



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

House Bill 880

Environment - Impact of Actions on Climate, Labor, and Environmental Justice

Date: March 2, 2022

Position: **Support**

To: Environment and Transportation and
Economic Matters Committees

From: Robin Clark, Maryland Staff Attorney

Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 880. This legislation requires the Maryland Department of Environment to evaluate and assess the effect of their actions on the climate, labor and employment, environmental justice, and any overburdened community, and authorizes them to deny, condition, approve, or amend an action based on their assessments.

The State should center its environmental actions on climate, labor, and justice concerns

Everyone deserves clean water, clean air, and a safe environment, and the transition to cleaner energies and pollution-reducing practices should provide economic opportunities in a way that reverses historic inequities. This legislation requires the Department of the Environment to consider the effect of its actions on environmental justice and climate, and labor and employment prior to making the decision. Actions might include a rule, order, license, approval, denial, or relief issued by the Department.

This legislation could be a first step to safeguarding public accountability for agency actions

Additional accountability for the Agency's action could be gained through clarifying the timing and publication of the agency's analysis required under this bill. While this legislation states that the Department of Environment's review an assessment would occur before it makes a final decision, it does not clarify that the review would occur before the public comment period for an agency action, or that the full analysis would be made available with the rest of the application for public comment, where applicable. Clarifying this would provide the public, including neighborhood associations, environmental organizations, and labor organizations, the ability to comment on the quality of the Department's assessment, and to provide additional suggestions for mitigation of any negative effects of the agency action.

This specificity would be a way to assure the bill's requirement that the Department "engage in meaningful communication with the public regarding the negative impacts and possible mitigation strategies" is carried out. Without additional clarity, the Chesapeake Bay Foundation is concerned that the State could later need to qualify the definition of 'meaningful,' an issue that the Chesapeake Bay Foundation has encountered through environmental justice work across the watershed.

CBF urges the Committees' FAVORABLE report on HB 880. For more information, contact Robin Jessica Clark, Maryland Staff Attorney at 443.995.8753 and rclark@cbf.org.

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403
Phone (410) 268-8816 • Fax (410) 280-3513