

# **HB1372\_PGCEX\_FAV.pdf**

Uploaded by: Angela Alsobrooks

Position: FAV



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

## OFFICE OF THE COUNTY EXECUTIVE

**BILL:** House Bill 1372 – Environment - Green Infrastructure Rebate Program - Establishment

**SPONSOR:** De. Lehman, *et al.*

**HEARING DATE:** March 9, 2022

**COMMITTEE:** Environment and Transportation

**CONTACT:** Intergovernmental Affairs Office, 301-780-8411

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**POSITION:** SUPPORT

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The Office of the Prince George's County Executive **SUPPORTS House Bill 1372 – Environment - Green Infrastructure Rebate Program - Establishment**, which requires the Maryland Department of the Environment to establish and fund a Green Infrastructure Rebate Program providing cash rebates to property owners installing and maintaining best management practices reducing stormwater runoff and improving water quality.

Prince George's County already administers and operates a Green Infrastructure Rebate Program – The Raincheck Rebate Program. The County will benefit from **HB 1372** to invigorate and provide supporting funding to the County's Raincheck Rebate Program, allowing us to provide greater support to residents across the county who are making improvements on their property that contribute to personal and community resilience to the increasing impacts of Climate Change.

For the reasons stated above, the Office of the Prince George's County Executive **SUPPORTS House Bill 1372** and asks for a **FAVORABLE** report.

# **Sunrise Movement HoCo Testimony HB1372.pdf**

Uploaded by: Catherine Harris

Position: FAV

The Howard County hub of the Sunrise Movement supports the passing of HB1372, the Green Infrastructure Rebate Program, which would provide property owners in participating counties the ability to receive an incentive to put in place stormwater management infrastructure. We believe that many Marylanders would be willing to invest in stormwater management practices included under the bill such as the rain barrels, urban tree canopy, permeable pavement, etc. and believe in the positive effect these investments would have on communities around Maryland.

Many cities and towns in Maryland are threatened by severe storms and flooding, especially as these events appear to be rapidly increasing in frequency and intensity due to climate change. This trend has already impacted Old Ellicott City, located in Howard County, which has faced multiple “once in a century” storms and subsequent flooding events in the past few years. These floods have caused many of the businesses we know and love to relocate or shut down. As a Howard County citizen that visits Old Ellicott City frequently, it has been devastating to see the main street completely ruined. While communities like Old Ellicott City try to rebuild and install methods of stormwater management, the incentives this bill would provide would be a major source of encouragement to residents wanting to contribute to the new management practices and the protection of their homes. Climate change is an existential threat and Maryland, as a coastal and highly urban and suburban state, will continue to have to reckon with the severe weather events exacerbated by it. Any help will reduce the harm done to Maryland’s communities and will move us closer to stopping and reversing climate change.

The Green Infrastructure Rebate Program would ensure a higher quality of life for the state’s communities harmed by stormwater pollution and would encourage communities and property owners to help make their communities better protected against the threat of flooding that major urban and suburban areas will face in the coming years.

This bill would decrease stormwater pollution and flooding risk by:

- Encouraging the implementation of rain barrels, cisterns, urban tree canopies, rain gardens, pavement removal, permeable pavement, and green roofs
- Requiring the Department of Environment to work with participating counties to issue incentives for stormwater management projects undertaken by an individual, business, HOA or residential community, and nonprofits
- Ensuring the validity of green infrastructure and requiring highest level of care taken with green infrastructure projects and promising appropriate compensation for such care and quality

The Howard County hub of the Sunrise Movement fully supports the Green Infrastructure Rebate Program and asks for the Maryland General Assembly to pass the bill to empower citizens to help their communities reduce stormwater pollution and flooding risk. As an organization of young people, we look to current leaders to make decisions that will preserve communities like Old Ellicott City for our generation and beyond. We are glad that this issue has been undertaken by the General Assembly and thank them for their continued effort in helping Maryland adapt and evolve to fight climate change and its effects.

Thank you for considering our perspective and support in your deliberations.

Catherine Harris

Sunrise Movement Howard County Member

[catemargaret2@gmail.com](mailto:catemargaret2@gmail.com)

## **HB 1372 - Green infrasturcture rebate program -Su**

Uploaded by: Doug Myers

Position: FAV



# CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration  
Environmental Education*

## House Bill 1372

Environment – Green Infrastructure Rebate Program – Establishment

Date: March 9, 2022

To: House Environment and Transportation Committee

Position: Support/Oppose/SWA

From: Doug Myers  
Maryland Senior Scientist

Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 1372 which establishes a state-wide green infrastructure rebate program to encourage private property owners to install green infrastructure practices like rain gardens, rain barrels and green roofs. This initiative would help local governments reach state stormwater permits and Bay cleanup goals.

