

Testimony - HB 840 - Climate, Labor Environmental

Uploaded by: Ashley Egan

Position: FAV



Unitarian Universalist Legislative Ministry of Maryland

Testimony in Support

HB 840 - Climate, Labor, and Environmental Equity Act of 2023

To: Senator Barve, Chair and the Members Environment and Transportation Committee and Chair Wilson and Members of the Economic Matters Committee
From: Phil Webster, PhD
Lead Advocate on Climate Change
Unitarian Universalist Legislative Ministry of Maryland.
Date: March 8, 2023

The Unitarian Universalist Legislative Ministry of Maryland (UULM-MD) strongly supports **HB 840 - Climate, Labor, and Environmental Equity Act of 2023** and urges a FAVORABLE report by the committees.

The UULM-MD is a statewide faith-based advocacy organization, with over 1,000 members, based on the Principles of Unitarian Universalism. Two Principles are particularly relevant. The Second Principle, *justice, equity and compassion in human relations* and the Seventh Principle, *respect for the interdependent web of all existence of which we are a part*.

Unitarian Universalists believe in *justice and equity in human relations*. For generations, the state of Maryland has made decisions about locating harmful, unhealthy, and potentially dangerous projects in ways that have overburdened many communities in the state, especially communities of color and low-income communities. This has damaged those communities and inhibited their residents from leading safe, healthy, and productive lives.

The bill would place impediments in continuing this practice by requiring thorough planning, evaluation, reporting, and mitigation of negative impacts on underserved and overburdened communities before polluters are permitted to operate. In addition the bill would defer harmful projects near overburdened and underserved communities.

This bill would also advance labor equity associated with the projects described above by requiring prevailing wages, providing health care and retirement benefits, participating in apprenticeship programs, and aspiring to a goal of 25% of employees being returning citizens, women, minority individuals or veterans.

Unitarian Universalists also believe that we should all have *respect for the interdependent web of all existence of which we are a part*. Climate change is a serious and growing threat to all Marylanders. Maryland is especially vulnerable to the effects of sea-level rise and increasing frequency and intensity of heavy rainfall. Meeting the goals of the Climate Solutions Now Act of 2022 requires significant investment in clean green energy AND remediating the vestiges of decades of environmental racism.

All Marylanders need bold and urgent action! Please keep us on the right and moral path towards a livable climate and a sustainable world. We owe it to our children.

We support this bill and urge a FAVORABLE report in committee.

Phil Webster, PhD

Lead Advocate, Climate Change UULM-MD

HB 0840_IndivisibleHoCoMD_FAV_VirginiaSmith.pdf

Uploaded by: Barbara Matheson

Position: FAV



HB840 – Climate, Labor, and Environmental Equity Act of 2023

Testimony before

House Environment and Transportation Committee

March 8, 2023

Position: Favorable

Mr. Chair, Mr. Vice Chair and members of the committee, my name is Virginia Smith, and I represent the 750+ members of Indivisible Howard County. We are providing written testimony today in **support of HB840**, which would require the Department of the Environment to conduct certain evaluations before issuing certain environmental permits. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We appreciate the leadership of Delegate Boyce in sponsoring this important legislation.

Currently in the state of Maryland, there is no process to evaluate how a polluting industry's location and projects impact the state's workers, jobs, health, and property values. Studies have shown that these projects are often pushed onto overburdened communities, especially low-income and minority communities, without any discussion with the neighborhoods affected. This Act will work towards addressing the environmental injustice at the permitting level for projects that impact the land, air, and water.

The Act would achieve this by expanding reporting for several state agencies and an academic center to include climate change and environmental justice, require the Department of Labor to annually report on whether its decisions are supporting equitable wage and labor standards, and requiring a comprehensive evaluation of the environmental and societal impacts for environmental permits with a high Environmental Justice score in underserved and overburdened communities. These actions combined will make sure that minority and low-income areas are not continually saddled with unhealthy projects, while also ensuring that the workers in the state are being paid fairly and receiving comparable fringe benefits.

Finally, the Act would allow residents to opt-in to be notified of pending environmental permits in their area. This is important because knowing what might be coming will allow the people to get involved and resist if necessary.

For these reasons, we support HB840.

Thank you for your consideration of this important legislation.

We respectfully urge a favorable report.

Virginia Smith
Columbia, MD 21044

Copy of HB0840 - Climate, Labor, and Environmental

Uploaded by: Bonnie Weissberg

Position: FAV

Dear House Environment and Transportation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with **CASA de Maryland**. I am a resident of District 41. **I am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



This bill will require the Maryland Department of the Environment (MDE) to consider the demographics, health and current exposure to pollutants of local communities when issuing permits for high impact polluters such as incinerators, landfills, and other facilities subject to permits around air emissions, water discharges, and hazardous materials. Specifically, the bill requires MDE to conduct an environmental equity evaluation prior to issuing a permit if it is determined that the applicant facility will impact a community defined as “underserved” or “overburdened” by health risks related to pollution¹, and provide these communities with opportunities to opt into communications regarding the applicant facility. The environmental equity evaluation may include analysis of: demographic, public health and pollution data for the community; potential pollution impacts of the facility and methods for mitigating these impacts; relevant environmental compliance records; and potential health impacts in collaboration with the Maryland Department of Health. Additionally, this bill expands the scope of current state agency reporting and planning in regard to climate change, requiring the Maryland Department of Labor to also consider how their programs and practices support businesses with equitable labor and wage standards.

Pollution is a racial justice issue. The Climate, Labor, and Environmental Equity Act of 2023 is necessary because of a shameful legacy of institutional racism in Maryland and the U.S. These policies have led to communities of color being disproportionately exposed to contaminated air, water, and soils where they live and work through proximity to industrial activities and natural resource extraction, landfills and hazardous waste storage, traffic emissions from busy roadways, and untreated sewage discharges from aging infrastructure. Exposure to pollutants, as recognized by the Maryland statute referenced above, is linked to a wide variety of health issues including heart disease, stroke, low birth weight, some types of cancer, asthma, chronic bronchitis and other respiratory diseases.

Despite significant gains in air quality in the last 20 years, recent research continues to confirm the serious consequences of exposure to air pollutants, especially fine particulate matter (PM_{2.5}) and ambient ozone (O₃). Fine particulate matter is estimated to cause 100,000 premature deaths annually in the U.S.², and long-term ozone exposure has been directly linked to increases in emphysema and a decline in lung function.³ Furthermore, when connecting particulate matter pollution in the U.S. to its major sources (e.g., consumption of energy, goods, and resources), it has been established that this pollution of consumption is disproportionately driven by the white population, and “disproportionately inhaled” by communities of color.² We cannot allow this to continue unchecked.

This bill is necessary, and long overdue. Low income communities and communities of color disproportionately shoulder the burden of pollution exposure in our state. Today, as we work to rebuild our economy, I am calling upon you to follow through on the responsibility you have for the wellbeing of the people of Maryland and act in support of more equitable environmental conditions, health outcomes, and wages. For these reasons, we urge you to vote **in support of the Climate, Labor, and Environmental Equity Act of 2023 (HB0840)**. Thank you for your time, service, and consideration.

Sincerely,
Bonnie Weissberg
1704 Mt. Washington Ct., Apt. H
Baltimore, MD 21209
Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

³ <https://jamanetwork.com/journals/jama/fullarticle/2747669?guestAccessKey=cfba7399-ed6b-4ff3-abcd-260039916cd9>

HB0840 Climate_Labor__Environmental_Equity_Act_FAV

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0840
Climate, Labor, and Environmental Equity Act of 2023

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 HB0840 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 Climate, Labor and Environmental Equity Act creates a quantifiable way to 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.

HB0840 Climate_Labor_Environmental_Equity_FAV_Clim

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0840
Climate, Labor, and Environmental Equity Act of 2023

Bill Sponsor: Delegate Boyce
Committee: Environment and Transportation
Organization Submitting: Maryland Legislative Coalition
Person Submitting: Cecilia Plante, co-chair
Position: FAVORABLE

The undersigned organizations express their strong support for **HB0840 – Climate, Labor and Environmental Equity Act of 2023** and thank the sponsor, Delegate Boyce, for introducing such an important piece of legislation.

This bill requires the Department of the Environment, when conducting an EJ Score Review during the process of issuing an approval for a permit that may impact an underserved or overburdened community, to conduct a climate and environmental equity evaluation of the permit. Needless to say, this is something that thoughtful, professional agencies should have been doing all along. Before any permit is approved that would have an anticipated impact on already marginalized communities, SOMEONE should be looking at the impact and should ensure that the decision to approve it does not have adverse impacts. Additionally, they should be looking to ensure that the jobs that would be created by approving the permit are good jobs. All of these things are part of being good stewards.

However, Maryland's public agencies generally do not do a good job of systematically assessing 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 Climate, Labor and Environmental Equity Act creates a quantifiable way to protect these communities, engage in meaningful communication, and prioritize these communities for investment.

We strongly support this bill and we recommend a **FAVORABLE** report in Committee.

