

## Chesapeake Watershed Restoration Professionals

### House Bill 869 Wetlands and Waterways Program – Authorizations for Ecological Restoration Projects FAVORABLE WITH AMENDMENTS

February 25, 2022

Hon. Kumar Barve  
Chairman, Environment and Transportation  
Room 251  
House Office Building  
Annapolis, Maryland 21401

Chairman Barve, Vice-Chair Stein and members of the Committee,

The Chesapeake Watershed Restoration Professionals (CWRP) supports House Bill 869 in concept but has significant concerns with the potential application of the legislation, if passed, and strongly encourages the General Assembly to study the ecological restoration application process or include a sunset on the legislation. CWRP was founded in November of 2020 and represents Maryland professionals whose daily work improves the health of Maryland's waters and our prized Chesapeake Bay.

We understand there are ongoing amendments to the legislation being contemplated, including studying the application process. As written, House Bill 869 would require the Maryland Department of the Environment (MDE) to establish a process for reviewing and evaluating applications for wetlands and waterways authorizations for ecological restoration projects that differs from development projects. Additionally, the legislation would authorize MDE to waive requirements to minimize alteration, impairment, or disturbance of a wetland or waterway.

CWRP has significant concerns granting an agency with the authority to wave existing laws and regulations as it relates to protecting the environment. Unintended consequences could be negative and significant and not worth the risk just to potentially permit some specific projects that otherwise wouldn't be. While we support the objectives of the legislation and believe permitting of ecological restoration projects can and should be streamlined, we think the appropriate process should be a study by the Maryland Department of the Environment that makes recommendations to the Maryland General Assembly.

Should the legislation move forward, we would suggest adding a sunset that expires one year after the study is completed.

We thank the committee for their consideration of this important legislation and the issues we have raised. We look forward to working with you in the coming years to strengthen Maryland's ecological restoration laws.

Sincerely,

Liam O'Meara  
President  
Chesapeake Watershed Restoration Professionals