

HB1300 Testimony.pdf

Uploaded by: Terence McGean

Position: FAV

My name is Terence J. McGean and I am the City Manager for the Town of Ocean City. I am writing in support of Senate Bill 64/House Bill 1300. This bill amends language in Section 8-1102 of the Natural Resources Article. Section 1102 regulates what activities can and can not be done in what is known as the Beach Erosion Control District. The Beach Erosion Control District was established by the General Assembly as part of the Beach Replenishment project to codify into State Law an existing Ocean City Ordinance which prohibited construction east of what was then known as the Building Limit Line. At that time the local Ocean City Building Limit Line ended at 33rd Street. The General Assembly adopted that line as the western boundary of the Beach Erosion Control District. However, they correctly wanted to extend the Beach Erosion Control District south of 33rd street all the way to the Ocean City Inlet. In order to do so, the General Assembly established the West side of Atlantic Ave as the western boundary of the Beach Erosion Control District south of 33rd Street.

The west side of Atlantic Ave coincides with the west side of the Ocean City Boardwalk. Under the current law, any construction activity (with some very limited and specific exceptions) is prohibited in the Beach Erosion Control District. This is not an issue until one gets to the Ocean City Amusement Pier. From that point to the inlet, Ocean City has a number of important facilities that under the current law could not be repaired or replaced. These include the pier itself, the inlet parking lot, our Police Substation, the Ocean City Lifesaving Museum, and technically the boardwalk itself. The proposed law change would provide a mechanism to repair, replace and, with specific limitations, add on to these existing facilities with the approval of the Ocean City Mayor and Council and the Secretary of the Department of Natural Resources. The law would only apply to existing facilities owned by the State or Ocean City. It would not allow construction of new facilities. A specific project that is currently sorely needed but unable to be constructed under the current law are improvements to the existing Ocean City Life Saving Museum to bring the building into compliance with the Americans' with Disabilities Act and

current fire safety codes. The only way to accomplish this is to construct an elevator and new exit stairs onto the building. The General Assembly as kind enough to provide grant funds for that project but unfortunately there is no way to complete it under the existing law.

The proposed bills would allow this project and others to move forward in a responsible manner with proper oversight from the Department of Natural Resources and I urge you to support this bill.

Terence J. McGean, PE

City Manager

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Position: INFO



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

Bill Number: HB 1300

Short Title: Beach Erosion Control District- State and City Owned Structures

Department's Position: Support

Explanation of Department's Position

The Maryland Department of Natural Resources (Department or DNR) supports HB 1300.

When DNR was contacted about the proposed expansion of the Ocean City Lifesaving Museum in 2017, our department evaluated the request. After careful review, we informed the Town of Ocean City that our approval of the project was contingent on a legislative change to Section 8-1102 of the Natural Resources Article of the Annotated Code of Maryland. Although the project will not alter the Beach Erosion Control District (District), it does involve a prohibited activity, which is placement of a permanent structure within the District.

Based on the initial information provided, the Department does not believe the structure would impact the current natural environment. The change in the above cited 8-1102 would allow us to further review the request to ensure there is no significant permanent environmental damage to the District.

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.