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February 5, 2024

To: Chairman Korman and members of the Maryland House Committee on Environment and Transportation

From: Jim Brown, Policy Director, Audubon Mid-Atlantic

Subject: Favorable Testimony for Maryland HB 233 Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Climate, Equity, and Administrative Provisions

Audubon Mid-Atlantic submits this testimony in support of House Bill 233. Audubon Mid-Atlantic is the regional office of National Audubon Society, representing over 35,000 Marylanders who advocate for the protection of birds, bird habitat, and policies aiming to protect both birds and human communities in the face of increasing environmental challenges, habitat loss, pollution, and climate change. Empowering the Critical Area Commission and local partners to use the lenses of climate change preparedness and environmental justice will strengthen efforts to plan for growth while protecting tidal zones of wetland marshes and shorelines. This provides critical habitat to threatened bird species and protects vulnerable towns and communities from coastal flooding and saltwater intrusion events, which are increasing due to climate change.

Audubon supports HB 233 because this bill lays the framework for both protecting birds and increases the resources for Maryland’s coastal communities and the treasured landscapes which they depend on. HB 233 gives the Critical Area Commission the tools necessary to collaborate with local jurisdictions on planning for growth, habitat conservation needs, and climate resiliency and preparedness. Importantly it will improve information sharing capabilities between state and local governments through adjusting planning timetables and sharing access to the most up-to-date mapping tools available.

By specifically addressing climate and habitat, the bill will give all parties the ability to make planning and mapping decisions which concurrently support growth and important conservation needs. Audubon works in the Critical Area with local communities, state and federal agencies, and partners to plan and implement marsh & island restoration and conservation projects to protect threatened bird species and the places they need to survive. These projects on the lower Eastern Shore are dependent on strong relationships at all levels of government and robust partnerships with local landowners, local economies, and residents. HB 233 gives Maryland the ability significantly bolster this collaboration.

Audubon believes the provisions within the bill will address Environmental Justice concerns in the Critical Area in the following ways:

- Providing increased financial and technical assistance for local jurisdictions to conduct comprehensive planning in the Critical Area will lead to more equitable planning outcomes for all residents.

- An increase in the ability for the Commission and local governments to plan for using green infrastructure such as marsh, wetland, and forest to protect vulnerable historic communities from rising tides.
- There is the potential for more publicly accessible land and water access in Maryland's Chesapeake and Atlantic zones when land not appropriate for development is set aside to become conservation or resiliency areas.

In addition to the above-mentioned reasons, science tells us birds are in decline due to habitat loss and climate change. 1/3 of all Maryland bird species experienced significant population declines in the past 50 years. HB 233 will enable Maryland to slow this climate change induced habitat loss.

HB 233 will lay the framework for creating a more climate-resilient environment for our residents and visitors. It will also continue to hold Maryland up as a leader in climate action, ecosystem preservation, and the protection of birds now and in the future.

Audubon Mid-Atlantic respectfully urges a favorable review of this legislation.

Thank You,

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