

February 20, 2024

The Honorable Marc Korman  
Chairman, House Environment & Transportation Committee  
Room 251 House Office Building  
Annapolis, Maryland 21401

**RE: SB24 Environment- Impact of Environmental Permits and State Agency Actions**

Dear Chairman Korman,

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland. MBIA appreciates the opportunity to participate in the discussion regarding **SB 24 Environment & Transportation Committee. MBIA Supports the Act with Amendments.**

This bill lays out new review restrictions on projects in underserved communities requiring an EJ score review to determine a permit impact and instituting new fees. MBIA respectfully opposes this measure. While we agree that achieving environmental equity in communities that have been overburdened and underdeveloped is a laudable goal this bill, would have the opposite effect of what is intended. The bill as written gives the Department of the Environment the ability to review all projects in these communities. This adds a significant time burden as the necessary reviews and reports are generated on the projects increasing the cost to develop in areas where the potential margins are already lower due to existing economic circumstances. This disincentivizes development in exactly the areas in which we want to encourage it and would exacerbate those existing conditions as developers avoid the new time, personnel, review, and general difficulty that this bill generates in those areas. The bill also imposes a fee to cover the costs of implementation of this new program imposing even more cost.

In most cases new construction and redevelopment already falls under stricter and more environmentally sound requirements than older buildings and the simple act of re-developing or building new projects has the potential to raise the environmental equity threshold without a regulatory burden. Imposing costs for all building permits reduce the capacity of developers to meet the community needs and ultimately harms overburdened communities by leaving them in the same economic circumstances responsible for the inequity in the first place.

Maryland is currently experiencing a housing shortage and we are concerned this will make housing more difficult to build in the state. We recommend exempting air quality permits (other than the largest permits), stormwater permits and general permits- see below.

On page 5, in line 10, after "(E) and before PERMIT", insert: "Except as provided in 1-7A-01 (G)"

On page 5, after line 12, insert: "this subtitle does not apply to:

- (1) Air Quality permits to construct other than those subject to 2-404 (C) of this Article;
- (2) Permits to discharge stormwater issued pursuant to section 9-323 of this Article; and
- (3) General permits issued for construction of non-industrial facilities

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 House Environment and Transportation Committee