



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

House Bill 613 - Department of the Environment - Waivers for Living Shorelines and Nonstructural Shoreline Stabilization Measures - Regulations and Scoring System

Chair Feldman, Vice Chair Kagan and Members of the Committee:

Today, I bring forward House Bill 613.

This bill now as amended is a statewide bill. It has had numerous reviews to gain stakeholder, advocate, DNR, and MDE input and support.

Let me be clear at the outset: I am not against living shorelines. They are an important environmental tool, and the Living Shoreline Protection Act of 2008 established them as the State's preferred method of erosion control where feasible. What I, and many of my constituents, take issue with is the process. Too often, it feels top-down. Exceptions are difficult to obtain, reviews can take a long time, and property owners spend significant money with no certainty of outcome, all while their shoreline continues to erode.

This issue has been developing for several years. A few sessions ago, a similar bill came before the Environment and Transportation Committee. We had a spirited and productive discussion in subcommittee and ultimately decided to continue working on it rather than force the issue.

Since then, the ENT Committee tried to better understand the full picture through interim site visits. We've been to Calvert Cliffs Nuclear Power Plant, Point lookout State Park, and Poplar Island. When you stand on those shorelines and see the conditions firsthand, it reinforces something important: Maryland's coastline is not one-size-fits-all.

Under current law, property owners must generally use nonstructural shoreline stabilization measures. There are two exceptions: where the Maryland Department of the Environment has mapped an area as appropriate for structural measures, or where an applicant can demonstrate that nonstructural methods are not feasible. The challenge is that much of our shoreline is mapped as "undetermined." Additionally, securing a waiver can take considerable time and expense, and there is no guarantee of approval. Meanwhile, erosion continues—often at an accelerated pace because of the energy of the water we face.

When a waiver is denied, property owners and marine contractors have not been told the basis of this denial. At times the process and decisions have seemed arbitrary. This is unfair to everyone involved in the process and gives the appearance of unfair practices.

We consistently hear from marine contractors that some property owners simply decide the process is not workable and walk away. When that happens, the shoreline is left unprotected, and we lose more of it each year.

House Bill 613 has been significantly amended and now reflects a much broader, statewide approach. No longer limited to Calvert and St. Mary's Counties, the bill applies across Maryland and establishes a more transparent and collaborative framework for shoreline management decisions.

As amended, the bill redefines "living shoreline" and clarifies the associated attributes, ensuring a more consistent understanding of what qualifies under that designation.

The role of Soil Conservation Districts has also been updated. While they are now advisory in nature, they are required to be consulted at the initial request of a waiver and will provide recommendations to the Maryland Department of the Environment. This ensures that local expertise remains part of the decision-making process.

Importantly, the bill requires MDE to develop, in collaboration with stakeholders, a scoring system for evaluating projects. This scoring system must be made publicly available on MDE's website, bringing greater transparency and consistency to the evaluation process.

Additionally, MDE is required to engage stakeholders in a series of discussions addressing key challenges, including wave energy environments, existing time-of-year restrictions, and mitigation requirements. The Department must report back to the Environment and Transportation Committee and the Education, Energy, and the Environment Committee by December 1, 2026, on the progress of these efforts.

Overall, the amended bill strengthens transparency, expands stakeholder involvement, and ensures that both local insight and scientific considerations are incorporated into shoreline management decisions statewide

I'm also proud that this is the first bill to receive a letter of support from the newly created House of Delegates, Maryland Rural Caucus, reflecting an understanding that rural coastal communities experience these challenges differently.

For these reasons, I respectfully ask for a favorable report on House Bill 613. Thank you for your consideration.