

February 22, 2023

I write in support of Senate Bill 775.

In October 2021, Lane Engineering, LLC submitted a joint State/Federal application to MDE proposing to stabilize approximately 3,000 linear feet of shoreline at my property with a living shoreline. The living shoreline was designed as needed to provide adequate protection to a high energy shoreline that has suffered from significant erosion over the years. Aside from spending thousands of dollars on design and permitting, the project is estimated to cost over a million dollars to build. I have been forced to consider only stabilizing portions of the shoreline because the living shoreline requirements are cost prohibitive.

It has been a year and a half since applying for permits and to date, we still do not have the State or Federal permits necessary to stabilize my shoreline, and the property continues to erode. The State Wetlands License has been issued twice but after receiving significant pushback from NOAA regarding impacts to mapped SAV, we have been forced to redesign the project several times, with no tangible end in sight. I understand that the State and Federal regulations are at odds because the State requires shorelines be stabilized with a living shoreline, but the Federal agencies want to avoid and minimize impacts to the maximum extent practicable. Living shorelines are not only significantly more expensive but inherently have a much larger footprint than other structural stabilization measures, such as riprap or bulkheading. The living shoreline waiver process and the ongoing regulatory issues between State and Federal agencies has placed an unnecessary burden and hardship on myself and other homeowners who are simply trying to protect the property we own and pay taxes on.

Separate but related to my open application with MDE and the Corps, Lane Engineering has submitted a living shoreline waiver request to stabilize a 300 ft section of shoreline along an agricultural field at my property with riprap. This portion of shoreline is also mapped with SAV and is experiencing significant erosion. Lane Engineering has provided exhibits that document 88 ft of erosion since 1972 and approximately 6-10 ft of erosion since 2016. The shoreline is immediately adjacent to an actively used farm access road and needs to be stabilized as soon as possible. Given the site conditions, need to avoid impacting SAV and cost associated with stabilizing the rest of the property, we feel that riprap would be a practical and appropriate way to stabilize the farm parcel.

As an active environmental and conservation-minded landowner, I understand the benefit of living shorelines and my testimony should not be interpreted as opposition to nonstructural stabilization measures. My family has a long history of support for both land and aquatic conservation and wildlife. We have spent personal funds on habitat restoration with Shore Rivers and water quality buffers with Chesapeake Wildlife Heritage, along with introducing sustainable no-mowing fields on the property.

Senate Bill 775 would give homeowners like myself, some much needed relief and the ability to stabilize high priority areas with riprap, in conjunction with nonstructural stabilization measures along other portions of shoreline.

Heather Murren