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SB0688

March 3, 2026

TO: Members of the Senate Education, Energy, and the Environment Committee

FROM: Nina Themelis, Director, Mayor's Office of Government Relations

RE: Senate Bill 688 - Environment - Stream and Floodplain Restoration Projects - Requirements and Limitations

POSITION: OPPOSE

Chair Feldman Vice Chair Kagan, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **opposes** Senate Bill (SB) 688.

SB 688 establishes new requirements and limitations for stream and floodplain restoration projects related to stormwater management. The bill requires the Department of the Environment to prioritize non-stream-disturbing stormwater management practices, limits when in-stream restoration projects may be used to satisfy permit, mitigation, or total maximum daily load requirements, and establishes additional planning, review, and monitoring requirements for projects involving stream or floodplain alteration. The bill also enhances public notice, assessment, and long-term monitoring standards to ensure ecological protection and measurable environmental benefits.

The Baltimore City Administration acknowledges the importance of stream restoration projects as a tool for preserving and restoring the ecological functions of streams that have been degraded by land development and urbanization. Currently, stream restoration projects are subject to rigorous scientific review and oversight, including evaluation under Chesapeake Bay Program protocols, and remain an approved and effective option for compliance with Maryland Department of the Environment requirements and Municipal Separate Storm Sewer System (MS4) permits.

SB688 would significantly limit the use of these projects by adding new requirements and restrictions on instream restoration, including expanded alternatives analyses and higher approval thresholds. These changes would increase projects costs, delay implementation, and create additional fiscal challenges for local governments.

As an MS4 permittee, Baltimore City is required to meet watershed restoration obligations intended to reduce nutrient and sediment pollution to the Chesapeake Bay. Stream and floodplain

restoration projects play a critical role in meeting these requirements, particularly in urban environments.

Additionally, existing sections of State law already govern the approval and oversight of stream restoration projects. Currently the language in SB 688 does not clearly result in substantive improvements to environmental outcomes related to these projects. Instead, the bill conflicts with existing science-based systems that already determine how pollution-reduction credit is earned through comprehensive pre-project assessments, established design standards, and long-term post-construction monitoring requirements.

These systems ensure that stream restoration projects are implemented only where appropriate, designed to maximize ecological benefits, and verified through years of monitoring. By adding overlapping and potentially conflicting requirements, SB688 would complicate existing guidance without clearly improving environmental protection.

For these reasons we respectfully request an **unfavorable** report on SB688.