




Coast Smart Council & CAC Coastal Resiliency

August 30, 2023
Emily Vainieri, OAG/DNR
Charlotte Shearin, CAC



Coast Smart Council & CAC Coastal Resiliency

- Who is the Coast Smart Council?
- What does the Coast Smart Council do?
- What types of projects are subject to the Coast Smart program?
- Where are projects located?
- What are the Coast Smart Program requirements?
- How is the Coast Smart Program implemented?
- What is the relationship between the Coast Smart Council and the Critical Area Commission's coastal resiliency requirements?

Who is the Coast Smart Council?

- Created in 2014
- Chaired by DNR Secretary
- Membership includes private sector, State agencies, universities

What Does the Coast Smart Council Do?

- Purpose:
 - To develop and adopt specific Coast Smart Siting and Design Criteria to address impacts associated with sea level rise inundation, and coastal flooding on projects subject to the Program
- Consults with DNR and the Maryland Department of Transportation
- Publish *Coast Smart Construction Program* document

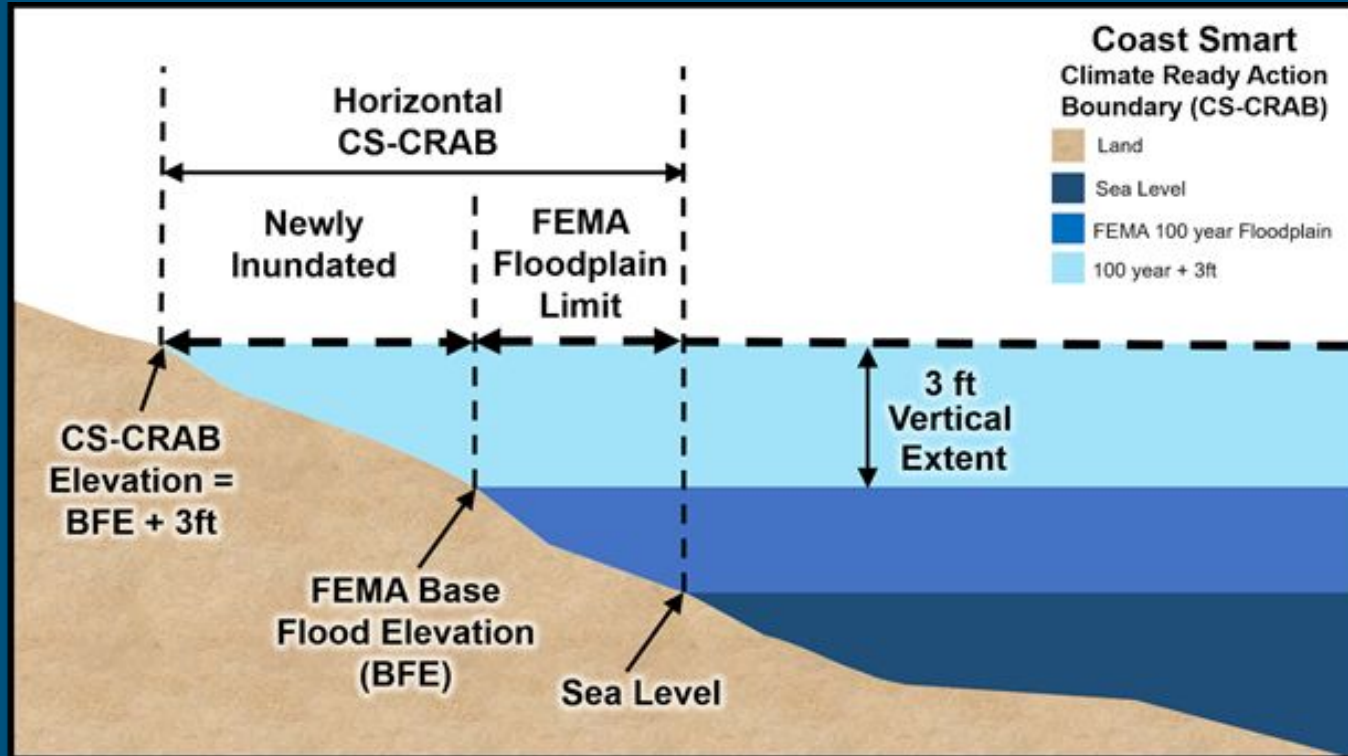
Projects subject to the Coast Smart Program?

