

Marine Contractors - HB 613 - FAV.pdf

Uploaded by: Brandon Weems

Position: FAV

"Protecting & Promoting the Marine Construction Industry Through Unity & Leadership."



9691 Cordova Road
Easton, Maryland 21601
www.mdmarinecontractors.org
410-822-0510 (Office of President)

February 20, 2026

Delegate Marc Korman, *Chair*
House Environment & Transportation Committee
250 Taylor House Office Building
Annapolis, Maryland 21401

RE: HB 613 – FAVORABLE – Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

Dear Chair Korman and Members of the Committee:

The Maryland Marine Contractors Association (MMCA) has served as the voice of Maryland's marine construction industry since its establishment in 2008. Our association represents 98 licensed marine contractors, tradesmen, suppliers, and other industry professionals working across the state. We exist to protect and promote the marine construction industry by unifying contractors, providing a forum for members to raise shared concerns, and serving as a resource for industry information. Through engagement with policymakers and stakeholders, we work to promote professionalism within the trade and ensure the perspectives of marine contractors are clearly represented.

House Bill 613 establishes county-specific requirements for the use of living shorelines and nonstructural shoreline stabilization measures in Calvert County and St. Mary's County. The bill clarifies when these measures are required, creates feasibility and waiver pathways through local soil conservation districts, and recognizes differing shoreline energy conditions when determining appropriate stabilization approaches. In doing so, it provides clearer, more locally administered standards for shoreline erosion control in these two counties.

The MMCA supports House Bill 613 because clear, workable shoreline stabilization standards are essential for both environmental stewardship and the viability of marine construction businesses. Shoreline protection is a core component of our members' work, and this bill appropriately balances the use of living shorelines with practical feasibility considerations based on site conditions. By clarifying requirements and empowering local soil conservation districts to oversee design, waivers, and implementation, HB 613 provides regulatory certainty that allows licensed marine contractors to plan projects responsibly, protect Maryland's shorelines, and ensure the long-term strength of the state's marine construction industry. We respectfully request a favorable report.

Sincerely,

Maryland Marine Contractors Association

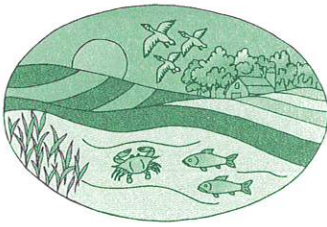
Brandon S. Weems
M.M.C.A. President & Founding Member

BSW / M.M.C.A. Board of Directors / Evans & Associates

HB 613 Testimony.pdf

Uploaded by: Bruce Young

Position: FAV



St. Mary's Soil Conservation District

26737 RADIO STATION WAY, SUITE B

LEONARDTOWN, MD 20650

PHONE 301-475-8402 EXT. 3

WWW.STMARYSSCD.COM

February 22, 2026

The Honorable Marc Korman
House of Delegates Environment and Transportation

Re: House Bill 613, Calvert and St. Mary's Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures

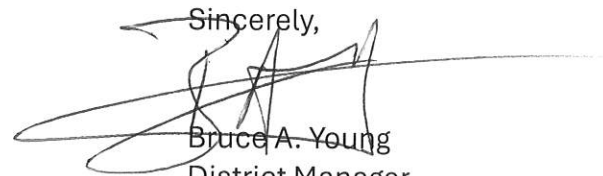
Dear Chair Korman and Members of the Committee,

I am submitting testimony in favor of the referenced bill submitted by Delegate Morgan. This legislation would improve the process by which citizens of Calvert and St. Mary's Counties apply for shoreline stabilization methods. Under current law, a property owner is required to install a living shoreline or request a waiver to install a structural stabilization project. The Virginia Institute of Marine Science (VIMS) has mapped the shorelines in Maryland and has produced a map that specifically shows tidal shorelines that would support living shoreline stabilization methods. All other shorelines were listed as undetermined. The undetermined classification does not mean that a living shoreline would not work, but that the fetch, water depth, the direction the shoreline faces and other factors increase the likelihood of potential failure of the structure. For a private property owner, it is unreasonable to expect they would pay to install something that does not have the potential for long term protection and would require extensive maintenance and repair. The process to request a waiver through the Maryland Department of the Environment is lengthy and potentially very costly.

Soil Conservation Districts (SCD's) are independent units of State Government and have been the local technical expert on erosion issues for over 80 years. SCD's initially worked solely with agriculture, but our roles have expanded considerably with urban erosion and sediment control and storm water management. In St. Mary's County, I personally have been involved in the design, construction inspection and as-built certification of all types of shoreline projects, from living shorelines to revetments and offshore breakwater structures. Shoreline erosion protection and stabilization is a natural progression in our soil conservation and water quality technical assistance mission.

Thank you for consideration of this important issue, and the St. Mary's Board of Supervisors support a favorable report on House Bill 613.

Sincerely,



Bruce A. Young
District Manager

Marine Contractors - HB 613 - FAV.pdf

Uploaded by: Gerard Evans

Position: FAV

"Protecting & Promoting the Marine Construction Industry Through Unity & Leadership."



9691 Cordova Road
Easton, Maryland 21601
www.mdmarinecontractors.org
410-822-0510 (Office of President)

February 20, 2026

Delegate Marc Korman, *Chair*
House Environment & Transportation Committee
250 Taylor House Office Building
Annapolis, Maryland 21401

RE: HB 613 – FAVORABLE – Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

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Sincerely,

Maryland Marine Contractors Association

Brandon S. Weems
M.M.C.A. President & Founding Member

BSW / M.M.C.A. Board of Directors / Evans & Associates

CalvertSenators_FAV_SB368.pdf

Uploaded by: Jack Bailey

Position: FAV

JACK BAILEY
DISTRICT 29

James Senate Office Building
11 Bladen Street, Room 401
Annapolis, Maryland 21401
410-841-3673
800-492-7122 Ext. 3673



KEVIN M. HARRIS
DISTRICT 27

James Senate Office Building
11 Bladen Street, Room 302
Annapolis, Maryland 21401
410-841-3700
800-492-7122 Ext. 3700

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401
CALVERT COUNTY DELEGATION

February 10, 2026

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Re: Senate Bill 368 – Calvert and St. Mary’s Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures

Dear Chair Feldman:

As the two Senators representing Calvert County, we hereby state our support for Senate Bill 368 – Calvert and St. Mary’s Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures.

This letter confirms the support of the Senatorial Delegation from Calvert County for Senate Bill 368. We would therefore respectfully ask for a favorable report from the Committee on this local bill. Thank you for your attention to this important matter; please contact us if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey

A handwritten signature in black ink, appearing to read "K. Harris".

Senator Kevin M. Harris

HB 613_Fav_SMCFB.pdf

Uploaded by: James K. Raley Jr.

Position: FAV



ST. MARY'S COUNTY FARM BUREAU

26737 Radio Station Way, Ste. G.

Leonardtown, MD 20650

(240) 731-9254

WORKING FOR SUSTAINABLE AGRICULTURE SINCE 1947

House Bill 613

Living Shoreline Measurers

Favorable

February 23, 2026

House Environment and Transportation Committee
Taylor House Office Building, Room 250
Annapolis, MD 21401

Re: House Bill 613, Calvert and St. Mary's Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures, hearing date February 25, 2026.

Dear Committee Members,

The Board of Directors of the St. Mary's County Farm Bureau supports passage of the Living Shorelines and Nonstructural Shoreline Stabilization Measures for Calvert and St. Mary's Counties.

The legislation seeks to establish requirements for the use of living shorelines and nonstructural stabilization measures in Calvert County and St. Mary's County through the respective Soil Conservation Districts in each county. The Calvert Soil Conservation District and the St. Mary's Soil Conservation District will be required to adopt regulations to implement the provisions of the changes to the law. This will authorize greater local control over the stabilization of shorelines in our county, affording landowners of waterfront property immediate access to local technical experts who can assist with curbing soil erosion thus improving the health of the Chesapeake Bay and its tributaries.

