



House Bill 1465

Environment - Stream and Floodplain Restoration Projects - Requirements and Limitations

MACo Position: **OPPOSE**

To: Environment and Transportation
Committee

Date: March 11, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** HB 1465. The bill would effectively prohibit the core stream restoration techniques counties rely on for watershed implementation planning, specifically those using heavy equipment to reshape or stabilize stream channels.

Counties strongly support sound watershed policy, environmental site design, and upstream stormwater practices whenever feasible. Stream restoration is often the only practical way to restore the health and function of a degraded stream, particularly in older or built-out watersheds where erosion, collapsing banks, incised channels, and failing infrastructure create immediate public safety and flooding hazards. Stream restoration can stabilize channels, reduce sediment and associated nutrient loads, protect roads and utilities, and help jurisdictions meet pollutant reduction obligations tied to Chesapeake Bay restoration.

HB 1465 would substantially undercut that work by establishing restrictions that, in practice, eliminate stream restoration as an implementable tool. The bill prohibits MDE from approving heavy-equipment, in-stream channel restoration for compliance with a Municipal Separate Storm Sewer System (MS4) permit (a federal/state stormwater permit for local storm sewer systems), a Total Maximum Daily Load (TMDL) requirement (a pollution “diet” limiting pollutant loads to impaired waters, including Bay restoration targets), or compensatory mitigation requirements.

Even where projects could proceed, the bill conditions credit on a narrowly defined showing that non-stream-disturbing alternatives were “infeasible,” while explicitly excluding cost, property ownership, and administrative practicality, constraints that often determine whether upland alternatives can actually be implemented.

Counties remain committed to partnering with the State on effective, science-driven restoration and resilience. But HB 1465 would remove a primary, field-tested tool that counties rely on to restore degraded streams, address urgent flooding and erosion hazards, and meet Chesapeake Bay nutrient and sediment reduction goals. For these reasons, MACo respectfully urges the Committee to issue an **UNFAVORABLE** report on HB 1465.