

HB880 Climate Equity Act written testimony AB.pdf

Uploaded by: Ann Bristow

Position: FAV

Committee: Environment & Transportation

Testimony on: HB 880 - Environment - Impact of Actions on Climate, Labor, and Environmental Justice (“Maryland Climate Equity Act”)

Position: Favorable

Hearing Date: March 2, 2022

Thank you for this opportunity to offer written testimony. Thanks also to Tracy Garrett of Lothian and Monica Brooks from the Eastern Shore who have provided actual and verbal tours of the toxic sacrifice zones in which they live. They have recently testified (November 23, 2021) before Maryland’s Commission on Environmental Justice and Sustainable Communities.

HB 880 would elevate the voices of residents, like Ms. Brooks and Dr. Garrett, currently living in toxic conditions and/or threatened with state-sanctioning of more life-threatening events. **Without requiring state agencies to consider how their actions will affect these communities, they will continue to fail to do so.**

This morning **(February 28, 2022) the Intergovernmental Panel on Climate Change released their latest report**, and U.N. Secretary General Guterres responded by saying that “people and the planet are being clobbered by climate change now!” We know that globally the people with fewest resources, those least responsible for the climate crisis, bear the brunt of climate impacts. This is also true of Maryland. **By defining environmental justice communities, HB 880 creates a necessary path for our state to equitably plan for adaptation and mitigation.**

I live in Garrett County and worked in Allegany County. Allegany County has the 2nd highest rate of persons living in poverty, one of the highest opioid addiction rates in Maryland, and mountain MD counties have the highest COVID-19 infection rates in the state. **The two westernmost counties have a legacy of polluting, extractive industries manifest in the poor quality of public health of this Appalachia-defined region.**

I am a public health educator and know that addressing environmental justice improves public health and advances health equity. Many actions that limit climate change also improve the health of families and communities.

Air pollution not only drives climate change, it significantly increases asthma attacks, respiratory failure, and cardiovascular disease, **disproportionately affecting poor people and BIPOC communities whose homes tend to be nearer to** industrial sites, toxic waste depots, heavily trafficked highways — especially with diesel truck traffic, **and all that is ugly and unhealthy that those with more resources are able to avoid or move away from.**

COVID-19 is instructive to us about the accumulating damage to the human body and cumulative impacts endemic to discrimination and poverty. Long-term exposure to air pollution is associated with an increased risk of becoming sick with COVID-19 and respiratory diseases such as influenza or pneumonia. The diabetes and obesity predictive of COVID-19 hospitalizations and deaths is linked to pesticides, endocrine disrupting chemicals, and chemically manipulated sweeteners in our food supply, aggressively marketed and saturating our poorest neighborhoods and rural areas, where often the only food available is at a Dollar General.

Add to that the inability to travel to healthy food and health care. Mass transport and electrifying the transportation system, which would reduce air pollution and climate-forcing emissions, would improve public health. **Lack of access to public transportation is the top workforce development and health services access issue in far western MD.** In Allegany and Garrett counties, there is no local public bus service and only a once daily train, traveling from Cumberland to D.C and back, which is often late as Amtrak does not own or control the tracks and prioritizes freight over passengers. My county has no ride share apps or taxi service.

Environmental health is public health. The public health consequences of air pollution, rising temperatures, more extreme weather events and rising sea level will disproportionately affect the health and safety of Maryland's most vulnerable residents.

HB 880 requires that Maryland agencies consider these burdens and any "pre-existing conditions," if you will, before permitting or resourcing damaging conditions.

Thank you for your time and consideration.
Ann Bristow, Ph.D.
92 Carey Run Road
Frostburg, MD 21532 (Garrett County)

News from last week about Environmental Justice community actions:

"Toxic tours offer a way for non-community members, such as legislators, activists, and students, to truly understand the effects of environmental injustice in a community." This article highlights toxic tours given in Chicago neighborhoods.

"The practice of toxic tours began in the mid-1980s, when members of the environmental movement were **first beginning to connect race and class with pollution**. The tours were devised to educate the public about what would eventually be known as environmental racism. The conversation was catapulted to the fore by an instance in North Carolina where tons of PCB-polluted soil were dumped intentionally in a Black community, which led to a report on "Toxic Wastes and Race" in 1987."

"A Chicago Neighborhood is Redefining Toxicity in Pursuit of Environmental Justice," (Yes!, February 23, 2022).

<https://www.yesmagazine.org/environment/2022/02/23/chicago-environmental-justice-pollution>

You may have recently seen or heard the news about methane gas leaks found in D.C., some potentially explosive. Rosa Lee, one of the residents who helped identify these leaks, said “once you learn more, you do more with what you know.” (*Washington Post*, “Hundreds of gas leaks found in D.C. — some ‘potentially explosive,’ report says,” February 23, 2022).

HB 880 will help community members learn more and do more!

HB0880_Impact_of_Actions_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0880

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

Bill Sponsor: Delegate Boyce

Committee: Environment and Transportation

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0880 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of individuals and grassroots groups with members in every district in the state. We have over 30,000 members across the state.

We strongly support this legislation because it requires state agencies in their decision-making processes to make meaningful assessments of a proposed action's potential climate impact and effect on underserved and overburdened communities, environmental justice communities, and workers and jobs in Maryland. In the past, many decisions have been made that have adversely affected whole communities in Maryland. Decision-making should include the equity impact that the project would have on the communities that it affects.

Maryland's public agencies currently do not systematically assess how their decisions may contribute to environmental injustice, climate change, and worker or labor impacts and have historically taken actions that have contributed to public health disparities for BIPOC, low-income, and limited English proficient communities. These communities are disproportionately burdened by environmental hazards that include exposure to polluted air, waterways, and landscapes. The hazards ripple through the community creating disparities in health, wealth, and even life expectancy.

The Maryland Climate Equity Act creates a quantifiable way to identify and protect these communities, engage in meaningful communication, and prioritize these communities for investment.

The Maryland Legislative Coalition supports this bill and we recommend a **FAVORABLE** report in Committee.

HB 880 - Org Sign-On Testimony - SUPPORT.pdf

Uploaded by: Darya Minovi

Position: FAV

**Testimony in Support of House Bill 880 —
Climate Equity Act (Delegate Regina T. Boyce)**

March 2, 2022

Dear Chairman Barve and Members of the House Environment and Transportation Committee:

The **undersigned organizations** are grateful for the opportunity to submit written testimony in **support** of House Bill 880, with any sponsor amendments that may follow. This bill would provide quantifiable means for state agencies to assess a proposed action's potential impacts on the climate, overburdened communities, underserved communities, and workers in Maryland. No state law currently requires agencies to meaningfully consider these impacts, but with HB 880, agency decisions can move into closer alignment with community needs, as well as federal executive orders dedicated to combating climate change and environmental injustices.¹

In Maryland, there are persistent, well-documented health and environmental disparities that exist within communities. Numerous studies have demonstrated the connection between census tracts comprised of low income communities and communities of color, and heightened health risks as a result of closer proximity to toxic chemical releases and leakages² and air pollution.³ Maryland's own Department of Health has acknowledged the disproportionately high health risks faced by communities of color as a result of these entrenched disparities.⁴ Given the state's past in addressing environmental and health risk in these communities,⁵ this bill offers an accessible and comprehensive mechanism for state agencies to evaluate and rectify future environmental, labor and health impacts within Maryland.

The Climate Equity Act would address these issues by:

- Defining underserved and overburdened communities in a clear and quantifiable manner;
- Requiring state units to evaluate whether any action negatively impacts: the climate, labor and employment, environmental justice and any designated underserved or overburdened communities; and
- Creating assessment and reporting requirements that deter the furtherance of climate, health, and worker disparities.