Accordingly, we request favorable consideration of House Bill 613.

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. 'Jay' Raley, IV". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

John D. "Jay" Raley, IV
President
St. Mary's County Farm Bureau

CalvertCountyFarmBureau-FavorableHB613.pdf

Uploaded by: Jason Leavitt

Position: FAV



Calvert County Farm Bureau

3695 Hallowing Point Road, Suite 4, Prince Frederick, MD 20678
(410) 474-4009 • CalvertFarmBureau@gmail.com

House Bill 613
Living Shoreline Measurers
Favorable

February 23, 2026

House Environment and Transportation Committee
Taylor House Office Building, Room 250
Annapolis, MD 21401

Re: House Bill 613, Calvert and St. Mary's Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures, hearing date February 25, 2026.

Dear Committee Members,

The Board of Directors of the Calvert County Farm Bureau supports House Bill 613.

This legislation establishes requirements for permitting and installation of living shorelines and nonstructural stabilization measures in Calvert County and St. Mary's County through their respective Soil Conservation Districts. Each District will adopt regulations to implement these provisions, ensuring effective local oversight and technical guidance.

Local administration will provide waterfront landowners, including farmers, with direct access to conservation professionals who can help reduce erosion, protect property, and improve the health of the Chesapeake Bay and its tributaries.

We also support expanding the definition of living shorelines to explicitly include oyster reefs and associated structures as eligible stabilization measures. These natural and nature-based features enhance shoreline protection, improve water quality, and provide critical aquatic habitat.

For these reasons, we respectfully request a favorable report on House Bill 613.

Thank you for your consideration.

Sincerely,

James Ritter
President, Calvert County Farm Bureau

HB0613 Mike Alderson FAV

Uploaded by: Mike Alderson

Position: FAV

2/23/2026

HB613 Calvert and St. Mary's Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures

Distinguished members of the House Environment and Transportation Committee, my name is Mike Alderson Jr. and I am a resident of St. Mary's County with a home on the Potomac River. I would like to offer my whole hearted support for HB613 as it would be a net positive for myself and many of my neighbors who contend with active erosion and land loss on our properties.

The Potomac is approximately 4 miles wide in front of my house and is subject to very high energy wave action throughout the year. I have seen waves from storms pick up and move very large rocks from my seawall and any I believe any requirement to install a living shoreline would be a lost cause for my property and many others in St. Mary's and Calvert counties.

I am also a county commissioner in St. Mary's and among my constituents are two, multi-generational waterfront neighborhoods that are on the lower end of our county median incomes, but they have community waterfront property for neighborhood use. Both communities, through their neighborhood associations, are trying to mitigate further erosion damage to their community parks so they can be enjoyed by these residents. It is my opinion that allowing the use of structural materials as opposed to mandating a living shoreline will allow them to protect their community waterfront amenities and provide them with a safe environment for these families to grow and flourish.

I urge you to give HB613 a favorable report as it progresses through to the governor's desk.

Respectfully submitted,

Commissioner Michael R. Alderson Jr.

Colton's Point, MD

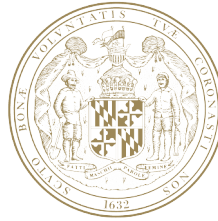
HB 613 - Rural Caucus Letter of Support.pdf

Uploaded by: Natalie Ziegler

Position: FAV

JEFFERSON L. GHRIST
Co-CHAIR

NATALIE ZIEGLER
Co-CHAIR



H. KEVIN ANDERSON
TERRY BAKER
KEVIN B. HORNBERGER
ANDRE V. JOHNSON, JR.
STEVE JOHNSON
SHEREE SAMPLE-HUGHES

THE MARYLAND HOUSE OF DELEGATES
HOUSE RURAL CAUCUS

February 23, 2026

The Honorable Marc Korman
Chair, Environment & Transportation Committee
251 Taylor House Office Building
Annapolis, MD 21401

Chair Korman, Vice Chair Guyton, and Honorable Members of the Environment & Transportation Committee:

On behalf of the Rural Caucus, we are writing to express our support for **HB 613 Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures**.

HB 613 establishes a new, locally driven process for living shoreline and nonstructural shoreline stabilization projects in Calvert County and St. Mary's County through their respective Soil Conservation Districts. This legislation addresses longstanding concerns that the unique environmental conditions of Southern Maryland's waters and shorelines are not always adequately reflected in state-level decision-making, and transfers planning, review, waiver authority, and related decisions to qualified local experts.

For these reasons, the Rural Caucus supports HB 613 and requests a favorable report.

Thank you,

A handwritten signature in black ink, appearing to read "Jefferson L. Ghrist".

Delegate Jefferson L. Ghrist
Co-Chair

A handwritten signature in black ink, appearing to read "Natalie Ziegler".

Delegate Natalie Ziegler
Co-Chair

HB 613 - Commissioners of St. Mary's County SUPPOR

Uploaded by: Randy Guy

Position: FAV

ST. MARY'S COUNTY GOVERNMENT

COMMISSIONERS OF
ST. MARY'S COUNTY



James R. Guy, President
Michael R. Alderson, Jr., Commissioner
Eric S. Colvin, Commissioner
Michael L. Hewitt, Commissioner
Scott R. Ostrow, Commissioner

HB 613
Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

February 3, 2026

COMMITTEE: Environment & Transportation
POSITION: Support

The Commissioners of St. Mary's County express our support for **HB 613 – Calvert and St. Mary's Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures**. This bill, supported by the entire delegation for St. Mary's County, will offer property owners and homeowners a faster, more flexible, better approval process for critical shoreline protection works.

St. Mary's County has over 500 miles of shoreline and thousands of our citizens live on the waterfront. Many of their properties suffer extreme erosion and can experience, in as little as months or years, several feet of shoreline loss. HB 613 provides a needed update to the approval process for shoreline protection works and empowers our local soil conservation district to implement and administer smart, balanced, and common-sense regulations. Providing our citizens a modern process and modern tools to protect their land, and keeping decisionmakers close to home, is a cause the Commissioners wholeheartedly support.

We urge you to **support HB 613**. Thank you for your consideration as well as your attention to this matter, and thank you for the opportunity to provide this testimony.

Sincerely,

COMMISSIONERS OF ST. MARY'S COUNTY

James Randy Guy, President

CSMC/AB/jb
T:/Consent/2026/002
Cc: Senator Jack Bailey
Delegate Matthew Morgan

Page 2

COMMITTEE: Environment & Transportation
February 3, 2026

Delegate Brian Crosby
Commissioner Mike Alderson, Jr.
Commissioner Eric Colvin
Commissioner Michael Hewitt
Commissioner Scott R. Ostrow
David Weiskopf, County Administrator
David Yingling, Deputy County Administrator
Buffy Giddens, County Attorney
John Sterling Houser, Deputy County Attorney

Written Testimony in Support of House Bill 613.pdf

Uploaded by: Ryan St Laurent

Position: FAV

Written Testimony in Support of House Bill 613

House Environment and Transportation Committee

Dear Chair Korman, Vice Chair Guyton, and Members of the Committee:

My name is Ryan St. Laurent, and I am submitting this testimony in strong support of House Bill 613. I am an environmental professional with a degree in Environmental Sciences, with a concentration in natural resource management and economic policy. I have lived in Chesapeake Beach my entire life and have spent decades working, recreating, and observing conditions on our local waters and shorelines.

I began working with the Calvert Soil Conservation District in 2018, where I have designed and implemented conservation practices on agricultural lands, served as an erosion and sediment control specialist, and currently serve as Assistant District Manager. My current work focuses primarily on oyster restoration and nearshore ecological processes.

