



January 9, 2024

Maine Real Estate &
Development Association

MEREDA – Testimony in Support

Supporting Responsible Development

LD 1997, An Act to Implement Critical Reforms to the Department of Environmental Protection Outlined in the State COVID-19 Reopening Plan

Chairman Curry, Chairwoman Roberts, and Honorable Members of the IDEA Committee;

My name is Elizabeth Frazier, and I am pleased to submit this testimony on behalf of the Maine Real Estate & Development Association (MEREDA) in support of LD 1997, An Act to Implement Critical Reforms to the Department of Environmental Protection Outlined in the State COVID-19 Reopening Plan.

MEREDA is the state's premiere real estate and development organization and is comprised of all members of the housing and real estate industry, including: developers, builders, bankers, lawyers, engineers, architects, realtors, and more. MEREDA seeks to promote a more fair, practical, and predictable policy environment through the work of its Public Policy Committee.

Today, we are pleased to support LD 1997 because we believe that there are lessons that can be learned, both from the lessening of regulations during COVID-19 and going forward as we evaluate our state's regulatory needs and their attendant permitting processes. Today, permit approval at the state and local level can range from 2-3 weeks to 6-12 months, depending on the authority reviewing the application. At the State level, Site Location of Development Act projects can often take up to a year or more for review and approval. Many developers have expressed interest in an expedited review process, for which they would be willing to pay a fee – often, the cost of delay is exponentially more than a reasonable fee.

While we support the efforts in this bill, we do have two small points to raise. First, we note that there does not seem to be a definition of projects of critical impact. We would suggest adding a definition to clarify which projects will fall within the scope of any expedited review. Second, we would suggest that any task force operated by the Department of Economic and Community Development (DECD) include representatives from the Department of Environmental Protection (DEP). The DEP is tasked with a significant duty: both protecting our natural resources and managing and processing the flow of applications pursuant to the same. We respect the hard work done by the various agencies that oversee permitting, and we recognize that they face real barriers to expediting review timelines. For this reason, we believe any task force must include members of the DEP, to address any questions raised by that department and to ensure that a solution is workable for all parties.

MEREDA believes that the underlying intent of LD 1997 is particularly meritorious. By looking at recent activities involving suspended or truncated review procedures, we can get a sense for how such modified permitting processes might work permanently. In that way, we can consider COVID-19 a pilot project for some of the changes that may be needed to address the slow permitting process and subsequent delay of important projects. We appreciate the sponsor's efforts to take advantage of that data and reflect on what changes could be made to help keep Maine growing responsibly to meet Mainers 21st century needs.

Thank you for your consideration of this important issue. We welcome the opportunity to work with you on any proposed language changes.

Sincerely, Elizabeth M. Frazier (on behalf of MEREDA)