CBF supported provisions in past stormwater utility legislation that established similar rebate programs within the ten Phase I Municipal Separate Storm Sewer Systems (MS4) jurisdictions. However, after the stormwater utility fee requirement was rescinded, many local governments removed their rebate programs as well. Unfortunately, this places the entire burden of reaching Bay Blueprint goals for stormwater on local governments, which have so far failed to meet impervious surface retrofit requirements through standard stormwater best management practices (BMPs). Stormwater progress has slowed to the point that the amount of nitrogen, phosphorus and sediment from that sector is increasing over time and reversing the pollution reduction gains made by wastewater treatment and agricultural BMP's<sup>1</sup>.

Marylanders care about their local water quality and the health of the Bay. HB 1372 assists them in providing a helping hand to local governments by installing practices that distribute and absorb rainfall into groundwater on their own private property. This approach helps treat runoff with soil bacteria and fungi, and attenuates flows to local rivers and streams rather than concentrating it into stormwater conveyances that are not sized to handle climate-induced runoff volumes.

### **CBF urges the Committee's FAVORABLE report on HB 1372.**

For more information, please contact Robin Jessica Clark, Maryland Staff Attorney at [rclark@cbf.org](mailto:rclark@cbf.org) and 443.995.8753.

<sup>1</sup> CBF State of the Blueprint, <https://www.cbf.org/news-media/newsroom/2022/all/cbf-assesses-the-state-of-the-blueprint-success-in-jeopardy-time-running-out-leadership-mostly-lacking.html>

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403  
Phone (410) 268-8816 • Fax (410) 280-3513

*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.*

# **Copy of Green Infrastructure Rebate (HB1372) FWA S**

Uploaded by: Elizabeth Nicholas

Position: FAV



March 7, 2022

**Environment - Green Infrastructure Rebate Program - Establishment (HB1372)**

**Position: FAVORABLE**

Dear Chairman Barve and Members of the Environment and Transportation Committee,

The undersigned organizations express their strong support for HB1372 - Environment - Green Infrastructure Rebate Program - Establishment with amendments.

This bill creates a rebate for property owners to recoup the costs of installing green infrastructure such as rain gardens, cisterns, and green roofs on their property. Stormwater runoff is a leading cause of pollution to Maryland's waterways, particularly in urban areas that are covered in pavement and other impervious surfaces. When it rains, much of the rainwater cannot soak into the ground. Instead, it rushes to the nearest storm drain, carrying with it trash, oil, and other pollutants from our streets and pavement. In addition to the pollution in the stormwater itself, the sheer volume of water erodes our stream beds and overwhelms our pipes, contributing to sewage overflows.

In order for regional efforts to reduce pollution to our rivers and the Chesapeake Bay to succeed, stormwater must be better managed, reduced, and treated. Green infrastructure is an increasingly popular approach to better managing stormwater pollution. Green infrastructure is the practice of treating and replacing impermeable hardscape with plant-based and water harvesting systems like rain gardens, trees, and rain barrels that reduce the volume of stormwater, facilitate infiltration into the ground and through root systems, and reduce the rapid delivery of pollution to our waterways.

In addition to improved water quality, green infrastructure also provides numerous co-benefits. Green infrastructure that incorporates native trees, perennials, and shrubs is credited with improving air quality, fostering social cohesion, improving mental health, restoring wildlife habitat, and building climate resilience.<sup>1</sup> Increased trees and vegetation also reduce the urban heat island effect by providing shade and evapotranspiration, improving health outcomes and energy savings.<sup>2</sup>

While it has numerous benefits, green infrastructure is often costly for individuals, businesses, nonprofits, and other entities to install. By establishing a rebate program, HB1372 will incentivize property owners to invest in green infrastructure and expand its adoption across Maryland. Increasing green infrastructure will not only help Maryland meet its regulatory

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<sup>1</sup> Coutts, Christopher and Micah Hahn. (2015). "Green Infrastructure, Ecosystem Services, and Human Health." International Journal of Environmental Research and Public Health, vol. 12. Pgs 9768-9798. DOI: [10.3390/ijerph120809768](https://doi.org/10.3390/ijerph120809768).

<sup>2</sup> Saaroni, H., Amorim, J. H., Hiemstra, J. A. & Pearlmutter, D. (2018). "Urban Green Infrastructure as a tool for urban heat mitigation: Survey of research methodologies and findings across different climatic regions." Urban Climate, vol. 24. Pgs 94-110. <https://doi.org/10.1016/j.uclim.2018.02.001>.

requirements to manage stormwater pollution, but it will also improve climate resiliency, public health, and quality of life for residents.

HB1372 would provide a rebate up to \$4,000 for individuals and up to \$20,000 for commercial and multifamily buildings and properties owned by homeowners, condominium, and civic associations or nonprofit organizations. The State of Maryland would provide 60% of the rebate and participating counties would provide the remaining 40%.