I support HB 613 because it represents a necessary, scientifically grounded refinement of Maryland's shoreline regulations—one that better accounts for the physical and geomorphic realities of shorelines in Calvert and St. Mary's County. In my professional experience, effective conservation policy must be adaptable to site-specific conditions and reflective of natural systems. When regulations prioritize uniformity over function, they can unintentionally produce poorer environmental outcomes.

As currently implemented by Maryland Department of the Environment, living shorelines are confined to intertidal marsh designs—generally consisting of minimal rock structures intended to support a narrow band of marsh vegetation between Mean Low Water and approximately 1.5 times the tidal range. However, intertidal marsh is not the natural shoreline condition along approximately 33 miles of Calvert County's mainstem shoreline. Instead, historically and presently, these shorelines are characterized by oyster reefs, submerged aquatic vegetation (SAV), beaches, and upland vegetation that rarely occupies the intertidal zone, based on more than 20 years of personal and professional observation and thorough research.

Much of the mainstem shoreline in Calvert County and parts of St. Mary's County is defined by narrow beaches, actively eroding coastal bluffs, limited sediment supply, and relatively high wave energy. Along riverine shorelines, steep upland slopes transition directly into steep nearshore bathymetry. In these settings, standard living shoreline designs that perform well elsewhere in Maryland are often not physically sustainable, cost-effective, or

ecologically appropriate. When such projects fail, they require repeated disturbance, emergency repairs, and continued permitting actions—outcomes that are neither environmentally protective nor economically responsible.

House Bill 613 does not weaken Maryland's commitment to natural shoreline protection. Rather, it strengthens that commitment by expanding the definition of living shorelines to include oyster reefs, SAV, and beach systems where those features represent the natural and functional shoreline condition. Allowing site-appropriate flexibility improves long-term shoreline stability, reduces repeated environmental disturbance, and better aligns regulatory intent with real-world ecological performance. Importantly, it also enhances Maryland's climate resiliency by prioritizing self-regenerative systems. Oyster reefs, for example, can accrete three or more inches annually—outpacing sea level rise—while often costing a fraction of traditional marsh-based shoreline protection projects.

I understand there is concern regarding the delegation of waiver authority and time-of-year (TOY) restrictions to the local Soil Conservation Districts. The intent of this legislation is not to remove environmental protections, but to apply them more precisely. For example, statewide TOY restrictions exist for tidal waters below 6 ppt salinity to protect shortnose sturgeon, yet there is no documented presence of this species in certain local waters such as the Patuxent River. Conversely, there are currently no TOY restrictions protecting horseshoe crab spawning activity on sandy beaches where they are well-documented and ecologically critical. HB 613 allows for this type of targeted, science-based refinement.

I am aware of concerns that delegating waiver authority to the local Soil Conservation Districts may exceed their technical capacity. Based on my professional experience, I believe the opposite is true. District staff routinely design, review, and oversee living shoreline projects and other conservation practices, and are fully qualified to evaluate site conditions, project feasibility, and environmental impacts. Importantly, Districts possess a level of local, field-based knowledge that cannot be replicated through centralized review. We observe these shorelines during storm events, high-energy conditions, and seasonal extremes—often on their worst days—providing insight into shoreline dynamics that is critical for sound decision-making.

In addition, Soil Conservation Districts are uniquely positioned to provide timely and efficient determinations. Unlike centralized agencies, District staff can conduct site visits, assess conditions firsthand, and make informed decisions quickly—often the same day a request is made. This combination of technical expertise, direct field access, and local knowledge allows Districts to apply waiver authority thoughtfully, conservatively, and with a clear understanding of real-world shoreline behavior. HB 613 leverages this existing capacity to improve regulatory outcomes without reducing environmental protection.

There has also been concern regarding reductions in mitigation requirements for certain shoreline components deemed “structural.” In practice, many of these features—such as beaches and oyster reefs—are entirely natural and historically foundational to our shoreline. Beaches require a toe feature to persist; historically, oyster reefs served that role. When oyster reefs trap sediment and allow a perched beach to form, wave energy is dissipated on sand rather than against eroding bluffs or infrastructure. These reefs raise nearshore elevations, reduce turbidity, and create conditions favorable for SAV growth. Together, oyster reefs, beaches, and SAV function as a highly effective, self-sustaining shoreline stabilization system.

While oyster reefs and beaches are categorized as structural, they are fully natural living shorelines and self-mitigating by design. Additional mitigation beyond existing federal requirements is unnecessary. The very name Chesapeake Bay derives from an Algonquian term meaning “Great Shellfish Bay.” Oyster reefs are foundational to the Chesapeake—physically, chemically, and biologically—and HB 613 appropriately recognizes their role in shoreline protection and ecosystem health.

For these reasons, I respectfully urge the Committee to issue a favorable report on House Bill 613.

HB 613_2026-02-23.pdf

Uploaded by: Stephen Peterson

Position: FAV

February 23, 2026

Delegate Marc Korman, Chair
House Environmental & Transportation Committee
250 Taylor House Office Building
Annapolis, Maryland 21401

RE: HB 613 – FAVORABLE – Calvert and St. Mary’s Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures

Dear Chair Korman and Members of the Committee:

Colliflower and Peterson respectfully submits its strong support for HB 613. Founded in 1972, our firm has extensive experience in shoreline stabilization and was among the first companies to implement living shoreline projects in the 1980s. We continue to support the use of living shorelines when site conditions are appropriate and success can be reasonably assured.

Our experience has shown that living shorelines are most effective when constructed in suitable locations, as determined by qualified professionals familiar with local conditions. HB 613 appropriately recognizes this by placing permitting authority with local agencies that have direct knowledge of shoreline characteristics within their jurisdictions.

This legislation promotes a balanced and unbiased permitting process and allows property owners to select the most effective erosion control solution for their specific site. Given the significant financial investment required to stabilize shoreline property, landowners should have meaningful input in determining the most appropriate approach. HB 613 provides a practical framework to achieve this outcome.

Thank you for your consideration.

Sincerely,


Stephen W. Peterson

HB 613_2026-02-23.pdf

Uploaded by: Stephen Peterson

Position: FAV

February 23, 2026

Delegate Marc Korman, Chair
House Environmental & Transportation Committee
250 Taylor House Office Building
Annapolis, Maryland 21401

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Thank you for your consideration.

Sincerely,


Stephen W. Peterson

2026_LOS_HB613.pdf

Uploaded by: Todd Morgan

Position: FAV

MARK N. FISHER
Legislative District 27C
Calvert County

Government, Labor, and
Elections Committee

Subcommittees

Corrections

Local Government/Bi-County
Agencies and Administration

Chair

Calvert County House Delegation



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

The Maryland House of Delegates
6 Bladen Street, Room 422
Annapolis, Maryland 21401
410-841-3231
800-492-7122 Ext. 3231
Mark.Fisher@house.maryland.gov

February 5, 2026

Mr. Marc Korman
Chair, Environment and Transportation Committee
Lowe House Building
6 Bladen Street, Room 251
Annapolis, MD 21401

Dear Mr. Korman,

I am writing to express a letter of support from the Calvert County Delegation for HB613. This bill is co-sponsored by all the members of the Calvert County Delegation, therefore, they are all in support.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in red ink that reads "Mark N. Fisher".

Mark N. Fisher, Chair
Calvert County Delegation

CalvertCounty_FAV_HB613_SB368 - Signed.pdf

Uploaded by: Todd Morgan

Position: FAV



CALVERT COUNTY BOARD OF COUNTY COMMISSIONERS

150 Main Street
Prince Frederick, Maryland 20678
410-535-1600
www.calvertcountymd.gov

Board of Commissioners
Mark C. Cox Sr.
Catherine M. Grasso
Earl F. Hance
Mike Hart
Todd Ireland

February 5, 2026

Via Electronic Mail

The Honorable Delegate Marc Korman, Chair
Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, Maryland 21401

RE: HB613/SB368 – Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

Chair Korman, Vice Chair Guyton and Committee Members:

The Calvert County Board of County Commissioners (BOCC) writes in support of HB613/SB368 and respectfully requests a favorable committee report.