While the state recently passed a similar bill, we believe the Climate Equity Act would ameliorate existing challenges. Last year, the Maryland General Assembly passed House Bill 298, which requires the Public Service Commission (PSC) to consider climate and labor impacts

¹ See

<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/> and

<https://www.epa.gov/laws-regulations/summary-executive-order-12898-federal-actions-address-environmental-justice>

² Sacoby Wilson, Chengsheng Jiang, Kristen Burwell, Rianna Murray, Laura Dalemarre, Charles Naney, and Hongmei Zhang. Environmental Justice. Dec 2013. 219-225. <http://doi.org/10.1089/env.2013.0029>, see also Wilson, S., Zhang, H., Jiang, C. *et al.* Being overburdened and medically underserved: assessment of this double disparity for populations in the state of Maryland. *Environ Health* 13, 26 (2014). <https://doi.org/10.1186/1476-069X-13-26>. See also <https://www.bdlaw.com/content/uploads/2019/04/fulltext.pdf>.

³ Apelberg, B. J., Buckley, T. J., & White, R. H. (2005). Socioeconomic and racial disparities in cancer risk from air toxics in Maryland. *Environmental health perspectives*, 113(6), 693–699. <https://doi.org/10.1289/ehp.7609>.

⁴ See

[https://health.maryland.gov/mhhd/Documents/Maryland%20Chartbook%20of%20Minority%20Health%20and%20Minority%20Health%20Disparities%20Data.%20Third%20Edition%20\(December%202012\).pdf](https://health.maryland.gov/mhhd/Documents/Maryland%20Chartbook%20of%20Minority%20Health%20and%20Minority%20Health%20Disparities%20Data.%20Third%20Edition%20(December%202012).pdf)

⁵ Matthew Adam Dernoga, Sacoby Wilson, Chengsheng Jiang, Fred Tutman, Environmental justice disparities in Maryland's watershed restoration programs, *Environmental Science & Policy*, Volume 45, 2015, Pages 67-78.

before approving applications for Certificates of Public Convenience and Necessity. The approval of this certificate is needed prior to the construction or modification of a power plant in Maryland. While this bill has only been in effect for a short time, it has proven to shape application discussions. In BGE's recent attempt to expand natural gas pipeline infrastructure, the PSC noted its failure to further the state's renewable energy goals, and cited the opportunity cost associated with not investing in renewable energy infrastructure. Members of the PSC referenced HB 298 in testimonies, clearly demonstrating the efficacy of such legislation.

HB 298 was a necessary step in deterring environmentally and socially irresponsible projects. However, it is not a panacea. Even after its enactment, the PSC has certified the conversion of two coal plants into oil plants despite the likelihood of vast environmental and public harm.⁶ These two plants are located in Curtis Bay, which scores in the top half of the state for environmental burden, pollution exposure, and socioeconomic factors, according to Maryland's EJScreen Mapper.⁷ With the enactment of the Climate Equity Act, these indicators, among others, would hold greater weight in discretionary decision making by not only the PSC, but all state agencies, thereby minimizing the risks faced by the most overburdened or underserved communities, as well as the rest of the state.

House Bill 880 is a necessary step in strengthening existing environmental and labor related legislation, and extending the promise of protection and equity to all Maryland communities. By elevating additional criteria in the decision making process, this bill ensures that all those in Maryland, and especially those already facing environmental, economic, and health disparities are better protected against harmful government actions. In an effort to safeguard and empower communities, we urge the Committee to adopt a **FAVORABLE** report on House Bill 880.

Sincerely,

Alliance of Nurses for Healthy Environments
Blue Water Baltimore
CCAN Action Fund
Center for Progressive Reform
Chesapeake Climate Action Network
Chesapeake Legal Alliance
Chesapeake Physicians for Social Responsibility
Frack Free Frostburg
Greenbelt Climate Action Network
HoCoClimateAction.org
Indivisible Howard County
Locust Point Community Garden
Maryland Campaign for Environmental Human Rights
Maryland Sierra Club
Maryland Legislative Coalition
Maryland League of Conservation Voters

⁶ Casey, J.A., Gemmill, A., Karasek, D. *et al.* Increase in fertility following coal and oil power plant retirements in California. *Environ Health* 17, 44 (2018). <https://doi.org/10.1186/s12940-018-0388-8> see also Jonathan I Levy, John D Spengler, Dennis Hlinka, David Sullivan, Dennis Moon, Using CALPUFF to evaluate the impacts of power plant emissions in Illinois: model sensitivity and implications, *Atmospheric Environment*, Volume 36, Issue 6, 2002, Pages 1063-1075, [https://doi.org/10.1016/S1352-2310\(01\)00493-9](https://doi.org/10.1016/S1352-2310(01)00493-9).

⁷ See <https://p1.cgis.umd.edu/mdejscreen/>.

Maryland Public Health Association
Maryland WISE Women
MLC Climate Justice Wing
NAACP Maryland State Conference
Our Revolution, Howard County
Preservation Maryland
Safe Healthy Playing Fields
ShoreRivers
Strong Future Maryland
Waterkeepers Chesapeake

Copy of HB0880-Climate Equity Act-E&T-FAV-CJW.pdf

Uploaded by: Diana Younts

Position: FAV



Committee: Environment & Transportation
Testimony on: HB880 - Environment-Impact of Actions on Climate, Labor and Environmental Justice
Organization: MLC Climate Justice Wing
Submitting: Diana Younts, Co-chair
Position: Favorable
Hearing Date: March 2, 2022

Dear Mr. Chairman and Committee Members,

Thank you for allowing our testimony in strong support of HB880. The MLC Climate Justice Wing is a statewide coalition of over 50 grassroots and grastops groups advocating for climate and climate justice legislation.

We strongly support this legislation because it requires state agencies in their decision-making processes to make meaningful assessments of a proposed action's potential climate impact and effect on underserved and overburdened communities, environmental justice communities, and workers and jobs in Maryland.

Maryland's public agencies currently do not systematically assess how their decisions may contribute to environmental injustice, climate change, and worker or labor impacts and have historically taken actions that have contributed to public health disparities for BIPOC, low-income, and limited English proficient communities. These communities are disproportionately burdened by environmental hazards that include exposure to polluted air, waterways, and landscapes. The hazards ripple through the community creating disparities in health, wealth, and even life expectancy. Some of these hazards Marylanders face are well-researched and documented, including:

- Low-income communities of color in Maryland are [more likely](#) to live in close proximity to facilities that release toxic chemicals.
- Leaking underground storage tanks are [more prevalent](#) in low-income communities of color.
- Low-income Black communities in Maryland face [greater cancer risks and exposure to air toxics](#), primarily due to highway pollution and other mobile sources of air pollution (i.e. airplanes, trains, lawnmowers, construction vehicles, and farm machinery). These risks decrease as the proportion of white people in each census tract increases.
- Black people in Maryland are [more likely](#) to live in close proximity to facilities that release toxic chemicals.
- Leaking underground storage tanks are [more prevalent](#) in low-income communities of color.
- Low-income Black communities in Maryland face [greater cancer risks and exposure to air toxics](#), primarily due to highway pollution and other mobile sources of air pollution (i.e. airplanes, trains, lawnmowers, construction vehicles, and farm machinery). These risks decrease as the proportion of white people in each census tract increases.

- Black people in Maryland are [more likely](#) to die from heart disease, cancer, and stroke. Black Marylanders are also [1.1 times more likely](#) to suffer from asthma, and 2.3 times more likely to die from asthma, compared to white people.

The Maryland Climate Equity Act creates a quantifiable way to identify and protect these communities, engage in meaningful communication, and prioritize these communities for investment. Before taking an action, each unit of government must engage in public outreach, and assess whether and to what extent the action may negatively affect the climate based on the scientific evidence recognized by the Intergovernmental Panel on Climate Change. It also requires payment of prevailing wage for each trade as well as health and retirement benefits and other beneficial programs. They must assess the impact of a project on an overburdened community, including deterioration of its public health, pollution effects, and impact on the economic well being of the community.

For these reasons, we urge you to vote favorably for HB880.

