



The Maryland Department of the Environment
Secretary Serena McIlwain

House Bill 836

***Major Highway Capacity Expansion Projects - Impact Assessments and Mitigation
Plans (Transportation and Climate Alignment Act of 2024)***

Position: Informational with Amendments
Committee: Appropriations
Date: February 28, 2024
From: Hadley Anthony

The Maryland Department of the Environment (MDE) is providing **INFORMATIONAL WITH AMENDMENTS** testimony on HB 836.

Bill Summary

House Bill 836 would add an impact assessment and mitigation plan to the Maryland Department of Transportation's (MDOT) procedures in considering major highway capacity expansion projects for the Statewide Transportation Improvement Program or the Consolidated Transportation Program (collectively, "Statewide Transportation Programs"). Impact assessments for major highway capacity expansion projects required under the bill would need to conform with GHG emission reduction targets specified in § 2-1205 of the Environment Article. If these and other requirements are not met, MDOT may change the scope of a project, develop a mitigation plan for the project, or halt project development and decline to include the project in a Statewide Transportation Program. In assessing a mitigation plan, MDOT would have to consider benefits to overburdened or underserved communities impacted by the major highway expansion project.

Position Rationale

This bill aligns with Maryland's statewide climate goals to reach 60% GHG reductions, compared to 2006 levels, by 2031 and to reach net-zero emissions by 2045. The bill would require MDE to adopt a methodology for MDOT to determine if a mitigation plan for a major highway expansion project is sufficient for reducing GHG emissions. The methodology would only be used where MDOT first determines that a plan will result in an increase in GHGs and implements a mitigation plan. While MDE supports the overall policy goals of this legislation, MDE cannot develop the methodology required under this bill with existing resources and would need contractual support to create this methodology. Therefore, MDE asks that the requirement for MDE to develop the methodology be removed from this bill.

MDE understands that MDOT will be providing **INFORMATIONAL** testimony on this bill as well. Accordingly, MDE asks for an **INFORMATIONAL WITH AMENDMENTS** report for HB 836.

Bill Amendments

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 14 down through the semicolon in line 15.

AMENDMENT NO. 2

On page 11, in line 11, strike “(I)”; and strike in their entirety lines 14 through 17, inclusive.

On page 12, in line 15, strike “**AND METHODOLOGY**”.