- Capital project;
- Constructed by state or local jurisdiction;
- Costs at least \$500,000;
- Funded with at least 50% State funds;
- Involves the construction or reconstruction of a structure OR construction of a highway facility; and
- Is located within vulnerable area
 - CS-CRAB: Coast Smart Climate Ready Action Boundary

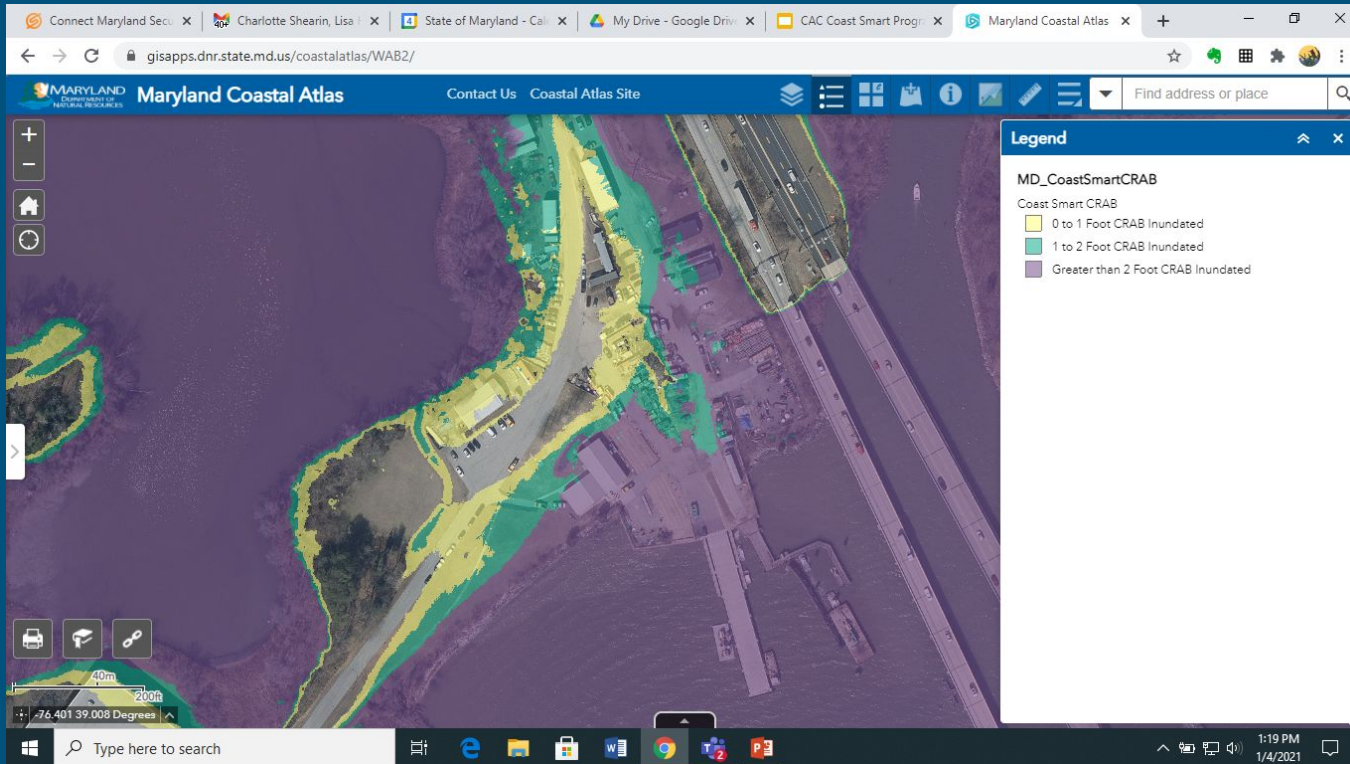
What are Vulnerable Areas?