MLC Climate Justice Wing:

Assateague Coastal Trust
 Maryland Legislative Coalition
 MD Campaign for Environmental Human Rights
 Chesapeake Climate Action Network
 WISE
 Frack Free Frostburg
 Mountain Maryland Movement

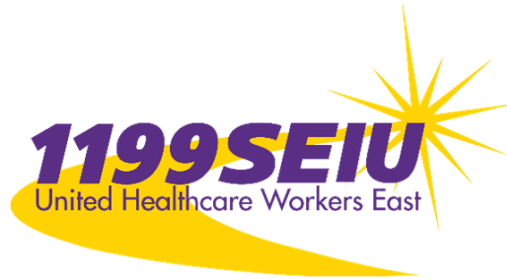
Howard County Indivisible
 Howard County Sierra Club
 Columbia Association Climate change and sustainability advisory committee
 HoCo Climate Action
 CHEER
 Climate XChange - Maryland
 Mid-Atlantic Field Representative/
 National Parks Conservation Association
 350 Montgomery County
 Glen Echo Heights Mobilization
 The Climate Mobilization Montgomery County
 Montgomery County Faith Alliance for Climate Solutions
 Montgomery Countryside Alliance
 Takoma Park Mobilization Environment Committee
 Audubon Naturalist Society
 Cedar Lane Unitarian Universalist Church
 Environmental Justice Ministry
 Coalition For Smarter Growth
 DoTheMostGood Montgomery County
 MCPS Clean Energy Campaign
 MoCo DCC

Potomac Conservancy
 Casa de Maryland
 Nuclear Information & Resource Service
 Clean Air Prince Georges
 Laurel Resist
 Greenbelt Climate Action Network
 Maryland League of Conservation Voters
 Unitarian Universalist Legislative Ministry of Maryland
 Concerned Citizens Against Industrial Cafos
 Wicomico NAACP
 Chesapeake Physicians for Social Responsibility
 Chispa MD
 Climate Law & Policy Project
 Maryland Poor Peoples Campaign
 Labor for Sustainability
 The Nature Conservancy
 Clean Air Prince Georges
 350 Baltimore
 Maryland Environmental Health Network
 Climate Stewards of Greater Annapolis
 Talbot Rising
 Adat Shalom Climate Action
 Chesapeake Earth Holders
 Climate Parents of Prince Georges
 Echotopia
 Maryland NAACP State Conference, Environmental Justice Committee

HB 880 Maryland Climate Equity Act Testimony - Dja

Uploaded by: Djawa Hall

Position: FAV



Testimony - HB 880

Maryland Climate Equity Act

Position: Favorable

Good afternoon to the Chair and members of the committee. Thank you for this opportunity to share my testimony. My name is Djawa Hall and I am the Political Coordinator for 1199SEIU United Healthcare Workers East, Maryland/DC. We are the largest healthcare workers union in the United States, representing over 10,000 members here in Maryland and the District of Columbia who work in hospitals, Long-Term Care facilities, and Community-Based healthcare facilities throughout the region. Our union members support HB 880, the Maryland Climate Equity Act, and recommend the committee vote favorably for this bill.

When you talk about potential environmental threats to overburdened and underserved communities, we are at a crisis point in Maryland. There are disproportionate environmental and health impacts on Black and Brown communities in the state due to a combination of factors, but particularly stemming from a legacy of segregation and historically racist zoning codes. Communities experiencing environmental injustice have been subjected to systemic racial, social, and economic injustices, and are at a higher risk of intentional, unconscious, and structural discrimination, and disproportionate energy burdens.

Low-income Black communities in Maryland face greater cancer risks and exposure to air toxins, primarily due to highway pollution and other mobile sources of air pollution, such as airplanes, trains, lawnmowers, construction vehicles, and farm machinery.

State agencies currently do not consider the full breadth of impacts because of their decision-making. No state law requires agencies to meaningfully consider climate impacts, environmental justice/health impacts, and labor impacts resulting from their actions.

This bill would ensure the health and wellbeing of BIPOC communities are considered in the decision-making process of Maryland state agencies in a quantifiable way, engaging them in meaningful communications and protecting them from unintended consequences.

Workers also deserve a just transition to a pollution-free economy- which is necessary to ensure that they have access to the resources and benefits of a sustainable future. If the Climate Equity Act were already in place, it could deter the concentration of power plants in Prince George's County, the concentration of industrial facilities and waste incinerators in South Baltimore, the concentration of industrial agricultural operations on Maryland's eastern shore, and the transition of several coal-fired power plants to oil-fired power plants in overburdened communities across Maryland where our members live, work and play.

1199SEIU respectfully urges this committee to demonstrate its commitment to Environmental Equity in Maryland by issuing a **favorable vote** with **NO weakening amendments** on HB 880.

Respectfully,

Djawa Hall
Political Coordinator
1199SEIU UHE MD/DC

HB 880 Environment - Impact of Actions on Climate,

Uploaded by: Jeffry Guido

Position: FAV



Electrical Workers

Insulators

Boilermakers

United Association

Plumbers & Gas Fitters

Sprinkler Fitters

Steam Fitters

Roofers

Cement Masons

Teamsters

Laborers

Bricklayers

Ironworkers

Sheet Metal Workers

Elevator Constructors

Painters

Operating Engineers

Carpenters

Maryland House of Delegates Environment and Transportation Committee

Chair: Kumar P. Barve

Vice Chair: Dana Stein

House Bill 880 Environment - Impact of Actions on Climate, Labor, and Environmental Justice

Position: **Support**

The Baltimore DC Metro Building Trades Council supports HB 880 in as much as it supports the Labor Standards that we want to see on all environmental projects going forward. Marylanders don't have to choose between creating good jobs and protecting the environment. We can and must do both. Innovating, building and installing the clean economy—clean energy, energy efficiency, is protecting the environment while creating quality jobs across the State and ensuring the health of workers and the environment. We can create quality, family-sustaining jobs while also reducing carbon pollutions and avoiding the worst impacts of climate change. Strategic investments in building the clean economy like energy efficiency and renewable energy are critical, as are measures to ensure these jobs are quality jobs with acceptable standards so that workers and communities impacted have the tools and resources they need to make the shift to a clean energy economy. Many of our International Building Trades Unions belong to the Blue Green Alliance. The Blue Green Alliance unites labor unions and environmental organizations to solve today's environmental challenges in ways that create and maintain quality jobs and build a clean, thriving, and equitable economy.

We ask the committee for a favorable vote.

Respectfully,

Jeffry Guido

Baltimore-DC Metro Building Trades Council

Value on Display... Everyday.



HB880_MDSierraClub_fav 2March2022.pdf

Uploaded by: Josh Tulkin

Position: FAV



SIERRA CLUB

MARYLAND CHAPTER

Sierra Club Maryland Chapter
P.O. Box 278
Riverdale, MD 20738

Committee: Environment and Transportation

Testimony on: HB 880 – Environment – Impact of Actions on Climate, Labor, and Environmental Justice (“Maryland Climate Equity Act”)

Position: Favorable

Hearing Date: March 2, 2022

The Maryland Chapter of the Sierra Club urges a favorable report for the Maryland Climate Equity Act, HB 880, which would provide quantifiable means for state agencies to assess a proposed action’s potential impacts on the climate, overburdened communities, underserved communities, and workers in Maryland.

Maryland’s state agencies play a key role in a range of decisions that affect communities, such as approving locations for energy generating facilities, highways, industrial facilities, and waste incinerators. Historically, many of these decisions have negatively and disproportionately impacted communities of color and overburdened, low-income communities.

In 2022, we are in the midst of a climate crisis and national reckoning with social injustice. Yet, under current law, state agencies do not have to meaningfully consider their decisions’ climate and job impacts nor how their decisions may contribute to environmental injustice by concentrating polluting or dangerous facilities in certain neighborhoods.

The result is that state actions continue contributing to public health disparities for communities of color, low-income, and limited English proficiency, as well as other underserved communities. These communities are disproportionately burdened by environmental hazards that include exposure to polluted air, waterways, and landscapes and other negative outcomes. These hazards create disparities in health, wealth, and even life expectancy.

