



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

Senate Bill 835

Environment - Delegated Authorities - Well and Septic Program Permits

Position: Support with Amendments
Committee: Environment & Transportation
Date: March 27, 2024
From: Leslie Knapp, Jr.

The Maryland Department of the Environment (MDE) **SUPPORTS SB 835 WITH AMENDMENTS**. MDE requests that amended language added to SB 835 in the Senate be struck in order to conform the bill to its cross-file, HB 992, which passed the House as introduced.

Bill Summary

Senate Bill 835 would require a local health department or county government that has been delegated authority by MDE for well and septic permitting to submit a schedule of permit review times to MDE for approval by December 1, 2024. Beginning three months after MDE approves the schedule and every three months thereafter, a delegated authority shall submit permit data to MDE for review.

Amendments to the bill also require MDE to submit reports on the interoperability and modernization of State, local health department, and local government computer systems regarding the application and processing of well and septic system permits.

Position Rationale

MDE supports the original provisions of the bill. Establishing reasonable performance standards and criteria is critical for the ongoing evaluation and improvement of government services, whether delivered at the state or local level. Establishing a baseline and monitoring for significant changes in performance allows for the early identification of emerging challenges and rapid response to address those challenges. The bill does not mandate a target permit turnaround time or impose a costly burden on a local health department or county government as every jurisdiction should be able to provide this basic information.

MDE is opposed to the amended reporting requirement for two reasons. First, as the bill's fiscal note indicates, the amendments create a new general fund cost of \$250,000 for MDE (\$83,300 in FY 2025 and \$166,700 in FY 2026). MDE is opposed to an unfunded mandate of this magnitude for a new reporting requirement.

Second, the amendments are duplicative of existing efforts. As the fiscal note also indicates, MDE has been working with The Department of Information Technology to begin the process of creating an online

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portal for water quality data that would include bringing in well and septic permitting data from local health departments. The FY 2025 budget includes \$0.9 million in GF for MDE to conduct a study to determine the exact specifications needed for this project. The stakeholders and outreach are essentially identical to what the amendments propose. The amendments would require MDE to duplicate existing efforts at additional expense.

In conclusion, the amendment language is duplicative and unnecessary and should be stricken from the bill. Accordingly, for the reasons detailed above, MDE urges a **FAVORABLE WITH AMENDMENTS** report for SB 835.

AMENDMENTS

AMENDMENT NO. 1

Strike in their entirety the lines beginning with line 17 on page 1 down through line 11 on page 2, inclusive; and on page 2, in line 12, strike “3” and substitute “2”.