

HOUSE BILL 257

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(PRE-FILED)

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CF 6lr0065

By: **Chair, Environment and Transportation Committee (By Request – Departmental – Environment)**

Requested: October 30, 2025

Introduced and read first time: January 14, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Flood-Related Watershed Studies and Comprehensive Flood
3 Management Grant Program**

4 FOR the purpose of requiring, by a certain date and with a certain frequency thereafter
5 and after consultation with certain subdivisions and State agencies, the Department
6 of the Environment to designate priority watersheds in a certain manner for the
7 purpose of requiring subdivisions to conduct flood-related watershed studies;
8 requiring a subdivision that contains a designated priority watershed to conduct a
9 flood-related watershed study in a certain manner and submit the study to the
10 Department for review and approval; clarifying the authority of the Department to
11 use the comprehensive flood management program to provide grants to subdivisions
12 to assist with completion of flood-related watershed studies; altering and specifying
13 certain limits on grant amounts that may be awarded by the Department from the
14 comprehensive flood management grant program; and generally relating to
15 flood-related watershed studies and the comprehensive flood management grant
16 program.

17 BY repealing and reenacting, with amendments,

18 Article – Environment

19 Section 5-801 through 5-803

20 Annotated Code of Maryland

21 (2013 Replacement Volume and 2025 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

23 That the Laws of Maryland read as follows:

24 **Article – Environment**

25 5-801.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this subtitle the following terms have the meanings indicated.

2 (b) "Area of nontidal inundation" means an area within the State [which] THAT
3 is subject to inundation caused predominately by accumulated surface runoff or excess
4 rainfall runoff, or both.

5 (c) "Area of tidal inundation" means an area within the State [which] THAT is
6 subject to inundation caused predominately by tides or wind–driven waters, or both.

7 (d) "Department" means the Department of the Environment.

8 (e) "Federal flood insurance program" means the program established by the
9 National Flood Insurance Act of 1968, as amended.

10 (f) "Flood hazard area" means an area of tidal or nontidal inundation resulting
11 from a 100–year flood event and established [pursuant to the provisions of] IN
12 ACCORDANCE WITH § 5–803 of this subtitle.

13 (g) "100–year flood event" or "100–year flood" means a flood that has a 1% chance
14 of being equalled or exceeded in any given year.

15 (h) "Secretary" means the Secretary of the Environment.

16 (i) "Subdivision" means:

17 (1) Any county, including Baltimore City; and

18 (2) Any incorporated municipality [which] THAT has the authority to
19 adopt and enforce land use and control measures for the areas within its jurisdiction.

20 5–802.

21 (a) The General Assembly finds and declares that:

22 (1) Recurrent flooding [of a portion] of the State's land resources [causes]
23 CAN CAUSE loss of life, damage to property, disruption of commerce and governmental
24 services, and unsanitary conditions, all of which are detrimental to the health, safety,
25 welfare, and property of the occupants of flood hazard areas of the State;

26 (2) Considerable public costs are incurred through the emergency
27 preparedness program and by replacing public utilities and other public capital
28 investments destroyed or damaged by floods;

29 (3) Flood waters disregard jurisdictional boundaries; and

(4) The public interest necessitates management of waters and flood hazard areas for the objectives of preventing and alleviating flood threats to life and health, reducing private and public economic losses, and to the extent possible, preserving the biological values associated with these land and water resources.

5 (b) The policy and purposes of this subtitle are:

6 (1) To assist in the guidance of development to minimize the impacts of
7 flooding, **INCLUDING MANAGING STORMWATER AND PROTECTING WATER QUALITY;**

11 (3) To provide for comprehensive watershed **AND FLOOD** management;

12 (4) To facilitate THE implementation of projects for flood [control]
13 **MANAGEMENT;**

14 (5) To encourage and provide for [local governmental units]
15 **SUBDIVISIONS** to manage flood-prone lands in a comprehensive manner:

16 (6) To provide for the biological and environmental quality of the
17 watersheds of the State; and

18 (7) To establish a grant program to assist [local jurisdictions]
19 **SUBDIVISIONS** with:

20 (i) COMPLETION OF FLOOD-RELATED WATERSHED STUDIES IN
21 ACCORDANCE WITH § 5-803 OF THIS SUBTITLE:

27 5-803.

1 WATERSHEDS for the purpose of [flood control planning and management and establish a
2 schedule for completion of these studies of these watersheds] REQUIRING SUBDIVISIONS
3 TO CONDUCT FLOOD-RELATED WATERSHED STUDIES IN ACCORDANCE WITH THIS
4 SECTION.

