



**Testimony Supporting HB1406
Certificate of Public Convenience and Necessity -
Environmental Impact Analysis and Existing Burden Report
House Economic Matters Committee
February 21, 2025**

Position: FAVORABLE

Dear Chair Wilson and Members of the Committee,

Clean Water Action urges you to issue a favorable report on HB1406 - Certificate of Public Convenience and Necessity - Environmental Impact Analysis and Existing Burden Report. This important legislation will provide important, targeted environmental health protections for the communities in Maryland most overburdened by pollution.

With Delegate Behler's clarifying sponsor amendments, HB1406 applies specifically to energy-generating facilities that would emit pollution being considered to be sited in or near communities in Maryland already overburdened by pollution according to MDE's EJ Screen. For such projects, a CPCN applicant will be required to include an initial Environmental Impact Analysis, detailing the potential impacts of the energy generating station, and an initial Existing Burden Report, describing the current public health and environmental conditions in the surrounding communities. After public review, the Public Service Commission will finalize these reports and use them to determine whether issuing the proposed CPCN would add to the disproportionate pollution burden in already-overburdened communities. If it would, the Public Service Commission would ensure that the community is protected by either denying the CPCN or ensuring that the community is better protected through additional conditions to protect public health and a Cumulative Impacts Mitigation Fund Agreement.

HB1406 is a commonsense, targeted bill that, together with HB1484 addressing the Maryland Department of the Environment's purview, would enshrine essential protections to ensure that communities in Maryland already facing a disproportionate burden of pollution do not see that burden worsened and increased. This bill is both the result of years and decades of organizing and advocacy among communities in Maryland overburdened by pollution, and reflective of lessons learned from successful bills passed in states like New Jersey, Minnesota, Connecticut, and New York. Please issue a favorable report on HB1406 so that communities on the front lines of pollution in Maryland can gain these critical protections.

Thank you,

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