This legislation is important to Calvert County because it moves away from a uniform, statewide approach to shoreline stabilization, creating separate guidelines and establishing definitions, requirements and exemptions specific to Calvert and St Mary's counties. The bill would have the local soil conservation districts determining the shore stabilization for a property based on the actual characteristics of said property. This approach aligns closely with the county's priorities related to public safety and the well-being of our constituents.

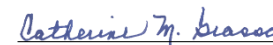
Additionally, by enabling property owners to work directly with their local soil conservation office, the bill will encourage not only more shore stabilization but more environmentally appropriate solutions. This would help reduce shoreline erosion and the associated pollution of our nearby waterways. The BOCC believes this measure strikes a reasonable balance between statewide objectives and local needs.

Thank you for your thoughtful consideration of this legislation. Should you have any questions or require additional information, please contact Planning & Zoning Director Jason Brinkley at 410-535-1600, ext. 2334.


Sincerely,
BOARD OF COUNTY COMMISSIONERS
CALVERT COUNTY, MARYLAND


Todd Ireland, President


Mark C. Cox Sr., Vice President


Catherine M. Grasso


Earl F. Hance


Mike Hart

HB613 DTMorgan Testimony with Pictures.pdf

Uploaded by: Todd Morgan

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

House Bill 613- Calvert and St. Mary's Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures

Chair Korman, Vice-Chair Guyton and Members of the Committee:

Today, I bring forward House Bill 613.

This is a local bill which applies only to St. Mary's County and Calvert County.

Let me be clear at the outset: I am not against living shorelines. They are an important environmental tool, and the Living Shoreline Protection Act of 2008 established them as the State's preferred method of erosion control where feasible. What I, and many of my constituents, take issue with is the process. Too often, it feels top-down. Exceptions are difficult to obtain, reviews can take a long time, and property owners spend significant money with no certainty of outcome, all while their shoreline continues to erode.

This issue has been developing for several years. A few sessions ago, a similar bill came before the committee. We had a spirited and productive discussion in subcommittee and ultimately decided to continue working on it rather than force the issue.

Since then, we've tried to better understand the full picture through interim site visits. We've been to the Calvert Cliffs Nuclear Power Plant, Point Lookout State Park, and Poplar Island. When you stand on those shorelines and see the conditions firsthand, it reinforces something important: Maryland's coastline is not one-size-fits-all.

Calvert and St. Mary's Counties are peninsulas. Unlike much of the Eastern Shore, which faces west into more sheltered waters, our shorelines face east into the open Chesapeake Bay. We have Calvert Cliffs, Scientists' Cliffs, and Drum Point for a reason. The depth of the water and the long fetch across the Bay and its tributaries create stronger wave energy than many other parts of the State.

When severe weather comes, we feel it directly. Nor'easters and coastal storms moving up from the Atlantic often hit us from the east or southeast. That makes shoreline stabilization in our region very different from more protected areas.

Under current law, property owners must generally use nonstructural shoreline stabilization measures. There are two exceptions: where the Maryland Department of the Environment has mapped an area as appropriate for structural measures, or where an applicant can demonstrate that nonstructural methods

are not feasible. The challenge is that much of our shoreline is mapped as “undetermined.” Securing a waiver can take considerable time and expense, and there is no guarantee of approval. Meanwhile, erosion continues—often at an accelerated pace because of the energy of the water we face.

We consistently hear from marine contractors that some property owners simply decide the process is not workable and walk away. When that happens, the shoreline is left unprotected, and we lose more of it each year.

House Bill 613 proposes a different approach. It places the local Soil Conservation Districts in Calvert and St. Mary’s Counties in charge of determining where living shorelines are required and approving appropriate stabilization projects. These districts are state entities. They already do much of the groundwork in erosion control and conservation. They understand local conditions, and both have indicated they can take on this responsibility without additional resources.

This bill does not remove state oversight. It shifts the initial decision-making to professionals who are closer to the landowners and more familiar with the specific environmental conditions in our counties. It also incorporates recommendations from the Soil Conservation Districts to allow flexibility on mitigation and construction timing, while including safeguards to prevent conflicts of interest where design services are involved.

This is a local bill because one size does not fit all. Some jurisdictions experience less intense erosion and may be comfortable with the current system. Calvert and St. Mary’s Counties face unique physical conditions that warrant a more tailored approach.

I’m also proud that this is the first bill to receive a letter of support from the newly created Maryland Rural Caucus, reflecting an understanding that rural coastal communities experience these challenges differently.

For these reasons, I respectfully ask for a favorable report on House Bill 613. Thank you for your consideration.

The below pictures are examples of shorelines for Testimony:

Poplar Island



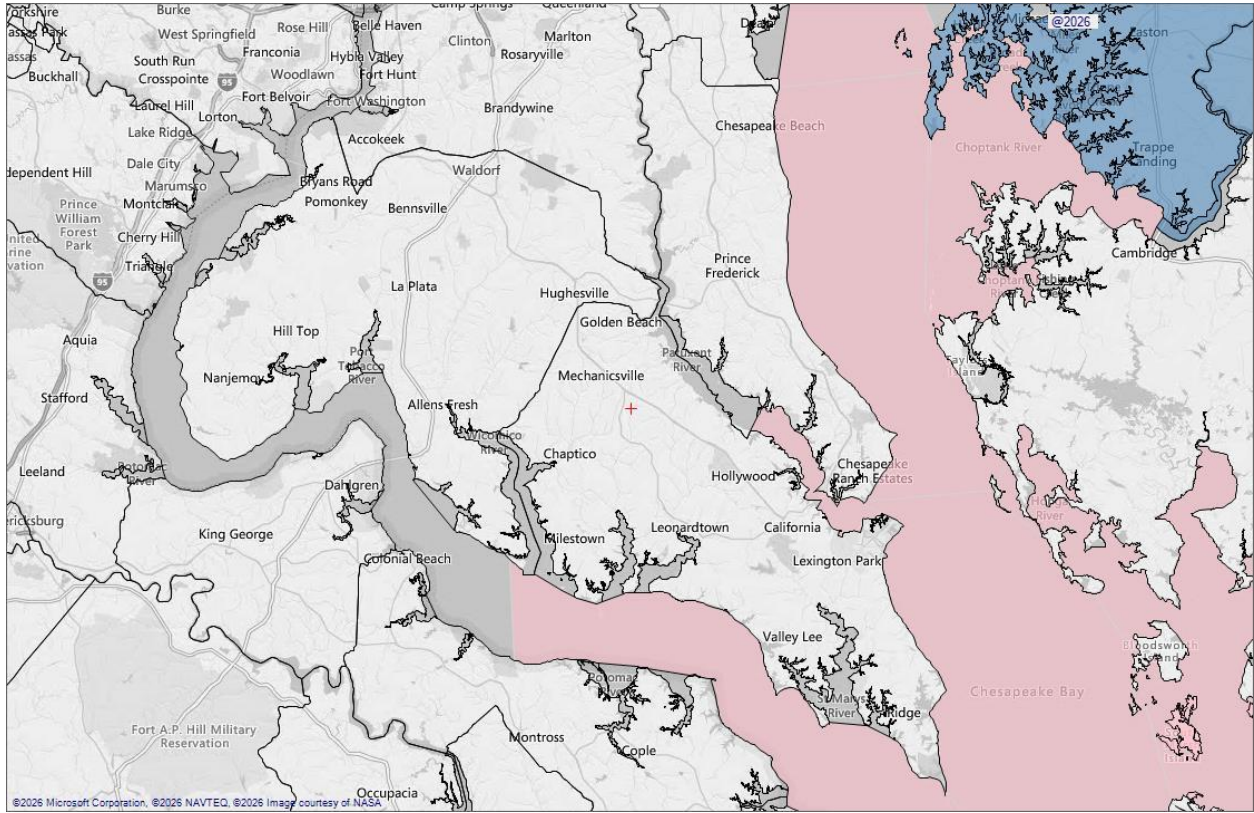
Point Lookout



Calvert Cliffs



Calvert and St. Mary's Counties in Southern Maryland



HB613 St. Mary's County LOS.pdf

Uploaded by: Todd Morgan

Position: FAV



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401
ST. MARY'S COUNTY DELEGATION

January 29, 2026

The Honorable Marc Korman, Chair
House Environment and Transportation Committee
Room 250, House Office Building
6 Bladen Street
Annapolis, MD 21401

RE: HB613 - Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

Dear Chair Korman, Vice-Chair Guyon and Committee Members:

The St. Mary's County Delegation supports HB0613 Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures with a vote of three (3) Yeas and no (0) Neas.

