

Maryland Coast Smart Council
May 7, 2018 – 1:00 – 2:00 pm – DNR Meeting Notes

Attendance: Mark Belton (DNR), Matthew Fleming (DNR), Gary Setzer (MDE), Katherine Charbonneau (DNR/CA), John Brush (DGS), Richard Higgins (Commerce), Joseph Abe (DNR), Catherine McCall (DNR), Kimberly Hernandez (DNR), Kevin Wagner (MDE), Lori Graf (MD Building Industry Association), Jen Sparenberg (MHT), Dave Guignet (MDE), Emily Vaineri (OAG), Alexandra Deweese (DNR/CA), Brian Ambrette (Eastern Shore Land Conservancy), Frank Piorko (Maryland Coastal Bays)

Conference Phone: Nancy Kopp (MD Treasurer), Kevin Brown (Town of Ocean City), Michael Bayer (MDP), Gerry Galloway (U of MD College Park), Dave Nemazie (UMCES)

1:03 p.m. Meeting Began

Agenda Item #1

- Secretary Mark Belton welcomed everyone, asked for introductions and called the meeting to order. Secretary Belton welcomed new Council member John Brush (DGS).

Agenda Item #2

- Members were asked if they had any edits to the 3/12/18 meeting minutes. With none suggested a motion to approve the minutes was requested. A motion to approve the 3/12/18 notes as written was made and seconded. The Council voted for and approved minutes.

Agenda Item #3

- Secretary called for updates from last meeting.
- It was announced that Mary Phillips will be replacing Thomas Lawton (retired) for Somerset County.
- Broader Inclusion of Shaded Zone X into Coast Smart Construction Program (Recommendation 3 in Coast Smart Council 2017 Annual Report). Dave Guignet mentioned that Council member Kevin Brown (with support from Kevin Wagner) did a good job explaining the issue at the last meeting (summarized below):

Maryland's National Flood Insurance Program (NFIP) Coordinating Office currently only examines projects in the Special Flood Hazard Area (SFHA) that include Zone A, Zone AE and Zone VE; areas of high flood risk. FEMA often provides a statistic that about 25% of all NFIP flood insurance claims are in areas outside the SFHA. That tells us one of two things, FEMA's maps are often wrong and/or the standard we currently use to regulate floodplain development isn't good enough. Zone X is further subdivided into two zones, Zone X (shaded) and Zone X (unshaded). A shaded Zone X is basically the 0.2% annual chance flood event, commonly referred to as the 500-year flood; it's considered an area of moderate flood risk. An unshaded Zone X is an area of low flood risk. Under the Maryland Coast Smart Construction Program, the only time a Zone X (shaded) comes into play under the existing State Executive Orders and siting guidelines is for Critical and Essential facilities (ex. Police, Fire, WWTP's, WTP's, etc.). A broader inclusion of Zone X would distinguish Maryland as a national leader. The Maryland Coast Smart Council should consider broader inclusion of flood Zone X to better protect Maryland communities and assets that are vulnerable coastal flooding, storm surge and sea-level rise and advance Maryland as a leader in coastal adaptation.

- Dave and others discussed a number of issues that need further clarification, including:
 - How will we define these expanded areas consistently? Liz Habic, SHA, a 2 foot sea level rise map used by MDOT and suggested it for statewide use.
 - What freeboard will be required? Dave definitely felt 2 feet or some other value should be required in shaded zone x.
 - Senate Bill 1006 has significant implications for the Council’s work and that these changes should be taken into account when considering broader inclusion of shaded zone x.
 - LiDAR used by MDE was a 4 foot DEM – SHA’s data is higher resolution. Liz recommended using SHA data as statewide data layer.
 - It was agreed that MDE and SHA should explore the reference data further.
- Coast Smart Council 2017 Annual Report is now with DNR’s Communications Office, who is coordinating review with State House.
- Last meeting the Council approved the new 2018 Coast Smart Construction Program. Once Program receives Secretary Belton’s signature, it will be posted to Council’s web site.

