



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

House Bill 1424

Public-Private Partnerships - Process and Oversight

DATE: MARCH 5, 2020

POSITION: SUPPORT

The Chesapeake Bay Foundation (CBF) SUPPORTS HB 1424. This bill would ensure timely consideration and reasonable public access to the environmental impacts and potential alternatives of a privately-partnered highway project.

Highway expansion projects can have profound impacts on the health of the Chesapeake Bay and the communities that call it home. New roadway capacity can reduce forest cover, impact streams at crossings, and discharge polluted runoff into local creeks. The additional traffic using this highway capacity adds pollutants to the air that can harm nearby communities and enter the Chesapeake Bay through deposition. Over time, new highway capacity has been shown to induce significant development pressure on surrounding natural areas.

The National Environmental Policy Act (NEPA) provides an important framework to engage stakeholders and evaluate these impacts. Among other factors, the NEPA study requires a thorough evaluation of different transportation modes, routes, and management alternatives to improve mobility. The process ends with a decision on a preferred alternative. For a public project, this review properly comes before major construction or financing commitments are made by the state. Unfortunately, in the case of a public-private partnership (P3), the State's current practice is to consider major contracts with private entities before this information is complete and released to the public.

HB 1424 would require that the traffic and environmental analysis be complete and made publicly available before the Board of Public Works may approve a P3 agreement. Designation of a highway project as a P3 does not change its potential environmental or community impact. The Board, impacted local jurisdictions, and the public should have timely access to information on these impacts – and input into the alternatives chosen to reduce them – before contracts that potentially limit these options are signed.

For these reasons, the Chesapeake Bay Foundation recommends a FAVORABLE report on HB 1424 from the Environment & Transportation Committee. Please contact Erik Fisher, AICP, Maryland Assistant Director and Land Use Planner, at efisher@cbf.org or 443.482.2096 with any questions.

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The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 107,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.