



March 9, 2026

Bill: HB1465 Environment - Stream and Floodplain Restoration Projects - Requirements and Limitations

Position: UNFAVORABLE

On behalf of the Friends of Sligo Creek (FOSC), we oppose HB1465/SB688, “Stream and Floodplain Restoration Projects—Requirements and Limitations” and urge the legislature not to pass this Bill. This bill would restrict an important tool used to restore stream valleys damaged by upstream development.

FOSC is a community-based non-profit organization incorporated in the State of Maryland in 2002. Our mission is to protect, improve, and appreciate the ecological health of Sligo Creek and its surrounding watershed in Prince George’s and Montgomery Counties. Sligo Creek is one of the most urbanized sub-watersheds in the Maryland portion of the Anacostia watershed.

The Maryland Department of Natural Resources (MDNR) has raised serious concerns about the health of Maryland streams. Factors including climate change, inappropriate upland development, and indiscriminate use of chemicals such as road salt de-icers and fertilizers have led to statewide declines of important biological and recreational resources.

As our members know, these issues have impacted Sligo Creek and other nearby tributaries of the Anacostia River in Montgomery and Prince George’s counties. Much of our watershed is densely populated and home to urban under-served and immigrant communities. Every stormwater management tool is needed to improve the health of Sligo Creek for all Marylanders.

These problems can be corrected and the streams and rivers restored to health if appropriate action is taken. In many cases, this action requires stream restoration efforts. Some of the regulatory tools that are available to do this include MS4 (NPDES) clean water permits, pollutant Total Maximum Daily Loads (TMDL), and Compensatory Mitigation Requirements for Loss of Aquatic Resources—all derived from the Federal Clean Water Act. Passage of this Bill would severely limit, if not eliminate, the use of these tools by state and local regulatory agencies.

FOSC’s position is that upland stormwater management should be the focus of healing our streams. This can include many activities such as building codes, zoning requirements, regulation of inappropriate chemical pollutants, and implementation of Environmental Site Design (ESD) to the maximum extent practicable. Ideally, green infrastructure projects such as water harvesting, bioswales, permeable pavement, and other methods would be implemented to reduce stormwater runoff. In many cases, however, upland control and mitigation is not sufficient and ecologically sensitive stream restorations are necessary.

Proponents of this Bill have argued that there are many examples where inappropriate stream restorations have resulted in environmental harm. This is undoubtedly true; however, there are also many stream restoration efforts that have resulted in dramatic improvements in stream health. These restorations have been sensitive to local ecology, minimized impacts of climate change, and considered stakeholder input.

A stream restoration project welcomed by the local community was recently completed at Indian Spring Terrace Local Park to restore the headwaters of Long Branch that flows into Sligo Creek. The project abuts the 495 beltway and captures water from the Blair High School baseball field and tennis courts on the other side that was previously piped underground. This project stabilized a trash-strewn and badly eroding area of English ivy and other non-native invasive plants directly adjacent to the beltway wall. A series of stormwater basins now slow down stormwater and native trees, shrubs, grasses, and perennials help restore the ecological health of this portion of Long Branch. Other green interventions to deal with the amount of stormwater runoff in this dense, urban location would not have made sense.

Passage of this Bill would be a classic case of “throwing the baby out with the bathwater” by restricting important tools necessary to attain and maintain stream health - especially in dense, urban watersheds such as Sligo Creek.

Friends of Sligo Creek asks the Committee to give an unfavorable report on HB1465.

Respectfully,

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