

Wednesday, March 6, 2024

TO: Ben Barnes, Chair of the House Appropriations Committee; Marc Korman, Chair of the House Environment and Transportation Committee; and Committee Members

FROM: Humna Sharif, The Nature Conservancy, Climate Adaptation Manager; Cait Kerr, The Nature Conservancy, State Policy Manager

POSITION: Support HB 842 Environmental Justice – Investment in Infrastructure Construction Projects

The Nature Conservancy (TNC) supports HB 842 offered by Delegates Taveras, Holmes, and Kaufman. TNC is a global conservation organization working to conserve the lands and waters on which all life depends. In Maryland, our work focuses on delivering science-based, on-the-ground solutions that secure clean water and healthy living environments for our communities, reducing greenhouse gas emissions and increasing resilience in the face of a changing climate. We are dedicated to a future where people and nature thrive together.

HB 842 requires Maryland State agencies to ensure that federal funds coming into Maryland follow Justice 40 guidelines, including allocating 40% of federal funds towards infrastructure construction projects in overburdened and underserved communities in the state. This legislation also requires that funding decisions be made in a way that avoids substantial burdens to overburdened communities, underserved communities, communities of color, and communities with a high percentage of low- to moderate-income households. These burdens include, but are not limited to, displacement of households and businesses, increased exposure to pollutants and toxins, and increased environmental and public health risks.

For the first time in our history, the U.S. Federal Government has acknowledged the impact of centuries of racism and marginalization that have led to inequitable distribution of resources. Through the [Justice40 Initiative](#), the U.S. Federal Government has made it a goal that 40 percent of the overall benefits of certain Federal investments flow to disadvantaged communities that are underserved and overburdened. This is an important first step towards redistributing resources more equitably to communities that are most impacted. As these advancements are being made at the Federal level, it's critical to integrate these equity principles into state-level funding decisions and to determine if the changes are achieving their intended community and climate equity goals.

The burdens of climate change and historical pollution are not equitably distributed among all Marylanders. Often the communities most at risk from impacts of climate change, such as extreme weather events, flooding, heatwaves, and droughts, are the communities that have faced systemic barriers to accessing funding sources. Climate adaptation laws and policies do not yet center climate justice goals. Legislative frameworks, solicitation language and funding criteria are restricting community access to nature-based climate adaptation funding. These aspects of federal and state funding systems manifest in climate adaptation programs that perpetuate and even exacerbate systemic inequities. HB 842 creates a mechanism for identifying gaps and then improving investments in Maryland communities where this change is most needed. TNC stands by the principle that everyone deserves clean land, clean water and clean air.

TNC commends Delegates Taveras, Holmes, and Kaufman for introducing this bill. HB 842 acknowledges historical disparities and works towards environmental justice by requiring Maryland State agencies to make funding decisions in a way that elevates the needs of and mitigates harms to underserved and overburdened communities. HB 842 is a step in the right direction towards building restorative justice within our state's decision-making processes.

For these reasons, we urge a favorable report on HB 842.