However, as currently written, this bill would establish an “all or nothing” system where only residents who live in participating counties could qualify for the rebate. This means that residents who live in counties that do not opt into the program would be ineligible for the 60% state rebate. Since the state’s share of the rebate is set to come from the Maryland Clean Water Fund, this arrangement would effectively reallocate funding from the Maryland Clean Water Fund to counties that opt into this program and take critical funding away from counties that choose not to opt into this program. Thereby the residents of non participating counties would lose out on funding twice, first by being ineligible for this rebate and second by diverting Maryland Clean Water Fund resources away from their counties.

**To remedy these concerns, we recommend an amendment to allow property owners in counties that do not opt into the rebate program to still qualify for the state portion of the rebate.**

**We also recommend adding conservation landscaping as an eligible green infrastructure project under the program and changing the cap to apply per project rather than per property to account for property transfer and to ensure property owners can implement the practices that meet their needs.**

We look forward to continued conversations with the bill sponsor on these amendments or other possible pathways forward.

Thank you for your consideration of HB1372 - Environment - Green Infrastructure Rebate Program - Establishment. For all the reasons stated above, we urge a favorable vote from the committee with these amendments.

Signed,

Waterkeepers Chesapeake

## **HB1372\_FAV\_Mathias**

Uploaded by: Jason Mathias

Position: FAV



# Montgomery County

## Office of Intergovernmental Relations

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ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

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**HB 1372**

**DATE: March 9, 2022**

**SPONSOR: Delegate Lehman, et al.**

**ASSIGNED TO: Environment and Transportation**

**CONTACT PERSON: Jason Mathias (jason.mathias@montgomerycountymd.gov)**

**POSITION: Support (Montgomery County Department of Environmental Protection)**

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### **Environment – Green Infrastructure Rebate Program – Establishment**

House Bill 1372 establishes a Statewide green infrastructure rebate program for which Counties may elect to participate. The Montgomery County Department of Environmental Protection (MCDEP) supports this legislation.

MCDEP created a program in 2008 to help subsidize green infrastructure projects, called RainScapes, that is similar to the incentive program envisioned in HB 1372. It uses local funds and provides rebates of up to \$7,500 per project. The rebate is based on square foot costs and can cover 100% of a project in some cases. RainScape has been tremendously successful. To date, the program has subsidized the costs of more than 1,500 projects for conservation landscaping, rain barrels, tree canopy, permeable pavement retrofits, rain gardens, pavement removal, dry wells, cisterns, and green roofs. These private property voluntary practices are part of the broader County program established to meet MS4 permit requirements which includes a range of approaches. The County's \$3 million expenditure to date has leveraged more than \$11.3 million in private investment, which helped allow the County to deliver the required acres of impervious treatment portion specified in its previous Maryland Department of the Environment MS4 permit.

Note that it did take time to develop the RainScapes program. It was well worth the investment to ensure that capacity existed to operate a comprehensive program. While project maintenance is the responsibility of the property owner, the County does provide technical support for those participants that need guidance so that projects are maintained in good working order.

Unfortunately, the demand for RainScapes participation outpaces the resources the County has to meet that demand. Additional support from the State, which this legislative proposal could offer, would be helpful since MCDEP has had to limit the window of opportunity for property owners to apply for rebates because its available funds are fully subscribed early in

the budget year. This has resulted in a lengthy backlog of applications, which continues to grow each year. Furthermore, although many RainScapes projects have been awarded in watersheds that were prioritized for stream health or because they served historically disadvantaged communities, current demand is constraining the County's ability to support more projects in those areas. It is also constraining the County's ability to pursue innovative partnerships to overcome the upfront project cost barriers experienced by moderate to low-income taxpaying property owners.

House Bill 1372 provides an attractive cost sharing arrangement for such green infrastructure projects, where the State would subsidize 60% and the counties 40%. This could allow Montgomery County to expand its rebate program in a manner that is consistent with County equity goals since funds may be leveraged through non-profits to benefit low-income property owners. The added flexibility and equity focus will allow the County, hopefully through its existing RainScapes program, to support a broader set of projects.

For all of these reasons, the Montgomery County Department of Environmental Protection urges the Committee to act favorably on House Bill 1372.

# **HB 1372\_Support\_Sustainability Rebate.pdf**

Uploaded by: Julie Costantino

Position: FAV

HOWARD COUNTY OFFICE OF COMMUNITY SUSTAINABILITY  
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-0700

Joshua Feldmark, Director  
Calvin Ball, County Executive

[www.howardcountymd.gov](http://www.howardcountymd.gov)

March 9, 2022

Delegate Kumar Barve, Chair  
House Environment & Transportation Committee  
House Office Building, Room 251  
Annapolis, Maryland 21401

Re: Testimony **IN SUPPORT:** HB 1372: Environment – Green Infrastructure Rebate Program - Establishment

Dear Chair Barve, Vice Chair Stein, and Members of the Committee,

My name is Julie Costantino and I run Howard County's residential reimbursement (rebate) program. The program was established in 2014 and has supported the installation of over 340 stormwater practices. Residents who take advantage of the program cite the financial compensation as the determining factor for following through with a project. Historically, the reimbursement rates did not reflect the total costs of project installations and many residents were not able to go through with installations due to the cost.

