



February 21, 2020

The Honorable Kumar Barve, Chair
House Environment and Transportation Committee
Room 251 House Office Building
Annapolis, MD 21401

Oppose: HB 689 Maryland Environmental Policy Act Consistency with National Environmental Policy Act

Dear, Chair Barve and Committee Members:

The NAIOP Maryland Chapters representing more than 700 companies who develop and own commercial, industrial and mixed-use real estate oppose HB 689.

HB 689 would require that Maryland adopt regulations and procedures consistent with the National Environmental Policy Act (NEPA) as they existed on January 1, 2020. This requirement would self-execute if the federal government adopts changes to NEPA proposed by the Council on Environmental Quality on January 10, 2020.

Although the Maryland Environmental Policy Act (MEPA) and (NEPA) have similar names, the two are very different in scope and complexity. While appearing to preserve the status quo, HB 689 represents significant change that will increase the time, cost and difficulty of siting small and large projects subject to state authority. This change should be thoroughly discussed prior to taking any action.

To illustrate, MEPA specifically excludes the issuance of, *"individual licenses or permits or promulgation of regulations."* By contrast, NEPA environmental impact reports require alternatives and cumulative impact analysis and apply to all permits, regulations and other agency actions financed, assisted, conducted, regulated, or approved by Federal agencies.

The changes proposed by HB 689 represent a substantial change to the review and approval process for public works as well as private development permit applications and regulatory decisions made by state agencies. Applying NEPA in Maryland would result in significant increases in the time cost and difficulty of approving private and public projects. This change would be onerous and is unnecessary.

For these reasons NAIOP respectfully requests your unfavorable report on HB 689.

Sincerely,

A handwritten signature in blue ink that reads "Tom Ballentine".

Tom Ballentine, Vice President for Policy
NAIOP Maryland Chapters -The Association for Commercial Real Estate

cc: House Environment and Transportation Committee Members
Nick Manis – Manis, Canning Assoc.