Endorsing Organizations

350 Baltimore	HoCo Climate Action	Potomac Conservancy
350 Montgomery County	Howard County Indivisible	Sustainability Advisory
Adat Shalom Climate Action	Howard County Sierra Club	Committee
Assateague Coastal Trust	Interfaith Power and Light, DC,	Sierra Club, Maryland
Audubon Naturalist Society	MD, NoVa	Chapter
Casa de Maryland	Labor Network for	Strong Future Maryland
Cedar Lane Unitarian	Sustainability	Sunrise Baltimore
Universalist Church	Laurel Resist	Takoma Park Mobilization
CHEER	Maryland Environmental	Environment Committee
Chesapeake Bay Foundation	Health Network	Talbot Rising
Chesapeake Climate	Maryland League of	The Climate Mobilization
Action Network Action Fund	Conservation Voters	Montgomery County
Chesapeake Physicians for	Maryland Legislative	The Nature Conservancy
Social Responsibility	Coalition	Unitarian Universalist
Chispa MD	Maryland NAACP	Legislative Ministry
Clean Air Prince Georges	State Conference,	Wicomico NAACP
Clean Air Prince Georges	Environmental Justice	WISE
Clean Water Action	Committee	
Climate Law & Policy Project	Maryland Poor People's	
Climate Parents of Prince	Campaign	
Georges	MCPS Clean Energy	
Climate Reality Montgomery	Campaign	
County	MD Campaign for	
Climate Solutions	Environmental Human	
Climate Stewards of	Rights	
Greater Annapolis	Mid-Atlantic	
Climate XChange - Maryland	Ministry of Maryland	
Coalition For Smarter Growth	MoCo DCC	
Columbia Association Climate	Montgomery Countryside	
Change	Alliance	
Concerned Citizens Against	Montgomery County Faith	
Industrial CAFOs	Alliance	
Do The Most Good	Mountain Maryland	
Montgomery County	Movement	
Echotopia	National Parks Conservation	
Elders Climate Action	Association	
Environmental Justice Ministry	Nuclear Information &	
Frack Free Frostburg	Resource Service	
Glen Echo Heights Mobilization		
Greenbelt Climate		
Action Network		

HB0840 - Climate Labor and Environmental Equity Ac

Uploaded by: Christina Nemphos

Position: FAV

Dear House Environment and Transportation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with **CASA de Maryland**. I am a resident of Maryland District 40, and live in the Medfield neighborhood of Baltimore. **I am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



This bill will require the Maryland Department of the Environment (MDE) to consider the demographics, health and current exposure to pollutants of local communities when issuing permits for high impact polluters such as incinerators, landfills, and other facilities subject to permits around air emissions, water discharges, and hazardous materials. Specifically, the bill requires MDE to conduct an environmental equity evaluation prior to issuing a permit if it is determined that the applicant facility will impact a community defined as “underserved” or “overburdened” by health risks related to pollution¹, and provide these communities with opportunities to opt into communications regarding the applicant facility. The environmental equity evaluation may include analysis of: demographic, public health and pollution data for the community; potential pollution impacts of the facility and methods for mitigating these impacts; relevant environmental compliance records; and potential health impacts in collaboration with the Maryland Department of Health. Additionally, this bill expands the scope of current state agency reporting and planning in regard to climate change, requiring the Maryland Department of Labor to also consider how their programs and practices support businesses with equitable labor and wage standards.

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Despite significant gains in air quality in the last 20 years, recent research continues to confirm the serious consequences of exposure to air pollutants, especially fine particulate matter (PM_{2.5}) and ambient ozone (O₃). Fine particulate matter is estimated to cause 100,000 premature deaths annually in the U.S.², and long-term ozone exposure has been directly linked to increases in emphysema and a decline in lung function.³ Furthermore, when connecting particulate matter pollution in the U.S. to its major sources (e.g., consumption of energy, goods, and resources), it has been established that this pollution of consumption is disproportionately driven by the white population, and “disproportionately inhaled” by communities of color.² We cannot allow this to continue unchecked.

This bill is necessary, and long overdue. Low income communities and communities of color disproportionately shoulder the burden of pollution exposure in our state. Today, as we work to rebuild our economy, I am calling upon you to follow through on the responsibility you have for the wellbeing of the people of Maryland and act in support of more equitable environmental conditions, health outcomes, and wages. For these reasons, we urge you to vote **in support of the Climate, Labor, and Environmental Equity Act of 2023 (HB0840)**. Thank you for your time, service, and consideration.

Sincerely,
Christina Nemphos
1301 W 42nd Street, Baltimore, Md 21211
Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

³ <https://jamanetwork.com/journals/jama/fullarticle/2747669?guestAccessKey=cfba7399-ed6b-4ff3-abcd-260039916cd9>

HB0840 - Climate, Labor, and Environmental Equity

Uploaded by: Daryl Yoder

Position: FAV

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Sincerely,
Daryl Yoder
309 Glenmore Ave.
Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

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HB 840 - Climate, Labor, and Environmental Equity

Uploaded by: Donna Edwards

Position: FAV



MARYLAND STATE & D.C. AFL-CIO

AFFILIATED WITH NATIONAL AFL-CIO

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President

Donna S. Edwards

Secretary-Treasurer

Gerald W. Jackson

HB 840 - Climate, Labor, and Environmental Equity Act of 2023
House Environment and Transportation Committee
March 8, 2023

SUPPORT

Donna S. Edwards
President

Maryland State and DC AFL-CIO

Chairman and members of the Committee, thank you for the opportunity to submit testimony in support of HB 840. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland's 300,000 union members, I offer the following comments.

In addition to analyzing demographic data and expanding public comment opportunities, HB 840 requires the Maryland Department of Labor (MDOL) complete a report on whether the decisions of state agencies support equitable labor standards. This includes analyzing whether state agencies are contracting with entities that pay prevailing wages, comply with state reporting requirements, follow wage and hour laws, participate in registered apprenticeship programs, offer health and retirement benefits, maintain proper licenses, and promote local hiring.

Through state grants, incentives, and contracts Maryland is able to shape how industries behave. The decisions of state agencies should reflect our values. Maryland's state agencies should be focused on creating family-sustaining jobs with real benefits.

We strongly support the addition of a labor equity analysis to state agency decisions and urge the committee to issue a favorable report for HB 840.

HB0840 - Climate, Labor, and Environmental Equity

Uploaded by: Erica Palmisano

Position: FAV

Dear House Environment and Transportation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with **CASA de Maryland**. I am a resident of 12A. **I am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



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Despite significant gains in air quality in the last 20 years, recent research continues to confirm the serious consequences of exposure to air pollutants, especially fine particulate matter (PM_{2.5}) and ambient ozone (O₃). Fine particulate matter is estimated to cause 100,000 premature deaths annually in the U.S.², and long-term ozone exposure has been directly linked to increases in emphysema and a decline in lung function.³ Furthermore, when connecting particulate matter pollution in the U.S. to its major sources (e.g., consumption of energy, goods, and resources), it has been established that this pollution of consumption is disproportionately driven by the white population, and “disproportionately inhaled” by communities of color.² We cannot allow this to continue unchecked.

This bill is necessary, and long overdue. Low income communities and communities of color disproportionately shoulder the burden of pollution exposure in our state. Today, as we work to rebuild our economy, I am calling upon you to follow through on the responsibility you have for the wellbeing of the people of Maryland and act in support of more equitable environmental conditions, health outcomes, and wages. For these reasons, we urge you to vote **in support of the Climate, Labor, and Environmental Equity Act of 2023 (HB0840)**. Thank you for your time, service, and consideration.

Sincerely,

Erica Palmisano

5580 Vantage Point Rd, Apt 5, Columbia, MD

Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

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2023-03-08 HB 840 OAG (Support).pdf

Uploaded by: Hannibal Kemerer

Position: FAV

ANTHONY G. BROWN
Attorney General



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Deputy Attorney General

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WRITER'S DIRECT DIAL NO.
(410) 576-6584

March 8, 2023

TO: The Honorable Kumar Barve
Chair, Environment and Transportation Committee

FROM: Hannibal G. Williams II Kemerer
Chief Counsel, Legislative Affairs, Office of the Attorney General

RE: HB 0840: Climate, Labor, and Environmental Equality Act of 2023

The Office of the Attorney General “OAG” respectfully requests a favorable report on Delegate Regina T. Boyce’s bill, House Bill 840. This bill provides an important enhancement to Maryland Department of the Environment’s (MDE’s) capacity, providing it with clear statutory authority to deny, amend, or condition permit decisions based upon MDE’s assessment of environmental justice factors and related impacts to communities surrounding a permit applicant’s facility, and to proactively involve those communities in its decisions. In addition, HB 840 will authorize MDE to charge a reasonable fee to support implementation of these new requirements. Finally, the bill requires the Maryland Department of Labor (MDL) to annually report on whether agency decisions support businesses that promote equitable labor and wage standards, as specified within the bill.

House Bill 840 will address potential climate impacts and effects on underserved and overburdened communities, seek environmental justice, and provide opportunity for the working people of Maryland. House Bill 840 would create a quantifiable way to identify and protect overburdened communities, engage in meaningful communication, and prioritize them for investment. Equal treatment and respect for all of our neighborhoods and communities are long overdue.

For all the foregoing reasons, the OAG requests a favorable report on House Bill 840.

cc: The Hon. Delegate Boyce & Committee Members

HB0840 - Climate, Labor, and Environmental Equity

Uploaded by: Holly Powell

Position: FAV

Dear House Environment and Transportation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with **CASA de Maryland**. I am a resident of **District 46**. **I am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



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Sincerely,

Holly Powell

2308 Cambridge Street

Baltimore, Maryland 21224

Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

³ <https://jamanetwork.com/journals/jama/fullarticle/2747669?guestAccessKey=cfba7399-ed6b-4ff3-abcd-260039916cd9>

HB0840_Favorable_MdPHA.docx.pdf

Uploaded by: Ilona Kabara

Position: FAV



Mission: To improve public health in Maryland through education and advocacy
Vision: Healthy Marylanders living in Healthy Communities

HB0840 Climate, Labor and Environmental Equity Act of 2023
Hearing Date: 03/08.2023
Committee: Environment and Transportation
Position: SUPPORT

Delegate Boyce and members of the Environment and Transportation committee: The Maryland Public Health Association (MdPHA) would like to express support for House Bill 840.

