

Maryland Coast Smart Council
November 18, 2019 -- 1:00 p.m. – 2:00 p.m.

Tawes State Office Building -- Conference Room C-1
580 Taylor Avenue Annapolis, MD 21401

Conference Line: +1-347-450-4997 **Pin#:** 953-376-046#

Agenda and Meeting Notes

Attendees: Joseph Abe (DNR), Sepehr Baharlou (Bay Lands), David Bohannon (BPW), Joseph Brenner (KCI), Katherine Charbanneau (Critical Area Commission), Kristen Fleming (DNR), Peter Goodwin (UMCES), Susan Gore (DBM), Kimberly Grubert (DNR), Dave Guignet (MDE), Elizabeth Habic (MDOT), Debbie Herr Cornwell (MDP), Sandy Hertz (MDOT), Tim Lavalley (Commerce), Lewis E. Link (UMD), Catherine McCall (DNR), Bill Neville (Ocean City), Gary Setzer (MDE), Emily Vanieri (OAG / DNR), Kevin Wagner (MDE)

By Phone: Spyros Papadimas (DGS), Michael Bayer (MDP), Mary Phillips (Somerset County)

I. Welcome and Announcements

1:00 p.m.

- a. *Secretary Jeannie Haddaway-Riccio, Maryland Department of Natural Resources* will welcome participants and request introductions.
- b. Review & Approve the 08/05/19 Council Meeting Notes.
 - i. Materials: August 5, 2019 Council Meeting Notes
 - ii. Action: Approve Meeting Notes
- c. Update & Announcements.

Meeting called to order at 1:00pm and asked for a round of introductions. Secretary Haddaway-Ricco asked for approval of 08/05/19 meeting notes (approved unanimously).

II. Coast Smart Council Business

1:10 – 1:55 p.m.

- a. **Sea Level Rise Inundation and Coastal Flooding, Construction, Adaptation and Mitigation (HB 1427)**
 - i. **Update on Near-Term Requirements.**
Members will hear a status report on multiple requirements of HB 1427. Debbie Herr Cornwell (MDP), Catherine McCall (DNR), and Dave Guignet (MDE) will provide updates on the Saltwater Intrusion Plan, Nuisance Flood Plan Guidance and the updated mapping efforts taking place, respectively. (10 minutes)

Debbie Herr Cornwell (MDP) presented on the Saltwater Intrusion Plan. MDP established and led state agency work

group that included DNR, Maryland Geological Survey, MDE, MDA, UMD: UMCES, MD Sea Grant, and Harry Hughes Center for Agroecology. In 2018 and 2019 MDP conducted research and interviews and developed the Plan based on feedback from the work group and several other experts. The Plan was vetted with stakeholder groups and sister agencies. Draft went to Governor's office on 11/18/19. MDP on schedule to submit to GAM by December 15, 2019. Plan to update the plan in five years (2024). **Final Saltwater Intrusion Plan will be distributed to Council when approved and final.**

Catherine McCall (DNR) presented an update on Nuisance Flood Plan Guidance. Guidance issued jointly by DNR and MDP on October 1, 2019. Guidance is available online (<https://dnr.maryland.gov/ccs/Documents/NuisanceFloodPlan.pdf>). Applies to communities affected by tidal coastal flood, which includes 16 counties in Maryland's coastal zone and the municipalities within. MDP and DNR will be holding technical assistance sessions in December to assist local governments develop nuisance flood plans required by law. All sessions will be 10:30am-12:30pm and include the same information. Registration is not required to attend.

- Session 1: December 10 – Eastern Shore Higher Education Center, Chesapeake College, HEC 201: Wye Mills, MD
- Session 2: December 11 – Marshy Hope Nature Center, Auditorium, 7130 Marshy Point Rd, Baltimore, MD
- Session 3: December 12 – Tri-County Council for the Lower Eastern Shore, Worcester Room, 31901 Tri-County Way, Salisbury, MD
- Session 4: December 19 – Calvert Library Prince Frederick, Room 1&2, 850 Costley Way, Prince Frederick, MD

Dave Guignet (MDE) presented on the “100 +3” layer. Dave has been leading a Coast Smart Council initiative to develop a “100 year + 3 feet” data layer that goes “up and out” - anticipate developing a white paper for how the CSC did the process. White paper and updated data layers will be available in early 2020. Allison to connect with UMD (Ed Link) about potential to connect with the UMD Design Studio.

ii. Interagency Workgroup Review of HB 1427.

Emily Vainieri (OAG) will review the year long interagency effort to evaluate HB1427 and will summarize the work group's draft recommendations for improvements and clarifications for the Council's consideration. (10 minutes)

During August ARWG meeting, Emily Vainieri presented options for short and long term changes to the statute. After August larger group met (MDE, DNR, BPW, MEMA, MDOT) to further discuss potential changes, which include:

1. Change name to “Coast Smart and Climate Ready Council”
2. Replacing Category 2 storm surge with an elevation and boundary. Incorporate updated elevation and boundary layers to be consistent with current mapping efforts.
3. Add definition of salinization to statute
4. Incorporate inland flooding; extend deadline for nuisance flood plans from inland jurisdictions

iii. Coast Smart Council 2019 Report.

