



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

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)

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.