In 2020, County Executive Calvin Ball supported a Council Resolution which increased reimbursement rates for all stormwater practices to 75% of the cost up to a maximum for each type of practice. Since this resolution was passed there has been a huge increase in the number of residents interested in the program. An interest that exceeds the County's available funding for the program. Establishing a statewide rebate program could support the existing Howard County reimbursement program by allowing more residents to participate by offering a 100% reimbursement.

It could also provide an opportunity to HOA's and non-profits who reach out to us regularly asking if there is available funding or grants that can support stormwater work on their properties. While our Administration's reimbursement program has been successful, it is apparent that there is still an outstanding need for financial support to property owners. Establishing a State rebate program could support existing County programs at a direct benefit to residents.

The ability for other jurisdictions to expand opportunities to incentivize sustainability practices is good policy and good for Maryland's environmental goals across the state. I welcome your partnership and urge a favorable report on House Bill 1372.

*Julie Costantino*  
Sustainability Program Manager  
Howard County Office of Community Sustainability

# **GI\_EcoWorks.pdf**

Uploaded by: Lori Lilly

Position: FAV





3/7/1974

Thank you for the opportunity to provide testimony for HB1372. My organization, Howard EcoWorks, is a non-profit based out of Columbia, MD. We empower communities and diverse workforces to respect and restore natural systems for future generations. We administer multiple green jobs programs as we work at the nexus of workforce development and environmental improvements. We believe that the critical state of our environment requires much more investment and we would like to see that investment go in part towards improving the lives of individuals – with a paycheck - that have been historically disenfranchised.

This bill would benefit our organization in many ways – we have seen similar benefit through our local Howard County Cleanscapes program where financial incentives to homeowners for implementing environmentally sensitive solutions on their properties have benefited the homeowner, our organization and green jobs programs, and our local government who receives credit on their stormwater permit to the state for the implemented projects. We encourage you to invest in more programs and initiatives with triple bottom line rewards such as HB1372. Please feel free to reach out to me with any specific questions regarding our own experiences at the local level. We definitely want to see these efforts and investment grow for people, communities and our planet.

Sincerely,

Lori Lilly  
Executive Director

# **LEHMAN WRITTEN TESTIMONY GREEN INFRASTRUCTURE BILL**

Uploaded by: Mary Lehman

Position: FAV



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**HB 1372 Environment – Green Infrastructure Rebate Program –  
Establishment**

**SUPPORT**

GOOD AFTERNOON MR. CHAIR, MR. VICE CHAIR AND ESTEEMED ENVIRONMENT AND TRANSPORTATION COMMITTEE MEMBERS. I AM EXCITED TO PRESENT TO YOU A GREEN INFRASTRUCTURE BILL THAT PROVIDES RESIDENTS, BUSINESSES, AND NONPROFITS A REFUND CHECK FOR INSTALLING RAIN BARRELS, RAIN GARDENS, REPLACING IMPERVIOUS DRIVEWAYS AND OTHER FEATURES THAT WILL HELP COUNTIES AND THE STATE MEET THEIR CLEAN WATER ACT OBLIGATIONS BY CONTROLLING STORMWATER RUNOFF INTO RIVERS AND STREAMS.

I AM HERE TO ASK YOUR FAVORABLE CONSIDERATION OF HB 1372, ENABLING LEGISLATION THAT ENCOURAGES LOCAL JURISDICTIONS TO ADOPT A POPULAR REBATE PROGRAM THAT HAS EXISTED FOR 8-12 YEARS IN HOWARD, PRINCE GEORGE'S AND MONTGOMERY COUNTIES. THE BILL PROPOSES A COST-SHARING FEATURE WHERE THE STATE WOULD PAY 60 PERCENT OF THE GREEN INFRASTRUCTURE REBATE FROM THE CLEAN WATER FUND AND THE LOCAL GOVERNMENT WOULD PAY 40 PERCENT.

**HOW IT WOULD WORK:** RESIDENTS, COMMERCIAL PROPERTY OWNERS, AN OWNER OF A MULTIFAMILY DWELLING, A HOMEOWNERS ASSOCIATION, A CONDOMINIUM ASSOCIATION, A CIVIC ASSOCIATION, OR A NONPROFIT

ORGANIZATION WOULD SUBMIT AN APPLICATION TO THE DESIGNATED LOCAL ADMINISTRATIVE AND REVIEW AGENCY FOR INSTALLATION OF ANY ONE OR A COMBINATION OF THE FOLLOWING GREEN INFRASTRUCTURE FEATURES:

- CISTERN
- URBAN TREE CANOPY
- RAIN GARDENS
- PAVEMENT REMOVAL
- PERMEABLE PAVEMENT AND
- GREEN ROOFS

THE APPLICANT MUST SUBMIT PAPERWORK PROVING THEY OWN THE PROPERTY AND THE PROPOSAL MUST BE APPROVED BEFORE CONSTRUCTION. RAIN BARRELS DO NOT REQUIRE PRE-APPROVAL.