The Climate Equity Act would address these issues by defining underserved and overburdened communities in a clear and quantifiable manner; by requiring state units to evaluate whether an action negatively impacts: the climate, labor and employment, environmental justice, and any designated underserved or overburdened communities; and by creating assessment and reporting requirements that would allow decisionmakers to recognize and thereby minimize or avoid climate and labor harms and disproportionate negative impacts on overburdened and underserved communities.

House Bill 880 is an affirmative step toward addressing hidden biases in decision making that have historically allowed sacrifice zones and disproportionate harms to certain communities as well as disregard for the climate. We urge a favorable report on HB 880 and the Committee’s strong support for prompt enactment of this long overdue bill.

Paula Posas
Deputy Director
Paula.Posas@MDSierra.org

Josh Tulkin
Chapter Director
Josh.Tulkin@MDSierra.org

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

Testimony - HB0880 - Impact of Actions .pdf

Uploaded by: Lee McNair

Position: FAV

February 28, 2022

Testimony: HB0880 - Environment - Impact of Actions on Climate, Labor, and Environmental Justice

Organization: Cedar Lane Environmental Justice Ministry (CLEJM)

Submitter: Lee McNair, Co-Leader

Position: FAVORABLE

Maryland has reached a point in her history in which most residents understand the need for and support the quest for racial justice, justice for historically and currently overburdened communities, as well as environmental justice. As our state works towards addressing the intersections among these forms of justice, we not only act for our own moral and ethical good but we achieve the very practical purpose of helping ourselves solve problems that impact all who dwell in our state.

- **Mobilizing underserved communities in the fight against climate change; global warming; and resource depletion brings a whole new army of supporters to the struggle. Thus we add fresh ideas, more creativity, new energies to finding ways to be both more just and more effective in the mitigation of the climate crisis.**
- **Assessing the environmental and justice impact**

of our actions calls for a whole new way of thinking by our governmental bodies. Both climate change and justice issues are complex SYSTEM problems which call for a deeper and wider kind of thinking on the part of everyone including our regulators, our developers, our business communities, as well as our citizens. The beauty of such creative thinking is that it leads to innovation; technological breakthroughs; cooperative efforts among such different interests as business people, biosystem experts, and labor interests.

- **Such “new” thinking is desperately and urgently needed if we are going to be able to provide a livable, sustainable, and successful world to our future citizens and upcoming leaders.**

CLEJM supports HB0880 and looks forward to a FAVORABLE report in committee. Thank you for allowing us this opportunity to share our views with you.

HB880_FAV_Chaudry

Uploaded by: M. Isabelle Chaudry

Position: FAV

March 2, 2022

Chairman Barve and Members of the Committee,

My name is M. Isabelle Chaudry here on behalf of the Center for Progressive Reform as a Senior Policy Analyst and the leader of our workers' rights program.

Maryland's public agencies take a sweeping array of actions that affect residents and communities but do not meaningfully assess how their decisions impact workers.

By requiring state agencies, before taking any "action," to consider whether companies have received any serious, willful, or repeat violations from the Maryland Occupational Safety and Health, the Climate Equity Act would:

- Ensure that overburdened communities are protected before taking actions;
- Assess how overburdened populations are impacted;
- Keep workers safe and healthy on the job. And ensure the state does not reward those companies that flagrantly ignore its law.

Moreover, the Climate equity act will help ensure that money spent on behalf of our communities stays in our communities. By requiring contractors to engage in local hiring outreach, public works projects will be sure to provide good paying jobs to our residents. Demanding that contractors pay fair wages to their employees not only justly compensates them for the wealth they create, but further stimulates the economies of the local communities where they will spend those wages.

By requiring contractors to participate in state registered apprenticeship programs, we pass on essential knowledge and skills to our state's next generation of workers. The climate equity act will require that contractors associated with an action provide their employees with health and retirement benefits. Corporations cannot force the state to take their workers on as a public charge, even while reaping the profits of government contracts.

An ancillary benefit of ensuring just compensation and treatment for those working on government projects, is that such measures likewise ensure a competent professional workforce, that will get the job done right and in a timely manner. The bill continues in this mission by requiring appropriate licensing requirements for all work done on the government contract.

I urge a favorable report on House Bill 880.

Thank you,

M. Isabelle Chaudry

Balt Sust Comm - HB880, Climate Equity.pdf

Uploaded by: Miriam Avins

Position: FAV

BALTIMORE COMMISSION ON SUSTAINABILITY

People ♦ Planet ♦ Prosperity

February 28, 2022

Delegate and Committee Chair Kumar Barve
Members of the House Environment and Transportation Committee

RE: **Support** for HB880, Environment - Impact of Actions on Climate, Labor, and Environmental Justice

Dear Chair Barve and Members of the House Environment and Transportation Committee,

We are writing in support of HB880, Environment - Impact of Actions on Climate, Labor, and Environmental Justice.

The Baltimore Commission on Sustainability is a body appointed by the Mayor to oversee the creation and implementation of the Baltimore Sustainability Plan. The 2019 Baltimore Sustainability Plan addresses a wide range of social, economic and environmental goals for the City, and it does so through an equity lens.

The Baltimore Commission on Sustainability has a strong interest in the success of HB88, which would require state agencies to assess a proposed action's potential climate impact and effect on underserved and overburdened communities, environmental justice communities, and workers and jobs in Maryland, and would create a quantifiable way to identify and protect overburdened communities, engage in meaningful communication, and prioritize them for investment. This can be important in forwarding many of the strategies in the 2019 Sustainability Plan, and in ensuring that we do not slide backwards. The equity analysis approach is particularly important for Baltimore, which has a large share of underserved and overburdened communities.

We urge the Committee to support HB880.

Sincerely,

Miriam Avins
Mia Blom
Co-chairs, Commission on Sustainability

Cc: Delegate Regina T. Boyce

MD Catholic Conference_FAV_HB0880.pdf

Uploaded by: MJ Kraska

Position: FAV



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

March 2, 2022

HB 880

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

House Environment & Transportation Committee

Position: Support

The Maryland Catholic Conference (“Conference”) represents the public policy interests of the three Roman Catholic (arch)dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington.

House Bill 880 requires a local governing body, on application by a property owner for a special exception to construct or operate a landfill in an area zoned for residential use, to require an environmental justice analysis, paid for by the property owner, describing any potentially adverse environmental, health, and economic impacts to the area; requiring the Commission on Environmental Justice and Sustainable Communities to recommend strategies for State oversight of local zoning decisions that present environmental justice concern

The Conference supports environmental legislation that recognizes the integral ecosystem in which we live. In his encyclical, *On Care for Our Common Home (Laudato Si’)*, Pope Francis states that “*What kind of world do we want to leave to those who come after us, to children who are now growing up? This question not only concerns the environment in isolation; the issue cannot be approached piecemeal.*”

Laudato Si’ is not an endorsement of specific public policy proposals; rather, it seeks to illustrate the importance of protecting our common home and issue guidance as to how to listen to all voices in solving this massive global crisis. House Bill 880 aims to address some of the needed reforms policies and standards to be set to sustain and achieve a healthy global ecosystem. We encourage discussion around the components and goals outlined in this legislation and hope they are a catalyst for meaningful ecological policy reform.

The Conference appreciates your consideration and, for these reasons, respectfully requests a favorable report on House Bill 880.

HB0880-FAV-DTMG-3-2-22.pdf

Uploaded by: Olivia Bartlett

Position: FAV



Olivia Bartlett, DoTheMostGood Maryland Team

Committee: Environment & Transportation

Testimony on: HB0880 – Environment - Impact of Actions on Climate, Labor and Environmental Justice

Position: Favorable

Hearing Date: March 2, 2022

Bill Contact: Delegate Regina Boyce

DoTheMostGood (DTMG) is a progressive grass-roots organization with more than 3000 members in all districts in Montgomery County as well as several nearby jurisdictions. DTMG supports legislation and activities that keep its members healthy and safe in a clean environment and which promote equity across all our diverse communities. DTMG strongly supports HB0880 because it will bring equity to underserved Maryland communities that are currently overburdened by environmental hazards that hurt public health and negatively impact the economic well-being of the community.

