

100 Day Report



**An environmental assessment of the first 100 days
of the Robert L. Ehrlich, Jr. Administration**



MARYLAND LEAGUE OF CONSERVATION VOTERS
www.mdlev.org

April 24, 2003

The Ehrlich Administration & Environmental Protection

An assessment of the first 100 days by the Maryland League of Conservation Voters

April 24, 2003 marks the first 100 days of Governor Ehrlich's Administration. Typically, the first 100 days is a good indication of the tone, commitment and intent of a new administration on key issues. The Maryland League of Conservation Voters has prepared this assessment of the environmental successes and failures during the first 100 Days of Governor Ehrlich's Administration. As the Governor's four-year term continues, the Maryland League of Conservation Voters will publish regular report cards detailing and evaluating the environmental commitment and progress of the Ehrlich Administration.

Administration

This category includes an assessment of budget decisions as they relate to environmental agencies and programs, key appointments, and government reforms, as well as access offered to environmental organizations by the new governor and key staff.

Budget: Governor Ehrlich prepared his first state budget under the cloud of a large looming state deficit. He gets mixed reviews for his funding decisions in land conservation, transportation, water quality and of environmental agencies.

- + Governor Ehrlich continued the modest down payment toward cleaning up sewage treatment plants, continued modest funding for the Community Legacy program, offered a small increase in funding for farmland protection, maintained funding for the Office of Smart Growth, and lobbied to keep the Maryland Energy Administration intact.
- The Governor's budget cut funding and personnel for Department of Natural Resources and Department of the Environment (82 positions at DNR eliminated and 57 at MDE), zeroed out funding for the Community Parks and Playgrounds program, diverted money from the Transportation Trust Fund and slashed funding for land conservation programs such as Program Open Space and Rural Legacy.

Appointments: Despite campaign commitments to maintain Maryland's environmental protections, Governor Ehrlich's choices for key agency posts could be a precursor to a sharp change in environmental policy direction.

- Lynn Buhl, an auto-industry lawyer without experience in Maryland conservation issues, was the Governor's choice to run the Department of the Environment. Environmental organizations opposed her nomination due to her lack of qualifications and experience advocating for environmental protection. The Senate rejected her nomination and now the Governor has a rare second chance to appoint a qualified candidate who will carry out the Department's mission to put environmental protection first.
- + The appointment of former State Senator Marty Madden to head the Critical Areas Commission is a good sign from the Administration. As a Senator, Madden had a strong record on environmental protection issues.
- Other key personnel appointments raise concerns for environmentalists, as did the Administration's abrupt firings of experienced key staff. These actions have caused depleted morale at the agencies and setbacks in implementing environmental protection programs.

Access

- Initially, the new Governor showed an interest in working cooperatively with the conservation community by attending the annual Environmental Legislative Summit. However, that outreach has been overshadowed by the lack of representation of environmental leaders on the transition team and public statements that “*activists will not have a seat at the table*” and “*Ehrlich will not seek or consider the input of environmental groups when taking actions that affect the Chesapeake Bay, air quality or other such matters.*” (Washington Post, March 1, 2003)

Government reform

- In early statements, the Administration expressed an interest in merging the departments of the Environment and Natural Resources. A merger of the environmental agencies could have grave consequences for the future of environmental protection in Maryland, would do little to help the budget crunch, and is opposed by conservation groups.

Chesapeake Bay / Water Quality

During the campaign, candidate Ehrlich targeted Chesapeake Bay protection as his top environmental priority. So far, he gets mixed reviews on his efforts to clean up and restore the Bay and protect Maryland’s waterways.

- ✦ Governor Ehrlich has continued the State’s commitment to sewage treatment and clean up efforts through his budget and in public statements. He has stated that his Administration will try to secure federal dollars for nitrogen removal and plant upgrades.
- The Ehrlich Administration’s public flip flop on a critical water enforcement bill indicates a willingness to put politics over sound policy. The policy in question is legislation that raises penalties for polluters who violate Maryland’s water quality laws, such as those protecting wetlands. Governor Ehrlich’s nominee, Lynn Buhl, stated the Administration’s support for the legislation during her confirmation hearing. However, the next day officials pulled support for the measure and later offered amendments that could have jeopardized its eventual passage.
- The Ehrlich Administration attempted to rollback Maryland’s commitment to a 15% reduction in the blue crab harvest. DNR tried to push through emergency regulations to weaken the level of harvest reduction and protections for Maryland’s diminishing crab population. A legislative oversight committee forced a compromise on the measure to ensure that the 15% reduction would remain in effect.

Air Quality / Energy

Maryland’s serious air pollution problems are well documented, as are its damaging effects on public health and the Chesapeake Bay. So far, Governor Ehrlich has shown no leadership and has done little to address these serious problems.

- Governor Ehrlich has stated his support for President Bush’s anti-environmental Clear Skies initiative and hosted a visit by EPA Secretary Christie Whitman early in his term to formally announce this position. Environmental groups have criticized the Clear Skies plan because it weakens the public health protections under the current Clean Air Act and does nothing to address global warming.
- The Ehrlich Administration’s Department of Business and Economic Development offered last-minute opposition to a bill to establish energy efficiency standards for new appliances and equipment that was approved overwhelmingly by the General Assembly.

Transportation

Commuters continue to miss out on valuable alternatives due to the Ehrlich Administration's funding cuts and to an emphasis on highway projects.

- + After initial opposition, Governor Ehrlich added the Baltimore Regional Rail Plan to the state's priority list for federal transportation dollars.
- Governor Ehrlich was responsible for federal action to fast track environmental studies on the proposed Inter-County Connector. Environmental leaders criticized the move as a way to shield the controversial project from public review.
- The Governor diverted money from the state's Transportation Trust Fund in the name of deficit reduction, a move that will severely impact local road maintenance and transit projects. The Maryland Department of Transportation has also announced a fare increase and elimination of some transit routes, moves that could undermine the state's effort to increase transit use.

Smart Growth/Land Conservation

- +/- So far, the Ehrlich Administration has stated support for continuing Smart Growth, the State's landmark growth management program. However, budget cuts to land conservation programs like Program Open Space and Rural Legacy will hinder Maryland's ability to protect valuable farmland and open space from sprawling development.

Looking Forward

Unfortunately, Governor Ehrlich's actions during the first 100 days show signs of an Administration moving away from the pro-environmental views of the vast majority of Marylanders. Polls consistently show that Marylanders care deeply about our environment and support strong protections for our air, water, open space and the Chesapeake Bay. Marylanders also reject the notion that a clean environment must be sacrificed to have a strong, healthy economy. A Baltimore Sun poll found that a majority of Marylanders, 64 percent, "believe the state should work hard to protect the environment, even if it might cost some jobs."

We encourage the Governor to make environmental and public health protections a high priority for the remainder of his term. The pressures and challenges facing the Bay and our environment are increasing everyday and Marylanders cannot afford to have environmental protections and funding slide backward. The Maryland League of Conservation Voters urges Governor Ehrlich to follow through on campaign commitments, appoint qualified staff and join the long bipartisan tradition of environmental stewardship that has contributed tremendously to the quality of life for Maryland citizens.



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For more than 20 years, the Maryland League of Conservation Voters has served as the nonpartisan political voice of the state's environmental community by advocating for sound conservation policies, promoting environmentally responsible candidates for public office, and holding elected officials accountable through our scorecards.