APPLICANTS THAT ARE APPROVED MAY RECEIVE:

- UP TO \$4,000 FOR INDIVIDUAL RESIDENTIAL PROJECTS;
- UP TO \$20,000 FOR COMMERCIAL OR NONPROFIT PROJECTS.

**GOOD CHALLENGES:** THE BILL HAS GENERATED WIDESPREAD INTEREST AND FEEDBACK FROM MUNICIPALITIES, A CHAMBER OF COMMERCE, AND COUNTIES THAT ALREADY HAVE A PROGRAM AS WELL AS THOSE THAT DO NOT BUT WOULD LIKE TO HAVE ONE.

FOR EXAMPLE, HOWARD COUNTY ALREADY HAS A REBATE PROGRAM BUT WANTS TO FIGURE OUT HOW TO TAKE ADVANTAGE OF THE COST SHARING FEATURE WITH THE STATE WHILE NOT GIVING UP ITS OWN. AND A NONPROFIT ON THE EASTERN SHORE IS INTERESTED IN FIGURING OUT WHAT OPPORTUNITIES WOULD BE AVAILABLE FOR PROPERTY OWNERS IN COUNTIES THAT DO NOT OPT TO PARTICIPATE IN THE PROGRAM.

**FRIENDLY AMENDMENT:** I HAVE RECEIVED A REQUEST FOR A FRIENDLY AMENDMENT TO EXPAND THE LIST OF ALLOWABLE GREEN INFRASTRUCTURE

PROJECTS TO INCLUDE CONSERVATION LANDSCAPING AND DRY WELLS. I AM HAPPY TO DO THAT.

WE WILL LIKELY HAVE ONE OR MORE ADDITIONAL AMENDMENTS TO COME UP WITH A STATE-ONLY REBATE FOR INTERESTED APPLICANTS IN COUNTIES THAT DO NOT ADOPT THE GREEN INFRASTRUCTURE REBATE PROGRAM.

THANK YOU FOR YOUR CONSIDERATION. I WOULD LIKE TO SHARE A FEW PICTURES OF GREEN INFRASTRUCTURE PROJECTS FROM PRINCE GEORGE'S COUNTY. I HOPE YOU WILL ISSUE A FAVORABLE REPORT OF HB 1372.

# **Environment Green Infrastructure.pdf**

Uploaded by: nanci Wilkinson

Position: FAV

Committee: House Environment & TransportationEnvironment

Legislation: HB 1372 Green Infrastructure Rebate Program - Establishment

Establishing the Green Infrastructure Rebate Program to provide property owners the incentive to invest in stormwater management practices-; requiring the Department of the Environment to administer the Program in collaboration with each county that elects to participate in the Program; authorizing the Department to delegate authority to administer the Program to a participating county; and requiring the Department and participating counties to provide a certain percentage of the cost of a rebate under the Program.

Organization: Environmental Justice Ministry Cedar Lane Unitarian Universalist Church

Position: Favorable

Hearing: March 9, 2022

HB 1372 in establishing the Green Infrastructure Rebate Program will be invaluable to private businesses and communities in providing help and investments in stormwater management practices. As the Climate emergency has broadened to all aspects of our society, stormwater management has become the center of our struggles to provide sustainability in the state of Maryland. It will worsen unless we are able to drawdown the carbon and methane emissions that are warming our earth. EJM requests a favorable vote for this most important bill.

Nanci Wilkinson

Environmental Justice Ministry

Cedar Lane Unitarian Universalist Church

Environment

# **HB 1372 T22 Session.pdf**

Uploaded by: Theresa Kuhns

Position: FAV





## **House Bill 1372- Environment- Green Infrastructure Rebate Program- Establishment**

### **Position: Favorable**

Maryland REALTORS® believe the creation of the Green Infrastructure Rebate Program is a smart investment in property owner education on stormwater management practices which will also encourage Maryland property owners to take steps towards achieving state goals under the Clean Water Act. Expanding the same credit to small business and commercial residents, multifamily dwellings and nonprofits strikes the right balance as it allows counties to choose to participate in the program.

Stormwater management is the effort to reduce runoff of rainwater or melted snow into streets, lawns and other sites and the improvement of water quality, according to the United States Environmental Protection Agency (EPA). A single home containing 2,000 square feet of external impervious surface can produce 1,246 gallons of stormwater runoff in a typical rainstorm, according to the Penn State College of Agriculture Sciences. Given our proximity to the Chesapeake Bay and blue line streams, as well as the targets set for counties to meet total maximum daily loads (TMDL) of nutrients under the Clean Water Act, incentives for better stormwater property management will be key to meeting state goals.

