

# Maryland Coast Smart Council

## September 11, 2017 – 1:00 pm – 2:00 pm – DNR Meeting Notes

*Attendance:* Mark Belton, Gerry Galloway (UMD), Michael Bayer (MDP), Sandy Hertz (MDOT), Gary Setzer (MDE), Kevin Wagner (MDE), Alexandra DeWeese for Kate Charbonneau (CAC), Mostafa Izadi (DGS), Dave Nemazie for Donald Boesch (UMCES), Matthew Fleming (DNR), Joe Abe (DNR), Catherine McCall (DNR), Kristen Fleming (DNR), Emily Vaineri (OAG/DNR), Brian Ambrette (Eastern Shore Land Conservancy), Sepehr Baharlou (Bayland Consultants & Designers), Crystal Lemieux (DLS), Elizabeth Habic (SHA), John Fiastro (MEA)

*Phone:* Fiona Burns (DBM)

1:03 p.m. Meeting Begins

### **Agenda Item #1**

- Mark Belton called the meeting to order at 1:03 p.m., introductions were given around the room, and minutes were approved.
- Discussed replacement candidate for vacant slot on Council. Have placed call in to potential candidate from Ocean City, but have not heard back. Will follow up next meeting.

### **Agenda Item #2**

- Coast Smart Assessment & Certificate - Reviewed updated glossary and checklist and highlighted changes and additions.
- Section III, Coast Smart Construction Certificate, would go to BPW. It is a verification certificate for buildings that assures projects have been vetted through the siting and design process
- Certificate would not be required if land being purchased was purely for environmental protection/easement
- Recommendation is to have a signature line for all three phases 1) Property Acquisition/Initial Siting 2) Siting and Design of Structure (Both New and Major Reconstruction) and 3) Pre-Construction Certification. There was some discussion about who should be signatory (e.g. design and engineering professional consultant versus agency employee). It was generally agreed that agency staff should sign even if based on private consultation and recommendations. Ultimately, agencies should have the final say on vulnerability assessments and compliance with guidelines.
- Recommendation include zone codes when you are talking about Base Flood Elevation, also some references to clarify definitions (MDOT, Sandy Hertz)
- Next steps:
  - ACTION: We will include a signature line for each step (Initial Siting/Property Acquisition, Siting and Design of Structure (Both New and Major Reconstruction), Pre-Construction Certification)
  - ACTON: Replace existing attachments (Glossary and Project Screening Checklist, Appendices A & B respectively) to the Coast Smart Construction Program with Coast Smart

- Assessment & Certificate (new Appendix A) and send revised Program via a letter to BPW
- ACTION: Meet with POC's for BPW in each agency along with BPW staff (all those who have agendas in front of the Board).

### **Agenda Item #3**

- Gary Setzer updated the Council on MDE's progress towards incorporating coast smart guidelines into the state's Waterway Construction regulations
  - Waterway construction regulations - riverine waters and 100yr floodplain – Covers everything that crosses the 100yr floodplain.
  - Reviewed the 2014 EO that charged agencies to look at areas where Coast Smart could be incorporated as an avenue to do this.
  - Broad statutory language and the 2014 EO provided an avenue to incorporate Coast Smart principles.
  - Proposal would be to step back from amending the regulations and use the Coast Smart checklist as better way to implement guidelines – it would be an addition to the permit application
  - Concern from MDOT that this would be required for all roads both tidal and those requiring non-tidal - undue burden.

### **Agenda Item #4**

- Review of draft Coast Smart Council 2017 Annual Report
- Used same structure and format as 2016 report.
- State agencies should send project information, recommendations, photos and other information to DNR staff by October 10, 2017.

**Adjourn: 2:00 p.m.**