- 2020 - Council adopted CS-CRAB: Coast Smart Climate Ready Action Boundary
- <https://mdfloodmaps.net/CRAB/>
- The CS-CRAB means a selected elevation fixed to the 100-year Base Flood Elevation, plus a 3-foot rise in vertical extent. The CS-CRAB is the corresponding horizontal floodplain created by the CS-CRAB elevation.
- **** This standard is intended to reflect BOTH future sea level rise and storm surge.**

CS-CRAB Elevation



CS-CRAB Boundary



Coast Smart Program Requirements?

- Incorporate Coast Smart Construction Siting and Design Criteria into projects subject to Coast Smart Program
- Siting Criteria - where something is constructed
- Design Criteria - how something is constructed

Coast Smart Program Implementation?

- Self-certifying program
- Each agency incorporates criteria into their own programs/policies
- Coast Smart Council does not review and approve individual projects
- Agency may request waiver from a specific Siting or Design Criteria
- Agency project may qualify for Categorical Exemption
- Even if waiver or exemption, agency still must demonstrate project has been designed to include adaptation and resiliency features to prevent or mitigate damage to the maximum extent practicable

Overlap with Critical Area Commission

Under COMAR 27.02.05 **all State agencies** must consult with the Critical Area Commission, as soon as possible in the planning process, regarding an assessment of proposed state development projects in the Critical Area for climate resilient practices that address coastal hazards, extreme weather events, sea level rise and other impacts.

- Includes projects that are required to meet Coast Smart Construction Program

Coastal Resilience Criteria for State Agencies

- Agencies shall demonstrate to the Commission that the agency has considered the likelihood of sea level rise over the course of the design life of the development;
- Agencies shall demonstrate to the Commission that the proposed development identifies and incorporates climate resilient practices in order to avoid, or in the alternative, minimize environmental and structural damage associated with a coastal hazard, an extreme weather event, sea level rise, and other impacts;

THESE OVERLAP WITH THE COAST SMART CONSTRUCTION PROGRAM ON APPLICABLE STATE PROJECTS

Coastal Resilience Criteria for State Agencies

- Projects shall to the maximum extent practicable preserve, protect and maintain a potential wetland migration areas within the area of the development project, and adjacent to the area of the development project, if owned or within a legally enforceable right-of way;

DOES NOT OVERLAP WITH THE COAST SMART CONSTRUCTION PROGRAM

Coastal Resilience Criteria for State Agencies

- If impacts to a potential wetland migration area are unavoidable, the Agency shall demonstrate to the Commission (1) why that impact is unavoidable, (2) provide an assessment of ecological features on site that could be enhanced, restored, or created in order to maintain existing wetland functions and to provide additional protection against future sea level rise and coastal storm impacts, and (3) make recommendations regarding the most feasible methods to address the detrimental impact, and the enhancement, restoration, and creation of natural features on site; and

DOES NOT OVERLAP WITH THE COAST SMART CONSTRUCTION PROGRAM

Coastal Resilience Criteria for State Agencies

- When public access is established, the agency shall demonstrate that the location and design of the project will minimize impacts from sea level rise and long-term access has been considered.

DOES NOT OVERLAP WITH THE COAST SMART CONSTRUCTION PROGRAM

Critical Area Commission - State Project Checklist

Attachment C: Coastal Resiliency Analysis for State Projects - Updated in 2023

- Determine project's flood risk tolerance over design life and select tidal gauge
- Determine storm and nuisance flood events
- Identify FEMA floodplain, Special Flood Hazard Areas, CS-CRAB
- Identify design considerations and coastal resiliency practices
- Identify Wetland Migration Areas impacts and mitigation/protection
- Public Access

If Coast Smart Construction Program is applicable,

- Project Screening Form, Waiver Request Form and other data is required

Commission's Role in Reviewing Projects

Address COMAR 27.02.05 - State Criteria

- Consider potential of impacts over lifetime of project
- Review actions or activities that minimize impacts
- Consider impacts to wetland migration areas, and if applicable, ecological measures that could increase resiliency
- Consider long-term public access

The Staff Report includes a section on Coastal Resiliency summarizing information from the applicant.

Any Questions?
