

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 1086 Environment – Environmental Justice Districts – Designation and Requirements**

Dear Chairman Feldman,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB 1086 Environment – Environmental Justice Districts – Designation and Requirements**. MBIA **opposes** the Act in its current version.

This bill authorizes residents of an overburdened and underserved community to request the designation of their area as an Environmental Justice District. MBIA believes the definition of an Environmental Justice District, which includes factors like proximity to traffic or simply the presence of senior citizens, is broad and may not accurately target areas with genuine environmental justice issues. This also includes the prohibition on any development that could potentially increase pollution, regardless of how much. These provisions will threaten essential infrastructure projects in these newly designated districts. For example, under this new law, if an area is “in close proximity to traffic,” a local government would be forbidden from adding a bypass or an additional lane that could help ease congestion on roadways.

We are also concerned that adding another layer of hearings to permit procedures will undoubtedly lead to delays and elongated processes, slowing down development statewide at a time where we desperately need more housing. The bill's lack of consideration for balancing the benefits of a project versus its environmental harms could unfairly restrict vital facilities like hospitals who rely on diesel powered generators. These generators would be forbidden in any of the Environmental Justice Districts defined by this bill.

Overall, the bill's broad scope and stringent regulations risk stifling development and will impose unnecessary hurdles on our industry without considering the broader context of each project's benefits and impacts.

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](mailto:lgraf@marylandbuilders.org).

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