



Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

February 23, 2023

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

Re: Senate Bill 743 - Climate, Labor, and Environmental Equity Act of 2023

Dear Chair Feldman and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed Senate Bill 743 and would like to provide some additional information. To note, MDE has been working with the House sponsor on this legislation and appreciates the consideration of the Department's suggestions.

SB 743 would require MDE to do the following:

- Conduct a climate and environmental equity evaluation prior to issuing certain permits, if the permit may impact overburdened or underserved communities;
- Communicate with residents residing, within or adjacent to, the census tract within which a permit would be issued via text, phone, email, or regular mail notifications regarding any facility with a pending or final permit approval; and
- Adopt regulations to carry out the provisions of the new subtitle.

Additionally, SB 743 would allow MDE to:

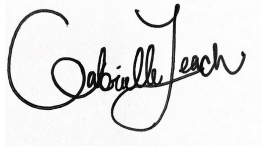
- Deny or alter a decision or amend the conditions under a pending permit based on the findings of its climate and environmental equity evaluation; and
- Charge applicants a reasonable fee to cover costs associated with complying with the bill, including technical assistance offered to applicants and residents of affected census tracts.

Under the leadership of Secretary McIlwain, MDE prioritizes environmental justice and equity statewide. The Department will be looking at everything through an equity lens with the intent of leaving no one behind in Maryland. Accordingly, while MDE supports the general concept of the bill, the Department would like to develop its own clearly defined and data-driven strategy to address pollution in overburdened and underserved areas, which Secretary McIlwain intends to begin immediately. In addition, SB 743 would require additional funding for contractual services to undertake the required evaluation and additional staff to fully implement the proposed legislation, which are not in the Fiscal 2024 budget.

Thank you for your consideration. We will continue to monitor SB 743 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-453-3235 or by e-mail at gabrielle.leach@maryland.gov.

The Honorable Brian Feldman, Chair
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Sincerely,

A handwritten signature in black ink that reads "Gabriele Leach". The signature is written in a cursive style with a large, prominent 'G' at the beginning.

Gabriele Leach
Deputy Director, Legislative and Intergovernmental Relations

Cc: The Honorable Michael Jackson