Prince George's County currently has an active program (Stormwater Stewardship Grants) now which incentivizes homeowners to take actions like planting to slow runoff, rebates for rain barrels, and other actions to control stormwater. In addition to incentivizing homeowners to meet the County's goals under the Clean Water bill, this program also helps local communities combat flooding.

For these reasons, the REALTORS® request a favorable report.

**For more information, contact**  
**bill.castelli@mdrealtor.org, susan.mitchell@mdrealtor.org,**  
**lisa.may@mdrealtor.org or theresa.kuhns@mdrealtor.org**

# **Green Infrastructure Rebate (HB1372) FWA Sign-on T**

Uploaded by: Taylor Smith-Hams

Position: FWA

March 7, 2022

**Environment - Green Infrastructure Rebate Program - Establishment (HB1372)**

**Position: FAVORABLE WITH AMENDMENT**

Dear Chairman Barve and Members of the Environment and Transportation Committee,

The undersigned organizations express their strong support for HB1372 - Environment - Green Infrastructure Rebate Program - Establishment with amendments.

This bill creates a rebate for property owners to recoup the costs of installing green infrastructure such as rain gardens, cisterns, and green roofs on their property. Stormwater runoff is a leading cause of pollution to Maryland's waterways, particularly in urban areas that are covered in pavement and other impervious surfaces. When it rains, much of the rainwater cannot soak into the ground. Instead, it rushes to the nearest storm drain, carrying with it trash, oil, and other pollutants from our streets and pavement. In addition to the pollution in the stormwater itself, the sheer volume of water erodes our stream beds and overwhelms our pipes, contributing to sewage overflows.

In order for regional efforts to reduce pollution to our rivers and the Chesapeake Bay to succeed, stormwater must be better managed, reduced, and treated. Green infrastructure is an increasingly popular approach to better managing stormwater pollution. Green infrastructure is the practice of treating and replacing impermeable hardscape with plant-based and water harvesting systems like rain gardens, trees, and rain barrels that reduce the volume of stormwater, facilitate infiltration into the ground and through root systems, and reduce the rapid delivery of pollution to our waterways.

In addition to improved water quality, green infrastructure also provides numerous co-benefits. Green infrastructure that incorporates native trees, perennials, and shrubs is credited with improving air quality, fostering social cohesion, improving mental health, restoring wildlife habitat, and building climate resilience.<sup>1</sup> Increased trees and vegetation also reduce the urban heat island effect by providing shade and evapotranspiration, improving health outcomes and energy savings.<sup>2</sup>

While it has numerous benefits, green infrastructure is often costly for individuals, businesses, nonprofits, and other entities to install. By establishing a rebate program, HB1372 will incentivize property owners to invest in green infrastructure and expand its adoption across Maryland. Increasing green infrastructure will not only help Maryland meet its regulatory

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<sup>1</sup> Coutts, Christopher and Micah Hahn. (2015). "Green Infrastructure, Ecosystem Services, and Human Health." International Journal of Environmental Research and Public Health, vol. 12. Pgs 9768-9798. DOI: [10.3390/ijerph120809768](https://doi.org/10.3390/ijerph120809768).

<sup>2</sup> Saaroni, H., Amorim, J. H., Hiemstra, J. A. & Pearlmutter, D. (2018). "Urban Green Infrastructure as a tool for urban heat mitigation: Survey of research methodologies and findings across different climatic regions." Urban Climate, vol. 24. Pgs 94-110. <https://doi.org/10.1016/j.uclim.2018.02.001>.

requirements to manage stormwater pollution, but it will also improve climate resiliency, public health, and quality of life for residents.

HB1372 would provide a rebate up to \$4,000 for individuals and up to \$20,000 for commercial and multifamily buildings and properties owned by homeowners, condominium, and civic associations or nonprofit organizations. The State of Maryland would provide 60% of the rebate and participating counties would provide the remaining 40%.

However, as currently written, this bill would establish an “all or nothing” system where only residents who live in participating counties could qualify for the rebate. This means that residents who live in counties that do not opt into the program would be ineligible for the 60% state rebate. Since the state’s share of the rebate is set to come from the Maryland Clean Water Fund, this arrangement would effectively reallocate funding from the Maryland Clean Water Fund to counties that opt into this program and take critical funding away from counties that choose not to opt into this program. Thereby the residents of non participating counties would lose out on funding twice, first by being ineligible for this rebate and second by diverting Maryland Clean Water Fund resources away from their counties.

