

General Assembly – Environmental Impact Statements – Pilot Program (HB 866)

TESTIMONY OF DR. MARK SOUTHERLAND

I have a Ph.D. and Smithsonian Fellowship in natural science and have consulted for federal, state, and local agencies issues for 30 years, focusing on environmental impact assessment. I have completed 100+ EISs and EAs and have authored NEPA guidance for CEQ, EPA, and FERC. I have also served on the boards of the Maryland Academy of Sciences' Science Council, Maryland Water Monitoring Council, Howard County Environmental Sustainability Board, Howard County Conservancy, Patapsco Heritage Greenway, and Safe Skies Maryland.

NEPA (or the National Environmental Policy Act) is the cornerstone U.S. environmental law, requiring environmental impact assessment (EIA), and has arguably done more than any other law to reduce environmental degradation since its adoption in 1969. It has a simple but effective premise, that the planning of federal actions (including decisions that enable non-federal action) should include environmental concerns on par with the technical and economic concerns that alone had traditionally influenced decisions. Immeasurable harm to the environment has been avoided by simply knowing that it would result from indiscriminate implementation of projects.

1. Our Environment and our Climate are in Crisis. Our natural world continues to degrade under the assault of a thousand cuts. Losses of wetlands, forests, and wildlife continue even though we have made great progress in enabling and administering environmental laws. The United Nations states that Climate Change and the Loss of Biodiversity are the two greatest threats to our planet. Both can only be reduced, and ultimately reversed, by addressing the cumulative impact of the many decisions being made without the consideration of climate and the environment.
2. Maryland Legislation Needs to Consider the Environment. The Maryland General Assembly currently requires Fiscal Notes be prepared for bills under consideration. It makes good sense to consider the immediate costs of actions that may be taken; it is even more essential to consider that longer term costs to the environment and quality of life of these actions. Without consideration of the environmental consequences of our actions, even more environmental laws will not ensure the proper stewardship of our state for all Marylanders and future generations.

The Time is Now. This bill establishes a one-year pilot program that would require specific subcommittees that consider our most consequential environmental bills to obtain an environmental impact statement on the bill prior to subcommittee consideration. Administration departments and our finest academic institutions have been identified to assist with the needed analysis. This bill is a measured approach to integrating this proven approach to addressing environmental degradation inherent in legislation.

Ultimately, EIA is simply good decision-making and good government. Enacting HB 866 is an important step toward considering the environmental consequences of the laws we make and addressing the environmental and climate crisis. I urge your support of HB 866.