

January 30, 2024

The Honorable Brian Feldman
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD, 21401

RE: SB306 Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Climate, Equity and Administrative Provisions

Dear Chairman Feldman:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB306 Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Climate, Equity and Administrative Provisions**. MBIA **Supports** the Act in its current version with amendments.

Climate resilience and mitigation are integral to the operations and future investments of our member companies in locations near the Chesapeake Bay or Coastal Bay Critical Areas. Adapting construction in flood-prone areas to changing conditions is crucial for safeguarding public and private assets. Regulations such as Critical Area requirements, local flood elevations, FEMA regulations, stormwater management, and building codes play a significant role in this adaptation process.

SB 306 requires that local governments integrate provisions for climate adaptation and social equity into Critical Area programs. We support the bill's assessment of these new initiatives within existing frameworks. Coordination between Critical Areas, floodplain, building codes and other complimentary programs is essential to provide regulated entities with consistent standards, policy objectives that are in alignment and appropriate levels of administrative support.

One concern that our members have is with the evaluating tools for forecasting climate conditions and assessing social and environmental justice factors. We believe that caution is needed regarding the use of environmental mapping tools, as they are used for regulatory decisions on a small scale when they were originally developed for larger planning purposes.

Another specific concern we have is the proposal to remove "wherever possible" from the requirement for a 100-foot buffer. While we understand this buffer is a priority of the program, it may not always be possible, especially in Intensely Developed Areas. We request that "wherever possible" be retained. Our members also have a general concern of the bill and what its impact will be.

For these reasons, MBIA respectfully requests the Committee adopt the proposed amendment and give this measure an favorable report with our amendments. Thank you for your consideration.

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

cc: Members of the Senate Education, Energy, and the Environment Committee