**To remedy these concerns, we recommend an amendment to allow property owners in counties that do not opt into the rebate program to still qualify for the state portion of the rebate.**

**We also recommend adding conservation landscaping as an eligible green infrastructure project under the program and changing the cap to apply per project rather than per property to account for property transfer and to ensure property owners can implement the practices that meet their needs.**

We look forward to continued conversations with the bill sponsor on these amendments or other possible pathways forward.

Thank you for your consideration of HB1372 - Environment - Green Infrastructure Rebate Program - Establishment. For all the reasons stated above, we urge a favorable vote from the committee with these amendments.

Signed,

Blue Water Baltimore  
ShoreRivers  
Indivisible Howard County  
Southern Maryland Audubon Society  
Audubon Mid-Atlantic  
Sierra Club Maryland Chapter  
Waterkeepers Chesapeake  
St. Mary's River Watershed Association

# **HB1372 Letter of Opposition.docx.pdf**

Uploaded by: Tyler Abbott

Position: UNF



# Maryland

## Department of the Environment

Larry Hogan  
Governor

Boyd Rutherford  
Lieutenant Governor

Ben Grumbles  
Secretary

March 9, 2022

The Honorable Kumar P. Barve, Chair  
Environment & Transportation Committee  
House Office Building, Room 251  
Annapolis, Maryland 21401

### **Re: House Bill 1372 – Environment – Green Infrastructure Rebate Program - Establishment**

Dear Chair Barve and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed HB 1372, entitled *Environment – Green Infrastructure Rebate Program – Establishment* and would like to offer our opposition to this bill.

HB 1372 requires the Department to create a Green Infrastructure Rebate Program (the Program) to provide private property owners and nonprofit organizations an incentive to invest in stormwater management practices and help Maryland meet stormwater pollution reduction goals under the Clean Water Act. The Program is to be administered by the Department in collaboration with any county that elects to participate. The authority to administer the Program can be delegated to a participating county. While the Department is supportive of efforts to incentivize counties, homeowners, businesses, and nonprofits to undertake voluntary efforts to install green infrastructure, the fund source identified to provide these rebates, the Maryland Clean Water Fund (the Fund), does not have the capacity to support these rebates given its current use to support essential Departmental regulatory, permitting, and enforcement functions. Any diversion of funds from these key functions will have negative impacts on the protection of the environment and public health.

As the bill is currently drafted, the state portion of any rebate authorized under the Program is to be 60% of the cost of practice with the participating county portion to be 40%. To receive the rebate the property owner must apply prior to the construction of the practice. The practice must be approved by the Department or participating county, if delegated, before it is constructed. The Department or the delegated participating county must verify the practice was constructed, verify the cost of the practice, and enter into an agreement or contract with the applicant for follow-up inspections and maintenance. Residential properties may not receive more than \$4,000 in rebates under the Program. Commercial properties, multifamily dwellings, Homeowner Associations, condo associations, civic associations, or nonprofits may not receive more than \$20,000 in rebates under the Program. A nonprofit may receive annual rebates of up to \$20,000 for green infrastructure projects that the Department or a county approves as an eligible use of the funds and are located on public property. This bill would severely impact the financial health and stability of the Fund and MDE's ability to fund its own regulatory, permitting, and enforcement functions.

The Department or a participating county must maintain a list of certified contractors on a publicly available website. In addition, the Department must adopt regulations to establish best practice guidelines and eligibility criteria. Both the participating county and the Department must report annually on applications received,

denied, total amount of rebates issues, and number of approved projects by type. The Department must also report on the number of contractors completing certification training if offered.

MDE's Water and Science Administration (WSA) is responsible for developing and implementing design guidance and regulations for stormwater management in Maryland and would establish the best practice guidelines for the Program. Additionally, WSA would develop and implement the contractor certification training program outlined in the bill. The costs to develop this training program would also negatively impact the Fund as the development of the program would include the creation of training materials and an online training course that includes testing and certification. The cost estimate for developing the course and application is approximately \$45,000 with periodic maintenance required.

While the Department currently has adequate and sufficient staff and resources to conduct its mission effectively and efficiently, any additional legislatively-mandated program, such as this, could hamper our efficiency, force us to divert resources away from current core competencies, and could disrupt customer service and/or diminish services.

Thank you for your consideration. We will continue to monitor HB 1372 during the committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or at [tyler.abbott@maryland.gov](mailto:tyler.abbott@maryland.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler Abbott', with a long horizontal line extending to the left.

Tyler Abbott

cc: The Honorable Mary A. Lehman

# **Chesapeake Bay Trust Testimony - House Bill 1372\_0**

Uploaded by: Sadie Drescher

Position: INFO





## **House Bill 1372 (Delegate Lehman) – Green Infrastructure Rebate Program - Establishment Written Testimony**

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**Date: March 9, 2022**

**Position: INFORMATIONAL**

Submitted to: Environment and Transportation Committee

Submitted by: Sadie Drescher, Vice President of Programs for Restoration, Chesapeake Bay Trust

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The Chesapeake Bay Trust (the Trust) is honored to provide information to the Committee as it considers House Bill 1372 to establish the Green Infrastructure Rebate Program.