12 (i) The existing magnitude and frequency of flood events;

13 (ii) The magnitude and frequency of flood events based on planned
14 development; and

15 (iii) Alternative management techniques according to their
16 effectiveness in controlling floods and minimizing flood damage.

17 (2) The studies shall address at least the 100-year flood event] SUBJECT
18 TO THE AVAILABILITY OF FUNDING AND CONSISTENT WITH GUIDELINES
19 ESTABLISHED BY THE DEPARTMENT, A SUBDIVISION THAT CONTAINS A
20 DESIGNATED PRIORITY WATERSHED SHALL:

21 (I) **CONDUCT A FLOOD-RELATED WATERSHED STUDY;**

22 (II) ESTABLISH A SCHEDULE FOR THE COMPLETION OF THE
23 STUDY; AND

24 (III) ESTABLISH A SCHEDULE TO REGULARLY UPDATE THE
25 MODEL DATA, ASSUMPTIONS, QUALITY ASSURANCE, AND QUALITY CONTROL OF THE
26 STUDY

(2) A FLOOD-RELATED WATERSHED STUDY REQUIRED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL:

22 (I) IN ACCORDANCE WITH CRITERIA DEVELOPED BY THE
23 DEPARTMENT AND FOR EACH FLOOD EVENT IDENTIFIED UNDER PARAGRAPH (2)(I)
24 OF THIS SUBSECTION, DELINEATE THE AREA OF TIDAL AND NONTIDAL INUNDATION
25 ON GEOGRAPHIC INFORMATION SYSTEM (GIS) MAPS; AND

26 (II) SUBMIT THE MAPS TO THE DEPARTMENT FOR REVIEW AND
27 APPROVAL.

33 (c) [As a part of the study undertaken under subsection (b) of this section, the
34 Department shall delineate the flood hazard areas on maps showing areas of tidal and
35 nontidal inundation.

1 (d) (1) [By July 1, 1990 each subdivision, in cooperation with the Departments
2 of the Environment and Agriculture, the Department of Planning, and other appropriate
3 State agencies, shall prepare a flood management plan based upon an evaluation of
4 alternative management techniques and other findings included in studies conducted
5 under subsection (b) of this section] **BY JANUARY 1, 2028, THE DEPARTMENT, IN**
6 **CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE, THE MARYLAND**
7 **DEPARTMENT OF EMERGENCY MANAGEMENT, THE DEPARTMENT OF NATURAL**
8 **RESOURCES, AND THE DEPARTMENT OF PLANNING, SHALL DEVELOP AND PUBLISH**
9 **GUIDELINES TO ASSIST SUBDIVISIONS IN:**

10 (I) CONDUCTING THE FLOOD-RELATED WATERSHED STUDIES
11 REQUIRED UNDER THIS SECTION; AND

12 (II) PREPARING THE GIS MAPS REQUIRED UNDER THIS
13 SECTION.

17 (i) Flood control dams;

18 (ii) Levees and dikes;

19 (iii) Stormwater detent

20 (iv) Public acquisition;

21 (v) Flood proofing;

22 (vi) Storm drain and stream maintenance;

23 (vii) Tax adjustment policies;

24 (viii) Subdivision, zoning, and related ordinances; and

25 (ix) Other practical methods.

26 (3)] (4) Management techniques shall include flood warning systems.

27 **(e) (D) (1) (I)** In any interjurisdictional watershed, those portions of the
28 **COMPREHENSIVE** flood management plans of the subdivisions relating to the watershed
29 shall be subject to review and approval by the Department as one plan.

11 (I) INCLUDE WATERSHED-BASED COLLABORATION AMONG
12 SUBDIVISIONS; AND

(II) CONSULT WITH STATE AGENCIES, AS APPROPRIATE.

14 **[f] (E)** The Department and the subdivisions shall coordinate activities under
15 this section, **INCLUDING THOSE ACTIVITIES IN INTERJURISDICTIONAL WATERSHEDS**,
16 with all related programs, including the national flood insurance program, the **STATE'S**
17 sediment control program, and the **[State water pollution control and abatement programs]**
18 **STATE'S STORMWATER MANAGEMENT PROGRAM.**

19 [g] (F) (1) (I) Each subdivision shall implement the **COMPREHENSIVE**
20 flood management plan for its watershed.

3 (IV) Implementation of the **COMPREHENSIVE** flood management
4 plans shall begin within 1 year after they are completed.