As representatives for Maryland's health, we are deeply concerned about the impact of industrial operations, highway expansion, landfills and power plants on underserved and overburdened communities. For far too long, Maryland has allowed companies to locate harmful, unhealthy and dangerous projects in ways that additionally wound these communities. Considerations for the impact of these projects on workers, jobs, property values and the environment is essential to Maryland's efforts to address environmental injustices.

The Climate, Labor and Environmental Equity Act of 2023 will provide a process to consider how these projects and polluters impact the environment, labor, and the wellbeing of Marylanders. This bill requires that impacts on climate and environmental justice are reported annually and made public, and that environmental permits undergo a justice assessment so that residents are better informed on and protected from the effects of polluters on their environment.

Maryland should be able to pride itself on its commitment to equality and justice for all, and the Climate, Labor and Environmental Equity Act of 2023 will support the state in making major achievements in the development of just and healthy environments. MdPHA strongly supports the proposed bill and believes it to be essential to hold polluters accountable so as to improve public health outcomes in our state.

Thank you for your attention to this critical issue, and we urge a favorable report of HB0840.

The Maryland Public Health Association (MdPHA) is a nonprofit, statewide organization of public health professionals dedicated to improving the lives of all Marylanders through education, advocacy, and collaboration. We support public policies consistent with our vision of healthy Marylanders living in healthy, equitable, communities. MdPHA is the state affiliate of the American Public Health Association, a nearly 145-year-old professional organization dedicated to improving population health and reducing the health disparities that plague our state and our nation.

Maryland Public Health Association (MdPHA)
PO Box 7045 · 6801 Oak Hall Ln · Columbia, MD 21045-9998
GetInfo@MdPHA.org www.mdpha.org 443.475.0242

BDCBT HB 0840 Climate, Labor, and Environmental Eq

Uploaded by: Jeffry Guido

Position: FAV



Maryland House of Delegates - Environment and Transportation Committee

Chair: Kumar P. Barve
Vice Chair: Dana Stein

House Bill 0840 - Climate, Labor, and Environmental Equity Act of 2023

Position: Support

The Baltimore DC Metro Building Trades Council supports HB 0840 with the labor standards as stated on page 7 line 5 (B) through page 8 in its entirety. As these labor standards should apply to all state agencies in the permit application process.

We ask the Committee for a favorable report. Thank you.

Sincerely,

Jeffry Guido

(E) consultingbyjlg@gmail.com (O) 301-743-5334 (C) 240-687-5195

Electrical Workers
Insulators
Boilermakers
United Association
Roofers
Cement Masons
Teamsters
Laborers
Bricklayers
Ironworkers
Sheet Metal Workers
Elevator Constructors
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Operating Engineers
Carpenters

5829 Allentown Rd Camp Spring MD 20746

Value on Display... Everyday.



HB0840_JohnFord_Favorable.pdf

Uploaded by: John Ford

Position: FAV

Dear House Environment and Transportation Committee,

I am a resident of D46. I am testifying in support of **HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**

This bill will require the Maryland Department of the Environment (MDE) to consider the demographics, health and current exposure to pollutants of local communities when issuing permits for high impact polluters such as incinerators, landfills, and other facilities subject to permits around air emissions, water discharges, and hazardous materials. Specifically, the bill requires MDE to conduct an environmental equity evaluation prior to issuing a permit if it is determined that the applicant facility will impact a community defined as “underserved” or “overburdened” by health risks related to pollution¹, and provide these communities with opportunities to opt into communications regarding the applicant facility. The environmental equity evaluation may include analysis of: demographic, public health and pollution data for the community; potential pollution impacts of the facility and methods for mitigating these impacts; relevant environmental compliance records; and potential health impacts in collaboration with the Maryland Department of Health. Additionally, this bill expands the scope of current state agency reporting and planning in regard to climate change, requiring the Maryland Department of Labor to also consider how their programs and practices support businesses with equitable labor and wage standards.

Pollution is a racial justice issue. The Climate, Labor, and Environmental Equity Act of 2023 is necessary because of a shameful legacy of institutional racism in Maryland and the U.S. These policies have led to communities of color being disproportionately exposed to contaminated air, water, and soils where they live and work through proximity to industrial activities and natural resource extraction, landfills and hazardous waste storage, traffic emissions from busy roadways, and untreated sewage discharges from aging infrastructure. Exposure to pollutants, as recognized by the Maryland statute referenced above, is linked to a wide variety of health issues including heart disease, stroke, low birth weight, some types of cancer, asthma, chronic bronchitis and other respiratory diseases.

Despite significant gains in air quality in the last 20 years, recent research continues to confirm the serious consequences of exposure to air pollutants, especially fine particulate matter (PM_{2.5}) and ambient ozone (O₃). Fine particulate matter is estimated to cause 100,000 premature deaths annually in the U.S.², and long-term ozone exposure has been directly linked to increases in emphysema and a decline in lung function.³ Furthermore, when connecting particulate matter pollution in the U.S. to its major sources (e.g., consumption of energy, goods, and resources), it has been established that this pollution of consumption is disproportionately driven by the white population, and “disproportionately inhaled” by communities of color.² We cannot allow this to continue unchecked.

This bill is necessary, and long overdue. Low income communities and communities of color disproportionately shoulder the burden of pollution exposure in our state. Today, as we work to rebuild our economy, I am calling upon you to follow through on the responsibility you have for the wellbeing of the people of Maryland and act in support of more equitable environmental conditions, health outcomes, and wages. For these reasons, we urge you to vote **in support of the Climate, Labor, and Environmental Equity Act of 2023 (HB0840)**. Thank you for your time, service, and consideration.

Sincerely,

John Ford

3301 Fleet St

Baltimore, MD 21224

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

³ <https://jamanetwork.com/journals/jama/fullarticle/2747669?guestAccessKey=cfba7399-ed6b-4ff3-abcd-260039916cd9>

HB840 - CASA Written Testimony (1).pdf

Uploaded by: Jose Coronado Flores

Position: FAV



Testimony in SUPPORT of HB840
Climate, Labor, and Environmental Equity Act of 2023
House - Environment and Transportation Committee
Jose Coronado-Flores , On Behalf of CASA

March 8th, 2023

Dear Honorable Chair Barve and Members of the Committee,

CASA is pleased to offer **favorable testimony in support of HB840 - Climate, Labor, and Environmental Equity Act of 2023**. 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 Latino immigrants and working families. We would like to thank Delegate Boyce for her leadership on this bill.

HB840 is important legislation that will address the pollution-based inequalities that persist throughout Maryland by allowing state agencies to reject environmental permits based on cumulative pollution analyzes and a community's Environmental Justice Score. The bill will also create a channel of notification for community members whenever businesses or projects petition for these permits. In particular, CASA is invested in seeing this bill pass, because our members populate some of the most polluted communities in the state.

Take census tract 24033806602 for example, which contains East Riverdale, MD in Prince George's County. This low-income immigrant community has an exposure score of .91 out of a highest possible score of 1. The residents of this community are exposed to countless toxins everyday. Additionally, consider census tract 24031702000, which is located slightly Northwest of Langley Park in Silver Spring. This community has an exposure score of 0.96 and socioeconomic score of 0.92, with a total EJ score of .83. This is another example of a low-income community having extreme exposure to toxins. Lastly, census tract 24031700724 in Gaithersburg has an exposure score of 1.00 and a socioeconomic score of .94.¹ The data from these three communities explicitly outlines how seriously overburdened some of our communities are. The long-term effects of living in polluted communities can range from cancer to asthma.

People living in highly-polluted areas should not have to worry about more polluting businesses and projects opening up in their communities, and, with the passing of HB840, these communities will have a way of preventing more pollution in their living space. CASA urges a favorable report.

Jose Coronado-Flores
Research and Policy Analyst
jcoronado@wearecasa.org, 240-393-7840

¹ <https://p1.cgis.umd.edu/mdejscreen/>

MBCP_Favor_HB840.pdf

Uploaded by: Joseph Gaskins

Position: FAV



Maryland Business & Clergy Partnership

Maryland.bcp@gmail.com

March 6, 2023

Chairman Kumar Barve

Vice Chairman Dana Stein

As a Marylander concerned about environmental racism, we urge you to support the Climate Labor and Environmental Equity Act of 2023 (HB840), sponsored by Delegate Regina T. Boyce. The Maryland Business Clergy Partnership (representing over 1,000 businesses and clergy members in the State of Maryland) supports HB840-Climate Labor and Environment Equity Act of 2023 - Equality and Justice for All.

For decades, Maryland agencies have allowed companies and others to build wastewater treatment plants, mining operations, major highways, and other projects in or near low-wealth communities and communities of color. These projects often threaten public and environmental health – but state agencies don't fully consider how they harm people, communities, or our planet or seek meaningful input from affected communities. This lack of consideration has led to poor health outcomes for many overburdened and underserved communities:

*Low-income communities of color in Maryland are more likely to live in close proximity to facilities that release toxic chemicals.

*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. Low-income Black Marylanders are 100 times more likely to face increased cancer and air toxics risks than Black Marylanders with income levels in the top quarter of the state.

The Climate Labor and Environmental Equity Act of 2023 will help end environmental racism by strengthening the process to obtain permits for projects that threaten our air, land, water, and people. Specifically, it will enable key state agencies, like the Maryland Department of Environment, to fully assess the health and environmental impacts of such projects on marginalized communities and prioritize these communities for public protection.

