

February 22, 2023

Position: Favorable

The Environmental Policy Innovation Center (EPIC) supports Maryland Senate Bill SB-513 sponsored by Senator Clarence K. Lam of Maryland's 12th District.

SB-513 addresses the critical need for publicly available drinking water and wastewater data. With the passage of the Infrastructure Investment and Jobs Act, \$844 million are available over the next five years to improve Maryland's water infrastructure. SB-513 falls squarely in line with federal funding directives to replace lead pipes and bolster water infrastructure for climate resiliency and equity. The passage of this legislation will bring transparency to water access, and give Maryland residents an avenue to participate in both the provision and protection of their water services.

Further than requiring data collection, SB-513 mandates the data be made publicly available through the Open Water Data Reporting Platform. EPIC believes publicly available data is the bedrock of a functioning modern democracy. Here, access to data will enable accountability, project-level civic involvement, and incorporation with existing tools like MD EJScreen and MDE EJ Screening Tool (both of which currently lack data on drinking water and wastewater treatment). This access would allow Maryland to implement equitable decision making, aligning with federally mandated Justice40 goals.

Beyond immediate use for Marylanders, data components required in SB-513 serve a larger mission of understanding our nation's drinking and wastewater infrastructure. By producing high-quality and interoperable data, Maryland will join the growing chorus of states contributing to regional and national datasets. Provisional datasets like the [Service Area Boundaries dataset](#), developed by EPIC, SimpleLab, and The Internet of Water serve as a starting point for states without this data. The national map is strengthened when states collate and publicly reveal data from utilities. SB-513 explicitly requires the reporting of water utility boundaries and will bring Maryland inline with the efforts of 17 other states like Pennsylvania and New Jersey who maintain comprehensive boundary datasets. EPIC is devoted to water infrastructure equity and we detail the policy, process and use cases of states developing service area boundary datasets in an online [resource](#).

While EPIC supports the Bill without amendments, we recommend you consider the following aspects with respect to the Open Water Data Portal, and the reporting requirements of utilities and Maryland Department of the Environment ("the Department").

1. Open Water Data Portal

While some of the data may be difficult for utilities to provide, we believe having a digital map showing where one water system begins and another ends is the basis of coordinated water infrastructure decision making.

In keeping with [FAIR](#) data standards and progress the Department has made in revealing water discharge permit data to the public through the Maryland Open Data Portal, EPIC recommends the Open Water Data Reporting Platform employ these features:

- Open source GIS file of service area boundary, such as GeoJSON or GeoPackage;
- Robust and up-to-date metadata, see specific recommendations on components [here](#);
- Programmatic access through an Application Programming Interface (API);
- Connections to Maryland Open Data Portal and other relevant government portals;
- Thorough and ongoing community involvement in Portal development including usability, accessibility, and use-case validation.

2. Cost and Time Consideration

Knowing some of the data and information requested will be difficult to collect and share for many utilities inexperienced in doing so, we encourage this effort to proceed with sensitivity so as not to overburden already limited-capacity utilities or the Department, EPIC recommends the Bill incorporate the following changes:

- Limit the submission frequency to annually for all types of data and information requested for the first five years of the project, and;
- Keep all data and information collected interoperable and machine readable to promote robust data pipelines that will limit duplicative efforts.
- Evaluate existing open-source solutions for data collection and standardization.

EPIC estimates the cost of service area boundary development between \$150 and \$300 per water system from outreach to a set of public standardized maps. With 405 community water systems, Maryland's development cost-burden is roughly \$60,750 - \$121,500. Beyond initial development, the maintenance cost depends on the frequency of boundary updates and the ability to integrate with other programs, such as sanitary surveys.

We applaud the foresight in allocating additional funding to the Department for FY2024 to implement this Bill. Furthermore, we recommend a portion of the increase be used to create two additional positions focused on water-related data and supporting technology.

In closing, EPIC and its partners SimpleLab and Dr. Allison Lassister, University of Pennsylvania, applaud Senator Lam and the Maryland Senate for advancing legislation that builds equity through the application of environmental data and technologies. We support SB-513 without amendments, and respectfully request that this committee provide SB-513 with a favorable report.

With respect and appreciation,
Environmental Policy Innovation Center