The purpose of the bill is to establish definitions, requirements and exemptions for living shorelines in Calvert and St. Mary's Counties. Creating separate guidelines for these counties from the rest of the state because their shorelines are very different (often with cliffs) and the wave energy. The bill also directs the Calvert and St. Mary's County Soil Conservation Districts to manage the decisions as to what kind of stabilization to use when the property owner makes the request for shoreline mediation.

We ask for the committee's consideration of this bill and a FAVORABLE report.

Sincerely,

A handwritten signature in black ink that reads "Todd B. Morgan". The signature is stylized and written in a cursive-like font.

Todd B. Morgan
Chair, St. Mary's County Delegation

ShoreRivers Opposition HB613.pdf

Uploaded by: Becky Golden

Position: UNF



Testimony in Opposition of House Bill 613 - Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

February 20, 2026

Dear Chairman Korman,

Thank you for this opportunity to submit testimony in **OPPOSITION** of **HB613** on behalf of ShoreRivers. ShoreRivers is a river protection organization on Maryland's Eastern Shore with more than 2,000 members. Our mission is to protect Maryland's Eastern Shore waterways through science-based advocacy, restoration, education, and engagement.

HB613 would fundamentally undermine decades of progress in statewide environmental protection and coordination by transferring the primary regulatory authority — specifically time of year restrictions and mitigation requirements — from the Maryland Department of the Environment (MDE) to local Soil Conservation Districts (SCDs). The **Living Shoreline Protection Act of 2008** established a uniform, science-based standard for all Maryland tidal waters managed by MDE. HB613 effectively removes Calvert and St. Mary's counties from these frameworks, which would lead to inconsistent and inadequate state environmental review. Maryland's **Critical Area Law**, enacted in 1984, protects the Chesapeake Bay and its tributaries by regulating land use within 1,000 feet of tidal waters and wetlands. HB613 would create conflict with the Critical Area Law, specifically with buffer replanting and public variance requirements. By granting the Calvert and St. Mary's SCDs sole regulatory authority on shoreline projects, HB613 also **eliminates coordination with the Department of Natural Resources and Critical Area Commission** in protecting sensitive terrestrial and aquatic species and habitats through time of year restrictions.

By granting authority to local SCDs while removing MDE oversight, **HB613 also risks violating the federal Clean Water Act (CWA)**. Under Section 401 of the CWA, any project requiring a federal permit must receive a water quality certification from a "certifying authority." It is unclear if the Environmental Protection Agency would recognize the SCDs as valid certifying authorities. Section 404 of the CWA mandates "no net loss" of wetlands. While MDE requires compensatory mitigation when non-structural measures are infeasible, giving the SCDs authority to "waive or reduce" mitigation requirements could violate this section.

By fragmenting living shoreline regulatory authority and allowing for localized mitigation waivers and time of year restrictions in Calvert and St. Mary's counties, **this bill creates a dangerous precedent that threatens Maryland's water quality, aquatic resources, and Critical Area**. **ShoreRivers urges an UNFAVORABLE report on HB613 to protect the integrity of Maryland's environmental laws and natural resources.**

Sincerely,
Becky Golden, Watershed Scientist
on behalf of:

ShoreRivers

Scott Budden, Executive Director

Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper
Ben Ford, Miles Wye Riverkeeper | Zack Kelleher, Sassafras Riverkeeper

shorerivers.org | 443.385.0511 | info@shorerivers.org

ArundelRiversUNFAVHB613_Shorelines.pdf

Uploaded by: Elle Bassett

Position: UNF



Testimony in OPPOSITION of HB613 – Calvert and St. Mary’s Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures

Environment & Transportation Committee
February 25, 2026

Dear Chair Korman and Members of the Committee,

Thank you for the opportunity to submit testimony in **OPPOSITION OF HB613**, on behalf of Arundel Rivers Federation. Deeply rooted in the South, West, and Rhode Rivers, Arundel Rivers Federation heals and protects our waterways and champions clean water across Maryland. Our vision is healthy waterways for all, and we achieve our mission through restoration, education and outreach, and Riverkeeper programs.

House Bill 613 compromises and undermines Maryland State living shoreline law, which prioritizes living shorelines as the preferred method of shore protection as they trap sediment, filter pollution, and provide important aquatic, terrestrial habitat, and control shoreline erosion. This bill will create special exemptions in two state counties from generally applicable state requirements. Tailoring exemptions for specific local jurisdictions risks weakening protections designated to safeguard Maryland’s critical coastal and aquatic environments.

Shoreline erosion and stabilization decisions directly affect water quality, sedimentation rates, and habitat integrity for fish, crabs, oysters, and other wildlife. Allowing inconsistent or lower standards in two counties could increase runoff, destroy submerged vegetation, and degrade water quality — undermining long-term restoration goals for the Chesapeake Bay and local tributaries.

Special exemptions for targeted counties can lead to a piecemeal environmental policy that varies widely across the state. A patchwork of local standards makes statewide conservation goals harder to achieve and creates confusion for residents, property owners, and regulators.

This bill ignores current efforts from environmental funders, partners, state agencies, and living shoreline contractors working to perfect the living shoreline law in Maryland, including identifying appropriate exemptions to the law. Arundel Rivers strongly believes that the living shoreline waiver process should continue to be at the discretion of the Maryland Department of the Environment.

Arundel Rivers Federation recognizes that not every shoreline in Maryland is a good candidate for a living shoreline project, however having independent standards and exemptions across counties is not the right approach. For these reasons, we request an **unfavorable report** on HB613.

Sincerely,

A handwritten signature in cursive script that reads "Elle Bassett".

Elle Bassett
South, West, and Rhode Riverkeeper
Arundel Rivers Federation

HB 613 Living Shorelines and Nonstructural Shoreli

Uploaded by: Humna Sharif

Position: UNF

Wednesday, February 25, 2026

TO: Marc Korman, Environment and Transportation Committee, and Committee Members
FROM: Humna Sharif, Climate Adaptation Manager, The Nature Conservancy; Michelle Dietz, Director of Government Relations, The Nature Conservancy
POSITION: Oppose HB 613 - Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

The Nature Conservancy (TNC) opposes HB 613 offered by Delegate T.Morgan. TNC is a global conservation organization working to conserve the lands and waters on which all life depends. In Maryland, our work focuses on delivering data-driven, on-the-ground solutions that secure clean water, air, and healthy, secure living environments for our human and natural communities today and in the generations to come.

Maryland's more than 7000 miles of shoreline along the Atlantic Ocean, and the Chesapeake and Coastal Bays is experiencing rapid sea level rise, and increased flooding because of it. Flooding impacts both people and our economy, with more than 100 communities at risk of chronic inundation by 2100. Conservative estimates indicate the costs to safeguard Maryland from chronic flooding by 2040 to be a minimum of \$27.4 billion¹. As Maryland looks ahead, the state will need to use a variety of tools to prevent catastrophic impacts due to sea level rise. Living shorelines are an integral part of Maryland's response to coastal flooding. Living shorelines protect communities, trap sediment, filter pollution, and provide important aquatic and terrestrial habitat.

