



Senate Bill 687

Environment - Flood Risk Review Process - Establishment

MACo Position: **OPPOSE**

To: Education, Energy, and the Environment
Committee

Date: March 3, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES SB 687**. This bill would require the Maryland Department of the Environment (MDE) to establish a new “flood risk review process” for areas identified as being at risk of tidal or nontidal flooding, apply that process to MDE’s review of plans and permits, and then make MDE’s final determination binding within the local stormwater approval process.

Counties strongly support resilient development and prudent flood risk planning. However, SB 687 is largely duplicative of existing state and local review frameworks and would insert a new, State-driven layer into project review in a way that overlaps with (and ultimately constrains) local land use and stormwater decision-making. The bill applies broadly to MDE’s review of “any plan or permit related to a proposed development” in identified risk areas.

Counties already conduct robust, locally tailored reviews through stormwater management, grading, sediment control, and development approval processes that evaluate flooding and runoff impacts in the context of local infrastructure and land use compatibility. SB 687 would add a layer of parallel State “flood risk review” that largely duplicates these functions, then makes MDE’s final determination binding within the local approval process—creating a new State override inside a traditionally local framework. This structure would add delay and uncertainty, invite timing and process conflicts, and complicate established review pathways for both local governments and applicants, without a clear corresponding benefit beyond existing state and local tools.

Counties remain committed to working with the State to reduce flood risks and strengthen resilience. However, SB 687’s creation of a new, duplicative State review process—paired with a binding determination that constrains local approvals—would undermine local analysis and complicate established stormwater and development review systems. For these reasons, MACo respectfully urges the Committee to issue an **UNFAVORABLE** report on SB 687.