



**Comments of Roy Nascimento
President & CEO
New Bedford Area Chamber of Commerce**

Proposed Environmental Justice Ordinance

Before the Committee on Ordinances of the New Bedford City Council

**Tuesday, October 23, 2012
7:00 P.M.**

Mr. Council President, Members of the City Council, and city officials.

My name is Roy Nascimento, President and CEO of the New Bedford Area Chamber of Commerce. The Chamber is the region's largest nonprofit, nonpartisan business organization with nearly 1,000 member businesses, mainly small businesses, including many here in the City of New Bedford.

On behalf of the Chamber, I want to thank you for the opportunity to review the proposed Environmental Justice Ordinance and the invitation to speak this evening.

The Chamber recognizes the importance of environmental justice and is sensitive to the goals of its underlying principles. However, we have some significant concerns with the Ordinance, as written; specifically how this Ordinance could hinder business retention and job attraction at a time when gainful employment is a challenge for too many of our families in our region.

A number of common concerns emerge in our review of the Ordinance that we feel threaten our community's ability to be competitive for critical economic development.

First, the proposed Ordinance makes it harder, not easier, for businesses to expand and locate in the City of New Bedford. The Chamber has been advocating for streamlined permitting, to make it easier for businesses to expand and create jobs in the city. Instead, this creates additional, new local permitting requirements that are vague, create delays, and that override state and federal permitting. The language and demands within the ordinance are imprecise and extensive in scope. A business could find itself confronting excessive demands for data and challenges and counter-challenges.

Also, to my knowledge, if this Ordinance were to pass then it would make New Bedford, the only municipality in the Commonwealth of Massachusetts with an Environmental Justice

Ordinance. This would put New Bedford at a major competitive disadvantage. Like you, the Chamber desires employment and capital investment to increase. This expansion has to be aligned with public environmental concerns and goals. If a company knows that it has to work through a poorly-defined Environmental Justice process – frequently in addition to state and federal environmental permits, then it is very likely that company will not choose to locate in New Bedford. Perhaps more critically, it's very likely that a company will choose not to expand here; that's troubling since most economic development grows from existing businesses.

In addition to impeding economic development, we are also concerned about the cost of this proposed Ordinance, both to the taxpayers and to the business community. The Ordinance calls for the creation of an Environmental Justice Examiner and a local environmental permitting program, but does not define how the City will pay for this new program. At the same time, this Ordinance would also drive up costs for businesses by calling for a permitting fee of up to \$1,000 while not clearly defining who would be covering the costs associated with the extensive reporting and risk analysis that is required for each project. The Ordinance would also subject the City to possible legal action, which would mean additional expense to both the taxpayers and local businesses.

Again we at the Chamber are sensitive to the goals that this proposed Ordinance is hoping with the best of intentions to address. But the price to be paid for an unproven, burdensome and ill-defined model to address the concern here would be too high for a community much in need of growing its businesses and the jobs so critical for our families.

We would encourage the council to consider these impacts and look for an alternative that balances the priorities of economic growth and development with the goals this Ordinance is intended to address.

I would like to thank the city council for the opportunity to express our concerns this evening. We appreciate your consideration of our views on this very important issue.