The Nature Conservancy is supportive of Maryland's Living Shorelines Protection Act and the Living Shorelines Program. We understand the need to revisit permitting processes to remove redundancies and ensure there isn't undue burden on applicants. We believe, however, that HB 613 will create processes that complicate the implementation of the state's living shorelines laws and programs. This bill would create a waiver exemption process Calvert and St. Mary's county that would go through respective county Soil Districts instead of being reviewed by the Maryland Department of the Environment, or Maryland Department of Natural Resources as appropriate. Adding further complication to the process, HB 613 would also require Calvert and St. Mary's counties to review each other's shoreline stabilization projects before construction can begin.

¹ Center for Climate Integrity. (n.d.) *Climate Costs in 2040: Maryland*
<https://www.climatecosts2040.org/files/state/MD.pdf>

TNC recognizes living shorelines are not appropriate for every location and waivers should be considered for some sites. However, existing Maryland law already includes a waiver process for areas and geomorphological features where creation and maintenance of living shorelines is not feasible. HB 613 is duplicative and creates potentially conflicting guidance for Marylanders.

The Nature Conservancy supports the creation of living shorelines across our state, while at the same time, ensuring permitting processes are not overly burdensome or complicated. This legislation adds unnecessary process steps to the implementation of Maryland's Living Shorelines legislation.

Therefore, we urge an unfavorable report on HB 613.

MDE HB 613 OPP.pdf

Uploaded by: Jeremy D Baker

Position: UNF



The Maryland Department of the Environment
Secretary Serena McIlwain

House Bill 613

Calvert & St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

Position: Oppose
Committee: Environment and Transportation
Date: February 25, 2026
From: Alex Butler, Deputy Director of Government Relations

The Maryland Department of the Environment (MDE) **OPPOSES** HB 613.

Bill Summary

House Bill 613 establishes distinct shoreline erosion control rules for properties in Calvert and St. Mary's Counties related to living shorelines and nonstructural shoreline stabilization measures. In those counties, the bill shifts the authority from the State to the local soil conservation districts (SCDs) to: (1) determine when a living shoreline or nonstructural shoreline stabilization measure is required; (2) waive or reduce mitigation requirements for a living shorelines or nonstructural shoreline stabilization measure; and (3) impose, modify or waive time of year restrictions for the construction of a living shoreline or nonstructural shoreline stabilization measure.

If one county SCD has provided design services for a shoreline stabilization project, the project cannot begin construction unless the other county SCD has reviewed the project and certified that it complies with the bill's requirements. Finally, the bill creates a statewide definition for "nonstructural shoreline stabilization measure" and definitions applicable in Calvert and St. Mary's Counties for "living shoreline," "high-energy environment," and "medium-energy environment."

Key Points

Inconsistent Standards

House Bill 613 would establish different and conflicting requirements for different counties. Currently, all counties are subject to consistent living shoreline requirements and standards established by MDE and the Living Shoreline Protection Act (HB 973 of 2008). Passing HB 613 would create separate standards for Calvert and St. Mary's Counties and create a pathway for other counties to request similar "opt-outs." This would turn the State's comprehensive protection strategy into a patchwork of local exemptions.

Contact: Alex Butler, Deputy Director of Government Relations
Phone: 443-695-7478, Email: alex.butler@maryland.gov

Role of SCDs

Under this bill, the local SCDs in Calvert and St. Mary's Counties decide if a living shoreline is feasible in those counties which will result in different processes for select counties and place a burden on MDE staff to understand and ensure conformity with different procedures prior to issuing an application decision. SCDs may not have the technical expertise to competently review projects and make informed waiver or mitigation decisions for living shorelines.

The legislation may also result in failure to meet MDE's published turnaround times for approval of shoreline erosion control projects in Calvert and Saint Mary's Counties if waiver or mitigation decisions are delayed at the SCD level.

Mapping Issues

House Bill 613 as written does not override other parts of State law that refer to MDE mapping requirements, meaning that mapping updates and maintenance costs may need to continue for all of Calvert and Saint Mary's Counties even though this information would no longer be utilized by MDE. Furthermore, MDE would likely have to conduct all-new mapping efforts specific to Calvert and St. Mary's Counties to meet the bill's different definitions for "high-energy environment" and "medium-energy environment" within those jurisdictions. This remodeling and re-mapping effort is estimated to cost approximately \$150,000 - \$200,000,

Definitional Issues

The bill's new and expanded definitions conflict with MDE regulations in COMAR 26.24.01 and the Maryland Board of Public Works (BPW) regulations in COMAR 23.02.04, leading to regulatory uncertainty and the need for regulation updates by MDE and BPW to align with requirements. Codifying these definitions will make it difficult for MDE to adjust requirements due to new science or innovations related to shoreline protection.

The bill also includes definitions for "high-energy environment" and "medium-energy environment," which are in conflict with the criteria developed for the Maryland Shoreline Stabilization Mapper (MSSM) Tool for these same terms. The result will be inconsistent issuance of waiver decisions for areas in Calvert and St. Mary's Counties with the same or similar site conditions to shorelines in the rest of Maryland.

Finally, the bill requires living shoreline or nonstructural shoreline stabilization measures in Calvert and St. Mary's Counties must be designed to withstand at least a "10-year storm event." However, "10-year storm event" is not a defined term.

MDE Response to Living Shoreline Concerns

MDE is aware of concerns raised by marine contractors, constituents, and legislators and is responding to those concerns independently of this legislation. MDE hosted stakeholder meetings to discuss these issues during the 2025-2026 timeframe. These meetings were followed up by an intensive outreach effort by the Chesapeake Bay Trust to identify specific marine contractor concerns and discuss possible solutions with MDE, the Maryland Department of Natural Resources, and the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays. MDE is currently working on changes and solutions to many of these issues and would be happy to provide further information to the Committee.

Accordingly, MDE asks for an **UNFAVORABLE** report for HB 613.

MDE Recent and Ongoing Actions to Improve Processes

Beginning in the spring of 2025, MDE has engaged directly with Living Shoreline stakeholders to identify regulatory hurdles and process concerns. Based on this feedback, the Department is actively implementing the following action plan:

1. **Incorporating Sea Level Rise to Support Resilience Projects (Target: Mar. 17th)** MDE is finalizing guidance to incorporate **2050 Sea Level Rise projections** into the definition of the tidal wetland zone. This adjustment allows applicants to use additional fill for resilience (sea level rise) projects while still meeting the mandatory 2:1 plant-to-fill ratio.
 - *Action:* Complete guidance documents and staff training by March 17th.
2. **Clarifying Flexibility in Planting Ratios (Target: March 17th)** MDE is updating the Living Shoreline Checklist to clarify that the 1:1 ratio (50/50 split) of low-to-high marsh planting is a **preference, not a strict requirement**. The update will explicitly allow applicants to propose alternative planting ratios for high and medium-energy sites.
 - *Action:* Update and release the checklist by March 17th.
3. **Increasing Transparency in the Waiver Process (Target: March 17th)** To ensure shoreline waiver determinations are evaluated holistically and transparently, MDE is updating the waiver worksheet. For the first time, the associated scoring system used to make these determinations will be shared publicly with stakeholders.
 - *Action:* Publish the updated worksheet and scoring system and share with stakeholders by March 17th.
 - The draft 2026 Living Shoreline Waiver Assessment Package represents a major shift from the current version, reflecting stakeholder feedback and leadership direction. The application process has transitioned from a single subjective worksheet to a structured, multi-tier evaluation system. This new system features **Automatic Waiver Determinations**, a new **Point-Based Scoring System now publicly available**, updated measurement methodologies, and expanded avenues for professional supplemental assessments as part of the waiver review process.
4. **Modernizing Technical Standards via VIMS Partnership (Target: Dec. 2027)** MDE has contracted with the Virginia Institute of Marine Sciences (VIMS) to comprehensively update the *Shoreline Design Manual* utilizing federal (EPA) grant award funding. The new manual will integrate modern standards for **coastal resiliency, sea level rise, and climate change**, while also addressing impacts on other resources such as submerged aquatic vegetation (SAV).
 - *Action:* Complete the comprehensive manual update by Dec. 2027.

