



MARYLAND ENVIRONMENTAL HEALTH NETWORK

House Bill 246- General Assembly - Fiscal Notes - Environmental Impact Statements

Committee: Rules and Executive Nominations

February 25, 2019

Position: SUPPORT

The Maryland Environmental Health Network supports Bills that are consistent with scientific research in the fields of public and environmental health, and those which advance social justice and equity. Marylanders are more likely to achieve health and longevity when we live in environments of clean air and water, strong local economies, and meaningful community engagement in policy-making. As a statewide network, we draw on a diverse constituency of health advocates, educators, researchers, health care professionals, and community leaders to evaluate legislative proposals. For these reasons, we heartily support House Bill 246 requiring that a fiscal note for a bill include an environmental impact to model emerging best practices by inclusion of true life-cycle costs of major state actions to protect the conditions of human health.

The federal National Environmental Policy Act (NEPA) process outlined at 40 CFR 1508.18 commences when a federal agency develops a proposal to take a major action; this triggers an environmental review to determine the scope of an action, its impact and whether or not the action may be excluded by virtue of its necessity or other categorical exclusion for lack of environmental impact. The Maryland counterpart, the [Maryland Environmental Protection Act](#) (MEPA) provides for a severely diminished review which offers far fewer protections. In particular, our members have lamented that the “environmental effects report” fails to reach its intended purpose because it narrowly defines a “proposed state action” to include only “requests for legislative appropriations and other legislative action” which provides little room for innovation or establishment of action in any department where it might be practically applied or challenged under the respective mission or regulation.¹ This is antithetical to its purpose and should not be acceptable in a progressive and forward thinking state such as Maryland.

As a statewide voice on the interrelated threats of a warming planet we closely monitor climate change as an existential threat to our species, and pay particular attention to actions we can take today to protect vulnerable population in our state as an opportunity to advance the public health. More specifically, we look at the conditions, contributing factors, and outcomes of an action to determine its value in relationship to the social determinants of health.² This includes consideration of conditions in development of homes, schools, workplaces, neighborhoods, and communities and whether they add to or take away from the ability of a given population to thrive.³

¹ NR § 1-301(d); *see also Mayor of Baltimore v. State*, 281 Md. 217, 378 A.2d 1326 (1977) (requirement for environmental effects reports limited to requests to the General Assembly for appropriations or other legislative actions).

² World Health Organization, Commission on Social Determinants of Health. Closing the Gap in a Generation: Health equity through action on the social determinants of health. Available from: http://www.who.int/social_determinants/en External Web Site Policy, Accessed February 1, 2019

³ U.S. Dept of Health and Human Services, Secretary’s Advisory Committee on Health Promotion and Disease Prevention Objectives for 2020. Healthy People 2020: An Opportunity to Address the Societal Determinants of Health in the United States. July 26, 2010. Accessed February 1, 2019 <http://www.healthypeople.gov/2010/hp2020/advisory/SocietalDeterminantsHealth.htm>

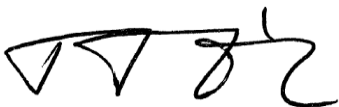
As such we vigorously support House Bill 246 because we believe that the gaps in scope and enforcement of statewide policy call for a sea change in approach. Further, the growing importance of sound science and environmental health study supports the importance of the built environment in impacting the conditions of health for residents. This includes the development of projects that can and should, from inception, take into account the full costs of an action which might otherwise be obscured by deficiencies such as those noted in MEPA, among other regulatory processes.

This bill empowers the legislature to make its work more meaningful, to dig deeper into the revenues and expenditures of an action and to proactively limit costs across agencies and departments by considering the life cycle charges at the outset. We recognize that until this process is standardized it could present some challenges to the Department of Legislative Services, and require some creativity on the part of related departments. However, we are confident that our government can handle the development of such innovative and increasingly necessary accounting practices. Further, we see this as a significant opportunity for Maryland to continue its leadership and become the benchmark for the region in this area, as it has done in other aspects of energy, and environment to include the development of a Green Bank model, as an early adopter of the Renewable Portfolio Standard and most recently reconsideration of Health Impact Assessments, the Social Cost of Carbon, and an Amendment to the state's constitution to protect our health and environs.

In particular, we support this legislation as an environmental health organization because it speaks to direct and indirect outcomes associated with limited review of environmental action. Physical structures in communities and wellbeing impacts are interrelated and affect the social cohesion of a community, which work together as the determinants of health in our state's communities. Therefore, we view policies such as that proposed by today's bill as necessary elements of health for all of us.

Overall, we find this a dynamic and relevant approach to the complement of actions we have taken to protect the bay, our watersheds, historic preservation, and local species. We urge you to look upon this proposal favorably as a true win-win for the future of Maryland.

Thank you for your thoughtful consideration.



Tamara Toles O'Laughlin
Executive Director
Maryland Environmental Health Network
2 East Read Street, 2nd Floor
Baltimore, MD 21202
Phone: 410-727-1205