



**The Maryland Department of the Environment
Secretary Serena McIlwain**

Senate Bill 969

***Stream and Watershed Restoration – Stream Restoration Contractor Licensing and
Chesapeake and Atlantic Coastal Bays Restoration and Funding (Whole Watershed Act)***

Position: Support with Amendments
Committee: Education, Energy, and Environment
Date: March 5, 2024
From: Jeremy D. Baker

The Maryland Department of the Environment (MDE) **SUPPORTS SB 969 WITH AMENDMENTS.**

Bill Summary

Senate Bill 969 would establish the “Stream Restoration Contractors Licensing Board” (SRCLB), a formal licensure program for all stream restoration contractors. The bill sets forth provisions for developing and carrying out the stream restoration contractors licensing program including: board procedures and representation; licensure and regulation of individuals and entities that perform stream restoration contractor services in the State; collection and accounting for all fees associated with the licensing program; and record-keeping for all licensed individuals and entities. The bill would also establish the Whole Watershed Fund to incentivize certain restoration goals, and create a framework for prioritizing projects to receive funding through the Department of Natural Resources (DNR). Lastly, the bill contains language terminating certain Subtitles after July 1, 2033 unless otherwise reestablished under the Maryland Program Evaluation Act.

Position Rationale

Establishing the SRCLB would help the Department ensure the stream restoration projects it authorizes are constructed according to approved plans and by qualified individuals. Stream restoration projects are intended to be a net benefit to Maryland’s wetland and waterway resources; to achieve this goal, stream restoration projects undergo careful consideration during planning, design, and permitting by individuals with specialized expertise in this area. Procurement practices for soliciting construction contractors may favor the lowest bidder and, in some cases, can result in these projects being constructed by entities without prior experience or qualifications. The SRCLB would help ensure that only qualified contractors who have an understanding of the sensitive resources involved are completing these projects. Further, the Board would be able to hold contractors accountable for complying with Department and other approvals, and ensure that contractors have knowledge of best practices specific to stream restoration which will be maintained through continuing education based on the latest science.

Additionally, the Whole Watershed Fund provision of SB 969 would establish a science-based framework for funding watershed restoration projects with the highest likelihood of success.

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MDE understands that the sponsors plan to submit amendments to incorporate feedback from a large stakeholder group that included State agencies, local governments, industry experts, and environmental organizations. MDE appreciates the sponsors considering its feedback, and looks forward to continuing to work on revising the bill.

The Whole Watershed Act would ensure that State funds are prioritized for the most beneficial restoration projects based on achievable outcomes, and ensure project integrity is maintained during construction for all stream restoration projects.

Accordingly, MDE asks for a **FAVORABLE WITH AMENDMENTS** report for SB 969.