



Senate Bill 256

Maryland Shoreline Risk Assessment, Preparation, and Adaptation Act

MACo Position: **SUPPORT**
WITH AMENDMENTS

Date: February 17, 2015

To: Education, Health, and Environmental Affairs
Committee

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** SB 256 **WITH AMENDMENTS**. The bill would provide the State, local governments, and the agricultural sector with information and tools to address sea level rise, flooding, severe weather events, economic costs, and other potential impacts caused by climate change. However, the bill would also unnecessarily require the incorporation of another complex policy area into local comprehensive plans. MACo asks for that section to be amended.

SB 256 would add a new thirteenth planning vision: "Preparation and adaptation – consideration of climate change risks, including sea level rise, increased precipitation and temperature, storm surges, and flooding, based on available data predicting the likelihood of future extreme weather events." Planning visions are broad goals that must be incorporated into local comprehensive plans.

MACo does not object to the State components of the bill, including the ongoing climate change impact assessments and model local ordinances. Such information and tools assist counties in forming their own climate change adaptation strategies. However, MACo does object to the requirement of having to incorporate yet another major policy component into local comprehensive plans that are already burgeoning with mandated information.

Since 2006, counties have seen significant new land use and environmental mandates that have required major additions or changes to a county's comprehensive plan or related planning processes. A sample of these new requirements includes:

- New water resources element (HB 1141 of 2006)
- New priority preservation element (HB 2 of 2006)
- New planning visions (HB 294/SB 273 of 2009)
- New comprehensive plan consistency requirements (HB 297/SB 280 of 2009)
- New transportation planning requirements (HB 1155 of 2010)

- New growth tiers for septic systems (SB 236 of 2012)

With the addition of these new requirements, comprehensive plans have grown increasingly complex and costly to prepare. They are no longer the simple visionary documents that could easily be understood by citizens and have begun to take on the detail and specificity traditionally reserved for zoning.

In acknowledgement of this complexity, the General Assembly recently increased the comprehensive plan update cycle from 6 years to 10 years (HB 409/SB 671 of 2013). MACo has also requested that both the General Assembly and the Executive Branch refrain from requiring additional plan changes so that existing requirements can be properly incorporated into the plans and the effectiveness of those requirements can be evaluated.

Counties can address the adaptation challenges posed by climate change through local laws, ordinances, policies, and a variety of other means. Adding further requirements to overly-burdened local land use plans serves no useful purpose. Therefore, MACo has attached an amendment that would delete the proposed additional planning vision from SB 256.

SB 256 seeks to ensure that both the State and local governments are provided with useful information and options to address potential climate change challenges. However, MACo does not believe that mandating further changes to already complicated local comprehensive plans is necessary to achieve the bill's reasonable objectives. Accordingly, MACo recommends the Committee issue a report of **FAVORABLE WITH AMENDMENTS** on SB 256.

MACo Proposed Amendments for SB 256

Amendment Description: The proposed amendments would remove the bill's proposed new planning vision, which would require counties and municipalities to increase the size and complexity of their comprehensive plans. The removal of the vision does not prevent or limit counties from adopting their own climate change adaptation strategies.

On page 1, strike beginning with "altering" in line 26 down through "risks;" in line 28, inclusive.

On page 8, in line 31, strike the brackets; and on pages 8 and 9, strike beginning with "; AND" in line 34 on page 8 down through "EVENTS." in line 2 on page 9.