



March 2, 2022

The Honorable Kumar Barve, Chair
House Environmental Matters Committee
House Office Building, Room 251
6 Bladen St., Annapolis, MD 21401

Oppose: HB 880 – Environmental Permits – Impact on Climate, Labor and Environmental Justice

Dear Chair Barve and Committee Members:

House Bill 880 prevents the Maryland Department of Environment (MDE) and other agencies from taking regulatory actions and issuing decisions related to activities in overburdened communities, as defined in the bill, without first evaluating and making determinations about how the action may affect climate, labor, employment, and environmental justice.

- + While we recognize the legitimate concerns about redevelopment and gentrification, on balance we believe the activities of our member companies are a catalyst for positive change. HB 880 would create uncertainty and fluid regulatory requirements that would be a disincentive to positive economic development in overburdened communities.
- + The requirements of the bill are very broad applying to intense activities like waste-water treatment plants but also to relatively minor activities like restaurant grills, heating boilers, backup power generators, automobile repair facilities, dry cleaners, grading and stormwater mitigation that are permitted by MDE.
- + For these minor activities it is unlikely the bill would result in greater environmental protections or pollutant reductions than have been achieved using the permit review and technology based environmental management practices currently employed by MDE and local government agencies.
- + The geographic scope is hard to determine. Regulated entities would have a difficult time knowing whether their activities are in an area that is subject to the bill's provisions. Their status could change based on the petition procedures in the bill, changes in demographics or determinations by an agency.
- + The requirements of the bill, which include calculating potential future impacts, are beyond the technical capabilities of MDE and other agencies. The authority for MDE to make permit decisions based on such speculative analysis is questionable.

For these reasons NAIOP respectfully recommends your unfavorable report on House Bill 880.

Sincerely;

A handwritten signature in blue ink, appearing to read "Tom Ballentine".

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

cc: House Environmental Matters Committee Members
Nick Manis – Manis, Canning Assoc.