



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

February 2, 2022

The Honorable Paul Pinsky
Senate Education, Health, and Environmental Affairs Committee
Miller Senate Office Building, 2W
Annapolis, Maryland 21401

Re: Senate Bill 90 – Supplemental Environmental Projects Database

Dear Chair Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed SB 90, entitled *Supplemental Environmental Projects Database* and would like to offer a letter of support regarding this legislation.

SB 90 requires MDE to develop a database of supplemental environmental projects (SEPs) that a violator may choose to undertake as part of a settlement or enforcement action. MDE recognizes the usefulness of SEPs as a tool in the enforcement process. SEPs provide the opportunity for direct environmental benefits that go beyond restoration as part of the enforcement process. These benefits can be particularly important in addressing issues related to environmental justice or climate change where projects that go beyond compliance for a facility can provide long term, positive impacts for the community.

In 2021, MDE revised its SEP policy, which includes the creation of a library. The SEP library will also factor in the location, scope, and cost of the proposed projects in relation to the nexus of the violation. Additionally, the new SEP policy provides clearer requirements for the approval of particular SEP proposals. In conjunction with the SEP library, this will help MDE secure more SEPs when settling enforcement actions.

Thank you for your consideration. We will continue to monitor SB 90 during the committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or tyler.abbott@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Abbott".

Tyler Abbott

cc: Lee Currey, Director, Water and Science Administration