

January 21, 2021

The Honorable Paul G. Pinsky
Senate Education, Health & Environmental Affairs Committee
Miller Senate Office Building,
2 West Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: Support of SB Bill 227 Water Pollution (Stormwater Management Regulations and Watershed Implementation Plans) with Amendments

Dear Chairman Pinsky:

The Maryland Building Industry Association, representing 1,100 member firms statewide, appreciates the opportunity to participate in SB 227 Water Pollution – Stormwater Management Regulations and Watershed 3 Implementation Plans – Review and Update. MBIA **Supports with Amendment** this legislation.

This measure requires the Department of the Environment to update certain regulations every 5 years, with the first update shall happen on or before January 1, 2022. This measure would implement a costly re-evaluation of stormwater management standards. The process of posting the regulations, consulting with stakeholders Additionally, because different job sites could have massively different requirements for individual plans creating a universal standard will likely create confusion and uncertainty on behalf of developers.

The panel of experts required to be consulted on stormwater management standards includes no requirement to include builders or members of other industries that will have to implement standards in practice and failure to have that perspective may result in environmentally friendly standards that cannot be adhered to consistently in practice. Those that are designing and installing should be consulted. Additionally, a stakeholder from the counties should be consulted as well. Those that are reviewing the work will have knowledge that others do not. Additionally, the 5 year implementation period for standards will require new training, planning, forms and bureaucratic practices that take time to implement. Having them changed every 5 years would result in a slow and ponderous approval process for projects that require stormwater management plans.

Finally, projects that implement a stormwater management plan cannot count on that plan remaining acceptable under new standards that project managers are unable to account for because they do not yet exist. Large scale projects may be required to continuously revisit plans causing delays and additional expenses to consumers and driving the price higher. This would not work to the benefits of either developers or consumers.

For these reasons, MBIA respectfully requests the Committee 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, Health & Environmental Affairs Committee