



# CHESAPEAKE BAY FOUNDATION

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*Environmental Protection and Restoration  
Environmental Education*

## **House Bill 322**

Real Property – Restrictions on Use – Low-Impact Landscaping

Date: March 17, 2021

Position: Support

To: Senate Judicial Proceedings Committee

From: Erik Fisher, AICP, Assistant Director

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Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 322, which would preserve property owners' ability to install and maintain "low-impact landscaping" that filters pollution and supports clean water.

### **Low-impact landscaping is a popular, cost-effective way to improve water quality**

"Low-impact landscaping" means landscaping techniques that conserve water, lower maintenance cost, provide pollution prevention, and create habitat for desired wild species. The use of native plants often reduces the need for application of polluting fertilizers and harmful pesticides. Low-impact landscaping is a recognized management practice that homeowners can voluntarily install to achieve these benefits while helping state and local governments meet pollution reduction targets. As described by the Maryland Department of Environment, rain gardens provide a primary treatment of stormwater and help prevent pollutants such as motor oils, metals, and pesticides from entering local streams and rivers. Cleaner tributaries deliver downstream benefits to the Chesapeake Bay.

### **This legislation balances aesthetic and historic interests with the benefits of environmentally friendly landscaping techniques**

The bill prohibits homeowners' associations from imposing unreasonable limitations on property owners' use of "low-impact landscaping" in their own yards. HOAs would reserve the ability to manage the scale of such landscape features, and limitations to maintain the integrity of registered historic properties would remain in place.

**CBF urges the Committee's FAVORABLE report on HB 322.** For more information, please contact Robin Jessica Clark, Maryland Staff Attorney at [rclark@cbf.org](mailto:rclark@cbf.org) and 443.995.8753.

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*The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*