



FOR IMMEDIATE RELEASE

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Landmark Win for The Bay Court Orders Maryland to Stop Ammonia Pollution Flowing to the Chesapeake Bay

In a landmark decision today, a Maryland Circuit Court ruled that the state's Department of the Environment (MDE) must reduce ammonia pollution emitted from industrial animal agriculture. The Court ordered MDE to regulate the high levels of ammonia gasses that are emitted from concentrated animal feeding operations (CAFOs) because these gasses deposit locally, polluting nearby waterways and the Chesapeake Bay.

The poultry industry is responsible for a significant portion of the nitrogen impairing Maryland's Eastern Shore rivers, and the Chesapeake and Atlantic Coastal bays. Each year tens of millions of pounds of ammonia, a form of nitrogen, blasts out of poultry houses and onto surrounding lands and waters. As a result, several million pounds of that ammonia are delivered as nitrogen to waterways, causing algal blooms, robbing the water of oxygen and devastating aquatic life. And while the poultry industry has continued to discharge millions of pounds of pollution into Maryland's waters and the Bay, state residents are left to foot the bill for its cleanup.

The Court ordered MDE to go back to the drawing board to fix the State's permit that regulates CAFO pollution. The court found that MDE must regulate the millions of pounds of ammonia streaming from the poultry industry's production areas and require those ammonia emissions be accounted for and controlled. The Department could no longer ignore the existence of a substantial quantity of ammonia pollution, the Court said, because of the "definite and real impact on the Bay."

Assateague Coastal Trust brought this challenge, represented by Chesapeake Legal Alliance, a nonprofit organization that provides free legal services to protect and restore clean water and promote healthy, resilient ecosystems for communities across the Chesapeake Bay watershed.

Kathy Phillips, the Assateague COASTKEEPER and Executive Director of Assateague Coastal Trust, said, "Today, communities on the Lower Eastern Shore of Maryland can breathe a sigh of relief (literally) knowing Maryland clean water regulations will now better protect the water they drink and the waterways they fish and recreate in. This ruling will work to protect watershed communities, including those communities facing environmental injustices, who will see improved water quality and the co-benefit of reduced air pollution.

On behalf of the thousands of citizens living on the Lower Eastern Shore, Assateague Coastal Trust thanks Chesapeake Legal Alliance for their support and applauds the Court for telling MDE that they must follow the plain language of the law. The Court's opinion provided a simple ruling – the law demanded it.”

David Reed, Co-Director of Chesapeake Legal Alliance, said, “Today CLA not only celebrates a win for our client, Assateague Coastal Trust, but a win for the Chesapeake Bay. This landmark decision protects our waters and reduces pollution in neighborhoods and communities across Maryland's Eastern Shore. We commend the Court for recognizing that ammonia pollution emitted into the air impacts our water too.”

Read the opinion [here](#).

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Assateague Coastal Trust's (ACT) mission is to promote and encourage the protection of the health, productivity, and sustainability of the coastal bays watershed of Delmarva through advocacy, education and conservation.

Chesapeake Legal Alliance (CLA) is the only regional organization solely dedicated to providing free legal services to protect the Chesapeake Bay watershed. It's mission is to apply the power of the law to protect and restore clean water and promote healthy, resilient ecosystems for communities across the Chesapeake Bay watershed. CLA is a trusted source for innovative legal strategies to solve the Bay's most complex problems whose clients include individuals, community groups and environmental advocates working to protect the Bay's lands, waters and communities. CLA also works with local, state, and federal regulators seeking unique solutions to Chesapeake Bay protection and restoration.