I urge you to pass the Climate Labor and Environmental Equity Act of 2023. Sincerely,

A handwritten signature in black ink, appearing to read 'J. Gaskins'.

Joseph Gaskins, CEO

Maryland Business Clergy Partnership

HB840 Sign on Testimony - Final (1).pdf

Uploaded by: Katlyn Schmitt

Position: FAV



CLIMATE, LABOR, AND ENVIRONMENTAL EQUITY ACT OF 2023

SB 743: Senator Jackson HB 840: Delegate Boyce

March 6, 2023

Organizations Supporting the Climate, Labor, and Environmental Equity Act of 2023 (House Bill 840)

To the Members of the House Environment & Transportation Committee:

We, the undersigned organizations and individuals, are writing with strong support for the Climate, Labor, and Environmental Equity Act of 2023, House Bill 840. We thank Delegate Regina T. Boyce for her sponsorship of this important legislation.

As Marylanders, we pride ourselves on our commitment to equality and justice for all. For decades though, Maryland has allowed companies to locate harmful, unhealthy, and dangerous projects in ways that overburden communities, especially communities of color and low-wealth communities. Part of this is because Maryland doesn't have a process to adequately consider how projects and polluters impact our state's workers, jobs, and property values. Our state doesn't consider how industry impacts a community's health or our climate when permits are issued. Further, communities nearby have not been consulted about where these projects get sited, and in many cases, have been left out entirely of this process. The Climate, Labor, and Environmental Equity Act of 2023 will help address environmental injustice at the permitting level for projects that impact the land, air, and water – like industrial operations, wastewater treatment plants, highway expansions, mining operations, power plants, and landfills.

More specifically, the Climate, Labor, and Environmental Equity Act of 2023 would:

1. Expand reporting requirements for eleven key state agencies, and one academic center, to include climate change and environmental justice (“geographic impacts”) on an annual basis and to make it publicly available;
2. Require the Department of Labor to annually report on whether its decisions are supporting equitable wage and labor standards;
3. Require a comprehensive evaluation of the environmental and societal impacts for environmental permits (and permit renewal) with a high Environmental Justice score in underserved and overburdened communities. At a minimum, this evaluation should include:
 - a. Demographic and health data, as well as any related vulnerabilities in the community;

- b. Climate-related impacts from the proposed project;
 - c. Cumulative impacts of pollution in the community;
 - d. Potential methods to minimize or mitigate potential adverse effects in the affected community;
4. Allow MDE to deny or amend permit applications based on this evaluation;
 5. Require an “in-the-know system” where Maryland residents can opt-in to be notified about pending environmental permits in their area.

The Climate, Labor, and Environmental Equity Act of 2023 is needed (1) to address the fact that Maryland communities feel left in the dark about polluters in their area; (2) to require the state to consider the real-world impacts that polluters have on the environment, health, labor, and well-being of Maryland families; (3) to give Maryland residents the ability to be informed about the impacts that polluters have on the environment, and become more engaged in the environmental permitting process; and (4) to end environmental racism and injustice in Maryland.

We request a favorable report on HB 840.

Alliance of Nurses for Healthy Environments
Audubon Mid-Atlantic
Blue Water Baltimore
CASA de Maryland
Center for Community Engagement, Environmental Justice, and Health (CEEJH)
Center for Progressive Reform
Chesapeake Bay Foundation
Climate Reality Greater Maryland
Elders Climate Action Maryland
Environmental Justice Ministry Cedar Lane Unitarian Universalist Church
Interfaith Partners for the Chesapeake
Maryland Campaign for Environmental Human Rights
Maryland Conservation Council
Maryland Latinos Unidos
Maryland League of Conservation Voters
Maryland Legislative Coalition
Maryland Legislative Coalition Climate Justice Wing
Maryland United for Peace and Justice, Inc.
Mountain Maryland Movement
NAACP Maryland State Conference
ShoreRivers
Sierra Club Maryland
Unitarian Universalist Environmental Justice Ministry
Unitarian Universalist Legislative Ministry of Maryland
Waterkeepers Chesapeake

2023 Written Testimony HB 840_Climate Labor Equity

Uploaded by: Kenneth Phelps, Jr.

Position: FAV



TESTIMONY IN SUPPORT OF HB 0840

Climate, Labor, and Environmental Equity Act

****FAVORABLE****

March 8, 2022

TO: Hon. Kumar Barve, Chair, Hon. Dana Stein, Vice Chair and the members of the House Environment and Transportation Committee

FROM: Albert H Todd, Member, Maryland Episcopal Public Policy Network, Diocese of Maryland

DATE: March 6, 2023

For decades, Maryland state agencies have allowed companies and others to build major industrial projects without consideration of other projects nearby, which can result in a concentration of pollution and increased impact on communities. Further, these facilities are more often than not, concentrated in or near low-wealth communities and communities of color.

The Climate Equity Labor Act would provide further scrutiny of permits for projects that have a high climate impact and are proposed to be built near communities that already have a high burden of pollution and adverse health outcomes. It will enable key state agencies, like the Maryland Department of Environment, to fully assess the health and environmental impacts of such projects on marginalized communities

Caring for the “least of these” is a key tenet of the Christian faith and the teachings of Jesus. When it comes to environmental damage and pollution, attention to environmental justice is essential in ensuring that those least able to speak up or litigate are given equal ability to protect themselves from pollution. Communication among the stakeholders in the permitting process and allowing people to receive regular notifications regarding environmental permits that may have a negative impact on their health and well-being are benefits of this legislation.

This legislation also provides for a missing piece in Maryland’s climate strategy by ensuring that key state agencies in Maryland are held accountable (through reporting) to the state’s climate, environmental justice, and labor goals.



THE EPISCOPAL DIOCESE OF MARYLAND

The Maryland Episcopal
Public Policy
Network

The Episcopal Church at large and the Diocese of Maryland in particular embrace creation care and environmental justice and equity. We believe we have a sacred moral obligation to care for the creation God has given us. We recognize that the love and care we give to the environment that sustains us is a direct reflection of our love and care for each other.

The Diocese of Maryland supports a favorable outcome for Climate and environmental equity.

HB840 Climate Labor Environmental Equity Act of 20

Uploaded by: Laurie McGilvray

Position: FAV



Committee: Education, Energy, and the Environment
Testimony on: HB0840 - Climate, Labor, and Environmental Equity Act of 2023
Organization: Climate Justice Wing of the Maryland Legislative Coalition
Submitting: Laurie McGilvray, Co-Chair
Position: Favorable
Hearing Date: March 8, 2023

Dear Chair and Committee Members:

Thank you for allowing our testimony today in support of HB840. The Maryland Legislative Coalition (MLC) Climate Justice Wing, a statewide coalition of over 50 grassroots and professional organizations, urges you to vote favorably on HB840.

The MLC Climate Justice Wing supports policies that benefit overburdened and underserved communities, which have historically sustained disproportionate environmental harm. By definition, “overburdened communities” are in census tracts that are disproportionately affected by more environmental health indicators. “Underserved communities” are in census tracts with a higher number of low-income residents who are also nonwhite and have limited English-proficiency. HB840 will help address environmental injustice at the permitting level for projects that impact the land, air, and water (e.g., industrial and mining operations, wastewater treatment and power plants, highway expansions, and landfills) by requiring the Maryland Department of the Environment (MDE) to conduct a climate and environmental equity evaluation if they determine that issuing the permit may impact an underserved or an overburdened community.

The bill expands current State law in several important ways. First, it adds geographic impacts of climate change to the existing requirement for each State agency to review its program. Further, state agencies must identify and recommend changes to existing programs that do not currently address the geographic impacts of climate change or the opportunities to promote equitable wage and labor standards. Second, the bill broadens agency review of decisions to look at whether they will contribute to local deterioration of public health or increase pollution associated with health and environmental burdens for underserved and overburdened communities. Third, the bill requires MDE to provide residents the opportunity to receive text, phone, email, or regular mail notifications about any facility with a pending or final permit approval in or adjacent to the resident’s census tract.

HB840 is needed to address the impacts polluters have on the environment, health, labor, and well-being of Maryland's most vulnerable families; to give residents better access to information about the impacts that projects have on their environment and to be more engaged in the permitting process; and to address environmental racism and injustice that has left communities disproportionately affected by pollution. For these reasons, we request a favorable report on HB840.

HB0840 - Climate, Labor, and Environmental Equity

Uploaded by: Lindsay Keipper

Position: FAV

Dear House Environment and Transportation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of District 46, and I **am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



This bill will require the Maryland Department of the Environment (MDE) to consider the demographics, health and current exposure to pollutants of local communities when issuing permits for high impact polluters such as incinerators, landfills, and other facilities subject to permits around air emissions, water discharges, and hazardous materials. Specifically, the bill requires MDE to conduct an environmental equity evaluation prior to issuing a permit if it is determined that the applicant facility will impact a community defined as “underserved” or “overburdened” by health risks related to pollution¹, and provide these communities with opportunities to opt into communications regarding the applicant facility. The environmental equity evaluation may include analysis of: demographic, public health and pollution data for the community; potential pollution impacts of the facility and methods for mitigating these impacts; relevant environmental compliance records; and potential health impacts in collaboration with the Maryland Department of Health. Additionally, this bill expands the scope of current state agency reporting and planning in regard to climate change, requiring the Maryland Department of Labor to also consider how their programs and practices support businesses with equitable labor and wage standards.

