

2023 LEGISLATIVE PREVIEW

Chesapeake Bay and Water Resources Policy Committee

January 20, 2023



Metropolitan Washington
Council of Governments

2023 COG Legislative Priorities

- Support Investments in Water Infrastructure
- Support Climate and Flood Resiliency Initiatives
- Ensure Stormwater Regulatory Feasibility
- Ensure Local Government Input
- Support Affordability and Regulatory Flexibility
- Support Water Supply Security

2023 COG Legislative Priorities

- CBPC's Legislative Committee is a small group of CBPC members who periodically meet with staff to review legislative initiatives in D.C., Maryland, and Virginia
- COG staff track various bills during the legislative session that fall within COG's legislative priorities
- A series calls are held to determine specific bills to send comment letters on
- The committee primarily runs from January – April
- The first meeting is Thursday, January 26th
- New members are always welcome

Key Dates in VA/MD/DC

Virginia

- Session convened January 11
- Crossover is February 7
- Adjournment: February 25

• Maryland

- Session convened January 11
- Crossover is March 20
- Adjournment: April 10

• D.C.

- 2-year session 2023-24

Virginia Budget

- Stormwater Local Assistance Fund: \$25M approved last session beginning in FY23
- Resilient Virginia Revolving Fund: \$200M
 - \$100M from general fund (\$25M from RGGI Community Flood Preparedness Fund)
 - \$100M remaining contingent on revenue forecasting
- \$237M for wastewater treatment plants investments
- \$500,000 each FY for strategies to improve intergovernmental and interagency coordination and maximize funding opportunities to implement flood resilience measures

Virginia Proposed Amendments

- Stormwater Local Assistance Fund: \$25M approved last session beginning in FY23
 - Amendment proposed by Delegate Lopez \$55M from the general fund the first year and \$80M from the general fund the second year
 - Delegate Bulova & Senator Hanger proposed \$9.9M the second year
- Research Project to Reduce Salt Entering Virginia's Surface and Ground Water – \$200,000 (Delegate Krizek)
- Statewide Study of Forests and Tree Canopy Relative to Chesapeake Bay Commitments – \$500,000 (Senator Hanger)
- Incentivize the Most Cost-Effective Agricultural BMPs Pilot Program \$12.9M (Senator Hanger)

Regional Greenhouse Gas Initiative (RGGI)

- State Air Board voted to withdrawal from RGGI (Dec. 7)
 - Currently with Governor's Office, next will be a 60-day public comment period, back to Air Board
- Joint Commission on Administrative Rules voted 5-4 objecting to RGGI withdrawal (Dec. 20)
 - Objection will be filed with the Virginia Registrar and the State Air Pollution Control Board
- Legislation: SB 1001 (Stuart): Clean Energy and Community Flood Preparedness Act; Repeal.

Virginia Legislation

- HB 2095 (Bulova) & SB 1149 (Marsden) - Plans and Programs; Drought Evaluation and Response Plans
- HB 1485 (Webert) – Chesapeake Bay Watershed Implementation Plan, effective date
 - Changes the contingency for the effective date of the Chesapeake Bay Watershed Implementation Plan provisions from 2026 to 2030. Convene a stakeholder advisory group to review annual progress & make recommendations toward the implementation of the Commonwealth's agricultural commitments
 - Negotiations are ongoing
- HB 1721 (Clark) – Work group to study the occurrence of microplastics in the Commonwealth's public drinking water

Maryland – Changes to Government

- Governor Wes Moore was sworn in on January 18th
- New Cabinet Appointments:
 - Environmental Secretary Serena McIlwain, previously Undersecretary of the California Environmental Protection Agency
 - Josh Kurtz – Secretary of Natural Resources, previously Maryland Executive Director of the Chesapeake Bay Foundation.
 - Kevin Atticks – the Secretary of Agriculture
- 48 new members – 8 in the Senate, 40 in the House of Representatives
 - Vacancies in both chambers due to cabinet appointments

Maryland Legislation

- Release of \$69M in previously-withheld funding in the FY2023 budget
 - \$9M to support Climate Solutions Now Act, \$1.1M for the Chesapeake Conservation Corps, \$375,000 for the Healthy Soils Program, and \$3.8M for Climate Catalytic Capital Fund
- Salt Legislation by Delegate Qi – Salt Applicator Certification Program (Bill Number Pending)
 - Introduced last session as HB 371 & SB 246
- SB 77 (Jackson) & HB 190 (Ivey) – Homeowner’s Extreme Weather Mitigation and Preparation Grant Program
 - Introduced last session as HB 537

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