**GERALD WINEGRAD: 2025 LEGISLATIVE SESSION WAS AN ENVIRONMENTAL BEATDOWN | COMMENTARY**



Fishermen try their luck in the Chesapeake Bay water near Sandy Point Shoal Light, a three story brick lighthouse built in 1883. (Staff)



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With major environmental threats facing Maryland, citizens should expect major responses to address these threats. Efforts to restore the Chesapeake Bay are crashing as Maryland and other bay states continue violating the Clean Water Act by failing to meet 2025 bay pollution limits that were set in 2010. The results are flesh-eating diseases from water contact threatening human life and limb and declining fisheries.

Toxic chemicals impair 78% of bay water. Dozens of health alerts warn about consumption of fish and crab. President Donald Trump has rescinded millions in restoration funds and the EPA is no help.

Top of Form

Bottom of Form

Legislatively mandated use of wind and solar power lags badly. A State of the Air report found that from 2021-2023, almost all Maryland counties reported worsening air quality in terms of both ozone (smog) and fine particulates — dangerous lung irritants that can be deadly.

Unfortunately, the governor and legislators marched backward in the 2025 session, slashing funds to combat global warming and for other critical environmental initiatives. And there were no meaningful environmental initiatives enacted. Addressing the $3.3 billion budget deficit and electrical supply issues with high gas and electric bills smothered most conservation initiatives and set back ongoing ones.

Let’s start with a greenwashing gem, Gov. Wes Moore’s major Chesapeake Bay legislation with the bloviated title — the Chesapeake Bay Legacy Act. The governor’s Bay Leadership team chose to put a selection of nothingburgers on the plate and dared call it a Legacy Act!

You may be elated to learn that now a person who has a tidal fish license or commercial Channa license and harvests and processes finfish on a vessel by ikejime for direct sale to restaurants need not have a food establishment license. Minor changes are made regarding fishery management plans and their adoption, nothing that would better conserve any fish species.

Aquaculture regulations are tweaked but not the changes needed to advance oyster aquaculture. The bill allows publicly funded oyster restoration projects to generate water quality trading credits allowing pollution reductions from oysters to be traded for increased pollution elsewhere. In a separate bill, oyster poaching penalties are relaxed. The Legacy Act established a Water Quality Monitoring Program in the Department of Natural Resources (DNR) that simply formalizes the existing water quality monitoring system.

But the big kahuna is another voluntary agricultural program termed LEEF, Leaders in Environmentally Engaged Farming. Despite my best and repeated efforts to dissuade the secretary of agriculture from such a meaningless approach, the legislation was enacted into law. Somehow, $500,000 was found for LEEF with $125,000 for Department of Agriculture (MDA) administrative expenses.

A certification program for farmers would be developed akin to LEED building certifications except this is voluntary and there are no details on its implementation or how the distinct levels would be attained. Instead of acting to curb the largest source of bay-choking nutrients and sediment by better regulatory measures, and despite knowing that voluntary farm measures do not work well, the Legacy Act would perpetuate the desecration of our environmental legacy by adopting LEEF.

I cannot envision how this bureaucratic misadventure will result in any water quality improvements. In reality, it has already been used to block more meaningful measures to control farm pollution. The Nearshore Farm and Finance Act was one of the environmental community’s highest priorities, the first measure in recent memory where the environmental community seeks to mandate farm pollution controls.



Fish kill from polluted waters of Sullivan Cove off the Severn River in Severna Park. (Nini Goodwin/Courtesy)

The proposed law would have boosted payments to farmers for planting tidal waterfront 100-foot vegetated buffers that would eventually be required. Importantly, tenant farmers are included. Covering only 2,665 acres of Critical Area farmland (0.5% of farmland), there is universal recognition that such riparian buffers are among the most cost-effective practices to maximize pollution reductions. One estimate suggested that 80,000 pounds of polluting nitrogen would be prevented from washing off fields.

But MDA testimony cited LEEF as rendering the bill unnecessary. The buffer bill did not pass. Note that in 2021, the legislature enacted the Tree Solutions Now Fund. MDA had $2.5 million annually for farmers to voluntarily plant trees. But on average, only $500,000 a year was used, proving voluntary efforts do not work. As a result, this fund was permanently cut by $2 million this year to $500,000.

More bad news — the legislature cut all DNR Program Open Space funding for park land acquisitions in FY 26. Begun in 1969, POS raises more than $200 million annually through a transfer tax of 0.5% on all property sales. It is the main source of funding for nearly all state parkland purchases. But this and other state land acquisition and easement purchase funding is being cut by $25 million in FY 26 through FY 29. More than $1 billion in POS funds have been siphoned off in the past resulting in negating acquisition of thousands of more acres of parkland.



Without millions of dollars from Program Open Space, the 340-acre Quiet Waters Park may have become a housing development. (Anne Arundel County/Courtesy)

The Chesapeake and Atlantic Coastal Bays 2010 Trust Fund lost $10.5 million that would have been used for bay restoration such as previous projects for restoration of the Jabez Branch in Anne Arundel County, the largest recipients of these grants at $52 million.

The Climate Solutions Now Act and the governor’s adopted Climate Plan commit to reducing greenhouse gas emissions by 60% by 2031 and achieving 100​% clean energy by 2035. The plan dictates the necessity of $1 billion in new annual funding. Only $90 million was funded last year. For FY 2026, it’s $100 million. The funds come from a Strategic Energy Investment Fund with fees on your electric bills and payments by utilities for clean energy credits and penalties for not meeting goals for their use.

Another $200 million is being diverted from this fund to provide credits on citizens’ electric bills, averaging $41 this summer and $41 in winter. These credits must be labeled “legislative energy relief refund.” The rest of the fund is diverted to balance the budget, greatly diminishing grants and loans to install solar energy projects, geothermal systems and electric vehicle chargers and for homeowners, businesses and local governments to reduce utility bills by becoming more energy efficient. This $200 million giveaway was part of major electrical energy legislation with mixed environmental aspects.

New natural gas power plants are facilitated along with expediting high voltage transmission lines, even cutting through state-protected wildlands in Western Maryland. On a positive note, the legislature supported the development of nuclear power with requirements for approval of one or more nuclear energy generation projects. The General Assembly also supported the extension or renewal of the Nuclear Regulatory Commission license for Calvert Cliffs beyond 2034.

Also, utility-scale solar development is expedited and local restrictions on solar panels on farmland and other open areas (as in Anne Arundel County) are relaxed with additional buffering and setback requirements.

In the final days of the session, Gov. Moore issued an executive order delaying enforcement for the next two years of Maryland’s law requiring increasing sales of electric vehicles, a key part of the state’s climate policy. This was after environmentalists blocked a delay bill.

As with the Orioles, it’s wait till next year, but can we afford to wait?

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