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SPEAKER OF THE HOUSE

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*Testimony of Speaker Rachel Talbot Ross presenting **LD 1621, An Act Regarding Environmental Justice**, Before the Joint Standing Committee on Environment and Natural Resources*

Senator Brenner, Representative Gramlich, and esteemed members of the Joint Standing Committee on Environment and Natural Resources, I am Rachel Talbot Ross. I represent House District 118 which is the Portland neighborhoods of Parkside, Bayside, East Bayside, Oakland and the University of Southern Maine Campus and I also have the distinct honor of serving as the Maine Speaker of the House. With this testimony, I am pleased to present LD 1621, An Act Regarding Environmental Justice.

Legislation from this committee in June 2019 established the Maine Climate Council and charged it to update the state's climate action plan by identifying strategies for mitigation, adaptation and resilience through actions which minimize deleterious effects on persons of low and moderate income and ensure equity for all regions of the state.

To recommend indicators and programs for these legislated goals, the Climate Council commissioned an equity analysis from the George Mitchell Center at the University of Maine and established an Equity Subcommittee, chaired by Ambassador Maulian Dana of the Penobscot Nation and Dr. Gabriela Alcalde of the Sewall Foundation, on which I served as a legislative representative.

Our subcommittee submitted its final report to the Climate Council at the beginning of this year.

Two years ago, Representative Doudera who now serves on the Climate Council's Scientific and Technical Subcommittee carried forward an intermediate set of related climate action plan recommendations in LD 1682 which further charged the Governor's Office of Policy Innovation and the Future to develop particular methods of incorporating equity considerations in decision making at the Department of Environmental Protection

and the Public Utilities Commission and to make recommendations to this committee in the second session of the 130th.

Building on the concurrent work of the Equity Subcommittee, the Governor's office convened a large stakeholder group and, over three virtual listening sessions during the winter of 2021-2022, compiled these recommendations in their Report on Equity Considerations in Decision Making.

From those recommendations, in March of last year this committee reported out its own bill, LD 2018, which both broadened the eligibility for existing funding for intervenors at proceedings of the Public Utilities Commission and also directed the Board of Environmental Protection to update administrative and regulatory procedures through routine and technical rules at the Department of Environmental Protection to define environmental justice populations and to ensure that these communities are provided with fair and equitable access to the Department's decision-making processes.

LD 2018 also contained an appropriations section to provide the Department of Environmental Protection with the resources necessary to accomplish this broadening of their regulatory process.

Unfortunately -- and I believe erroneously -- despite this committee's work and interest, LD 2018 didn't find full favor on the Appropriations Table and, in the final days of last session, the section pertaining to administrative procedures at DEP and its supporting appropriation were stripped and the bill was enacted amended solely to apply to the Public Utilities Commission.

After that lengthy recap, I want to assure you this bill in its entirety simply restores the language and appropriation that was stripped from this committee's report on LD 2018 in order to align current policy with this committee's direction last session employing state processes which are in harmony with evolving federal definitions for environmental justice.

I also want to assure the committee that this bill places no additional regulatory requirements on individuals applying for environmental permitting. It simply provides the Department of Environmental Protection the directive and resources to broaden their own administrative procedures in a way that improves regulatory participation and strengthens public engagement with the most vulnerable affected communities.

Last, I want to thank both the Governor's office and Commissioner Loyzim for their established commitment and ongoing dedication toward meeting these goals which were developed through the painstaking outreach of the Climate Council and the extensive stakeholder work of its Equity Subcommittee. I am also grateful for the continuing interest in this bill from the Environmental Priorities Coalition and supporting work from other advocacy groups.