

February 26, 2024

The Honorable Brian Feldman
Chairman, Senate Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: MBIA Letter of Opposition SB 1088 Environment – Public Participation in the Permitting Process – Alterations

Dear Chairman Feldman,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB 1088 Environment – Public Participation in the Permitting Process – Alterations**. MBIA **opposes** the Act in its current version.

This bill repeals a certain provision of law authorizing the Department of Environment (MDE) to consolidate certain meetings or hearings under certain circumstances and requires a person applying for a certain permit from MDE to request an EJ Score from MDE for the census tract where the applicant is seeking the permit for purposes of including the score in the permit application. MBIA believes the removal of provisions allowing MDE to consolidate public hearings in cases involving multiple permits unnecessarily makes the permitting process tougher. Additionally, while existing law mandates a hearing only upon formal request, the new language would require MDE to conduct a hearing even without such a request. By adding additional hearings and eliminating flexibility in the process, the bill imposes undue burdens on both applicants and regulators, which will lead to delays on essential building projects.

The removal of existing language requiring MDE to estimate review times for applications and attempt to meet those schedules eliminates an important aspect of transparency and accountability in the permitting process. Without clear timelines, applicants and stakeholders are left in the dark regarding the expected duration of the review process.

Ambiguous standards and additional procedural requirements counter the Moore Administration's focus on certainty and streamlining.

For these reasons, MBIA respectfully urges the Committee to give this measure **an unfavorable** report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Education, Energy, and the Environment Committee