The Trust was established by the General Assembly in 1985 to increase stewardship through grant programs, special initiatives, and partnerships, focusing on on-the-ground watershed restoration, community engagement, environmental education, capacity-building, and science. The Trust has experience with residential and commercial rebate programs, having administered Prince George's County Rain Check Rebate program for our Department of the Environment partner for the past eight years.

HB 1372 calls for the establishment of a Green Infrastructure Rebate Program with counties that elect to participate in the Program. The Trust believes that we should engage and empower diverse groups to take actions that enrich natural resources and local communities of the Chesapeake Bay region. Providing rebates is one tool to reach and engage people to act on their own to improve their surroundings such as their property or business and improve our environment. Working together and using many tools available to us are needed for healthier natural resources.

### **The power of rebate programs – Reaching and supporting individuals who wish to green their property**

Rebate programs empower individuals to take actions that improve their communities and properties and their local watersheds all at the same time, offering incentives to install small-scale restoration projects, such as rain barrels, rain gardens, trees, pervious pavers, and other practices. These projects beautify the site and provide environmental benefits such as stormwater management while engaging in and with the communities themselves. The following information highlights our experience working with rebates:

- Rebate programs are one way to provide people with the tools they need to implement stormwater management practices on their property;
- Property owners appreciate the ability and flexibility to choose which practices to install on their properties. Some install a few practices now and then more later, creating buy-in and ownership for the process;
- Once the practice is installed, the individual often feels pride in his/her/their work and wants to share what they did with neighbors;
- Since fiscal year 2015, the Trust has worked in partnership with the County to manage 707 Prince George's County Rain Check Rebate projects. To date in the program:
  - 858 rain barrels have been installed,

- 665 trees have been planted, and
- 110 permeable pavement projects have been installed
- Accountability is built into the process: The Trust provides technical support throughout the process, verifies project implementation, helps property owners document all costs, and ensures that property owners agree to maintain the practices.

Programs such as these allow the state and counties to engage private residents in the call to restore our watersheds and ultimately to protect and restore our receiving waterways. The majority of our watershed is privately owned, and rebate programs provide a vehicle by which these private individuals and organizations can play a role.

On a larger scale, these small practices involve and engage people and they also amplify our restoration strategies to slow down stormwater that cleans the water of pollutants to protect our wildlife, reduce the energy that can cause erosion, cool hot water coming from rooftops or parking lots, and create a space to enjoy for people as well as animals such as birds and butterflies. We know the benefits of greening extend beyond water quality to improve our air, health, and provide habitat for native plants and animals. Finally, while some participants install these practices themselves many will hire professionals to help which can provide more green jobs.

The Trust believes that individual property owners have the power and desire to do work that helps our communities and local watersheds. Providing and using a rebate program is one tool to direct and support people who wish to green their property.

Examples of rebate projects:

## BEFORE AND AFTER RAIN GARDEN



Before



After

**Rain Barrel**



**Urban Tree Canopy**



## BEFORE AND AFTER PERMEABLE PAVEMENT



*Before*



*After*

Projects in progress:





## About the Chesapeake Bay Trust

The Trust was created by the Maryland General Assembly in 1985 as a non-profit grant-making organization with a goal to increase stewardship and citizen engagement in the restoration of the state's local rivers, streams, parks, and other natural resources in diverse communities across the state, from the mountains of Western Maryland and the Youghiogheny watershed to the marshes of the Coastal Bays. The goal was to create an entity that could complement state agency work and reach large numbers of groups on the ground: schools, nonprofit organizations, faith-based institutions, homeowners associations, community and civic associations, and other types of groups.

The Trust invests in local communities and watersheds through grant programs and special initiatives and is known for its efficiency, putting on average 90 cents of every dollar into programs. The Trust has awarded over \$130 million through more than 12,000 grants and projects in every county in Maryland since 1985. We make 350-400 grants and other awards a year and have about 1,000 active grantees at any one time.

The Trust does not receive a direct state appropriation, and is instead supported through revenue from the Chesapeake Bay vehicle license plate; half of the Chesapeake and Endangered Species Fund checkoff on the state income tax form; two new donation options through Maryland's online boating, fishing, hunting license system, one that focuses on veterans' rehabilitation; partnerships with federal, state, local agencies, family foundations, and corporate foundations; and individual donors.

Due to its efficiency, the Trust has been rated with the maximum four-star rating by the nation's leading charity evaluator, Charity Navigator, for fourteen years, putting it in the top 1% of non-profits in the nation.

Thank you very much for the opportunity to present to the Committee. If you should have any questions regarding the Trust's testimony, please contact us at 410-974-2941 x105 or [sdrescher@cbtrust.org](mailto:sdrescher@cbtrust.org).

