

JEN TERRASA
Legislative District 13
Howard County

Government, Labor, and
Elections Committee

Subcommittees

Election Law

Labor

Oversight Committee on Personnel



The Maryland House of Delegates
6 Bladen Street, Room 217
Annapolis, Maryland 21401
410-841-3246
800-492-7122 Ext. 3246
Jen.Terrasa@house.maryland.gov

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 11, 2026

To: The Honorable Marc A. Korman
Chair, Environment and Transportation Committee

From: Delegate Jen Terrasa
District 13, Howard County

Re: Sponsor Testimony in Support of HB 1465 – Environment - Stream and Floodplain
Restoration Projects - Requirements and Limitations

Dear Chair Korman, Vice Chair Guyton, and Members of the Environment and Transportation Committee,

Thank you for the opportunity to present HB 1465, which relates to the approval process for stream restoration projects. This bill is the cross-file of a bill from Senator Mary Washington, but is similar to legislation I previously sponsored in 2023 and 2024.

The General Assembly has worked on the issue of ecological restoration projects over the past few years, especially when it passed the Whole Watershed Act in 2024. As part of that bill we added some guardrails for stream restoration projects. Since those provisions went into effect in July 2025, we have unfortunately seen that some negative outcomes are still happening. HB 1465 aims to build on the work that we have done and ensure the WWA's effectiveness.

BACKGROUND

Marylanders are very conscious of the health of the Chesapeake Bay. The body of water is essential to our economy, public and environmental health, and identity as a state. The current health of the Bay is unstable and far from where it needs to be.

Maryland implements certain management practices to address the pollution threatening the Chesapeake Bay ecosystem. The government has set a state-wide limit on pollution runoff, which is called the Total Maximum Daily Load, or TMDL. Maryland achieves its TMDL goals by regulating both point source pollution and non-point source pollution.

Point source pollution is managed through a permitting process, where the government will allow a specific source of pollution to release waste on a limited basis.

Non-point source pollution management, including management for stormwater runoff, is implemented on the local level. Heavily populated municipalities in Maryland are required by the state's Department of the Environment (MDE) to meet Municipal Separate Storm Sewer System (MS4) permits. MS4 permits work towards bay restoration by managing the quantity and quality of the runoff water exiting municipalities, which will eventually flow into the bay.

To determine if local governments are meeting regulatory requirements, the Chesapeake Bay Program identified a collection of "best management practices" (BMPs). BMPs and model formulas are used to give credit to local jurisdictions and track their compliance.

Complying with TMDL and MS4 regulations is expensive and time-consuming for local governments. As a result, they will often choose what they believe to be the most cost-effective option for earning compliance credits. However, cost-effectiveness does not always align with ecological best practices.

Over the past decade, stream restorations have become an incredibly popular approach. These projects use heavy machinery to re-engineer stream channels. Maryland's accounting system grants considerable credits to local jurisdictions for stream restoration projects. A \$25 billion stream restoration industry has grown around obtaining compliance credits in return for compensation from local governments.

THE PROBLEM

Current metrics used by the MDE indicate that Maryland is making progress towards restoring the health of the bay. However, ecosystem health indicators do not support this conclusion.

Credit is awarded upon the completion of a stream restoration project, regardless of whether or not the stream actually improved.

Research shows that stream restoration projects rarely produce the ecological improvements that they are credited for. In fact, these projects often damage the stream and its surrounding ecosystem. Untouched sections of streams that undergo "restoration" projects have repeatedly been found to be in better ecological condition than the sections that were reworked.

Streams in Maryland are suffering from erosion because too much water hits them too fast. The idea behind stream restoration is to fix streambeds that have been eroded and damaged from excessive runoff and flooding. However, this is an attempt to treat a symptom of a larger issue, not its cause. The problem is upstream, where impervious surfaces and ineffective drainage systems increase the intensity of flooding.

Stream restoration projects do affect ecosystems, but not to their benefit:

- Trees are removed to make way for heavy machinery, which dismantles root systems essential for ground stability and erosion prevention.
- Reduction of tree cover increases the surface temperature of water in the stream. Warmer water is not able to support aquatic life well, making the stream uninhabitable.
- Heavy machinery runs over fragile roots of trees that have not already been removed. This kills trees, meaning deforestation from a stream project is often more extensive than just the trees that were removed intentionally.

This is only scratching the surface of the ecological damage that can result from stream restoration projects. Ecosystems can take decades to recover from this kind of trauma.

WHAT THE BILL DOES

HB1465 changes the way MDE and local jurisdictions approve and credit stormwater projects, including stream restoration. The bill will rebalance incentives related to stream restoration, ensuring that local governments and companies are motivated to implement projects with demonstrable and significant ecological improvements.

The bill does three things:

1. Requires **consideration of alternatives**

To obtain credit for engineered stream restoration projects, an applicant must show that less-invasive, out-of-stream alternatives were fully considered and found to be unworkable. An alternative is *not* unworkable if it is merely inconvenient.

Non-invasive alternatives include: permeable pavement, green roofs, tree planting, stormwater infrastructure repairs, etc.

Consideration of alternatives is not currently required.

2. Requires **clear demonstration of ecological improvement**

To receive credit for a completed project, an applicant must show how the stream has improved, using ecological data collected before and after the project. Evaluation of ecological improvement will be contingent on the actual health of an ecosystem, not ineffective and unrelated metrics like the length of the stream.

The only requirement under current policy is a quick visual inspection of the stream. This is not a proper assessment of water quality or erosion.

3. Requires **transparency with local communities**

The information provided to the local community and the information submitted to MDE on the proposed project must match. The community must be fully aware of what is happening in their neighborhood.

This transparency is not guaranteed currently.

CONCLUSION

Our local governments should not be spending money on projects that are disrupting our communities and destroying established ecosystems. The current crediting system does not guarantee benefits to Marylanders and Maryland wildlife, instead contributing to corporate profit. This is unacceptable. Local communities deserve transparency and self-determination over what happens in their neighborhoods. Environmental restoration projects in our state must follow scientific guidance and expertise, and enhance ecosystem health rather than deteriorating it. A healthy bay starts with responsible environmental stewardship, and most importantly, accountability.

I respectfully urge a favorable report of HB1465.

References:

Stream restoration milestones: monitoring scales determine successes and failures

<https://cbtrust.org/wp-content/uploads/Kaushal-et-al.-2023-Stream-restoration-milestones-monitoring-scales-determine-successes-and-failures-Urban-Ecosystems.pdf>

More Than Dirt: Soil Health Needs to Be Emphasized in Stream and Floodplain Restorations

https://www.researchgate.net/publication/369978037_More_Than_Dirt_Soil_Health_Needs_to_Be_Emphasized_in_Stream_and_Floodplain_Restorations

Valuing urban trees: A hedonic investigation into tree canopy influence on property values across environmental and social contexts in Baltimore, Maryland

<https://www.sciencedirect.com/science/article/abs/pii/S1618866722003727>

Chesapeake Bay Health Slips in 2025 Report Card as Persistent Challenges Threaten Long-Term Gains

<https://insideclimatenews.org/news/14062025/chesapeake-bay-report-card-health-score-drops/#:~:text=The%20Chesapeake%20Bay's%20health%20has,between%20drought%20and%20intense%20storms.>