

March 4, 2024

The Honorable Marc Korman
Chairman, House Environment & Transportation Committee
House Office Building, Room 251
6 Bladen Street
Annapolis, Maryland 21401

RE: MBIA Letter of Opposition HB 1284 Wetlands and Waterways Program – Stream Restoration Projects

Dear Chairman Korman,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 1284 Wetlands and Waterways Program – Stream Restoration Projects**. MBIA **opposes** the Act in its current version.

This bill repeals an exemption for stream restoration projects from certain application fees for certain projects that impact a waterway. MBIA opposes this measure due to the potential increase in costs and regulatory burdens it will bring to our industry. We are specifically concerned that the addition of a mandated community engagement process, which includes a 60-day public comment period, and two public hearings will add complexity and significant delays to project timelines.

MBIA would also like to point out that last September, The U.S. Army Corps of Engineers enacted The Maryland Stream Mitigation Framework, which provides a consistent and transparent process for stream impact and mitigation quantification where unavoidable impacts occur to Waters of the United States (WOTUS). The Framework was established primarily as a tool for Corps, Baltimore District and regulators in Maryland to promote minimization and avoidance of impacts to streams and provide a process for determining compensatory mitigation requirements for unavoidable impacts. We believe the regulations in this bill will supersede the framework put in place by the Army Corps of Engineers, and we should continue to let this process for stream mitigation play out as it has only been active for a few months.

For these reasons, MBIA respectfully urges the Committee to give this measure **an unfavorable** report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the House Environment & Transportation Committee