

Wednesday, January 31, 2024

TO: Brian Feldman, Chair of the Senate Education, Energy, and the Environment Committee
Committee, and Committee Members

FROM: Humna Sharif, The Nature Conservancy, Climate Adaptation Manager; Cait Kerr, The Nature
Conservancy, State Policy Manager

POSITION: Support SB 306 Chesapeake and Atlantic Coastal Bays Critical Area Protection Program - Climate,
Equity, and Administrative Provisions Act of 2024

The Nature Conservancy (TNC) supports SB 306 offered by the Critical Area Commission. SB 306 integrates climate change adaptation, enhances critical area resilience, and supports environmental justice in coastal Maryland. Incorporating climate change planning and environmental justice factors in local government critical area planning is crucial for creating an equitable resilience vision for the state.

The Critical Area Program is an important partnership between the state and local governments to continue stewarding Maryland's fragile and vulnerable tidal wetlands. In its four decades of operation, the Maryland Critical Area Program has successfully minimized adverse growth and development impacts on tidal wetlands. It has also created a pathway for local governments to approve growth plans in a manner consistent with ecological health metrics. This bill is an important step forward to update the Critical Area Program with climate change considerations and environmental justice priorities.

SB 306 simplifies administrative processes for local governments by aligning timelines for comprehensive plan updates with critical area planning requirements, thus reducing administrative burdens. Maryland's critical areas need to be assessed with climate change impacts in mind, including sea level rise, wetland migration, storm surge, increased precipitation, coastal flooding and other extreme weather events. SB 306 builds in requirements that ensure the program's benefits flow to historically under-served and over-burdened communities by establishing a grant program for local governments to undertake climate-conscious critical area planning activities.

SB 306 also updates critical area mapping requirements to provide Maryland with accurate and high-resolution information regarding the state's changing coastline – this information is especially relevant for local governments as sea level rises and tidal wetlands migrate landwards. Through this bill, mapping shoreline areas that are suitable for creating recreational spaces with consideration given to increasing waterfront and recreational access for under-served communities will be prioritized.

This bill is consistent with Maryland's 2030 commitments on building the state's adaptive capacity and resilience to climate change impacts. Adaptive measures in the state must prioritize restorative justice and address historical inequities that have created disparate climate impacts, balancing the needs of the state's natural, human, social and economic systems – SB 306 is a step in the right direction.

TNC commends the Critical Area Commission for putting forward this bill, which prioritizes Maryland's critical areas' long-term ecological health, and continues to strengthen collaborative planning processes between local governments and the Critical Area Commission.

Therefore, we urge a favorable report on SB 306.