



House Bill 1268

Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act)

MACo Position: **OPPOSE**

To: Environment and Transportation
Committee

Date: March 13, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** HB 1268 as drafted. The bill establishes new, more stringent regulatory standards for county infrastructure that receive certain state permits. However, we appreciate that emerging amendments should remedy the counties' central concerns.

Maryland is facing a significant housing shortage. In recent sessions, the General Assembly has advanced a broad slate of housing legislation, and in 2026, both the Governor and presiding officers have signaled housing affordability as a top priority. As drafted, HB 1268 would move in the opposite direction by adding new constraints that could make it more difficult and more expensive for counties to deliver the public facilities needed to support growth.

As initially drafted, HB 1268 is broad in application and would impose additional requirements on a wide range of public infrastructure. Practically, this could drive up project costs for facilities development, operation, and expansion, all at a time when infrastructure capacity is already a central challenge for growing communities. Without accompanying resources to meet these heightened standards, the bill could drastically impact public service affordability and realistically diminish the number of projects counties can advance that communities need.

Counties have worked with the sponsors, the Maryland Department of the Environment, and the advocates on conceptual amendments which largely address county concerns. While final language is still incoming from drafting, conceptual amendments would accomplish the following:

- Establish that the full effect of CHERISH would apply to incinerators and new landfills;
- Clarify that landfill renewals and expansions would have to submit a BURDEN Report, with MDE limited to denial or approval with additional conditions; and
- Clarify that all other county owned or operated buildings or infrastructure be explicitly excluded from the scope of the bill.

Counties share the State's goal of planning for climate risk and ensuring that all Marylanders can live in a healthy environment. County-supported amendments to HB 1268 would help better balance stronger environmental policy with the need to keep essential local infrastructure functional.