



Bureau of Watershed Protection & Restoration
Heritage Office Complex
2662 Riva Road, 3rd Floor
Annapolis, MD 21401
Phone (410) 222-7500

March 4, 2026

Committee: House Environment and Transportation
Legislation: HB 1465
Position: OPPOSE
Date: March 11, 2026

Dear Chair Korman, Vice Chair Guyton, and Members of the Committee:

Thank you for the opportunity to testify in opposition to HB 1465. When I testified in support of HB 1165 nearly two years ago, it was with the understanding that the updated guidelines and guardrails in that legislation would provide durable direction for stream restoration in Maryland for the next several years. In response, we adjusted our design and permitting approach to incorporate enhanced outreach and more robust community engagement.

HB 1465 moves in a very different direction—before MDE has issued a single permit under the public notice rules of the HB 1165 framework—and would significantly constrain the practical use of stream restoration as a compliance and water quality tool. Many of my colleagues and partners from across the public and private sectors will address a range of concerns with the bill. I want to focus on one issue that is particularly consequential: the bill’s removal of “consideration of costs” from evaluations of project feasibility.

In practice, this would require stormwater program managers in county and municipal jurisdictions across Maryland to exclude cost from the decision-making framework used to implement MS4 permits and other regulatory obligations. For an above-average sized jurisdiction like Anne Arundel County, cost is not an abstract consideration—it is directly tied to what local ratepayers can sustain and what compliance strategies are viable.

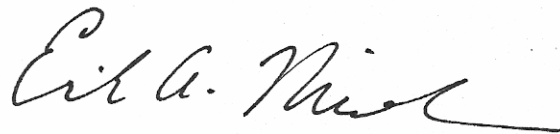
Since program inception in FY 2014, Anne Arundel County residents have contributed over \$455 million toward MS4 compliance. A significant share of those resources have been directed toward meeting impervious surface treatment requirements, often through restoration projects. That work—including stream and wetland restoration—has delivered meaningful pollutant reductions, protected vulnerable wastewater infrastructure, and improved aquatic habitat in local waterways.

Removing stream and wetland restoration from the toolbox would materially increase compliance costs and reduce flexibility in identifying the most effective projects for a given landscape. In many cases, alternatives would be substantially more expensive per pound of pollutant reduced, which could strain local ratepayers, complicate compliance planning, and weaken long-term public support for stormwater and restoration investments.

More broadly, excluding cost from feasibility determinations is difficult to reconcile with the fiscal realities facing both state and local governments. Regardless of the policy area, decision-makers should be able to weigh cost alongside environmental outcomes, engineering constraints, and community impacts—especially when programs are funded directly by the people we serve.

Maryland has built a strong reputation for environmental restoration, supported by capable local programs and a robust ecosystem of public and private expertise. We should be cautious about changes that would undermine effective, accountable implementation—particularly at a moment when we are still in the early stages of the HB 1165 framework. Anne Arundel County respectfully urges an UNFAVORABLE report on HB 1465.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik A. Michelsen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Erik Michelsen
Deputy Director
Bureau of Watershed Protection &
Restoration