

**Testimony encouraging a FAVORABLE WITH AMENDMENTS report on Senate Bill 417 –
Shoreline Restoration**

Education, Energy, and the Environment Committee
February 15, 2023

Dear Chair Feldman and Members of the Committee,

Thank you for the opportunity to submit testimony in **FAVORABLE WITH AMENDMENTS** of SB 417, on behalf of Arundel Rivers Federation. Arundel Rivers is a non-profit organization dedicated to the protection, preservation, and restoration of the South, West and Rhode Rivers with over 3,500 supporters. Our mission is to work with local communities to achieve clean, fishable, and swimmable waterways for present and future generations.

SB 417 will create a fund for property owners to convert deteriorating hardened shorelines that provide little to no habitat and are susceptible to rising tides to living shorelines that are more resilient to rising tides and provide much needed beneficial aquatic and terrestrial habitat along our tidal waters. The bill will also limit the issuance of waivers in critical shoreline habitat areas that will be identified by new maps. These are crucial next steps to build resilient, natural shorelines across Anne Arundel County.

We urge the Committee to adopt amendments to SB 417 that will also make it far easier for property owners to replace their hardened shoreline structures following a storm or high tide flood event. Oftentimes, the best opportunity to replace a shoreline structure is when an old structure has failed. However, the long permitting process, lack of funding for quick replacements and existing law and practices incentivizes replacing such structures with similar, “in-kind” hardened structures. This is exactly what happened across Anne Arundel County following a high tide flooding event in October of 2021. Many property owners reported severe damage to their shoreline structures to the County and State and sought immediate assistance to replace their structures and protect their property. Unfortunately, the processes and funding were not in place to offer these property owners with the option of replacing their failed structures with living shorelines in a cost-efficient and expeditious manner.

The following amendments would make it possible for property owners to access immediate assistance to instead replace their failed structures with living shorelines when the next storm or high tide comes through.

Existing bill language in black. Proposed new bill language in red.
On page 3 of the bill, insert after line 17:

(E) THE DEPARTMENT SHALL CREATE AN EXPEDITED DESIGN AND PERMITTING PROCESS FOR THE REPLACEMENT OF STRUCTURAL SHORELINE STABILIZATION MEASURES THAT HAVE FAILED WITHIN THE LAST 60 DAYS WITH NONSTRUCTURAL SHORELINE STABILIZATION MEASURES.

(F) THE DEPARTMENT SHALL PUBLISH ONLINE A SHORELINE PROPERTY OWNERS GUIDE OUTLINING THE PERMITTING PROCESS AND AVAILABLE RESOURCES FOR THE CONSTRUCTION OF NONSTRUCTURAL SHORELINE STABILIZATION MEASURES.

On page 4 of the bill, line 5, make the following changes:

(III) THE SEPARATE ACCOUNT SHALL BE USED ONLY TO:

- (1) PROVIDE GRANTS FOR THE REPLACEMENT OF STRUCTURAL SHORELINE STABILIZATION MEASURES WITH NONSTRUCTURAL SHORELINE STABILIZATION MEASURES, WITH PRIORITY GIVEN TO SHORELINE STABILIZATION REPLACEMENT PROJECTS LOCATED IN PRIORITY SHORELINE RESTORATION ZONES, AS IDENTIFIED IN ACCORDANCE WITH § 16–201(D) OF THIS SUBTITLE, OR
- (2) **PROVIDE FUNDING FOR THE REPLACEMENT OF STRUCTURAL SHORELINE STABILIZATION MEASURES THAT HAVE FAILED WITHIN THE LAST 60 DAYS WITH NONSTRUCTURAL SHORELINE STABILIZATION MEASURES.**

Arundel Rivers Federation encourages the replacement of hardened shorelines with resilient living shorelines when possible, and respectfully requests a **FAVORABLE REPORT WITH AMENDMENTS on SB 417.**

Sincerely,



Elle Bassett

South, West and Rhode Riverkeeper
Arundel Rivers Federation