Maryland's public agencies currently do not systematically assess how their decisions may contribute to environmental injustice, climate change, and worker or labor impacts, and have historically taken actions that have contributed to public health disparities for BIPOC, low-income, and limited English proficient communities. These communities are disproportionately burdened by environmental hazards that include exposure to polluted air, waterways, and landscapes. The hazards ripple through the community creating disparities in health, wealth, and even life expectancy. Some of the environmental hazards these communities face are well documented. For example:

- Low-income people of color, particularly Black people, in Maryland are [more likely](#) to live in close proximity to facilities that release toxic chemicals.
- Leaking underground storage tanks that can contaminate water are [more prevalent](#) in low-income communities of color.
- Low-income Black communities in Maryland face [greater cancer risks and exposure to air toxics](#), primarily due to highway pollution and other mobile sources of air pollution (i.e. airplanes, trains, lawnmowers, construction vehicles, and farm machinery). These risks decrease as the proportion of white people in each census tract increases.
- Black people in Maryland are [more likely](#) to die from heart disease, cancer, and stroke.
- Black Marylanders are [more likely](#) to suffer from asthma, and are 2.3 times more likely to die from asthma compared to white people.

HB0880 will address this important problem and restore equity by requiring state agencies in their decision-making processes to make meaningful assessments of a proposed action's potential climate impact and pollution effects on underserved and overburdened communities, environmental justice communities, and workers and jobs in Maryland. Agencies will need to engage in public outreach and assess whether and to what extent projects may negatively affect

the climate based on scientific evidence recognized by the Intergovernmental Panel on Climate Change. HB0880 also requires payment of prevailing wage for each trade as well as health and retirement benefits and other beneficial programs, which will directly benefit workers.

Equal treatment and respect for all of our neighborhoods and communities are long overdue. HB0880 creates a quantifiable way to identify and protect already overburdened communities, engage in meaningful communication with them, and prioritize these communities for investment. DTMG therefore strongly supports HB0880 and urges a **FAVORABLE** report on this bill.

Respectfully submitted,

Olivia Bartlett
Co-lead, DoTheMostGood Maryland Team
oliviabartlett@verizon.net
240-751-5599

Boyce HB 880 Final LOS_.pdf

Uploaded by: Regina T. Boyce

Position: FAV



LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

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February 22, 2022

Delegate Kumar P. Barve
Chair, ENT

Delegate Dana Stein
Vice Chair, ENT

Dear Chair Barve and Members of the Committee:

The Legislative Black Caucus of Maryland has voted to offer **favorable** support for HB 880-Environment – Impact of Actions on Climate, Labor, and Environmental Justice. This legislation would allow the potential burden and/or harm of facilities to minority communities to be assessed on the front end and prohibit them from taking action.

When these facilities are built, they are disproportionately placed in or near Black and Brown communities and have negative long term effects on those communities. This bill protects the African Americans communities from environmental injustice. For these reasons, the Legislative Black Caucus of Maryland Inc. supports HB 880.

Respectfully,

Darryl Barnes

Darryl Barnes
Chair, Legislative Black Caucus
of Maryland

Melissa Wells

Melissa Wells
1st Vice Chair, Legislative Black
Caucus of Maryland

HB 880_CBF SUPPORT.pdf

Uploaded by: Robin Jessica Clark

Position: FAV



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

The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.

HB880_ENT_FAV_HoCoClimateAction.org.pdf

Uploaded by: Ruth White

Position: FAV



HoCoClimateAction.org
Howard County, Maryland

Testimony on HB880
Environment – Impact of Actions on Climate, Labor, and Environmental Justice
("Maryland Climate Equity Act")

Hearing Date: March 2, 2022

Bill Sponsor: Delegate Delegate Regina T. Boyce

Committee: House Environment and Transportation and Economics Matters Committees

Submitting: Ruth White for Howard County Climate Action

Position: Favorable

[HoCo Climate Action](#) is a [350.org](#) local chapter and a grassroots organization representing more than 1,450 subscribers.

On behalf of Howard County Climate Action, I urge a favorable report from the committee on HB880 - Environment – Impact of Actions on Climate, Labor, and Environmental Justice.

Maryland's public agencies make decisions that impact residents and communities, but in the past have not formally considered how their decisions impact the climate crisis, or had disproportionate negative impacts on the health and well-being of low-income communities and communities of black, indigenous, people of color, and non-English speaking. In fact we have seen multiple negative impacts in these communities.

Last year this body passed SB83/HB298 - Consideration of Climate and Labor which requires the Public Service Commission (PSC) to consider climate and labor in its decision. Several years ago, I personally attended a public meeting in Brandywine, an area well known for excessive polluting industries (see [Grist article here.](#)) At this meeting, PSC employees told community members that the law and process at the time did not permit the PSC to consider the impacts of their decisions on the health of the people in the community, with regard to air quality or any other measure. And that climate impacts there could be offset by planting trees in Western Maryland.

The PSC has shifted its approach since SB83/HB298 passed in 2021, but many other state agencies make decisions on air and water quality, transportation, siting of pipelines, polluting fuel infrastructure and other harmful facilities. This law will help agencies avoid the compounding of past unjust outcomes by providing definitions of underserved and overburdened communities (i.e. environmental justice communities) to guide their decision making processes. Our most vulnerable communities should not continue to be disproportionately negatively impacted.

HB880 also requires certain considerations for workers.

Thank you for your consideration of HB880. For all the reasons stated above, Howard County Climate Action urges a favorable vote from the committee.

Submitted by Ruth White, Steering and Advocacy Committee
Howard County Climate Action

www.HoCoClimateAction.org

HoCoClimateAction@gmail.com

Grist article -

<https://grist.org/justice/in-maryland-one-community-is-taking-a-stand-against-environmental-racism/>

NAACP_HB880_FAV

Uploaded by: Staci Hartwell

Position: FAV



NAACP

Maryland
STATE CONFERENCE

February 28, 2022

Dear Chairman Barve and Members of the House Environment and Transportation Committee,

Greetings. On behalf of the NAACP Maryland State Conference, I am writing to request a favorable report of House Bill 880.

Maryland's public agencies take a sweeping array of actions that affect residents and communities but do not meaningfully assess how their decisions may contribute to environmental injustice, climate change, and worker or labor impacts. Historically, state actions have contributed to public health disparities for BIPOC, low-income, and limited English proficient communities. These communities are disproportionately burdened by environmental hazards that include exposure to polluted air, waterways, and landscapes with extenuating negative impacts. These hazards ripple through the community creating cascading disparities in health, wealth, and even life expectancy.

The lack of consideration given to underserved and overburdened communities in Maryland has led to:

- low-income African American communities facing [greater cancer risks and exposure to air toxics](#), primarily due to highway pollution and other mobile sources of air pollution (i.e. airplanes, trains, lawnmowers, construction vehicles, and farm machinery),
- the [concentration of power plants](#) near African American communities in Prince George's County, Maryland, and
- the greater [prevalence](#) of underground storage tanks leaking toxic substances in low-income communities of color, among other negative outcomes.

While there are many factors contributing to health risks and outcomes, African Americans in Maryland are [more likely](#) to die from heart disease, cancer, and stroke. African-American Marylanders are also [1.1 times more likely](#) to suffer from asthma, and 2.3 times more likely to die from asthma, compared to white people. Disproportionate pollution burdens play a large role in leading to these health consequences and a lack of meaningful assessment, community engagement, and consideration in state decision-making has contributed to this problem.

Communities experiencing such environmental injustices have also been subjected to systemic racial, social, and economic injustices and face a disproportionate burden of adverse human health or environmental effects, a higher risk of intentional, unconscious, and structural discrimination, and disproportionate energy burdens. These communities have been made more vulnerable to the effects of climate change due to a combination of factors, particularly the legacy of segregation and historically racist zoning codes, and often have the least resources to respond, making it a necessity for underserved and overburdened communities to be meaningfully engaged as partners and stakeholders in government decision making as Maryland builds its climate resilience.

