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2022 Legislative Memorandum

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Support - S8828-A/A10053-A (Mayer/Otis)

Riverkeeper & Save the Sound strongly support the passage of the Living Shorelines Act. **Living shorelines use nature-based features to stabilize the shoreline and protect upland areas.** They provide other important co-benefits (e.g. habitat restoration or enhancement) and naturally grow overtime, serving as a resilient approach compared to typical hardened shorelines (eg. bulkheads, seawalls). Living shorelines and nature-based features are essential to ensure dynamic ecosystems with the ability to adapt to changing conditions due to climate change.

The bill strengthens NYSDEC's ability to prioritize living shorelines over hardened shorelines in project permits. Similar legislation has passed in Virginia, Maryland, and Washington State with a national proposal working its way through Congress.

Existing NYS statutes, regulations, and agency guidance documents that aim to prioritize nature-based living shorelines need to be strengthened. Therefore, this new legislation is a critical piece of efforts to protect waterways and communities from climate change and associated impacts such as storm surge, sea level rise, and loss of habitat.

Summary of provisions

- Directs DEC to strengthen guidance to encourage living shorelines as the preferred alternative for shoreline protection
- Defines "nature-based solution" in statute
- Identifies preferred shoreline management techniques for the diverse ecosystems of the state for location appropriate designs
- Permits nature-based features exclusively unless deemed infeasible for the site according to best available information, with a requirement to incorporate as many nature-based features as possible

Riverkeeper & Save the Sound urge passage of the Living Shorelines Act.

