



## **Senate Bill 1040**

### *Environment – Water and Sewer Plan Approval*

MACo Position: **SUPPORT**

Date: March 29, 2017

To: Environment and Transportation Committee

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** SB 1040. The bill would provide greater clarity and expedite the review process for a county water and sewer plan or amendment by the Maryland Department of the Environment (MDE).

As amended, SB 1040 requires MDE to approve a county water and sewer plan or amendment to a plan within 60 days after the proposal is submitted to MDE. MDE may extend the review for good cause an additional 45 days. MDE may further extend the review for another 45 days, but only after providing written notice to the affected county, county delegation legislators, and the Governor not less than 10 days before the expiration of the 45-day good cause extension.

The notice must include the reasons why MDE is unable to complete the review within the normal time period. MDE must also provide written notice of approval to the county in the event that a local plan, revision, or amendment if, as per current law, MDE does not explicitly disapprove within its allotted review time.

A county water and sewer plan is a critical component of the county's long-term land use and development plan. Without prompt approval, counties are unable to implement key Smart Growth initiatives and developers may be forced into a "holding pattern" – losing both resources and time that ultimately may lead to a project's stagnation or even cancellation.

MACo recognizes reviewing a plan or amendment can be complex, but SB 1040 would still allow for a 90-day extension, similar to current law. However, MDE must communicate the reason for taking an extension beyond the initial 45-day extension. MACo believes this will provide more certainty and potentially increase the response time of MDE.

As amended, SB 1040 would place reasonable efficiency and response requirements on MDE during the review of a county water and sewer plan or amendment. Accordingly, MACo urges the Committee to give SB 1040 a **FAVORABLE** report.