Pollution is a racial justice issue. The Climate, Labor, and Environmental Equity Act of 2023 is necessary because of a shameful legacy of institutional racism in Maryland and the U.S. These policies have led to communities of color being disproportionately exposed to contaminated air, water, and soils where they live and work through proximity to industrial activities and natural resource extraction, landfills and hazardous waste storage, traffic emissions from busy roadways, and untreated sewage discharges from aging infrastructure. Exposure to pollutants, as recognized by the Maryland statute referenced above, is linked to a wide variety of health issues including heart disease, stroke, low birth weight, some types of cancer, asthma, chronic bronchitis and other respiratory diseases.

Despite significant gains in air quality in the last 20 years, recent research continues to confirm the serious consequences of exposure to air pollutants, especially fine particulate matter (PM_{2.5}) and ambient ozone (O₃). Fine particulate matter is estimated to cause 100,000 premature deaths annually in the U.S.², and long-term ozone exposure has been directly linked to increases in emphysema and a decline in lung function.³ Furthermore, when connecting particulate matter pollution in the U.S. to its major sources (e.g., consumption of energy, goods, and resources), it has been established that this pollution of consumption is disproportionately driven by the white population, and “disproportionately inhaled” by communities of color.² We cannot allow this to continue unchecked.

This bill is necessary, and long overdue. Low income communities and communities of color disproportionately shoulder the burden of pollution exposure in our state. Today, as we work to rebuild our economy, I am calling upon you to follow through on the responsibility you have for the wellbeing of the people of Maryland and act in support of more equitable environmental conditions, health outcomes, and wages. For these reasons, we urge you to vote **in support of the Climate, Labor, and Environmental Equity Act of 2023 (HB0840)**. Thank you for your time, service, and consideration.

Sincerely,

Lindsay Keipper

2425 Fleet St.

Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

³ <https://jamanetwork.com/journals/jama/fullarticle/2747669?guestAccessKey=cfba7399-ed6b-4ff3-abcd-260039916cd9>

MD Catholic Conference_FAV_HB0840.pdf

Uploaded by: MJ Kraska

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

March 8th, 2023

HB 840

Climate, Labor, and Environmental Equity Act of 2023

House Environment & Transportation Committee

Position: Favorable

The Maryland Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

House Bill 840 requires the Maryland Department of the Environment (MDE) to conduct a climate and environmental equity evaluation of a permit application if, after conducting an Environmental Justice (EJ) score review required under current law, MDE determines that issuing an approval for the permit may impact an underserved community or an overburdened community.

In his encyclical, *On Care for Our Common Home (Laudato Si')*, Pope Francis tells us, “Whenever these questions are raised, some react by accusing others of irrationally attempting to stand in the way of progress and human development. But we need to grow in the conviction that a decrease in the pace of production and consumption can at times give rise to another form of progress and development. Efforts to promote a sustainable use of natural resources are not a waste of money, but rather an investment capable of providing other economic benefits in the medium term...We know how unsustainable the behavior of those who constantly consume and destroy, while others are not yet able to live in a way worthy of their human dignity”.

House Bill 840 aims to address the much-needed investment in climate and environmental equity in underserved communities within Maryland. We encourage discussion around the components and goals outlined in this legislation and hope they are a catalyst for positive ecological outcomes to our most vulnerable populations.

The Conference appreciates your consideration and respectfully urges a **favorable** report for House Bill 840.

Climate, Labor, and Environmental Equity Act of 20

Uploaded by: Rebecca Rehr

Position: FAV



March 8, 2023

Kim Coble
Executive Director

2023 Board of
Directors

Lynn Heller, Chair
The Hon. Nancy Kopp,
Treasurer
Kimberly Armstrong
Mike Davis
Candace Dodson-Reed
Verna Harrison
Melanie Hartwig-Davis
The Hon. Steve Lafferty
Patrick Miller
Bonnie L. Norman
Katherine (Kitty)
Thomas

SUPPORT: HB 840 - Climate, Labor, and Environmental Equity Act of 2023

Chairman Barve, Chairman Wilson, and Members of the Committees:

Maryland LCV supports HB 840, the Climate Labor, and Environmental Equity Act of 2023, and we thank Delegate Boyce for her committed leadership on this issue.

This bill takes steps to ensure resources are allocated and protections are in place for communities across our state who are overburdened by existing environmental pollution, or underserved because of structural inequities resulting in a dearth of opportunities in low-income communities, communities of color, and communities with limited English proficiency.

Through the actions put forth in HB 840, agency decisions can move into closer alignment with community needs, and add a layer of scrutiny for certain permits that the Maryland Department of Environment (MDE) deems would have a high adverse impact on the surrounding community. The Climate, Labor, and Environmental Equity Act of 2023 would:

1. Expand the publicly available climate change and environmental justice reporting requirements for eleven key state agencies, and one academic center;
2. Require the Department of Labor to annually report on whether its decisions are supporting equitable wage and labor standards;
3. Require a comprehensive evaluation of the environmental and societal impacts for environmental permits with a high Environmental Justice score in underserved and overburdened communities. This evaluation should include:
 - i. Demographic and health data, as well as any related vulnerabilities in the community;
 - ii. Climate-related impacts from the proposed project;
 - iii. Cumulative impacts of pollution in the community;
 - iv. Potential methods to minimize or mitigate potential adverse effects in the affected community;
4. Allow MDE to deny or amend permit applications based on this evaluation;
5. Require an “in-the-know system” where Maryland residents can opt-in to be notified about pending environmental permits in their area.

We recognize that the requirements in the bill may require additional staffing needs at MDE and the Department of Labor, and support the allocation of resources for the agency to fully implement and enforce environmental justice initiatives.

Maryland LCV supports policies that advance the tenets of environmental justice: fair treatment and meaningful involvement. This bill does both. We strongly urge a favorable report on this important bill.

HB0840 - Climate, Labor, and Environmental Equity

Uploaded by: Rebecca Shillenn

Position: FAV

Dear House Environment and Transportation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with **CASA de Maryland**. I am a resident of **District 45**. **I am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



This bill will require the Maryland Department of the Environment (MDE) to consider the demographics, health and current exposure to pollutants of local communities when issuing permits for high impact polluters such as incinerators, landfills, and other facilities subject to permits around air emissions, water discharges, and hazardous materials. Specifically, the bill requires MDE to conduct an environmental equity evaluation prior to issuing a permit if it is determined that the applicant facility will impact a community defined as “underserved” or “overburdened” by health risks related to pollution¹, and provide these communities with opportunities to opt into communications regarding the applicant facility. The environmental equity evaluation may include analysis of: demographic, public health and pollution data for the community; potential pollution impacts of the facility and methods for mitigating these impacts; relevant environmental compliance records; and potential health impacts in collaboration with the Maryland Department of Health. Additionally, this bill expands the scope of current state agency reporting and planning in regard to climate change, requiring the Maryland Department of Labor to also consider how their programs and practices support businesses with equitable labor and wage standards.

Pollution is a racial justice issue. The Climate, Labor, and Environmental Equity Act of 2023 is necessary because of a shameful legacy of institutional racism in Maryland and the U.S. These policies have led to communities of color being disproportionately exposed to contaminated air, water, and soils where they live and work through proximity to industrial activities and natural resource extraction, landfills and hazardous waste storage, traffic emissions from busy roadways, and untreated sewage discharges from aging infrastructure. Exposure to pollutants, as recognized by the Maryland statute referenced above, is linked to a wide variety of health issues including heart disease, stroke, low birth weight, some types of cancer, asthma, chronic bronchitis and other respiratory diseases.

Despite significant gains in air quality in the last 20 years, recent research continues to confirm the serious consequences of exposure to air pollutants, especially fine particulate matter (PM_{2.5}) and ambient ozone (O₃). Fine particulate matter is estimated to cause 100,000 premature deaths annually in the U.S.², and long-term ozone exposure has been directly linked to increases in emphysema and a decline in lung function.³ Furthermore, when connecting particulate matter pollution in the U.S. to its major sources (e.g., consumption of energy, goods, and resources), it has been established that this pollution of consumption is disproportionately driven by the white population, and “disproportionately inhaled” by communities of color.² We cannot allow this to continue unchecked.

This bill is necessary, and long overdue. Low income communities and communities of color disproportionately shoulder the burden of pollution exposure in our state. Today, as we work to rebuild our economy, I am calling upon you to follow through on the responsibility you have for the wellbeing of the people of Maryland and act in support of more equitable environmental conditions, health outcomes, and wages. For these reasons, we urge you to vote **in support of the Climate, Labor, and Environmental Equity Act of 2023 (HB0840)**. Thank you for your time, service, and consideration.

Sincerely,

Rebecca Shillenn

5401 Elsrode Avenue Baltimore MD 21214

Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

³ <https://jamanetwork.com/journals/jama/fullarticle/2747669?guestAccessKey=cfba7399-ed6b-4ff3-abcd-260039916cd9>

Eckel FAV HB0840 - Climate, Labor, and Environment

Uploaded by: Rianna Eckel

Position: FAV

Dear House Environment and Transportation Committee,

My name is Rianna Eckel, and I am a resident of District 43A. I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with **CASA**. **I am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



This bill will require the Maryland Department of the Environment (MDE) to consider the demographics, health and current exposure to pollutants of local communities when issuing permits for high impact polluters such as incinerators, landfills, and other facilities subject to permits around air emissions, water discharges, and hazardous materials. Specifically, the bill requires MDE to conduct an environmental equity evaluation prior to issuing a permit if it is determined that the applicant facility will impact a community defined as “underserved” or “overburdened” by health risks related to pollution¹, and provide these communities with opportunities to opt into communications regarding the applicant facility. The environmental equity evaluation may include analysis of: demographic, public health and pollution data for the community; potential pollution impacts of the facility and methods for mitigating these impacts; relevant environmental compliance records; and potential health impacts in collaboration with the Maryland Department of Health. Additionally, this bill expands the scope of current state agency reporting and planning in regard to climate change, requiring the Maryland Department of Labor to also consider how their programs and practices support businesses with equitable labor and wage standards.

