Agenda
Coast Smart Council Quarter 2 Meeting
May 31, 2023 | 12:30pm -1 :30pm

Meeting Link: https://meet.google.com/wkx-jvzg-vjw
Or dial: (US) +1 337-513-0087 PIN: 925 931 148#

Action Items:

Action: Ryland will update the CSC Decision Tree to reflect that placement outside of the CS-CRAB area does not necessarily indicate no Coast Smart review.

Action: Ryland will email out the webinar information shared by Dr. Peter Goodwin and Matt Rowe.

Highlights:
1. February 22 Meeting Notes Approved
2. Council will explore integrating Coast Smart review with Maryland Department of Planning Clearinghouse review process
3. Next meeting Aug 30, 2023 12:30-1:30

I. **Welcome, Introductions & Review of Agenda**   **12:30 - 12:35**
    Secretary Kurtz (DNR), will open the meeting, call roll and review the agenda.
    a. Action: Member approval of February 22, 2022 Meeting Minutes via vote
    b. Materials: Feb 22 Meeting Notes DRAFT

Sec. Kurtz opened the meeting and started with roll call:

House of Representatives	Delegate Stein - no
DBM	Jason Wardrup - yes
MDE	Matt Rowe - yes
DGS	Spyros Papadimas - yes
MDP	Jill Lemke - no
MDOT	Shawn Kiernan- yes
Commerce	John Papavasiliou - no
CAC	Kate Charbonneau/Erik Fisher - yes
MDEM	Jesse Delph - no
MDEM	Vanessa Calaban - no
University System of Maryland	Dr. Peter Goodwin - yes

Treasurer's Office	Dereck E. Davis - no
Charles County Government	Beth Groth- no
Somerset County Government	Mary Phillips- no
BayLand Consultants & Designers, Inc	Sepehr Baharlou - yes
UMD Civil and Environmental Engineering	Greg Baecher - yes
GWWO Architects	Chris Elcock - yes

- Beth Groth, Jesse Delph, and Jill Lemke were not present during roll call but joined later.
- Secretary Kurtz asked for a motion and a second to approve the previous meeting minutes.
  - Motion to approve the meeting minutes: Dr. Goodwin
  - Second by: Jason Wardrup -DBM-
  - Minutes approved

II. Coast Smart Decision Tree Review   12:35 - 1:00
Ryland Taylor, (DNR) will present a draft of a decision tree that describes a portion of the intended application of Coast Smart siting and design criteria across state programs. This discussion will provide the foundation to evaluate the effectiveness of the Coast Smart internal process, identify gaps and frame needed modifications. Council discussion will follow.
  a. Action: Council members will discuss where responsibility lies, whether the decision tree appropriately displays this portion of the Coast Smart process and propose modifications for improved effectiveness.
  b. Materials: Slides to be presented

Ryland Taylor, MD DNR, presented a decision tree for DBM growth and conservation criteria Coast Smart review. This is just one pathway that Coast Smart criteria is initiated and reviewed.

CRAB - if a project is lo+cated within the CRAB layer it will require Coast Smart review; if not, the project will not require Coast Smart review

Funding cap: $500k with 50% coming from capital funds = if yes, triggers Coast Smart review

Qualify as exemption? If not, continues with Coast Smart review

Does the project meet siting and design criteria? If not, make project modifications or apply for a waiver.

This graphic highlighted areas of confusion and omissions:
This process does not capture all eligible projects that should go forward for a Coast Smart review? Such as, legislative bonds and GO bonds that do not go through DBM.

Katherine Charbonneau -DNR- : If a site is adjacent to the CRAB layer, Coast Smart review applies regardless if in or out? Last guidance documents attempted to capture 'donut' areas (Example of this is the UMCES Solomons building). To what extent should we be looking at the surrounding landscape and what considerations should we give to those projects?

HIGHLIGHT: How specific does the CSC want the guidance document to be? Should we allow for consideration of projects outside the CRAB layer but that may be impacted by it indirectly.

Emily Vaineri: Capital projects are already defined within the approved program document but there is room and flexibility to amend. We should also make sure the first step in the decision tree is making sure the project even meets the Coast Smart review criteria (such as being a capital project).
Question: As this is a self certification, what is DNRs role?
Christine: CSC language is vague but there is a statement that the 'applicant' can consult the CSC and as chair that would come to DNR. We could look at having a network of Coast Smart reviewers instead?

