



JOHN A. OLSZEWSKI, JR.
County Executive

JENNIFER AIOSA
Director of Government Affairs

AMANDA KONTZ CARR
Legislative Officer

JOSHUA M. GREENBERG
Associate Director of Government Affairs

BILL NO.: **HB 942**

TITLE: Wetlands and Waterways Program - Authorizations for Stream Restoration Projects

SPONSOR: Delegate Terrasa

COMMITTEE: Environment and Transportation

POSITION: **OPPOSE**

DATE: March 1, 2023

Baltimore County **OPPOSES** House Bill 942 – Wetlands and Waterways Program - Authorizations for Stream Restoration Projects. This legislation would require the Maryland Department of the Environment to revise project eligibility criteria for stream restoration projects implemented for MS4 and TMDL compliance.

Currently, project criteria and eligibility requirements for all water quality Best Management Practices (BMPs) that may be utilized for compliance with State-issued Municipal Separate Storm Sewer System (MS4) permits and local and State Total Maximum Daily Load (TMDL) implementation plans are developed and updated through the Chesapeake Bay Program (CBP). The CBP determines crediting protocols by convening Expert Panels, comprised of scientists and representatives from local, state and federal governments, consulting firms and academic institutions, to digest best available science on each BMP. These panels also look to science to incorporate regional differences in physical and ecological conditions, including hydrology, geology, and watershed context.

As local jurisdictions implement and permit stream restoration projects, biological uplift must be considered in concert with other important outcomes of such projects, including erosion and flood reduction and water quality improvement. Functional improvements in the hydrologic, hydraulic, geomorphologic and physiochemical components of a stream ecosystem are just as important as biological uplift. Unfortunately, in many streams in more highly developed watersheds, salt from road runoff, extreme temperatures, and a lack of source population may inhibit full restoration of biotic communities and habitat. Existing regulations include tree loss minimization, project monitoring, and public notice.

No BMP is appropriate in every possible circumstance; stream restoration is no different. But changes to the criteria and crediting of BMPs should be undertaken in a scientifically rigorous manner. In the Chesapeake region, we are fortunate to have the CBP and the scientific community of many academic,

research, and practicing organizations working on these very issues. Accordingly, Baltimore County requests an **UNFAVORABLE** report on HB 942. For more information, please contact Jenn Aiosa, Director of Government Affairs at jaiosa@baltimorecountymd.gov.