Pollution is a racial justice issue. The Climate, Labor, and Environmental Equity Act of 2023 is necessary because of a shameful legacy of institutional racism in Maryland and the U.S. These policies have led to communities of color being disproportionately exposed to contaminated air, water, and soils where they live and work through proximity to industrial activities and natural resource extraction, landfills and hazardous waste storage, traffic emissions from busy roadways, and untreated sewage discharges from aging infrastructure. Exposure to pollutants, as recognized by the Maryland statute referenced above, is linked to a wide variety of health issues including heart disease, stroke, low birth weight, some types of cancer, asthma, chronic bronchitis and other respiratory diseases.

Despite significant gains in air quality in the last 20 years, recent research continues to confirm the serious consequences of exposure to air pollutants, especially fine particulate matter (PM_{2.5}) and ambient ozone (O₃). Fine particulate matter is estimated to cause 100,000 premature deaths annually in the U.S.², and long-term ozone exposure has been directly linked to increases in emphysema and a decline in lung function.³ Furthermore, when connecting particulate matter pollution in the U.S. to its major sources (e.g., consumption of energy, goods, and resources), it has been established that this pollution of consumption is disproportionately driven by the white population, and “disproportionately inhaled” by communities of color.² We cannot allow this to continue unchecked.

This bill is necessary, and long overdue. Low income communities and communities of color disproportionately shoulder the burden of pollution exposure in our state. Today, as we work to rebuild our economy, I am calling upon you to follow through on the responsibility you have for the wellbeing of the people of Maryland and act in support of more equitable environmental conditions, health outcomes, and wages. For these reasons, we urge you to vote **in support of the Climate, Labor, and Environmental Equity Act of 2023 (HB0840)**. Thank you for your time, service, and consideration.

Sincerely,
Rianna Eckel
2300 Hunter St, Baltimore 21218
Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

³ <https://jamanetwork.com/journals/jama/fullarticle/2747669?guestAccessKey=cfba7399-ed6b-4ff3-abcd-260039916cd9>

HB 840_Maryland Catholics for Our Common Home_FAV.

Uploaded by: Robert Simon

Position: FAV



Hearing before the House Environment and Transportation Committee
Maryland General Assembly
March 8, 2023

**Statement of Support (FAVORABLE)
of Maryland Catholics for Our Common Home on
HB 840 – Climate, Labor, and Environmental Equity Act of 2023**

Maryland Catholics for Our Common Home (MCCH) is a lay-led organization of Catholics from parishes in the three Catholic dioceses in Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington. It engages in education about, and advocacy based on, the teachings of the Catholic Church relating to care for creation. MCCH is a voice for the understanding of Catholic social teaching held by a wide array of Maryland Catholics—over 350 Maryland Catholics have already signed our statement of support for key environmental bills in this session of the General Assembly—but should be distinguished from the Maryland Catholic Conference, which represents the public policy interests of the bishops who lead these three dioceses.

MCCH would like to express its strong support for passage of House Bill 840, the Climate, Labor, and Environmental Equity Act of 2023. The bill echoes key themes that have been part of Catholic social teachings for over 130 years and that have found recent expression in Pope Francis’s 2015 encyclical, entitled *Laudato Si’: On Care for Our Common Home*,¹ in which Pope Francis issues a call to “integrate questions of justice in debates on the environment, so as to hear both the cry of the earth and the cry of the poor” (no. 49).

- The bill ensures that environmental permits are informed by a climate and environmental equity evaluation, in cases where “a permit may impact an underserved community or an overburdened community.” This is responsive to Pope Francis’s teaching that “every ecological approach needs to incorporate a social perspective which takes into account the fundamental rights of the poor and the underprivileged” (no. 93). The provision that health impact assessments may also be conducted is consistent with Pope Francis’s view that environmental impact assessments “should be linked to a study of working conditions and possible effects on people’s physical and mental health, on the local economy and on public safety” (no. 183).
- The bill’s provision that the Department of Labor annually report whether State agency decisions “support businesses that promote equitable labor and wage standards” is in line with long-standing Catholic social teaching that “All people have the right to economic initiative, to productive work, to just wages and benefits, to decent working conditions as well as to organize and join unions or other associations.”²

For these reasons, MCCH supports enactment of the bill. Thank you for your consideration of our views and our respectful request for a **favorable** report on House Bill 840.

¹ The English text of the encyclical, to which the paragraph numbers in the following parentheses refer, can be found at: https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html.

² United States Conference of Catholic Bishops, “A Catholic Framework for Economic Life” (2015), no. 5, available at <https://www.usccb.org/resources/catholic-framework-economic-life-0>.

HB0840 - Climate, Labor, and Environmental Equity

Uploaded by: Sarah Johnson

Position: FAV

Dear House Environment and Transportation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with **CASA de Maryland**. I am a resident of District 41. **I am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



This bill will require the Maryland Department of the Environment (MDE) to consider the demographics, health and current exposure to pollutants of local communities when issuing permits for high impact polluters such as incinerators, landfills, and other facilities subject to permits around air emissions, water discharges, and hazardous materials. Specifically, the bill requires MDE to conduct an environmental equity evaluation prior to issuing a permit if it is determined that the applicant facility will impact a community defined as “underserved” or “overburdened” by health risks related to pollution¹, and provide these communities with opportunities to opt into communications regarding the applicant facility. The environmental equity evaluation may include analysis of: demographic, public health and pollution data for the community; potential pollution impacts of the facility and methods for mitigating these impacts; relevant environmental compliance records; and potential health impacts in collaboration with the Maryland Department of Health. Additionally, this bill expands the scope of current state agency reporting and planning in regard to climate change, requiring the Maryland Department of Labor to also consider how their programs and practices support businesses with equitable labor and wage standards.

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Despite significant gains in air quality in the last 20 years, recent research continues to confirm the serious consequences of exposure to air pollutants, especially fine particulate matter (PM_{2.5}) and ambient ozone (O₃). Fine particulate matter is estimated to cause 100,000 premature deaths annually in the U.S.², and long-term ozone exposure has been directly linked to increases in emphysema and a decline in lung function.³ Furthermore, when connecting particulate matter pollution in the U.S. to its major sources (e.g., consumption of energy, goods, and resources), it has been established that this pollution of consumption is disproportionately driven by the white population, and “disproportionately inhaled” by communities of color.² We cannot allow this to continue unchecked.

This bill is necessary, and long overdue. Low income communities and communities of color disproportionately shoulder the burden of pollution exposure in our state. Today, as we work to rebuild our economy, I am calling upon you to follow through on the responsibility you have for the wellbeing of the people of Maryland and act in support of more equitable environmental conditions, health outcomes, and wages. For these reasons, we urge you to vote **in support of the Climate, Labor, and Environmental Equity Act of 2023 (HB0840)**. Thank you for your time, service, and consideration.

Sincerely,
Sarah Johnson
1 Merryman Court
Baltimore, MD 21210
Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

³ <https://jamanetwork.com/journals/jama/fullarticle/2747669?guestAccessKey=cfba7399-ed6b-4ff3-abcd-260039916cd9>

NAACP MSC HB0840 Climate Labor and Environmental E

Uploaded by: Staci Hartwell

Position: FAV



February 21, 2023

Committee | Environment and Transportation

Bill | **HB0840** - Climate, Labor, and Environmental Equity Act

Position | Favorable

Hearing | March 8, 2023

Dear Chairman Barve and Distinguished Committee Members,

I am Staci Hartwell, chair of the Environmental and Climate Justice Committee of the NAACP Maryland State Conference. We support SB743, which requires Maryland policymakers to evaluate the climate equity implications of proposed policy changes.

One of the NAACP Environmental and Climate Justice Committee's primary goals is to advocate for increasing the livability of communities while also strengthening their resilience. HB0840 would be a powerful tool for achieving exactly that. It will also serve as a cornerstone for implementing policy for the *Climate Solutions Now Act*.

This legislation is a meaningful step towards addressing one of the most insidious and entrenched forms of systemic racism. Across Maryland, BIPOC communities disproportionately suffer from pollutants and other environmental harm, poisoned by their own air, soil, and water. In Baltimore, a city that is 65% Black, as many as 130 residents per 100,000 die every year from the consequences of air pollution alone.¹ Despite this, the renewable-energy company, Energy Answers, is attempting to build a garbage incinerator that would emit 1000 pounds of lead and 250 pounds of mercury into the air of the Curtis Bay neighborhood, which remains largely segregated. This legislation will prevent us from "adding insult to injury."

Baltimore is not the only place that is harmed, however. Across Maryland, communities adjacent to industrial sites, such as Lothian in Anne Arundel County, are turned into "sacrifice zones" - places with severe and potentially irreversible pollution² and even greater, *negative* health impacts. In Lothian, which is disproportionately Black and poor, mining sites fill the air with diesel exhaust and dust while toxic cadmium leaches into the soil and water.

