

February 10, 2021

The Honorable Paul G. Pinsky
Senate Education, Health & Environmental Affairs Committee
Miller Senate Office Building,
2 West Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: Opposition of Senate Bill 528 Coast Smart Siting and Design Criteria – Private Construction or Reconstruction Projects and Enforcement

Dear Chairman Pinsky:

The Maryland Building Industry Association (MBIA), representing 100,000 employees of the building industry across the State of Maryland, opposes Senate Bill 512 (Coast Smart Siting and Design Criteria - Private Construction or Reconstruction Projects - Application).

This bill requires private construction and reconstruction projects to be constructed in compliance with Coast Smart siting and design criteria. Currently only State and local capital projects must be constructed in compliance with Coast Smart criteria.

While we appreciate the intent to address sea level rise inundation and coastal flood impacts on new construction, this measure will only add confusion. The guidelines were developed by the Coast Smart Council, a policy advisory group. No regulatory review or enactment of these standards has taken place because they were to be applied to state projects. Because the guidelines were written for state agency use, the administrative procedures are not aligned; for example, waivers for map errors or hardship are granted through an application to the State Smart Growth Subcabinet. Imposing these requirements on private projects without further study will add complication and inconsistency.

This measure will also add significant expense to private construction projects. Coast Smart design requirements are technical and expensive, and will create additional cost barriers for projects above and beyond the costs resulting from other environmental design standards. That cost will be passed on to the buyer, increasing the cost of homes throughout the State. This legislation could also make redevelopment and infill development more difficult and more expensive.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Senate Education, Health & Environmental Affairs Committee