Agenda Item #4

- Frank Piorko, Executive Director, Maryland Coastal Bays presented highlights and findings from the Coastal Bays Vulnerability Study conducted by University of Maryland Sea Grant
- Working on Climate Change Vulnerability Assessment with EPA’s Climate Ready Estuaries Program, led by Jen Dindinger
- Coastal Bays Study was based on Steps 1-5 of EPA’s “Being Prepared for Climate Change: A Workbook for Developing Risk-Based Adaptation Plans”
- Process for determining and prioritizing risks that would result from the impact of 7 different climate stressors on CCMP goals
- Climate stressors given: warmer summers, warmer winters, warmer waters, increasing drought, increasing storminess, sea level rise, ocean acidification
- Risk Identification (Step 3) = generating a broad list of reasonably foreseeable ways that climate stressors could impact your agency/program
 - MCBP convened Expert Panel, January 2017
- Also considered spatial scale of the impact and time horizon until a problem begins for each risk
- Small groups analyzed the 400+ risks in each of the four categories. Many were duplicative. STAC reviewed and asked for suggestions. Plugged into EPA’s online tool that automatically populates a matrix that generates a Consequences-Probability Matrix, 1 for each CCMP goal
- 14 Matrices reviewed at 2 public meetings May 2017, as well as STAC and MCBP staff review
- Next Steps = Phase 2: Action Plan Steps 6-10
- Only second estuary program in the nation going through this process.
- Some of the highest risk with highest consequences related to sea level rise. General sense that ocean acidification was an “ocean-issue” even though not reality. Risks to water quality seemed to resonate more than risks to community, recreation, or navigation; general sense that they are “taken care of” so less worried about.
- Brian Ambrette asked if more focus should be directed toward “low probability, high consequence” events (i.e. the “green box” shown in EPA’s climate adaption guidance). Examples include the Houston (Hurricane Harvey) and Ellicott City floods. As a nation, we are underprepared for these catastrophic events and we’re learning that their consequences need to be considered despite their small but clearly non-zero probability. It does not seem that

there is much focus at this time on such low probability, high impact events.

- Kevin Wagner suggested the opportunity to connect this work with the State's Hazard Mitigation Plan update. Whatever goes in there allows opportunity for future FEMA funding to prioritize projects in high-priority areas.
- Matt Fleming asked if this EPA process may provide a productive framework for the TMDL Phase III WIP process. Possibly.

Agenda Item #5

- Jennifer Sparenberg, Hazard Mitigation Officer, Maryland Historical Trust presented highlights and findings from the MHT's report Flood Mitigation Guide: Maryland's Historic Buildings.
- Website will be a menu of options and guidance depending on where you are in planning process and level of knowledge.
- Target audience is local government.
- Jen briefly ran through what each chapter highlights.
- Still developing case studies.
- Secretary Belton asked if there is an inventory of historic buildings that are in flood hazard areas. Yes, there is a layer of historic resources and can pull it into MD Flood Map and identify which are in sea level rise or storm surge vulnerability areas. Secretary Belton thinks would be helpful to know which properties are most historically significant and which are most at risk so we can prioritize preservation resources.
 - Brian Ambrette mentioned over 800 structures have been identified in Dorchester County, and over 100 are considered "vulnerable" – must consider definition of vulnerability as well.
- DNR and MHT do not have a good database of historic structures.
- Kevin Wagner mentioned the MHT grants available to do surveys – are western Maryland communities being nudged to apply? Not really, but trying to improve connections to western Maryland.
- Treasurer Kopp (on phone) wanted clarification of who to send inquiries to – Please direct to Jen Sparenberg.
- Joe Abe asked if important archeological sites were considered (e.g. St. Mary's County). Jen said that these sites were not covered in this report but will be addressed in the fall of 2018. The document is set for a while, but will be refinement and updating into the future.

Agenda Item #6

- Matthew Fleming, Maryland Department of Natural Resources gave an overview of SB 1006
- Senate Bill 1006, "sea level rise inundation and coastal flooding" – has not been signed into law yet. Unless vetoed, will be official law July 1, 2018.
- Senator Pinsky and Delegate Stein were sponsors.
- The idea is to increase leverage of the CoastSmart Council to address sea level rise and storm surge.
- Included parts to help local governments address nuisance flooding
- Include Treasurer as designated CoastSmart Council Member.
- Added specific language to required design and construction to withstand a category 2 hurricane.
- Asked MDP to establish a plan for saltwater intrusion, and update every 5 years.
- Changed cost-thresholds of projects that are reviewed by CoastSmart Council.
- Secretary Belton asked if there were any changes in local government Council members as a

result of this legislation – possible **ACTION ITEM**: send invitations to MACo and MML to ask for official Council membership

- **ACTION ITEM**: invite someone from MACo/MML to talk about this impact, someone from Department of Agriculture to talk about saltwater intrusion
- It was mentioned that the other thing the bill does is change which projects we see (and which are excluded) based on project cost and funding source. **ACTION ITEM**: explore with AG office opportunities to understand full impact and changes to/clarification of terminology.
- Suggestion to shelve the 2 foot freeboard vs. shaded zone X until we understand the changes this bill will create in the process.
- Liz Habiz recommended the need to identify/define what nuisance flooding is.
- Emily Vanieri recommended that the Council work to understand how new changes will be implemented and working to get that updated in the CoastSmart Guidance.
- Possibility to discuss further at MML summer conference June 10-13, 2018. **ACTION ITEM**: follow-up with MML to discuss opportunities.
- Kevin Wagner mentioned Ocean City Hazard Mitigation Plan. Town of Ocean City is studying this bill pretty intensely to understand which projects it may or may not impact. Several City Planners trying to ID – opportunity to connect with their lessons learned to date, and vice versa.

1:58 p.m. Meeting Adjourned