A fair and just transition to a pollution-free economy is necessary to ensure that workers, underserved, and overburdened communities have access to the resources and benefits of a sustainable future. House Bill 880 will ensure that members of those communities are meaningfully involved in government decision-making moving forward, requiring a higher level of engagement, review, and consent to ensure that overburdened and underserved communities are not forced to bear disproportionate environmental, climate, wealth, and health impacts moving forward.

We urge a favorable report on House Bill 880.

Respectfully submitted,

[/s/ S R Hartwell](#)

Staci Hartwell, Chair
Environmental and Climate Justice
NAACP Maryland State Conference
617 257 8893

HB880_FAV_Leonard

Uploaded by: Victoria Leonard

Position: FAV



Wednesday, March 2, 2022

The Honorable Kumar Barve, Chair
The Honorable Dana Stein, Vice Chair
House Environment and Transportation Committee
House Office Building Room 251
Annapolis, Maryland 21401

HB 880 – Environment - Impact of Actions on Climate, Labor, and Environmental Justice

Position – Favorable

Thank you Chair Barve and Vice Chair Stein and Members of the House Environment and Transportation Committee for the opportunity to submit testimony in support of HB 880, the Maryland Climate Equity Act of 2022.

My name is Victoria Leonard, Political and Legislative Director for the Baltimore-Washington Laborers' District Council (BWLDC), an affiliate of the Laborers' International Union of North America, or LiUNA for short. The BWLDC represents more than 7,500 members across Maryland, Virginia, and the District of Columbia. Our members are proudly employed on many infrastructure construction projects across the region, and about one-third of our members are Maryland residents.

LiUNA supports HB 880 and its requirement that state agencies consider the impact of their decisions on Maryland residents' climate, health and jobs. We especially appreciate that HB 880 includes a provision to assess whether a proposed project's employers, contractors, and subcontractors pay prevailing wages, offer health care and retirement benefits, participate in registered apprenticeship programs, and have a plan to recruit, train, and employ state residents on the project.

Labor standards are very important. It is the best way to ensure projects approved by the state of Maryland create quality jobs with benefits that are filled by Maryland residents. In particular, prevailing wage laws are very important because they ensure that construction workers earn a fair day's pay and benefits for a fair day's work. Prevailing wage also levels the playing field for Maryland's contractors so that they are not undercut by out-of-state contractors who will try to cut wages to the bone to win work.

LiUNA urges the committee to vote favorably on HB 880.

LS22, HB880, CCAN Venable testimony FAV.pdf

Uploaded by: Victoria Venable

Position: FAV

HB0880 - Environment - Impact of Actions on Climate, Labor, and Environmental Justice**Date: March 2, 2022****Committee: House Environment & Transportation Committee****Position: Favorable****Victoria Venable, Maryland Director - Chesapeake Climate Action Network Action Fund**

On behalf of the Chesapeake Climate Action Network Action Fund, I urge a favorable report from the committee on **HB0880 - Environment - Impact of Actions on Climate, Labor, and Environmental Justice**.

The CCAN Action Fund is the advocacy arm of Chesapeake Climate Action Network (“CCAN Action Fund”), a grassroots organization dedicated exclusively to fighting for bold and just solutions to climate change in the Chesapeake region of Maryland, Virginia, and Washington, DC. After working hard to pass HB298 in the 2021 Legislative Session to require the Public Service Commission to assess climate and labor impacts associated with certain actions, we believe the HB880 is the proper next step in moving climate equity forward in Maryland.

Currently, Maryland’s public agencies take a sweeping array of actions that affect residents and communities but do not meaningfully assess how their decisions may contribute to environmental injustice, climate change, and worker or labor impacts. Historically, state actions have contributed to public health disparities for BIPOC, low-income, and limited English proficient communities. HB880 will ensure that Maryland state agencies, in their decision-making processes, meaningfully assess a proposed action’s potential climate change impact and effect on overburdened communities, environmental justice communities, and workers and jobs in Maryland.


In 2021, the Maryland General Assembly passed [House Bill 298](#), which requires the Public Service Commission (PSC) to consider climate and labor impacts before approving applications for Certificates of Public Convenience and Necessity (“certificate”). The approval of this Certificate is needed prior to the construction or modification of a power plant in Maryland. While the law has only been in effect for less than a year, it has already been successful in ensuring that we do not take steps backward in our climate efforts. In September of 2021, BGE proposed a Pay It Forward Pilot Program (Case 9646). The BGE project was opposed by PSC members on the grounds that it did not satisfactorily prove that it would promote enough economic growth to insulate ratepayers from bearing the cost of expansion. The PSC also voiced concerns around the environmental impacts of fuel switching from electric to gas and the inconsistency with state climate goals, citing the directive from HB298 to consider climate impacts.

While this exemplifies how requiring a state government entity to consider the climate in decision-making can be effective, the 2021 law has some shortcomings that we hope to address with HB880 this year. For example, the PSC can approve certain projects without issuing a new Certificate and therefore avoid the requirement of HB298 to consider the associated climate and labor impacts. [The PSC did exactly this with Talen Energy’s application](#) to convert two coal plants, Brandon Shores Power Plant and H.A. Wagner Plant near Curtis Bay, to burning oil based on the premise that the conversion did not constitute a “modification” under the law.

This decision means that the proposal falls under the purview of the Maryland Department of the Environment (“MDE”) and not the PSC. Because MDE has no mandate to consider climate, the agency will not consider what impact an oil-fired power plant will have on Maryland’s ability to meet its climate

goals. Additionally, these plants are located in an area near Curtis Bay that suffers from some of the highest rates of environmental burdens and pollution exposure, according to Maryland's EJScreen Mapper. Had the Climate Equity Act been in place for this process, the PSC, MDE, and every other relevant state agency would have been required to carefully study how these oil plants would affect this already overburdened community, providing decision-makers and the public with more complete information about the proposed project.

Thank you for your consideration of HB880. For all the reasons stated above, we urge a favorable vote from the committee.



CONTACT: Victoria Venable, Maryland Director
Victoria@chesapeakeclimate.org (301) 960-8824

CASA_FAV_HB880.pdf

Uploaded by: Cathryn Paul

Position: FWA



Testimony in SUPPORT WITH AMENDMENTS of HB880
Environment - Impact of Actions on Climate, Labor and Environmental Justice
House Environment and Transportation Committee
Economic Matters Committee

Elizabeth Alex, On Behalf of CASA

March 2, 2022

Dear Members of the Environment & Transportation and Economic Matters Committees,

CASA strongly supports **HB880- Impact of Actions on Climate, Labor, and Environmental Justice**, and thanks the sponsor, Delegate Boyce, for introducing this important piece of legislation. CASA is the largest immigrant services and advocacy organization in Maryland, and in the Mid-Atlantic region, with a membership of over 120,000 Black and brown immigrants and working families.

Historically, immigrants, working class communities, and people of color have borne disproportionate negative impacts from dirty energy use and climate change. HB880 aims to prevent further harm to these Environmental Justice communities, both direct environmental harm as well as economic harm resulting from underpayment or lack of adequate benefits, by requiring governmental units to assess the potential for harm prior to approving new projects. We recommend further strengthening this legislation by naming displacement as an additional economic harm to be prevented in section 1-904(B)(3).

As we strive to achieve ambitious energy transition goals, it is critical that Environmental Justice communities, those who have been overburdened and underserved, as defined in the legislation, do not endure further harm as an unintended consequence of transitioning to clean energy. Black, Latino, Indigenous, and working class communities deserve investments in energy transition infrastructure that won't result in displacement, increase in air or water pollution, abusive employers, or any other negative health or economic impacts.