Sepehr: In past Coast Smart meetings, they have touched on an approach to capture non-DBM and the idea was to use the Board of Public Works as a firewall. Is this happening?
Emily: in the package of documents that goes to BPW there is a check-off that there is an indication if Coast Smart criteria applies and whether it has been reviewed and approved.
Ryland: BPW is too late to make changes to the design and/or siting

Chuck Boyd: MDP is discussing including the growth and conservation review into their clearing house review (at the regional planner level). Could incorporate CRAB review as a step within the clearing house process. Would be based on the parcel (and would depend on where you click within the parcel) to dictate if you are within the CRAB layer or not. When flagged, it would still go to DNR for coordination on resolution (into siting and design criteria review).

ACTION: Emily: Edit the "no" Coast Smart review box to state that while that project is not required to meet the coast smart criteria, it is still the intent of the legislation that each agency's projects try to meet the criteria.

Ryland: The graphic also brought up the question of WHO? Who starts the process and is responsible for filling out the potential forms such as a waiver or exemption?

Kate: Suggests it is the agency themselves that go through the exercise (checklist is a planning exercise).

Ryland: some agencies have told the private firms to fill out the form

Ryland: The third issue is training. Should the CSC develop training to explain how to go about the review process?

Shawn: Agrees that training is needed. Engineers are often charged with the permitting so that's why it falls on them, but we need to make sure the planning side is also aware of Coast Smart regulations. Having the education go both ways would be beneficial.

Ryland: Project modification, the next item to address. Does the applicant fill out a new screening form or edit existing?

Chuck: Some of this has been modeled off the PFA exception process. In that process, state agencies are the sponsoring entity and it is assumed the agency is responsible for the money and therefore should be the entity sponsoring any waiver requests. As for the project being modified and how to report, if you are in the bucketed into the project modification step you remain there until edited.

Christine: So if modified, would it have to go back to the Smart Growth Coordination Committee for a second round?

Emily: Only if they are requesting a waiver. The form is just a screening tool for siting and design criteria. If agency is required to fill out again after each edit then it could be burdensome.

Christine: After all is said and done, we want to be able to track it. This should be an element we Incorporate into the training and guidance to the agencies. Need to start building a database to see how it is working (which is within the statute). Is this working as intended?

Josh: The current form, is it online or paper?

Emily: Currently online but the legislation does call for an online platform to host the review and log the project. But this has not been developed.

Ryland: this current approach is not live updates, but reaching out via email to each agency to see if they had any Coast Smart relevant projects in the last year.

From chat:
Jason Wardrup capital eligibility guidelines can be found here
https://dbm.maryland.gov/budget/Documents/Capital%20Budget/Information%20for%20Agencies/CBISManual_SectionXAppendix.pdf

III.   **Critical Area Commission Review**   **1:00 - 1:15**
Critical Area Commission Review of State Development Projects: *Erik Fisher (CAC)* will discuss recent conversations by the Critical Area Commission to update its coastal resilient checklist for state development projects. The purpose is to follow the Guidance for Using Maryland's 2018 Sea Level Rise Projects report issued by Maryland SeaGrant and DNR. Additionally, the Commission will be considering how to place greater emphasis on making the landscape surrounding development projects more resilient to sea level rise and coastal storm events.
    e. Action: Informative talk
    f. Materials: None

CAC prioritizing Coast Smart by:
    1. Want consistency across the board with CAC engagement. Working with projects that are not flagged for the Coast Smart process.
    2. Bringing landscape into the decisions - want the landscape around the structure to be considered. Every time dirt is moving, it's another opportunity for climate and resilience.

The CSC 2015 updates for CAC included general maps and implementation as a general narrative response. Applicants were asked to explain what impacts would occur on the site. Public Access was also incorporated into the CAC review.

Next step is to use the information received and matching to best practices playbook. Guidance to be actionable at the site level and aligned with state agency goals and CSC priorities.

How will CAC do this? 1) Doubling down on the collaboration within DNR and between state agencies as we go forward. 2) being science driven. When to use data and how to utilize it. When do we use what tool and make that as consistent as possible. 3) leaning into the CAC's role, specifically shoreline

projects (living vs structured). Wetland migration within preservation corridors. Movement of the buffer as SLR or erosion impacts continue.

Moving from 2015 scouting report to a playbook and working with CSC and the UMCES SLR guidance. Shorterm, working on a revised worksheet for projects that come into CAC. Takes applicants through a step by step review of how to parse the data such as risk tolerance to give specificity to guidance on how to use data. Also conducting desktop analysis to determine specific site considerations and then lay out solutions. Finally, CAC will provide more specific recommendations on how and why a site is being developed the way it is and what we can do to maximize resiliency. Still a qualitative evaluation and still a self assessment. The aim is to set up a dialogue informed by clear and consistent data. The Worksheet going to CAC workgroup on June 8th.

