophisticated equipment while receiving much less federal support.

Maryland has taken a different path. Acknowledging that one of the simplest ways to reduce pollution to the Chesapeake Bay involves accelerating the capital upgrades of the more than 65 major wastewater treatment plants, the General Assembly responded by creating the Bay Restoration Fund almost 20 years ago. This fund has been essential to our state's Bay restoration efforts. And while the Bay Restoration Fund does offer Operations and Maintenance ("O&M") grant support to help these upgraded facilities operate the new enhanced nutrient removal technology installed under the BRF program, the value of those grants amount to a fraction of the overall cost of operating a wastewater treatment plant. In many jurisdictions in Maryland, the fiscal impact of operating a wastewater treatment plant is minimal relative to the overall budget of the jurisdiction. But in some of Maryland's municipal governments, the cost of operating wastewater treatment plants is being shouldered by diminishing populations and overburdened communities.

SB 392 extends the same type of support for a wastewater treatment plant's operations and maintenance needs as Maryland has already extended for those facilities' capital needs. We have long ago recognized the need to maximize capital funding support for Maryland's disadvantaged communities. This bill will harmonize that policy for operating fund support.

If enacted, SB 392 will accomplish the following:

1. **Increase Clean Water Funding in Maryland.** The bill calls for an annual \$10 million appropriation. This would not only represent a sizable increase in funding support for maximizing pollution

reductions from our wastewater treatment plants, but it does so without diverting the existing and limited pool of clean water funding within the Bay Restoration Fund. \$10 million is a fraction of what the Bay Restoration Fund provides each year, but for a few facilities will make the critical difference to ensuring these facilities can attract and retain the certified operators, maintenance technicians, and other staff needed to effectively maintain the facilities.

2. ***Assist Overburdened and Underserved Communities.*** The bill would direct new funding specifically to the municipal owners of wastewater treatment plants that serve “low income” communities. This not only helps relieve some degree of fiscal and financial pressure on these communities, but it also helps improve their health and wellbeing by minimizing pollution.
3. ***Enhances Transparency in Our Wastewater Treatment Plant Operation.*** The bill requires the Maryland Department of the Environment to establish metrics by which to evaluate the effectiveness of the operations and maintenance grants made under the bill. This will give the public greater confidence that these new grants and also the broader universe of state and federal funds received by wastewater treatment plants each year are achieving their intended purpose of reducing water pollution in Maryland and restoring the Chesapeake Bay and our other polluted waters.

For these reasons, the undersigned organizations **strongly support Senate Bill 392** and urge a favorable report.

Sincerely,

Alliance for the Chesapeake Bay
American Rivers
Beaverdam Creek Watershed Watch Group
Blue Water Baltimore
Chesapeake Legal Alliance
Citizens to Conserve and Restore Indian Creek
Crab Creek Conservancy
Friends of Nanticoke River
Interfaith Partners for the Chesapeake
Nature Forward
Phillips Wharf Environmental Center
Potomac Conservancy
Potomac Riverkeeper Network
Susquehanna Greenway Partnership
Waterkeepers Chesapeake