



MARYLAND LEAGUE  
OF CONSERVATION VOTERS

**Maryland League of  
Conservation Voters**

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March 17<sup>th</sup>, 2021

**Support HB0322: Real Property - Restrictions on Use - Low-Impact Landscaping.**

Dear Chairman Smith and Judicial Proceedings Committee,

Maryland LCV supports HB0322: Real Property - Restrictions on Use - Low-Impact Landscaping, and we thank Delegates Hill and Feldmark for their leadership on this issue. Urban polluted runoff from our streets and neighborhoods is the one source of pollution flowing into the Chesapeake Bay that is still growing. Reducing polluted runoff from residential areas is an important part of the Chesapeake Bay Blueprint, Maryland's Watershed Implementation Plan, and jurisdictions' Clean Water Act permits.

Our urban areas and counties are required to treat and reduce significant amounts of this pollution, but often find it challenging to find sufficient locations to install the best management projects that filter pollution. In some cases, counties find it so difficult to find private land where HOAs allow good projects to happen, that some counties have been relying too much on incredibly expensive stream restoration projects in streambeds where they have a right of way. The problem is, focusing solely on stream restorations at the expense of the needed upland projects to compliment them is ineffective. The sheer volume and power of untreated stormwater entering the streams can often break these projects and render them ineffective at reducing pollution.

We need as many projects as possible as close to the sources of pollution as possible. We also need many smaller green infrastructure practices that can hold and/or treat water before it rushes into the nearby waterway and adds to the flooding and volume issues that erode stream banks. Low impact landscaping is one of the key tools in the toolbox. Low impact landscaping not only can reduce water pollution, but serve as habitat for songbirds, butterflies and other pollinators, reduce maintenance costs, help prevent flooding, and conserve water, and lower water use during droughts. Rain gardens for example can be beautiful features filled with flowers that filter out pollution and help water soak into the ground.

However, HOAs can be a significant barrier for people that want to do the right thing. All too often uneducated HOAs can put unreasonable barriers and restrictions on folks who want to install a rain barrel or plant a rain garden. At the same time, these HOAs often push residents towards practices that are actively polluting local waterways such as encouraging people to overfertilize and overspray manicured turfgrass.

These restrictions often make doing the right thing prohibitively expensive. Some HOAs make it so cumbersome with red tape, few homeowners are able to navigate through the lengthy process of approval involved for even a small landscaping feature in their yard.

Landowners who want to use low impact development to help reduce the volume of polluted runoff rushing into their local streams are heroes that should not be punished and unreasonably barred by their HOAs without cause. There should not be arbitrary limitations that significantly increase the cost, significantly decrease the effectiveness of the landscaping. HOAs should have a good reason before being able to tell people that the only thing they can have on their property is manicured lawns devoid of any flower gardens or features that would help the environment. Marylanders should be free to use their land to do their part to protect their local waterway. This bill would help protect these homeowners and good Samaritans from undue harassment and punishment from their HOA.

For all these reasons, **Maryland League of Conservation Voters urges your support of HB0322: Real Property - Restrictions on Use - Low-Impact Landscaping.**

If you have any questions, please email Water Program Director Ben Alexandro at [balexandro@mdlcv.org](mailto:balexandro@mdlcv.org).