Currently, the predominantly Black community of Oxon Hill is being threatened by a proposed battery storage facility by PEPCO/Exelon. Facilities such as these are notoriously dangerous –

¹ <https://grist.org/business-technology/baltimore-youth-of-color-are-still-fighting-plans-for-gigantic-garbageincinerator/>

² https://www.bayjournal.com/news/policy/mining-waste-disposal-raise-environmental-justice-concerns-inrural-maryland/article_b688b380-40c7-11ec-bc97-83d40bfd0e23.html;
<https://www.washingtonpost.com/express/wp/2010/09/23/steve-lerner-book-sacrifice-zones/>

they have a reputation of cascading explosions and deadly fires. This facility is proposed to be located thirty-five feet from the closest residential, single-family home and less than one hundred yards from a much relied upon daycare center. The potential and unintended perils and impacts of this have gone ignored and there has been no consideration for property values, our inability to extinguish lithium fires, no emergency evacuation plan, no remedies for air and water contamination in case of fire, and so on. The recent horrific disaster in East Palestine should be evidence enough of what can happen if we do not consider the impacts on underserved and overburdened communities. More importantly, Black and Brown communities should not be further victimized by green/clean technologies.

This legislation will require governments within Maryland to consider the potential for undue harm caused by any policy change - including modifications to mining guidelines or approval for a new incinerator. In doing so, it will make BIPOC communities across the state more livable, their air safer to breathe, and their water safer to drink.

To help make the *Justice 40 Initiative* a reality and to achieve the goals outlined in the *Climate Solutions Now Act*, we request a favorable report on HB0840.

Thank you.

Respectfully submitted,



Staci Hartwell, Chair

NAACP Maryland State Conference

Environmental and Climate Justice Committee

8775 Cloudleap Court, Suite 200

Columbia, Maryland 21045

HB0840 - Climate Labor and Environmental Equit

Uploaded by: Tamara Todd

Position: FAV

Dear House Environment and Transportation Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with **CASA de Maryland**. I am a resident of District 10, a parent concerned for the future of my children, and an environmental scientist. **I am testifying in support of HB0840, the Climate, Labor, and Environmental Equity Act of 2023.**



This bill will require the Maryland Department of the Environment (MDE) to consider the demographics, health and current exposure to pollutants of local communities when issuing permits for high impact polluters such as incinerators, landfills, and other facilities subject to permits around air emissions, water discharges, and hazardous materials. Specifically, the bill requires MDE to conduct an environmental equity evaluation prior to issuing a permit if it is determined that the applicant facility will impact a community defined as “underserved” or “overburdened” by health risks related to pollution¹, and provide these communities with opportunities to opt into communications regarding the applicant facility. The environmental equity evaluation may include analysis of: demographic, public health and pollution data for the community; potential pollution impacts of the facility and methods for mitigating these impacts; relevant environmental compliance records; and potential health impacts in collaboration with the Maryland Department of Health. Additionally, this bill expands the scope of current state agency reporting and planning in regard to climate change, requiring the Maryland Department of Labor to also consider how their programs and practices support businesses with equitable labor and wage standards.

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Sincerely,

Tamara Todd

221 Northway Rd, Reisterstown, MD, 21136

Showing Up for Racial Justice Baltimore

¹ <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gen§ion=1-701&enactments=false>

² <https://www.pnas.org/doi/full/10.1073/pnas.1818859116>

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HB840_Black Caucus_FAV

Uploaded by: Ufuoma Agarin

Position: FAV



February 22, 2023

Chairman Kumar P Barve,
Environmental and Transportation Committee
Taylor House Office Building, Room 251
6 Bladen St., Annapolis, MD 21401

Dear Chairman Barve and Members of the Committee:

The Legislative Black Caucus of Maryland Inc. has voted to offer **favorable** support for House Bill 840 - Climate, Labor, and Environmental Equity Act of 2023. **This bill is on the 2023 legislative priority agenda of the Black Caucus.**

This bill will require the Department of the Environment to conduct an evaluation regarding the impact of issuing approval for certain environmental permits, require the Department to provide opportunities for communication with certain residents; and alter reporting requirements for specific State agencies.

For generations, the State of Maryland has made decisions about identifying harmful, unhealthy, and potentially dangerous projects in ways that have detrimentally impacted the Black community. As it stands, low-income communities of color in Maryland are more likely to live in close proximity to facilities that release toxic chemicals. This legislation will combat the ongoing environmental racism and injustice in Maryland. The Legislative Black Caucus aims to protect the health and well-being of all Black Marylanders and this bill aligns with our mission. For these reasons, the Legislative Black Caucus of Maryland supports House Bill 840 and would appreciate your favorable support of this legislation.

Legislative Black Caucus of Maryland

LBCMD Support Letter - HB 840 - Priority Bill .doc

Uploaded by: Ufuoma Agarin

Position: FAV



February 22, 2023

Chairman Kumar P Barve,
Environmental and Transportation Committee
Taylor House Office Building, Room 251
6 Bladen St., Annapolis, MD 21401

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Legislative Black Caucus of Maryland

HB840_PG County Gov_FAV

Uploaded by: Victor Ramirez

Position: FAV



THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700
County Council

POSITION STATEMENT

HB -840

Delegate Boyce Climate, Labor, and Environment Equity Act of 2023

POSITION

SUPPORT

HB 840 Climate, Labor, and Environment Equity Act of 2023- This legislation requires Maryland Department of the Environment (MDE) to conduct a climate and environmental equity evaluation of a permit application if, after conducting an Environmental Justice(EJ) score review under current law, MDE determines that approving a permit may impact an underserved community or an overburdened community. The bill also establishes provisions relating to such an evaluation and establishes requirements for MDE in reference to public input such as an opportunity for State residents to opt in to notifications. The bill alters existing provisions that require State agencies to review its planning, regulatory and fiscal programs to identify and recommend actions to completely integrate the consideration of Maryland's greenhouse gas reduction goal and the impact on climate change. Additionally, the bill requires the Maryland Department of Labor to report annually whether agency decisions support businesses the further equitable labor and wage standards.

The Prince George's County Council enthusiastically supports The Climate Equity Labor Bill as the legislation will prevent continued environmental racism and injustice in Maryland. It will ensure that key Maryland agencies are held accountable for the state's climate, environmental justice and labor goals and it will incentivize more robust evaluation and outreach for environmental permits that disproportionately harm overburdened and underserved communities.

The Prince George's County Council strongly SUPPORTS this legislation. For the foregoing reasons, the Prince George's County Council respectfully requests the Committee's favorable consideration of its position.

Prepared by: Ramirez Group, LLC on behalf of the Prince George's County Council

Wayne K. Curry Administration Building – Upper Marlboro, Maryland 20772

HB 840 Victoria Leonard LiUNA (SUPPORT).pdf

Uploaded by: Victoria Leonard

Position: FAV



March 6, 2023

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

**Written Testimony of Victoria Leonard on
HB 840 - Climate, Labor, and Environmental Equity Act of 2023**

Position: Support

Thank you Chair Barve and Vice Chair Stein and members of the committee for the opportunity to submit written testimony in support of HB 840.

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.

LiUNA supports HB 840. We particularly appreciate that the bill applies labor standards to all state agencies in the permit application process, as stated on page 7 line 5 (B) through page 8 in its entirety. HB 840 is also important because Maryland does not have a process to adequately consider how projects and polluters impact state workers, jobs, or property values. Maryland does not consider how industry impacts a community's health or climate when permits are issued. Further, communities nearby have not been consulted about where these projects get sited, and in many cases, have been left out entirely of this process.

HB 840 will help address environmental injustice at the permitting level for projects that impact the land, air, and water, such as industrial operations, wastewater treatment plants, highway expansions, mining operations, power plants, and landfills.

For these reasons, we request a favorable report on HB 840.

MDE FWA HB 840.pdf

Uploaded by: Devon Dodson

Position: FWA



**The Maryland Department of the Environment
Secretary Serena McIlwain**

***House Bill 840
Climate, Labor, and Environmental Equity Act of 2023***

Position: Support with Amendments
Committee: Environment & Transportation Committee
Date: March 08, 2023
From: Gabrielle Leach

The Maryland Department of the Environment (MDE or the Department) **SUPPORTS WITH AMENDMENTS** House Bill 840. Under the leadership of Secretary McIlwain, environmental justice and equity is a statewide priority for MDE. The Department will be looking at everything through an equity lens with the intent of leaving no Marylander behind.

House Bill 840 would require MDE to do the following:

- Conduct a climate and environmental equity evaluation prior to issuing certain permits, if the permit may impact overburdened or underserved communities;
- Communicate with residents residing, within or adjacent to, the census tract within which a permit would be issued via text, phone, email, or regular mail notifications regarding any facility with a pending or final permit approval; and
- Adopt regulations to carry out the provisions of a new subtitle.

Additionally, HB 840 would allow MDE to:

- Deny or alter a decision or amend the conditions under a pending permit based on the findings of its climate and environmental equity evaluation; and
- Charge applicants a reasonable fee to cover costs associated with complying with the bill, including technical assistance offered to applicants and residents of affected census tracts.

Amendment

The bill further addresses issues of equity in labor and wage standards. These issues are important, but beyond MDE's expertise and would require significant support from the Maryland Department of Labor. MDE respectfully requests that this language be deleted and have the bill solely address environmental permitting.

MDE has been working with the House and Senate sponsors on this legislation and appreciates the consideration of our amendment.

Accordingly, MDE urges a **FAVORABLE WITH AMENDMENTS** report for House Bill 840.

HB 0840 - Climate, Labor, Equity - Opposition Lett

Uploaded by: Grayson Middleton

Position: UNF



Educate. Advocate. Innovate.

