



*Queen
Anne's
County*

**THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY**

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7 March 2023

The Honorable Delegate Kumar P. Barve, Chairman
Environment and Transportation Committee
House Office Building, Room 251
6 Bladen St., Annapolis, MD 21401

**Re: HB 1209 – Environment Flood Control – Flood Risk Assessment and Model Ordinance
OPPOSITION**

Dear Delegate Barve,

I would first like to express my compliments on the proactive nature of HB1209. Addressing the impacts of climate change is a key focus of the Queen Anne's County Comprehensive Plan, as well as many of the County's policy documents. The County has long been contemplative of planning and preparing for environmental, economic, and social impacts of climate changes in our community.

It is because of the County's support of implementing appropriate and well-informed regulations and practices that will best protect our community from the impacts of sea level rise, storm surge, extreme precipitation, increased temperature, and nuisance flooding that I must express Queen Anne's County's opposition to HB1209. Proceeding with an evolution of the 2014 Coast Smart legislation to include private properties and to overall standing floodplain management regulations without extensive State, Federal, and local input will ultimately harm local efforts to plan for climate change. While we understand that there may be amendments to this bill, Queen Anne's County would like to express its concerns with many aspects of the proposal.

There are fundamental shifts in the applicability of the initial Coast Smart law that call for closer scrutiny before these more restrictive provisions find a home in local government Floodplain Ordinances. The cause of concern at the local levels is specific to a few key points. Most important, prohibiting new construction of any building located within an area that a 1% chance of flooding (by 2050), is an enormous change to the local floodplain ordinances with far reaching consequences to citizens. Such a proposal must be based in very sound science and study and then publicly vetted. Nestling such a proposal within this bill is concerning. Relative to this proposal, there are other prohibitions outlined in this bill which, likewise, must be quantified and vetted.

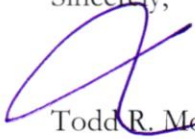
Also of concern are several proposed requirements to both State and local provisions which are already in place in standing codes, policy documents (model ordinance, hazard mitigation plans), and public resources (CRAB, DFIRM, Sea Level Rise Vulnerability models). Such language will cause confusion and inconsistencies within local and State provisions.

Queen Anne's County strongly suggests and encourages that, if the outcome of changing Maryland Department of the Environment (MDE), Federal Emergency Management Agency (FEMA), Maryland Department of Emergency Management (MDEM), and local government implementation of Coast Smart initiatives is a top

legislative priority, a subcommittee be formed such as the Coast Smart Council to ensure that these initiatives are explored in light of existing resources, provisions, and capabilities.

We feel that a council of this composition would be in the best position to inform future legislation relating to the implementation of climate change initiatives. Not only is public vetting a key priority, but also managing these impacts within the appropriate regulatory framework is an essential priority. As drafted, HB1209 does not provide an appropriate framework to implement the County's many climate resiliency plans and policy documents.

Sincerely,



Todd R. Mohn, PE
County Administrator

CC: Delegate Mary A. Lehman, District 21
Delegate Steven J. Arentz, District 36