Longer term, we want this to be a collaborative effort between CAC and CSC as we work in the same geographic and regulatory space.
Idea: Working together could look like a unified guide to shore development? Or maybe it could just mean rounding out the decision tree when you get to that 'no' box?

Questions:
- Dr. Goodwin: UMCES is updating SLR projections for 2023 and should be finalized in June.
- Matt Rowe: Comment on coordination, MDE going through similar challenges looking for incorporating climate considerations into permits. Pointing out vulnerabilities, such as CRAB impacts. Appreciate that CAC is looking to partner with other agencies to better weave these considerations into permits.
  - Erik: The guidance is flexible to allow for landscape differences. Saving a space for flexibility is a strength of our regulations. By looking site by site allows for Though, may want more authority in some cases.
- Josh: CSC is a great venue to discuss not only Coast Smart reviews but how we can incorporate climate vulnerability review into all reviews to increase collaboration between entities.

IV.   Future Meeting Presentations   1:15 - 1:25
Ryland Taylor (DNR) will introduce a mentimeter presentation that will allow members to help make decisions about future presentations at this meeting and suggest ideas for ones they might like to see. This is an interactive presentation with results that will be shared real-time as they are entered.
g. Action: Members will rank options and share additional presentations using mentimeter on their phones accessed via a QR code and a link.
h. Materials: Mentimeter presentation

Ryland presented a mentimeter for members to rank ideas and submit their own for topics they would like to see covered in future Coast Smart meetings. Results indicated the following ranking for presentations:

1. Coast Smart Training for State and Local Agencies
2. Presentation by a Coast Smart User
3. MDOT Presentation on their Coast Smart Process
4. State Highway Administration Case Study
5. Discussion on Potential Coast Smart bill amendments
6. Discussion on engaging with GO and leg bond projects
7. Electronic reporting system scoping

Attendees then had the opportunity to write in ideas. Many suggestions included having a case study from different projects or state agencies. There were also suggestions to cover UMCES SLR update, guidance on using projections, and considering confidence limits. A "best practices" discussion was also mentioned several times. A full copy of all results and suggested topics can be found linked here: Mentimeter Results

V.   Public Comment, Updates, & Next Steps   1:25 - 1:30

Secretary Kurtz opened up the meeting for public comment

No virtual or in-person attendees offered up a public comment.

Secretary Kurtz opened the floor for announcements:

- Dr. Goodwin: Coasts and People, a NSF project, continues with a salt water intrusion webinar on June 27th
    - Action: Ryland will send out info to the CSC
- Matt Rowe: CBT conference on June 13th called Communities Addressing Climate Change Together: A Mayors' Panel
    - http://www.cbtrust.org/2023mayorspanel

Next Meeting: Aug 30, 2023 12:30-1:30

43 People in Attendance:

16 in Person:
1. Laura Canton - DNR
2. Dave Nemazie - UMD
3. Kate Charbonneau - CAC
4. Kate McClure - UMDSG
5. Jillian Mayer - OAG/DNR
6. Emily Vainieri - OAG/DNR
7. Erik Fisher - CAC
8. Sarah Lane - DNR
9. Kamil Williams - DNR
10. Dylan Taillie - DNR
11. Jillian Seagraves - DNR
12. Christine Conn - DNR
13. Kate Vogel - DNR
14. Ryland Taylor - DNR
15. Secretary Josh Kurtz - DNR
16. Kristen Fidler - DNR

27 Virtual
17. Greg Baecher - UMD
18. Sepehr Baharlou
19. Mark Beck

20. David Bohannon - BPW
21. Jason Wardrup - DBM
22. Spyridon Papadimas - DGS
23. Ann Sekerak - DNR
24. Catherine McCall - DNR
25. Charlotte SHearin - DNR
26. Jennifer Esposito - DNR
27. Jennifer Raulin - DNR
28. Kelly Wright - DNR
29. LeeAnne Chandler - DNR
30. Nick Kelly - DNR
31. Nicole Carlozo - DNR
32. Richard Ortt- DNR
33. Robert Newton - DNR
34. Chris Elcock - DNR
35. Peter Goodwin - UMD
36. Beth Groth
37. Shawn Kiernan - MDOT
38. Matt Rowe - MDE
39. Bridget Cantwell - MDEM
40. Chuck Boyd - MDP
41. Jill Lemke - MDP
42. Bill Neville
43. Deron Lovaas