Joe Abe, (DNR) will discuss new additions, and request feedback/new agency updates. (5 minutes)

1. Materials: Coast Smart Council 2019 Report.
2. Action: Approve/Recommendations for next steps.

Have until November 20, 2019 to provide final comments to Allison (allison.breitenother@maryland.gov). Joe Abe asked if any major concerns; none mentioned. As a group looked at the recommendations in Section V.

Questions & Comments:

- Gary Setzer mentioned inconsistency between “Climate Smart Council” vs. “Coast Smart and Climate Ready Council” – need to reconcile nomenclature.
- Dr. Peter Goodwin asked about addressing the decision to no longer use the category 2 storm surge. Discussion

followed regarding Senator Pinsky's inquiry to a similar effect and Secretary Haddaway-Riccio provided a summary of the response that was sent to the Senator's office. Senator Pinsky then reached out to DBM asking for list of projects in FY19 and FY20 projects that were listed in a climate impact area (Susan Gore). Also asked for a list of MDOT projects (Sandy Hertz). **Coordinator to add language to Coast Smart Report to provide clarity on the decision to no longer lead with category 2 storm surge. Language will come from the letter DNR sent to Senator Pinsky.**

- Sandy Hertz: related to categorical exceptions, the document doesn't list maintenance, but on website maintenance is an accepted exception. Need to either update checklist or clarify what we mean when we say "maintenance activities."

All comments will be integrated after Wednesday and CSC staff will ensure consistency in final copy edit. Layout and structure will be similar to past reports. Please send photos, imagery, graphics to Allison.brietenother@maryland.gov.

b. 2020 Meeting Schedule

The Council will discuss proposed 2020 meeting schedule and potential changes (10 minutes)

2020 Meetings: Q1 February 10 | Q2 May 11 | Q3 August 3 | Q4 November 9

Sought CSC feedback on implementing a 15-30 minute break between CSC and ARWG meetings. Decision made to do 12:30-1:30 PM meetings in 2020.

Sought CSC feedback on implementing additional working meetings between the quarterly meetings. Ed Link - anticipate a need for group discussion on change from just Coast Smart to Climate Smart (expansion to inland zones) and what that means for the Council. Gary Setzer agreed; Council misses out on broad discussions that happen when the small groups discuss changes, which seems unfair to the rest of the Council members. Consensus that there would be added value to the full Council to provide the opportunity to all members to discuss issues more in depth, as desired. Additional meetings will be scheduled as identified by Council in 2020.

c. Future agenda items

The Council will discuss future agenda items, key issues and program updates. (10 minutes)

Sandy Hertz: Kate S. & Emily V. went down to Virginia and presented on climate work happening in Maryland. Theme among other states is identifying a Chief Resiliency Officer. Should discuss as a group a vision for that position; possibly develop a work group to do a white paper to understand how other states are approaching this. Generally we are ahead of other states, but one thing we don't have that most others have done is the Chief Resiliency Officer.

Dave Guinet: Need an assessment of gaps in regulation.

Dr. Peter Goodwin: If go down the path of a CRO need to ensure that person has the authority to coordinate across agency boundaries. If do any type of assessment, should include a look at how other states are handling that.

Matt Fleming: UMD design studio.

Kevin Wagner: Virginia Flood Risk Standard; Virginia incorporating significant free board standards into state owned

facilities. FEMA challenging Maryland to produce record of state regulations that apply in the flood prone areas.

ACTION ITEM: Allison to send Virginia Executive Order around to the group.

Joe Abe: Maryland Flood Resilience Roundtable was a good event; more discussion forums structured in a similar way would be helpful. Kevin Wagner: May 2020 looking to do another roundtable possibly in the Ocean City area.

Dave Guinet: Most communities have regulations inside the floodplain; this means development tends to crowd just next to the floodplain area that is regulated – there is opportunity for education and outreach here demonstrating risk still exists and need to minimize vulnerability in those areas. FEMA is looking to change insurance rating for people just outside the floodplain.

Dr. Peter Goodwin: Can CSC look at the effectiveness of the policies and actions being taken are actually resulting in outcomes. Secretary in position to inform the Governor’s office if we have a feedback mechanism in place.

Gary Setzer: Perhaps a discussion with Senator Pinsky about some of the recommendations put forth in the annual report. Could include a discussion about giving authority to the Council to branch into inland areas.

Kevin Wagner: Reminder that we have had a Comprehensive Flood Mitigation Program since the 1970s that provided assistance to local governments to address flood issues. FY20 GAM appropriations were made for 3 projects; and FY2117 projects identified. Working closely with MEMA. Solicitation coming up soon and would appreciate help in forwarding.

Matt Fleming: When attended the Coastal States Organization meeting had a FEMA presentation that would be a valuable presentation to the Council.

Dave Nemazi: IMET hosting 4 Ambassadors (France, Portugal, Spain, Sweden) for a climate panel discussion about what they are doing in their countries and a Q&A with the audience. Space is limited so when receive the invitation be sure to RSVP quickly to reserve a seat. **Allison to send rsvp and information onto Council.**

Gary Setzer is retiring ☺

III. **Wrap-Up**

1:55 p.m.

2020 Meeting Dates: *Q1:* February 10**, *Q2:* May 11, *Q3:* August 3, *Q4:* November 9

** Note: the February meeting was moved from February 3 to February 10

All meetings will be held at the DNR Tawes headquarters from 1:30-2:30 PM.