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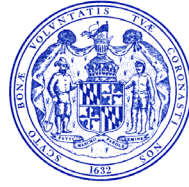
HB 613 CAC_Oppose_ENT_ 2 25 26.pdf

Uploaded by: Lisa Hoerger

Position: UNF

Wes Moore
Governor

Aruna Miller
Lt. Governor



Erik Fisher
Chair
Nick Kelly
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

February 25, 2026

BILL NUMBER: HOUSE BILL 613 – First Reader

SHORT TITLE: Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

COMMISSION'S POSITION: OPPOSE

EXPLANATION OF COMMISSION'S POSITION

The Commission opposes HB 613 and requests an unfavorable report from the Committee. The bill removes Commission staff and local Critical Area planners from the living shoreline review process, with the following effects:

- The bill would negatively affect the ability for consistent application of the State's oversight of the portion of the Critical Area located below mean high water, where shoreline protection activities are generally located;
- The bill would negatively affect the ability of the Critical Area Commission and local governments to provide consistent oversight of impacts above mean high water to the Critical Area buffer that occur due to certain shoreline protection applications; and
- The bill would create inconsistent application of required mitigation measures across the 64 Critical Area jurisdictions.

Consistent application is essential since many shoreline protection measures affect both the land above mean high water, including the 100-foot Critical Area buffer, and the area below mean high water. This land and water interface is a key transition zone that supports many habitats and provides water quality benefits. Shore erosion control projects have the potential to cause forest clearing, habitat loss, compaction, and other impacts to the buffer due to construction and maintenance of the shoreline.

Projects that affect the 100-foot buffer require close collaboration between the noted agencies to ensure the appropriate shore erosion control method is used, that mitigation and impacts are minimized, and that the project will result in the best application for the site. Commission staff and local Critical Area planners have extensive expertise in identifying, managing, and minimizing these impacts, which includes collaboration with the Department of the Environment (MDE), the Department of Natural Resources (DNR), local governments, property owners, and shore erosion control contractors.

BACKGROUND INFORMATION

The Critical Area Law was enacted in 1984 to establish a Resource Protection Program for the Chesapeake Bay and its tributaries by fostering more sensitive development activity for certain shoreline areas to minimize damage to water quality and natural habitats. The General Assembly established the Critical Area program to be implemented on a cooperative basis between state and local governments, with local governments implementing their programs in a “consistent, uniform, and equitable manner” subject to state criteria and oversight.ⁱ The law also established special protections and oversight for the 100-foot Critical Area buffer, the shoreline area immediately upland of mean high water.

Additionally, in 2008 the General Assembly passed HB 973, Chapter 304 of the 2008 Laws of Maryland, namely the Living Shoreline Protection Act of 2008. This bill established the basis for encouraging the application of living shorelines where appropriate and permitted through the Maryland Department of the Environment with input from the Department of Natural Resources and the Critical Area Commission. In addition, local governments, who also permit shoreline protection measures, could be assured of an ability to review impacts within the Critical Area’s Buffer prior to MDE’s authorization so that their comments and concerns could be incorporated into the design.

The Critical Area Commission worked with MDE, DNR, local governments, and shore erosion contractors to develop simplified forms to assess Buffer impacts and calculate mitigation. These forms are actively used across the Critical Area and provide flexibility in mitigation assessments based on the type of shore erosion control practice proposed and on clearing impacts.

BILL EXPLANATION

Under §8-1808.11 of the Natural Resources Article, Commission staff review living shoreline and nonstructural shoreline stabilization measures on a regular basis with MDE and DNR. This arrangement also includes local Critical Area plan reviewers and ensures consistent application of the State’s regulatory and Statutory requirements. HB 613 would remove this provision from the Critical Area statute. This change does not provide clarity on how collaboration would occur or if coordination would be permitted at all. The bill would also grant unilateral authority to the local Soil Conservation District to modify or waive Critical Area requirements.

Contact: Nick Kelly at (443) 758-4249 or by email at nick.kelly@maryland.gov
Lisa Hoerger at (410) 271-6622 or by email at lisa.hoerger@maryland.gov

ⁱ NR §8-1801(b)(2)

HB0613_DNR_OPP_ENT_2-25-26.pdf

Uploaded by: Lydia McPherson

Position: UNF



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 25, 2026

BILL NUMBER: HOUSE BILL 613 – FIRST READER

SHORT TITLE: CALVERT AND ST. MARY'S COUNTIES - LIVING SHORELINES AND NONSTRUCTURAL SHORELINE STABILIZATION MEASURES

DEPARTMENT'S POSITION: OPPOSE

EXPLANATION OF DEPARTMENT'S POSITION

House Bill 613 would amend the Living Shoreline Act to create a special exemption for Calvert and St. Mary's Counties regarding the living shoreline permitting process. Within these counties, the local Soil Conservation Districts (SCD) would have permitting authority and oversight over the living shoreline waiver process, and would remove requirements to consult the Department of Natural Resources on certain restrictions.

Under current law, DNR subject matter experts provide review and recommendations on shoreline erosion control projects to the Maryland Department of the Environment (MDE) during the permit review process. The bill does not require the SCDs to consult with DNR, allowing them to make decisions, such as waiving mitigation requirements and Time of Year restrictions, without input from the Department's subject matter experts on how the project will impact the natural resources the Department is charged with protecting. The department has the following concerns with this proposed policy shift:

(1) Conflict with Time of Year Waivers on Submerged Aquatic Vegetation (SAV) and Waterfowl Concentration Areas:

This bill allows SCDs to waive or alter Time of Year restrictions that are intended to protect natural resources, which are vitally important to the restoration and ecology of the Chesapeake Bay, including SAV and Waterfowl Concentration Areas. The purpose of Time of Year restrictions is to protect these resources when they are most vulnerable and to allow projects to take place during a time of year when the chance of ecological damage is most reduced. Allowing SCDs to waive or alter established Time of Year restrictions in Calvert and St. Mary's Counties removes an important regulatory tool from the department and leads to unnecessary confusion and inconsistency of practices in other Maryland counties.

(2) Conflict with Shellfish Provisions that may undermine Aquaculture markets:

The proposed definition for living shoreline adds shellfish, in contrast to current law. This definition creates inconsistencies with how DNR regulates shellfish, particularly given the Department would not be included in the review or permitting a living shoreline. The Department closely regulates shells and

Contact: Lydia McPherson, Director, Legislative and Constituent Services
lydia.mcpherson1@maryland.gov ♦ 410-260-8113 (office) ♦ 443-875-7785 (cell)

shellfish in order to prevent accidental introduction of disease. Without Department input in the living shoreline process, there could be unintended negative impacts on oyster restoration efforts.

(3) Conflict with Incidental Taking of Rare, Threatened and Endangered (RTE) Species:

This bill as written allows Soil Conservation Districts to bypass the Department and/or to make decisions on Time of Year restrictions and habitat modifications. This appears to be in direct conflict DNR's role in permitting incidental taking of specific species.

(4) Conflict with State laws and regulations requiring mitigation:

This legislation provides SCDs with the authority to waive or reduce mitigation requirements. Mitigation, currently, is imposed by the Board of Public Works and cannot be waived. This legislation could result in more tidal wetland losses throughout the Chesapeake Bay and tidal tributaries. It is also not clear how broadly an SCD could apply this waiver and if it could waive mitigation requirements in other state laws, such as incidental taking of the Puritan tiger beetle or Critical Area mitigation requirements.

