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*Legislative District 21*  
Prince George's and  
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Environment and Transportation  
Committee



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**HOUSE BILL 1209**

**ENVIRONMENT—FLOOD CONTROL—FLOOD RISK ASSESSMENT AND MODEL  
ORDINANCE (CLIMATE READY FLOODPLAIN ACT OF 2023)  
SUPPORT WITH AMENDMENTS**

MARCH 8, 2023

MR. CHAIR, MR. VICE CHAIR, MEMBERS OF THE ENVIRONMENT AND  
TRANSPORTATION COMMITTEE, THANK YOU FOR THE OPPORTUNITY TO  
PRESENT HB 1209.

THIS BILL AS AMENDED WILL REQUIRE THE MARYLAND DEPARTMENT OF  
ENVIRONMENT BEGINNING IN 2025 TO CONSIDER WHETHER IT NEEDS TO  
UPDATE ITS MODEL FLOODPLAIN ORDINANCE TO INCORPORATE THE IMPACT OF  
CLIMATE CHANGE ON FLOODING RISKS ACROSS MARYLAND.

THE ORIGINAL BILL MANDATED AN UPDATE OF THE STATE'S 2018 MODEL  
ORDINANCE TO CONSIDER THE IMPACTS OF CLIMATE CHANGE, INCLUDING SEA  
LEVEL RISE. IT ALSO REQUIRED COUNTY AND MUNICIPAL GOVERNMENTS WITH  
ZONING AUTHORITY TO UPDATE THEIR MODEL ORDINANCES AS WELL.

HOWEVER, GIVEN MDE'S STAFFING CHALLENGES AND YEARS OF INSUFFICIENT FUNDING, I AGREED THAT SUCH A MANDATE WAS NOT REALISTIC IN THE SHORT TERM. THE AMENDMENTS CHANGE THE BILL TO REQUIRE THAT MDE CONVENE A WORK GROUP EVERY FIVE YEARS BEGINNING IN JULY 2025 TO DETERMINE WHETHER THE STATE MODEL FLOODPLAIN ORDINANCE NEEDS TO BE UPDATED. THE MEMBERS OF THE WORKGROUP, AS ENNUMERATED IN THE AMENDMENTS, INCLUDE MACO, MML AND THE MARYLAND ASSOCIATION OF FLOOD AND STORMWATER MANAGERS (MAFSM)

HB 1209 REQUIRES AN MDE-LED WORKGROUP TO CONSIDER UPDATES TO ITS STATEWIDE FLOODPLAIN ORDINANCE WITH INPUT FROM THE WORKGROUP, WHICH MUST WEIGH THE COMBINED EFFECTS ON FLOOD RISK CREATED BY SEA LEVEL RISE, STORM SURGES, INCREASED PRECIPITATION, INCREASED TEMPERATURE, OVERFLOW FROM COASTAL AND INLAND WATERS OF THE STATE, AND EXTREME WEATHER EVENTS. THE BILL ALSO WILL MAKE SURE MDE TAKES INTO CONSIDERATION THE SITING AND DESIGN CRITERIA OUTLINED IN THE COAST SMART STANDARDS THIS COMMITTEE ADOPTED IN 2018 FOR STATE-FUNDED CONSTRUCTION PROJECTS.

THE PROPOSED AMENDMENTS RECOGNIZE THE NEGATIVE FISCAL IMPACT MDE WOULD BEAR IF THE FLOODPLAIN ORDINANCE UPDATE WAS MANDATED EVERY FIVE YEARS, AS LAID OUT IN THE ORIGINAL BILL. THE WORKGROUP MODEL IS A MORE MEASURED AND FISCALLY SOUND APPROACH THAT ACKNOWLEDGES THE NEED FOR A REGULAR ASSESSMENT OF FLOOD RISK.

THIS BILL IS MEANT TO ADDRESS THE GROWING RISK OF FLOODING IN MARYLAND THAT STEMS FROM BOTH CLIMATE CHANGE AND THE FACT THAT OUR STATE IS MORE VULNERABLE TO FLOODING THAN MANY OTHER STATES BECAUSE OF ITS ALREADY LOW-LYING AREAS, PRIMARILY ON THE EASTERN SHORE.

THANK YOU FOR YOUR CONSIDERATION OF THE CLIMATE READY FLOODPLAIN ACT OF 2023. I RESPECTFULLY ASK FOR A FAVORABLE REPORT.

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