

## Testimony of Dawn Myers, Cape St. Claire Improvement Association

### Environment - Wetlands and Waterways- Riparian Rights HB160- SUPPORT WITH AMENDMENTS

Chairman Barve and Members of the Environmental and Transportation Committee,

As a representative of the Cape St. Claire Improvement Association (CSCIA), I would like to thank Delegate Bagnall for introducing this legislation and the Environmental and Transportation Committee for its consideration.

On April 7, 2020 a barge pulled up next to Cape St. Claire's (CSC) community beach and quickly erected a large pier, blocking resident access and creating an eyesore. The CSCIA had no prior notice of this pier construction and was not contacted for approval as the riparian rights owner and covenants enforcer.



Photo Credit: William Aucoin

CSC's Main Beach begins at the "x" in the upper right and the CSCIA owns the open space near the inlet on the left. Our once beautiful community beach was permanently marred and access to the inlet completely blocked, despite the beach property being zoned open space, building approval covenants in place, and the community owning the riparian rights.

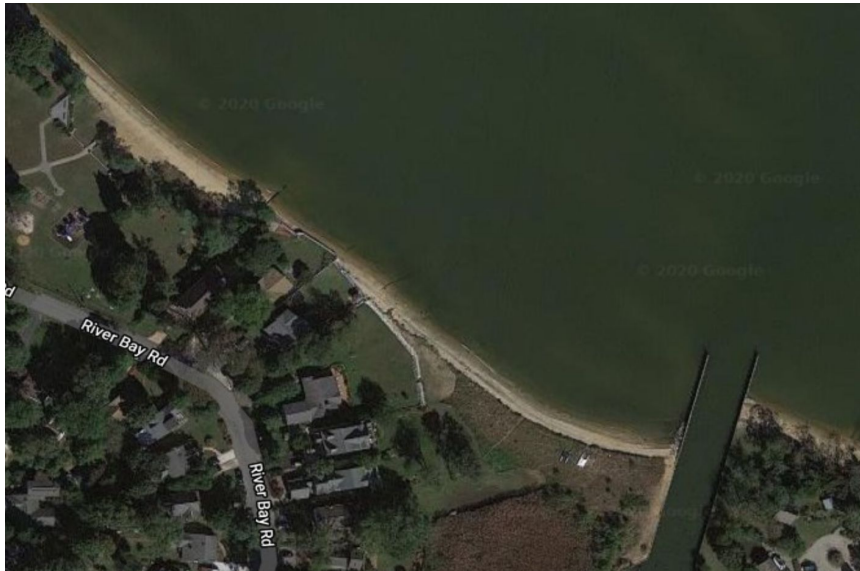


Photo Credit: Google

The CSCIA engaged an attorney and was forced to go to court to defend the community's rights. After spending over \$40,000 in legal fees and court costs, the CSCIA was able to have the pier removed and resident beach access restored.

CSC has approximately 2,300 homes and 8,000 residents. If we were a typical community, we would have lacked the financial resources needed to mount a fight and the state and county levers of government would have been used to advance the interests of a few wealthy waterfront landowners at the expense of the rest of the community.

The CSCIA would like legislation to prevent this from not only happening to our community again, but to any community. The counties and MDE should not be able to ignore community property rights when approving a permit that so detrimentally harms the assets and amenities of a community.

The CSCIA would like amendments added to require permit applicants to provide to any covenant enforcers like community associations proof of notification of construction permit applications.

The CSCIA SUPPORTS WITH AMENDMENTS HB160.