

Tuesday, February 27, 2024

TO: Brian Feldman, Chair of the Senate Education, Energy, and the Environment Committee, and Committee Members

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

POSITION: Support SB 1086 Environment - Environmental Justice Districts - Designation and Requirements

The Nature Conservancy (TNC) supports SB 1086 offered by Senator Mary Washington. 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.

SB 1086 would enable a resident of a local jurisdiction or an overburdened and underserved community in the State to apply to the Department of the Environment (MDE) to request the designation of a certain area as an environmental justice district. This legislation also creates criteria that must be considered in the designation of an environmental justice district. Environmental justice districts are areas disproportionately bearing the share of negative environmental consequences resulting from industrial, commercial, or governmental actions. Once designated, environmental justice districts will receive additional support from MDE during any environmental permit review process. SB 1086 requires that within 60 days after receiving an application for a permit that may cause or increase pollution in an environmental justice district, MDE will hold, at a location in the affected census tract, an in-person public hearing on the application. This inclusive process is urgently needed to protect Maryland's environmental justice communities.

The state's decision-making processes for environmental permits need to incorporate our increasing knowledge of climate change and its worsening impacts on ecosystems and communities, as well as a deeper understanding of the intricate relationships that communities hold for nearby land and water resources. It is widely understood that climate, conservation, and environmental planning outcomes are longer lasting and more effective if projects are permitted, designed and implemented collaboratively with communities; however, community members are infrequently included in – or even completely absent from – environmental planning programs' priority setting.

TNC commends Senator Mary Washington for introducing this legislation. Success in creating and sustaining vibrant communities, delivering equitable and just outcomes for Maryland's residents, and restoring and protecting the natural resources of the state, requires us to widen environmental permitting's lens to include environmental justice priorities. SB 1086 is a step in the right direction to achieve this.

For these reasons, we urge a favorable report on SB 1086.