The Climate Labor Equity Test is a crucial piece of legislation which provides a roadmap for both prevention of harm and future investments in those communities that have suffered the most harm from climate change. As we prepare to invest in significant infrastructure that will dramatically reduce greenhouse gas emissions, restructure our energy systems, and rethink our transportation systems, we must not forget the communities that have all too often been left behind in the name of progress. Clean, affordable energy is not only a luxury for some of us, it's a necessity for all of us. And the process of transitioning to clean energy should at a minimum do no harm to our most vulnerable communities.

Thank you for your consideration of HB880. For all the reasons stated above, we urge a favorable vote from the committee with the inclusion of this minor amendment.

HB 880_UNF_MML.pdf

Uploaded by: Angelica Bailey

Position: UNF



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

March 2, 2022

Committee: House Environment & Transportation

Bill: _____ HB 880 – Environment – Impact of Actions of Climate, Labor, and Environmental Justice

Position: Oppose

Reason for Position:

The Maryland Municipal League opposes House Bill 880.

This measure prohibits local governments from issuing rules, orders, licenses, approvals, denials, or other relief without a report evaluating the impact of such an action on climate, labor and employment, environmental justice, and overburdened communities. While we agree that these are important considerations and appreciate the sponsor's intent, this bill proposes a vehicle that is unworkable for local governments.

Most local government work consists of the actions specifically mentioned in this bill: issuing rules, orders, licenses, approvals, and denials. Requiring local governments to conduct a formal and substantial evaluation every time action may be taken will drastically slow the work of local governments. The resulting administrative backlog could actually impede resources from reaching our communities.

While we respect the Sponsor's goal, this measure would place too great a burden on local government operations. For these reasons, the Maryland Municipal League opposes HB 880 and respectfully requests an unfavorable committee report.

FOR MORE INFORMATION CONTACT:

Scott A. Hancock	Executive Director
Angelica Bailey	Director, Government Relations
Bill Jorch	Director, Research and Policy Analysis
Justin Fiore	Manager, Government Relations

1212 West Street, Annapolis, Maryland 21401

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HB0880_MarylandAGC_McCulloch_UNF.pdf

Uploaded by: Champe McCulloch

Position: UNF

**HB 880****Environment - Impact of Actions on Climate, Labor, and Environmental Justice
Environment and Transportation****Position: Unfavorable**

Maryland AGC, the Maryland Chapter of the Associated General Contractors of America, provides professional education, business development, and advocacy for commercial construction companies and vendors, both open shop and union. AGC of America is the nation's largest and oldest trade association for the construction industry. AGC of America represents more than 26,000 firms, including over 6,500 of America's leading general contractors, and over 9,000 specialty-contracting firms, all through a nationwide network of chapters. Maryland AGC opposes HB 880 and respectfully urges HB 880 be given an unfavorable report.

HB 880 imposes a requirement that any governmental unit (not defined) contemplating taking any action, broadly defined, conduct an evaluation of the potential impact of any action on a wide range of issues grouped as the climate, labor and employment, environmental justice, and any overburdened community. The findings are to be compiled in a general impact report. If a governmental unit determines that an action may negatively affect an overburdened community, the unit must conduct a further analysis and identify (1) the measures necessary to substantially decrease or eliminate the negative impacts on the overburdened community and (2) direct proceeds, benefits, or investments which may result from the action in a manner that will benefit the overburdened community. The bill directs a unit to deny, condition, approve, or amend an action to achieve such results.

While well-intended, HB 880 will extend dramatically the time and resources a unit will require to meet its mandates. The breadth of the bill is sweeping, affecting all governmental units at the state, county, and local level. The cost, magnitude, or difficulty of any such measures are not considered or capped. Moreover, the bill in effect requires a unit to structure any proposed action to eliminate virtually any negative impacts and maximize positive impacts on any overburdened community. While the bill says a unit "may deny, condition, approve, or amend an action based on its findings," the reports are in the public purview and failure of a unit to take action would result in an unendurable level of public reaction.

From the viewpoint of the construction community, in addition to the inevitable delays in issuing and finalizing procurements, HB 880 intrudes on contractors' management of their companies. Section 104(b)(2) is a laundry list of labor and employment requirements that would affect all government procurements, regardless of the value of the procurement. Moreover, the bill in effect requires a unit to condition its approval of a procurement on bidders' meeting the long list of such labor and employment criteria, including paying prevailing wage regardless of the value of the procurement, mandating registered apprenticeship for any trade in a project, and specifying the composition of a contractor's workforce (§104(B)(2)(IV)), if any such action may make things better for an overburdened community. The magnitude and invasiveness of these aspects of HB 880 are breathtaking.

Accordingly, for the reasons set forth above, Maryland AGC respectfully urges HB 880 be given an unfavorable report.

Champe C. McCulloch
McCulloch Government Relations, Inc.
Lobbyist for Maryland AGC
410-703-1378

¹ NLRB issues final joint-employer rule' Construction Dive, 2/26/2020, <https://www.constructiondive.com/news/nlr-issues-final-joint-employer-rule/572984/>, retrieved 1/27/2022, 7:41 p.m.

² NLRB Issues Joint-Employer Final Rule Office of Public Affairs, National Labor Relations Board, News and Publications, 2/25/2020, <https://www.nlr.gov/news-outreach/news-story/nlr-issues-joint-employer-final-rule>, accessed 1/27/2022, 7:52 p.m.

HB0880-ET_MACo_OPP.pdf

Uploaded by: Dominic Butchko

Position: UNF



House Bill 880

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

MACo Position: **OPPOSE**

To: Environment and Transportation and
Economic Matters Committees

Date: March 2, 2022

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) OPPOSES HB 880. The bill prohibits all county governments from taking very widely defined actions unless the county has conducted detailed evaluations and assessments of the impact of the action on the climate, labor and employment, environmental justice, and any overburdened community.

HB 880 is introduced with the noble goal of ensuring county actions are both socially and environmentally well considered. Counties recognize and support their role in ensuring that Maryland maintains a socially and ecologically healthy environment. Many counties use a variety of metrics and data points when deciding policy and implementation. While counties do recognize the intent of HB 880, this legislation would prove to be immensely problematic for even routine local government operations.

If passed, the implementation of the reporting requirements under HB 880 would effectively serve to slow the actions of county government, if not grind them to a halt. Requiring reports for nearly any action can substantially add to project costs and divert resources away from communities that need them most. The specific standards under the bill could trigger avenues for litigation or challenges to nearly any county function – creating grave cost and timing concerns as counties seek to serve residents effectively. Furthermore, requiring additional voluminous reports to be conducted based on the original report's findings would create further delay and backlog.

The State's Commission on Environmental Justice and Sustainable Communities may be available as a resource to tackle some of the concerns raised in HB 880 as its broad stakeholder approach to matters of environmental justice largely aligns with the goals of this bill.

Counties are accountable for their decision-making and have established processes for evaluating consequential actions. HB 880 would slow the progress of the very goal it wishes to achieve by imposing unnecessary and resource-consuming administrative burdens on county governments who are already diligently addressing these processes within their own jurisdictions. Accordingly, MACo urges the Committee to issue an **UNFAVORABLE** report for HB 880.

HB880_Stanek_Unfav.pdf

Uploaded by: Jason Stanek

Position: UNF

JASON M. STANEK
CHAIRMAN

MICHAEL T. RICHARD
ANTHONY J. O'DONNELL
ODOGWU OBI LINTON
MINDY L. HERMAN



PUBLIC SERVICE COMMISSION

March 2, 2022

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

RE: UNFAVORABLE – HB 880 – Environment - Impact of Actions on Climate, Labor, and Environmental Justice

Dear Chair Barve and Committee Members:

House Bill 880 would require all governmental units to evaluate and determine the effects of any action on climate, labor and employment, environmental justice, and overburdened communities. The Maryland Public Service Commission opposes HB 880 because it would place an extraordinary burden on the Commission in processing thousands of applications annually. While the Commission currently considers the impacts of its actions on issues regarding labor and climate change, the additional requirements in HB 880 would be unduly burdensome. Specifically, HB 880 would require the Commission to consider additional impacts to environmental justice and overburdened communities and, perhaps most importantly, develop a written report outlining these impacts related to every agency action.