BACKGROUND INFORMATION

HB 613 proposes to amend certain portions of the 2008 Living Shoreline Act, codified at § 16-201(c) of the Environment Article, which governs the process for riparian landowners to protect their shorelines from erosion by constructing improvements along the shoreline. Current law requires a homeowner to construct a nonstructural shoreline erosion control measure – i.e., a living shoreline, unless a waiver is granted.

BILL EXPLANATION

HB 613 creates a special exemption regarding permits for living shorelines and nonstructural shoreline stabilization measures in two counties: Calvert and St. Mary's. The exemption shifts the authority from the State to the local soil conservation districts (SCDs) to: (1) determine when a living shoreline or nonstructural shoreline stabilization measure is required; (2) waive or reduce mitigation requirements for a living shorelines or nonstructural shoreline stabilization measure; and (3) imposing time of year restrictions for the construction of a living shoreline or nonstructural shoreline stabilization measure. This bill eliminates the Department's role in reviewing applications for shoreline erosion control projects for the counties covered under this exemption.

HB 613 - CBF - UNF.pdf

Uploaded by: Matt Stegman

Position: UNF



CHESAPEAKE BAY FOUNDATION

House Bill 613

Calvert and St. Mary's Counties - Living Shorelines and Nonstructural Shoreline Stabilization Measures

Date: February 25, 2026

To: Environment & Transportation Committee

Position: UNFAVORABLE

From: Matt Stegman,
MD Staff Attorney

Chesapeake Bay Foundation (CBF) **OPPOSES House Bill 613**, which would exempt properties in Calvert and St. Mary's Counties from Maryland's successful landmark Living Shorelines Protection Act and move permitting authority for shoreline stabilization measures away from the Maryland Department of the Environment and invest the local Soil & Water Conservation Districts with the power to review and grant living shoreline waivers.

State Law Requires Primary Consideration for Living Shorelines Where Appropriate:

State law requires waterfront property owners to make improvements to their shorelines against erosion using living, or nonstructural, stabilization methods, such as marsh creation. Living shorelines incorporate vegetation and living materials, along with natural structures such as rock sills or oyster reefs. They provide habitat for fish, crabs, marine birds, and other marine wildlife. Grasses and other aquatic vegetation also filter runoff before it enters the Bay. Additionally, living shorelines often, depending on the wave energy environment of a specific site, cost significantly less for property owners to maintain than armored alternatives over their lifetime. With these benefits in mind, in 2008 the legislature passed the Living Shoreline Protection Act of 2008.¹ to make living shorelines the preferred method to control shoreline erosion.

However, living shorelines are not the right solutions in all circumstances and we have allowed the Maryland Department of the Environment (MDE) to provide waivers to property owners in two circumstances: (1) a property is located in an area MDE has mapped as being inappropriate for a living shoreline, or (2) where an individual property owner demonstrates to MDE that their property is not appropriate for a living shoreline. A property may not be appropriate for a living shoreline for any number of reasons, including – but not limited to – the depth of the water, slope of the shoreline, or wave energy.

Local SCDs Are Less Equipped Than Statewide Regulators to Consistently Evaluate Waiver Requests:

HB 613 shifts the responsibility of reviewing shoreline waiver requests to the local soil conservation districts (SCD) in Calvert and St. Mary's counties. Far from providing objectivity and certainty for contractors and property owners, this change is likely to create an inconsistent, and potentially arbitrary, process. While current staff at Calvert and St. Mary's counties SCDs may or may not have the expertise necessary to assess the feasibility of a living shoreline or a nonstructural shoreline at a given property in their county, there is no guarantee that future staff will as this responsibility is generally outside the charge of an SCD. SCD staff,

¹ [2008 Md. Laws, Chap. 304](#)

funded by the Maryland Department of Agriculture, are meant to be knowledgeable on a wide variety of best management practices for farmers. On the other hand, Maryland Department of Natural Resources (DNR) and Maryland Department of the Environment (MDE) are the legislatively-mandated authorities to regulate shoreline stabilization throughout the state and maintain permanent staff to carry out those functions. It makes sense for waiver requests to continue to be submitted to MDE because they will, in perpetuity, be more likely to have shoreline experts on staff than the SCDs.

HB 613 Directs SCDs to Make Decisions with Bay-Wide Impacts:

HB 613 would allow SCDs to take several actions related to individual shoreline stabilization projects that are better considered in a broader context by experts within MDE and DNR. For example, the bill would permit an SCD to waive or reduce mitigation requirements for submerged aquatic vegetation (SAV). SAV play a vital role in the overall health of the Chesapeake Bay, and many SAV areas are still recovering from the fresh years of 2018 and 2019. The new iteration of the Chesapeake Bay Agreement sets a goal of 100,000 acres of SAV Bay-wide by 2040. With just over 83,000 acres of SAV Bay-wide in 2024 (the most recent numbers), the cumulative impacts of skipping mitigation across the Bay are too great. Again, the authority to waive or reduce mitigation best lies with the state's experts, who can take a holistic view of our progress towards SAV goals.

Additionally, the bill gives SCDs the authority to establish Time of year restrictions (TOYR), which are meant to be protective of fragile species, such as migratory fish, certain waterfowl, and other. Allowing SCDs the sole authority to impose TOYR on living shoreline projects is a) confusing for contractors who may have to operate by two sets of rules, depending on which county they are working in and b) potentially detrimental to the resources that the TOYR are meant to protect. Additionally, some TOYRs are set by Federal law or regulation, so it is unclear if an SCD *could* even make this determination.

CBF is Working Constructively with Shoreline Contractors, MDE, and DNR to Improve the Waiver Process:

CBF has been before this Committee several times this term to advocate for legislation that adds clarity to the waiver process and provides financial assistance for landowners who – either by choice or because the law requires it – opt to pursue a living shoreline.² In the course of advocating for these bills, we became aware of frustrations experienced by some of the contractors and property owners doing shoreline stabilization work and navigating the living shoreline waiver process. During the Fall of 2025, CBF worked with partners at the Chesapeake Bay Trust and representatives from the contractor community to have a series of informal discussions to identify common areas of concern where we could advocate together for a fairer, clearer, more objective waiver process. Some of those discussions are reflected in this bill and ideas we could potentially support, but we had not yet reached a place of consensus. CBF is committed to continuing these conversations at the appropriate time.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

² See, eg, SB 546 (2024) and SB 417 (2023).

HB0613 - LOI - SHA - Calvert and St. Mary's Counti

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Position: INFO

February 25, 2026

The Honorable Marc Korman
Chair, Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, MD 21401

RE: Letter of Information – HB 613 – Calvert and St. Mary’s Counties – Living Shorelines and Nonstructural Shoreline Stabilization Measures

Dear Chair Korman and Committee Members:

The Maryland Department of Transportation State Highway Administration (SHA) takes no position on House Bill 613 and offers the following information for the Committee’s consideration.

HB 613 establishes requirements for using living shorelines and nonstructural stabilization measures in Calvert and St. Mary’s counties; exempts property located in these counties from certain general requirements of nonstructural shoreline stabilization; and, generally, relates to shoreline erosion and stabilization.

As written, HB 613 delegates regulatory authority for living or nonstructural shoreline projects to St. Mary’s and Calvert counties. However, if passed, federal permitting regulations related to living shorelines would still apply and Board of Public Works approval would still be required for final tidal permits.

The definition of "person" includes the State in Natural Resources Article § 8-101, Environment Article § 16-101, and in the existing regulations at COMAR 26.24.01.02; therefore, the State would also be subject to these new requirements. Furthermore, the SHA would be subject to regulations adopted by the Calvert Soil Conservation District and the St. Mary's Soil Conservation District.

The SHA anticipates that more time would be needed to complete wetland and waterway permitting due to the additional coordination with the Soil Conservation Districts, as well as other state and federal regulatory agencies. The mandated coordination would increase costs on SHA projects in Calvert and St. Mary’s Counties.

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating House Bill 613.

Respectfully submitted,

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