



Testimony in SUPPORT of Senate Bill 178 - Chesapeake and Atlantic Coastal Bays Critical Area Protection Program - Standards and Procedures

1/23/26

Chair Feldman and Members of the Committee,

ShoreRivers respectfully submits this testimony in support of Senate Bill 178, which clarifies the standards and procedures governing Maryland's Chesapeake and Atlantic Coastal Bays Critical Area Protection Program. **This is a thoughtful, straightforward bill that modernizes the statute to better reflect the regulations, practices, and responsibilities currently being undertaken by the Critical Area Commission, while reinforcing the program's core mission of protecting Maryland's most sensitive shoreline lands and waters.**

The Critical Area is one of Maryland's most important environmental protections. The lands within 1,000 feet of tidal waters play an outsized role in safeguarding water quality, buffering communities from flooding and erosion, filtering pollutants, providing habitat for fish and wildlife, and sustaining the natural character and economic vitality of local communities. SB178 strengthens the administration of the Critical Area program in several important and practical ways. SB178:

- Updates the commission's authority to adopt regulations, extends the comprehensive review cycle for local critical area programs from six to 10 years to better align with real-world planning timelines, and clarifies procedures for approving program amendments and refinements.
- Refines local standards for growth allocation by requiring that new intensely developed and limited development areas be contiguous and adjoining to existing development.
- Clarifies the process for correcting historic critical area mapping mistakes, ensuring that mapping changes are grounded in objective criteria, consistent methodology, and the goals of the Critical Area law, and
- Modernizes enforcement tools related to illegal tree clearing by allowing a broader range of licensed or otherwise qualified professionals to prepare and oversee replanting plans, and by directing damages to local jurisdictions.

Waterkeepers, through routine monitoring of the waterways we work to protect and restore, are often on the frontlines to witness Critical Area violations. We strive to work collaboratively with our local jurisdictions and the Critical Area Commission to resolve the violations and ensure continued stewardship of these sensitive shoreline resources. Through these interactions, ShoreRivers has experienced firsthand the Critical Area Commission's commitment to working collaboratively with local counties to implement and improve the program. This bill reflects that cooperative approach. It does not represent a major policy shift; rather, it aligns Maryland law more closely with how the program is already being responsibly administered on the ground. **For these reasons, ShoreRivers urges a favorable report on Senate Bill 178.**

Sincerely,

Annie Richards, Chester Riverkeeper on behalf of:

ShoreRivers

Scott Budden, Executive Director

Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper

Ben Ford, Miles Wye Riverkeeper | Zack Kelleher, Sassafras Riverkeeper