The Commission's jurisdiction under the *Public Utilities Article* is broad and includes public service companies and for-hire transportation companies doing business in Maryland.¹ In regulating these entities, the Commission is empowered to hear and decide matters relating to: (1) rate adjustments; (2) applications to exercise or abandon franchises; (3) applications to modify the type or scope of service; (4) approval of issuance of securities; (5) promulgation of new rules and regulations; (6) mergers or acquisitions of electric companies or gas companies; (7) quality of utility and common carrier service; and (8) issuance of Certificates of Public Convenience and Necessity (CPCN). In addition, the Commission collects and maintains

¹ These include: gas and electric utilities; competitive energy suppliers; telecommunications companies; water and sewerage (privately-owned) companies; bay pilots and docking masters; passenger motor vehicle carriers (*e.g.*, Uber/Lyft, buses, limousines, sedans); railroad companies;¹ taxicabs operating in the City of Baltimore, Baltimore County, St. Mary's County, Charles County, Cumberland, and Hagerstown; and hazardous liquid pipelines.

records and reports of public service companies, reviews plans for service, inspects equipment, audits financial records, handles consumer complaints, issues passenger-for-hire permits and drivers' licenses, enforces its rules and regulations, defends its decisions on appeal to State courts, and intervenes in relevant cases before federal regulatory commissions and federal courts.

The Commission currently has a statutory mandate to consider public safety, the economy of the State, fair and stable labor standards, conservation of natural resources, environmental quality including climate change, and the State's climate goals. The Commission is not opposed to considering impacts on environmental justice and overburdened communities. However, the current requirements are generally incorporated into current reviews based on information that is during the course of Commission proceedings. In contrast, this legislation would require the Commission to generate information internally.

HB 880 defines "covered actions" to include rules, orders, licenses, approvals, denials of sanctions and relief. This overly broad requirement would cover a significant number of Commission actions. **In many of these cases, the written report required under HB 880 would require far more resources than the actual review and approval of the application itself.** Also, the requirement to conduct certain evaluations and issue reports prior to taking action on a matter will, in many cases, significantly impair the Commission's ability to meet statutory timelines, and otherwise delay requested outcomes. Notably, this legislation could delay timely actions affecting public safety and could result in dangerous outcomes.

As explained above, the Commission is already considering many of the factors that HB 880 seeks to codify in law. **HB 880's requirement to consider and produce a report for every agency action would be unduly burdensome, create significant delay, and impact public safety.** For these reasons, the Commission respectfully opposes HB 880.

Thank you for your consideration of this testimony. Please contact Lisa Smith, Director of Legislative Affairs, at (410) 336-6288 if you have any questions.

Sincerely,



Jason M. Stanek
Chairman

HB880UNFAVORABLE:Impact of Actions on Climate, Lab

Uploaded by: Linda Diefenbach

Position: UNF

UNFAVORABLE - Government over reach, unconstitutional bill. This is about controlling us and our freedom of movement.

MBIA Letter of Opposition HB 880.pdf

Uploaded by: Lori Graf

Position: UNF

March 2, 2022

The Honorable Kumar P. Barve
Environment & Transportation Committee
House Office Building, Room 251,
6 Bladen St., Annapolis, MD, 21401

RE: Opposition HB 880 Environment - Impact of Actions on Climate, Labor, and Environmental Justice

Dear Chairman Barve:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 880 Environment - Impact of Actions on Climate, Labor, and Environmental Justice**. MBIA **Opposes** the Act in its current version.

This bill redefines overburdened community and lays out new review restrictions on projects in those communities. MBIA respectfully opposes this measure. While we agree that achieving environmental equity in communities that have been overburdened and underdeveloped is a laudable goal this bill, would have the opposite effect of what is intended. The bill as written gives all governmental agencies including local jurisdictions the ability to review all projects in these communities. In those cases the bill adds a significant time burden as the necessary reviews and reports are generated on the projects increasing the cost to develop in areas where the potential margins are already lower due to existing economic circumstances. This disincentivizes development in exactly the areas in which we want to encourage it and would exacerbate those existing conditions as developers avoid the new time, personnel, review, and general difficulty that this bill generates in those areas. Additionally, in most cases new construction and redevelopment already falls under stricter and more environmentally sound requirements than older buildings and the simple act of re-developing or building new projects has the potential to raise the environmental equity threshold without a regulatory burden.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the House Environment & Transportation Committee

HB880 T22 Session.pdf

Uploaded by: Theresa Kuhns

Position: UNF



House Bill 880 – Environment- Impact of Actions on Climate, Labor and Environmental Justice

Position: Unfavorable

Maryland REALTORS® supports balancing the needs of the communities impacted unequally by environmental impacts alongside the growing challenge of affordable housing. We are concerned that HB880 would not distinguish between permits that may impact environment health and those that assist in creating affordable and decent housing.

As an example, the Environmental Protection Agency conducts an Environment Justice (EJ) Screening which includes a “demographic” category. The EPA “demographic” factors include items like race, age, income, and unemployment rate, but does not include residential housing, blight or housing vacancies. The Maryland REALTORS® strongly recommends that residential housing be an EJ component of review for permits or that housing related permits be exempted from these requirements. Such changes will help affordable housing providers and investors build in communities with a need for safe and affordable housing. Building new affordable housing is already a challenge in today’s market, but all new construction can free up existing affordable housing as those owners “move up” in the market.

Maryland is currently estimated to have a housing undersupply of over 80,000 units which includes both for sale and residential rental property. Moreover, according to the “Maryland Housing Needs Assessment and 10-Year Strategic Plan (Needs Assessment),” Maryland will be adding 178,000 new households between 2020 and 2030. This same report shows that half of these new homes will be low income. It is important that need not be undermined by legislation like this which can slow permitting and even deny important housing developments through permits for roads, wastewater treatment, water appropriation, septic systems, etc.

For these reasons, we would request an unfavorable report.

For more information, contact

bill.castelli@mdrealtor.org, susan.mitchell@mdrealtor.org,

lisa.may@mdrealtor.org or theresa.kuhns@mdrealtor.org

hb0880 - Environmental Permits - Impact on Climate

Uploaded by: Tom Ballentine

Position: UNF



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;

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.

HB0880 (SB0931) - Environment - Impact of Actions

Uploaded by: Landon Fahrig

Position: INFO



TO: Members, House Environment and Transportation Committee
FROM: Mary Beth Tung – Director, MEA
SUBJECT: HB 880 Environment - Impact of Actions on Climate, Labor, and Environmental Justice
DATE: March 2, 2022

MEA POSITION: Letter of Information

The Maryland Energy Administration (MEA) appreciates the sponsor's intent to pursue more equitable distribution of state funds. However, under this bill every state agency will be required to incorporate a litany of new considerations into their respective programs. **The administration of these new considerations is anticipated to be onerous for both the state and prospective applicants.**

Within the bill, Section 1-904 prescribes labor standards that would be **difficult and burdensome** to verify, because much of the information is outside of any given agency's control. The employment standards similarly are typically outside of any given agency's control. Additionally, it will be difficult for the small, often faith-based organizations that serve low-to-moderate income communities to verify the information as well. This would likely have a **chilling effect on grant program application**. For the contractors that ultimately perform the work being incentivized, **the increased administrative burdens may outweigh the benefits of a given grant program.**

MEA issues more than 3,000 grants, rebates, or other benefits to customers each year. Each application for those programs would be subjected to new levels of scrutiny. While MEA currently has adequate and sufficient staff and resources to conduct its mission effectively and efficiently, any additional legislatively-mandated program or requirement, such as this, could hamper our efficiency, force us to divert resources away from current core competencies, and could disrupt customer service or diminish services. MEA could not absorb this increase without a corresponding increase in staffing.

MEA requests the commission consider the foregoing prior to issuing its report for HB 880.