



House Bill 1165

Stream and Watershed Restoration - Stream Restoration Contractor Licensing and Chesapeake and Atlantic Coastal Bays Restoration and Funding (Whole Watershed Act)

MACo Position: **SUPPORT**

To: Environment & Transportation Committee

WITH AMENDMENTS

Date: March 1, 2024

From: Dominic J. Butchko and Michael Sanderson

The Maryland Association of Counties (MACo) **SUPPORTS** HB 1165 **WITH AMENDMENTS**. This bill, among other things, establishes the Whole Watershed Restoration Partnership, shifting state policy to place more focus on whole watershed restoration projects.

As the primary operators of public infrastructure in Maryland, counties have been major stakeholders in the state's push to clean up the Chesapeake Bay and in broader environmental sustainability efforts. Counties do not act alone though, and community group and nonprofits also play a significant role in this work. In an effort to better guide boots-on-the-ground leaders, state and federal policy makers have prioritized a menu of practices aimed at meeting certain environmental benchmarks. Currently, though, the structure of this menu and the execution of programs has led to singular one-off projects, instead of a larger coordinated effort. HB 1165 is a first step changing that, incentivizing the breaking down of silos and encouraging all stakeholders to participate in a broader plan.

Counties support the underlying intent of HB 1165 and applaud the bill sponsors for their coordination with county representatives. MACo requests the following amendments, which seek to clarify certain provisions:

- **Bay Restoration Fund Prioritization** – Under current law, MDE must prioritize funding from the Bay Restoration Fund for wastewater plant upgrades (both at large and small facilities) before the department initiates funding for the Clean Water Commerce Act or tree-related funding. Counties request language preserving this prioritization.

Amendment Language:

On page 8, strike lines 25-26 and substitute "**(XV) AFTER FUNDING ANY ELIGIBLE COSTS IDENTIFIED UNDER ITEM (IV) 1 AND 2 OF THIS PARAGRAPH, TO FUND THE WHOLE WATERSHED FUND ESTABLISHED UNDER §8-2B-03 OF THE NATURAL RESOURCES ARTICLE.**"

Additionally, MACo has been working with the bill sponsors and the Maryland Department of the Environment, as well as other members of the House and Senate, on additional amendments that will tie in other key considerations related to restoration efforts. The amendments should cover scope of project notification for certain projects, community input and meeting requirements, and certain responsibilities of the state related to approval processes. The Committee can expect to have amendment language very soon.

With these amendments, HB 1165 will be a positive first step in ensuring a cleaner and healthier Chesapeake Bay and a better Maryland. For these reasons, MACo urges the Committee to give HB 1165 a **FAVORABLE WITH AMENDMENTS** report.