

March 9, 2026

To: MD House Committee on Transportation and Environment
Subject: House Bill 1465 (cross filed as Senate Bill 688)

Dear Committee Members,

I ask you to **VOTE YES** on House Bill 1465: Environment – Stream and Floodplain Restoration Projects-Requirements and Limitations.

The Federal Water Pollution Control Act, or Clean Water Act (CWA), is our bedrock law that protects our waterways, which unequivocally states: “*The objective of this Act is to restore and maintain the **chemical, physical, and biological integrity** of the Nation’s waters.*” (emphasis added).

Note that THREE equally important metrics are required: chemical, physical, and biological. The stream restoration projects as we have been doing FAIL to uphold the law’s objective. Most stream restoration projects address only the physical (such as bank erosion) while modeling chemical improvement (such as nutrients) and more or less ignoring biological outcomes. This bill redirects SR projects to uphold the letter and spirit of the CWA and clearly defines how to do so.

Stream restoration has lost its way. A multi-billion-dollar stream engineering industry has infiltrated the MS4 permitting process and municipalities have signed off on these solely to gain their MS4 credits. Maryland is failing to protect its riparian forests and stream valleys. Ecological health and public interest have taken a back seat, if considered at all.

I have witnessed this type of so-called restoration in my city of Gaithersburg. Despite widespread public outrage, numerous professional opinions, and even its own consultant’s evaluation of the riparian forest, the city officials signed off to clearcut a mature 3-acre riparian forest and bulldozed a stream on public land upstream of Clopper Lake (see attached photodocumentation), while ignoring upland controls.

HB 1465 / SB 688 prioritizes upland out-of-stream controls to TREAT THE CAUSE of stream degradation, not just the symptom. It changes invasive stream restoration from an engineering check-off-the-box go-to exercise to a more proper role as a tool only when necessary. It removes uncertainty by requiring measurable ecological improvement through biological indices or equivalent indicators. Stream restoration practitioners who already serve the goals of the CWA will have no problem demonstrating proof of ecological and biological uplift.

Please vote YES on House Bill 1465. Thank you.

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