



Senate Bill 471

Water Pollution Control - Discharge Permits - Stormwater Associated With Construction Activity

MACo Position: **SUPPORT**

To: Education, Energy, and the Environment
Committee

Date: February 23, 2023

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 471. This bill would, among other things, give counties additional tools to prevent excess soil erosion from construction projects, saving taxpayers money on expensive stream restoration and preventing damage to many of Maryland's waterways.

Counties play an outsized role in development and environmental protection. Local jurisdictions set regulations for construction, approving and holding accountable nearly all construction projects. One of the biggest challenges in construction is managing soil run-off. Naturally, when building a structure, soil is disturbed. If not properly mitigated, this soil ends up flowing into our streams and wreaking havoc. In many circumstances, developers comply with plans to mitigate excess soil runoff, but these plans are minimal. As long as developers are complying with plans to mitigate soil runoff, regardless of if those plans are effective, the developer is not held accountable for any necessary stream restoration. This system has largely shifted the burden of eventual stream restoration projects onto counties and thus taxpayers.

SB 471 places more responsibility on developers to mitigate against negative environmental impacts from their projects. This bill allows counties to issue stop-work orders to force immediate remediation and mitigation, and hold developers financially responsible for the cost of any necessary stream restoration. This legislation is modeled from similar policy in Anne Arundel County which has served to see construction projects become less damaging to the environment.

SB 471 realigns incentives in a commonsense way for both counties and developers to ensure construction projects are less damaging to the environment. Developers should pay the cost of necessary remediation and mitigation, not taxpayers. For these reasons, MACo **SUPPORTS** SB 471 and urges a **FAVORABLE** report.