Date: March 6, 2023
To: Members of the House Committee on Environment and Transportation
From: Holly Porter, Executive Director
Re: HB 0840 – Climate, Labor, and Environmental Equity Act of 2023 – **OPPOSE**

Delmarva Chicken Association (DCA) the 1,600-member trade association representing the meat-chicken growers, processing companies, and allied business members on the Eastern Shore of Maryland, the Eastern Shore of Virginia, and Delaware opposes HB 0840 as written and urges an unfavorable committee report.

At DCA, we take our commitment to environmental justice and equity very seriously. In Maryland, over 23% of our growers are minority, compared with 4.5% of all farmers across the United States. The majority of the workforce in our processing plants are minority or of other national origin. Most of these groups live in the same area they work, and their safety and health is not only a moral priority for our organization, but also an economic benefit. However, we do not support regulations and laws which are both unnecessary and put our farmers and industry at an economic disadvantage.

This bill allows for the Department of Environment to “deny or alter a decision or amend the conditions under a permit based...” on how the approval would impact overserved and/or overburdened communities. Most concerning for our industry is the lack of clarity on how this would affect the CAFO general permit given that the current MDE Environmental Justice Screening tool does not account for some of the environmental health indicators cited in this legislation. While we realize that those parameters have already been set by previous legislation, we would like to have them included in the MDE Environmental Justice screening tool so we can assess how this would affect our industry. We do not believe it is fair to pass legislation before our farmers and companies can assess it’s implications.

Currently the MDE Environmental Justice Screening Tool only accounts for the three “underserved community” parameters, and we can easily see the areas in which a permit might be affected by this definition. However, there are 21 environmental health indicators for “overburdened community,” none of which currently appear on the EJ Screening Tool. Without their inclusion, it is not possible for us to assess how this legislation will affect different areas of our community. Furthermore, we have no clear guidance on how some of these parameters might be defined or interpreted. For example, one of the indicators under “overburdened community” is “proximity to a Concentrated Animal Feeding Operation.” Depending on how “proximity” is defined, this could have major implication for how permits are assessed in our region.

Finally, there is a considerable lack of clarity and guidance for the department under this legislation, and we are concerned how broadly this bill might be interpreted. For example, on page 5 this bill states that the environmental equity evaluation “may include” an analysis of certain items and page 6 says the department “may deny” the permit. This lack of guidance and expansive room for interpretation with such big implications should concern everyone.



Educate. Advocate. Innovate.

Although we support environmental justice and equity, the lack of transparency, clarity, and the inclusion of yet undefined parameters in this bill force us to oppose this legislation. We cannot support legislation which will have unforeseen effects on our industry. At the very least, we request that the passage of this legislation be delayed until all the parameters listed in this legislation are included in the Environmental Justice Screening Tool so that our farmers and companies can accurately assess how this will affect them.

We urge an **unfavorable** vote on HB 0840.

Should you have any additional questions, please feel free to contact me at porter@dcachicken.com or 302-222-4069 or Grayson Middleton at middleton@dcahicken.com or 410-490-3329.

Sincerely,

Holly Porter
Executive Director

MBIA Letter of Opposition HB 840.pdf

Uploaded by: Lori Graf

Position: UNF

March 8, 2023

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

RE: MBIA Letter of Opposition HB 840 Climate, Labor, and Environmental Equity Act of 2023

Dear Chairman Barve:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 840 Climate, Labor, and Environmental Equity Act of 2023**. MBIA **Opposes** the Act in its current version.

This bill lays out new review restrictions on projects in underserved communities requiring an EJ score review to determine a permit impact and instituting new fees. 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 the Department of the Environment the ability to review all projects in these communities. This 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. The bill also imposes a fee to cover the costs of implementation of this new program imposing even more cost.

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. Imposing costs for all building permits reduced the capacity of developers to meet this community need and ultimately harms overburdened communities by leaving them in the same economic circumstances responsible for the inequity in the first place.

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

hb840test.pdf

Uploaded by: Marcus Jackson

Position: UNF



The Voice of Merit Construction

Mike Henderson

*President
Greater Baltimore Chapter
mhenderson@abcbaltimore.org*

Chris Garvey

*President & CEO
Chesapeake Shores Chapter
cgarvey@abc-chesapeake.org*

Dan Bond CAE

*President & CEO
Metro Washington Chapter
dbond@abcmetrowashington.org*

Amos McCoy

*President & CEO
Cumberland Valley Chapter
amos@abccvc.com*

Gregory Brown

*Chairman
Joint Legislative Committee
greg@waynesboroconstruction.com*

Marcus Jackson

*Director of Government Affairs
Metro Washington Chapter
mjackson@abcmetrowashington.org*

Additional representation by:
Harris Jones & Malone, LLC

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March 7, 2023

TO: ENVIRONMENT AND TRANSPORTATION COMMITTEE
FROM: ASSOCIATED BUILDERS AND CONTRACTORS
RE: H.B. 840 – CLIMATE, LABOR, AND ENVIRONMENT EQUITY ACT OF 2023
POSITION: OPPOSE

The Associated Builders and Contractors (ABC) oppose H.B. 840 which before you today for consideration.

The bill as written would require the Department of the Environment and local jurisdictions the ability to conduct a certain evaluation regarding the impact of issuing an approval for certain environmental permits. We believe that this will significantly increase the amount of time that it will take to complete a project. The additional time will undoubtedly increase the cost of the project as well.

We understand the desire to achieve environmental equity in communities that are largely impacted. However, it is our belief that H.B. 840 would unnecessarily burden an already lengthy process and will not achieve the legitimate goals that the bill sets out to accomplish.

On behalf of the over 1,500 ABC members in Maryland, we respectfully request an unfavorable report on H.B. 840.

Marcus Jackson, Director
Government Affairs

HB0840_UNF_NWRA_Climate, Labor, and Env. Equity Ac

Uploaded by: Pam Kasemeyer

Position: UNF

Maryland-Delaware Solid Waste Association
a chapter of the



TO: The Honorable Kumar P. Barve, Chair
The Honorable C.T. Wilson, Chair
Members, House Environment and Transportation Committee
Members, House Economic Matters Committee
The Honorable Regina T. Boyce

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Andrew G. Vetter
410-244-7000

DATE: March 8, 2023

RE: **OPPOSE** – House Bill 840 – *Climate, Labor, and Environmental Equity Act of 2023*

The Maryland Delaware Solid Waste Association (MDSWA), a chapter of the National Waste and Recycling Association, is a trade association representing the private solid waste industry in the State of Maryland. Its membership includes hauling and collection companies, processing and recycling facilities, transfer stations, and disposal facilities. MDSWA and its members **oppose** House Bill 840.

House Bill 840 requires the Maryland Department of the Environment (MDE) to conduct a climate and environmental equity evaluation of a permit application if, after conducting an EJ score review required under current law, MDE determines that issuing an approval for a permit may impact an underserved community or an overburdened community. In addition, MDE, in coordination with the Maryland Department of Health, may conduct a health impact assessment of the permit. House Bill 840 also requires MDE to regularly provide opportunity for State residents to opt-in to text, phone, email, or regular mail notifications regarding any facility with a pending or final permit approval in or adjacent to the resident's census tract. Finally, the bill authorizes MDE to deny or alter a decision or amend the conditions under a pending permit based on its findings under the above provisions.

MDSWA has been supportive of the development of the EJ score review and the enhanced assessment it provides in evaluating the impact on underserved or overburdened communities. However, the industry is concerned with the provisions of the legislation as it relates to denials and or amendments to renewal permits. Many facilities subject to this analysis have been operating prior to growth of communities that surround the facility. Denial or significant amendment of renewal permits could create insurmountable obstacles for the continued operation of the facility, despite the fact the facility operation predates the community impact determined by the enhanced assessments. The use of the EJ score review is informative and strengthens the permitting process, but the additional authority granted MDE, especially with respect to permit renewals, should not be enacted. An unfavorable report is requested.

HB 840 - Climate, Labor, and Environmental Equity

Uploaded by: Tom Ballentine

Position: UNF



March 6, 2023

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

Unfavorable – HB 840 – Climate, Labor, and Environmental Equity

Dear, Chair Barve and Committee Members:

HB 840 prevents the Maryland Department of Environment (MDE) and other agencies from taking regulatory actions and issuing permits in overburdened communities without first evaluating and making determinations about how the action may affect future climate, labor, employment, and environmental justice conditions.

The NAIOP Maryland Chapters representing more than 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate recommend your unfavorable report on HB 840 based on the following considerations:

- The scope of permits called out in the bill is very broad applying to intense activities like waste-water treatment plants and hazardous waste facilities but also to relatively minor activities like restaurant grills, heating boilers, backup power generators, grading and stormwater permits. The bill and its provisions do not differentiate between permitted activities based on the intensity of use. We do not see why these types of activities are included in the scope of the bill.
- On balance we believe that redevelopment in underserved communities is a catalyst for positive economic and environmental change. The requirements of HB 840 would present a disincentive to development projects in the areas of the state that already struggle to attract private investment.
- For minor activities it is unlikely the bill would result in greater environmental protections and pollutant reductions than have been achieved using the permit review and technology based environmental management practices currently employed by MDE and other government agencies.
- The geographic scope is hard to determine and can change. Regulated entities would have a difficult time knowing whether their activities are in an area that is subject to the bill's provisions.
- The requirements of the bill, which include calculating potential future and cumulative impacts, are difficult to accurately analyze and the authority for MDE to make permit decisions based on such speculative analysis is questionable. The costs and time required for permit review and conditions for approval would vary widely and are unpredictable.

For these reasons, NAIOP respectfully requests your unfavorable report on HB 840.

Sincerely,

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

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