



**The Maryland Department of the Environment  
Secretary Serena McIlwain**

***Senate Bill 1086***

***Environment - Environmental Justice Districts - Designation and Requirements***

**Position:** Support with Amendments  
**Committee:** Education, Energy, and the Environment  
**Date:** February 27, 2024  
**From:** Hadley Anthony

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The Maryland Department of the Environment (MDE) **SUPPORTS SB 1086 WITH AMENDMENTS.**

**Bill Summary**

Senate Bill 1086 would authorize a resident of a local jurisdiction or an overburdened and underserved community in the State to apply to MDE to request the designation of a certain area as an “environmental justice district.” It would require MDE to publish on its website the application process and criteria used for evaluating these applications by a certain date. The bill provides that MDE would be obligated to hold in-person hearings on permit applications that may result in or increase pollution in an environmental justice district.

Under SB 1086, MDE will also have to prioritize inspection and enforcement of permits approved for projects in an environmental justice district. A State agency will be required to give priority to environmental justice districts when it comes to distributing certain funds. MDE will have to adopt regulations to carry out the provisions of SB 1086.

**Position Rationale**

Overall, MDE supports the work of improving the process of evaluating environmental justice districts. However, there are significant concerns when it comes to the cost of implementing this bill and details around changing the definition of environmental justice, the designation and training of staff around the new application process, and concerns around not being able to issue permits to public welfare related projects such as schools and hospitals.

As such, MDE would like to support this bill with amendments to create a narrow focus on studying the environmental justice scoring process to determine if changes are necessary. The amended language would strike the new language from the bill and replace it with a study to be conducted by December 31, 2024 that examines the environmental justice scoring process and determining where improvements can be made to assure overburdened and underserved communities are fully represented in the process.

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Accordingly, MDE asks for a **FAVORABLE WITH AMENDMENTS** report for SB 1086.

### **Bill Amendments**

On page 2, in line 28, strike the brackets; in the same line, strike the colon; in line 29, strike “**(I)** **EQUAL**”; and in line 30, strike “; **OR**” and substitute a period.

On pages 3 through 5, strike in their entirety the lines beginning with line 1 on page 3 through line 25 on page 5, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 31, 2024, the Maryland Department of the Environment shall conduct a study on the environmental justice screening tool employed by the Department that:

- (1) examines the criteria for determining an environmental justice district; and
- (2) recommends any necessary improvements to the environmental justice screening tool.”;

in line 26, strike “2.” and substitute “3.”; in line 27, strike “October” and substitute “July ”; and in line 27, after the period, insert “Section 2 of this Act shall remain effective for a period of 1 year and, at the end of June 30, 2025, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.