5 (2) (i) 1. Baltimore City and Baltimore County shall include in the
6 **COMPREHENSIVE** flood management plan for the Jones Falls watershed and adopt
7 regulations [prohibiting]:

23 [(h)] (G) (1) There is a comprehensive flood management grant program
24 within the Department.

34 (3) (i) Subject to the approval of the Board of Public Works, the
35 Department may provide grants to subdivisions for flood control and watershed

1 management capital projects, and for the capital costs related to design, purchase, and
2 installation of automated flood warning projects, provided that the projects are consistent
3 with the plans and implementation prepared and adopted in accordance with this subtitle,
4 and provided further that each project:

5 1. Is undertaken as part of a comprehensive flood
6 management plan prepared and adopted by the subdivision; and

7 2. Is [not inconsistent] **CONSISTENT** with any State or
8 interjurisdictional flood management plan.

9 (ii) Grants for automated flood warnings projects shall be
10 conditioned to require all affected local governing bodies to:

11 1. Adopt a specific and compatible response plan [which]
12 **THAT** has been coordinated with local emergency management authorities and reviewed
13 and approved by the Department and the Maryland Department of Emergency
14 Management; and

15 2. Provide for financial and other commitments to properly
16 operate and maintain the project.

17 (iii) 1. The amount of any grant made by the Department for a
18 flood control and watershed management capital project that involves only nonfederal
19 funds and meets the criteria of this subtitle shall be matched by a minimum amount of 25%
20 of project costs in [local government] **SUBDIVISION** or private funds.

21 2. For a flood control and watershed management capital
22 project that involves federal funding and meets the criteria of this subtitle:

23 A. The Department may provide up to 50% of the nonfederal
24 share of the project funding; and

25 B. [Local government] **SUBDIVISION** or private funds shall
26 provide not less than 50% of the nonfederal share of the project funding.

27 (iv) Each project application for a grant under this paragraph shall
28 be submitted to and reviewed by the State clearinghouse of the Department of Planning in
29 accordance with established clearinghouse procedures.

30 (4) (i) Subject to the approval of the Board of Public Works, the
31 Department may provide grants to subdivisions immediately after a flood for acquisition of
32 any flood damaged owner-occupied dwelling.

16 (iii) A grant awarded to a subdivision under this paragraph may be:

3. Used for expenses associated with item 2 of this subparagraph that the subdivision has already incurred.

24 (iv) The Department shall prioritize awarding grants under this
25 paragraph to subdivisions in which:

30 (6) To receive a grant, the subdivision must participate in the national
31 flood insurance program.

32 (7) Before awarding a grant under paragraphs (2), (3), or (4) of this
33 subsection, the Department, in cooperation with the Department of Planning, shall review

1 the flood control and watershed management operations of the applicant subdivision to
2 assure that the flood control and watershed management operations are in compliance with
3 this subtitle.

4 (8) (i) For fiscal year 2026 and each fiscal year thereafter, the Governor
5 may include in the annual State budget an appropriation for the comprehensive flood
6 management grant program of up to \$20,000,000.

7 (ii) For fiscal year 2026 and each fiscal year thereafter, at least 40%
8 of funding provided under the comprehensive flood management grant program shall be
9 used for projects located in or directly benefiting underserved or overburdened
10 communities, as defined in § 1-701 of this article.

11 (iii) Funds not awarded from the comprehensive flood management
12 grant program by the end of a fiscal year:

13 1. Shall remain in the program; and
14 2. Are not subject to § 7-302 of the State Finance and
15 Procurement Article.

16 (9) (i) The Department, in consultation with the Department of
17 Planning, shall adopt regulations necessary for the administration of the grant program.

18 (ii) These regulations may include:
19 1. A determination of statewide and interjurisdictional needs
20 and priorities;
21 2. Standards of eligibility for applicants and projects;
22 3. Criteria for recognition of tidal and nontidal areas;
23 4. Engineering and economic standards and alternatives;
24 and
25 5. Procedures for filing and processing contents of
26 applications.

27 SECTION 2. AND BE IT FURTHER ENACTED, That:

28 (a) The Maryland Department of Emergency Management, in coordination with
29 the Department of the Environment, the Department of Planning, and the Department of
30 Natural Resources, shall:

31 (1) evaluate natural hazard-specific State-level plan requirements for
32 local governments; and

(2) make recommendations on the potential to reduce duplication and streamline local hazard-planning requirements.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2026.