



February 26, 2021

House Environment and Transportation Committee  
Room 251  
House Office Building  
Annapolis, Maryland 21401

Re: **FAVORABLE WITH AMENDMENTS**-- HB 1207- Environment - Commission on Environmental Justice and Sustainable Communities - Reform

Dear Chair Barve and Members of the Committee:

Chesapeake Legal Alliance supports HB 1207 to reform the Commission on Environmental Justice and Sustainable Communities if amendments are made to: include ways to increase public engagement; ensure that representation on the Commission includes more Maryland residents living in communities experiencing environmental injustice; consider Title VI of the Civil Rights Act of 1964, which bans discrimination by recipients of federal funds based on race, color, or national origin; and incorporate mapping tools and census data into determinations and future legislation. The specific amendments are laid out in the Maryland League of Conservation Voters letter to which Chesapeake Legal Alliance also signed on.

Environmental justice is a key element to attaining true racial and social justice. As it stands, the bill does not create ways to meaningfully, structurally rectify the issues that contribute to disproportionate levels of pollution and environmental hazard in low-income communities and communities of color across the state of Maryland. The report published in January of this year by the Senate President's Advisory Group on Equity and Inclusion plainly states that communities most impacted by environmental harm are historically least likely to become involved in environmental decision-making processes.<sup>1</sup>

The Principles of Environmental Justice emphasize the need to include those most harmed by environmental injustice to become involved in the environmental decision-making process.<sup>2</sup> At present, the Commission is not allowed to have meaningful involvement in the decisions of the

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<sup>1</sup> Senate President Advisory Group on Equity and Inclusion, *Report* (January 2021), <http://www.mgaleg.maryland.gov/pubs-current/SenatePresidentAdvisoryWorkgrouponEquityandInclusion.pdf>.

<sup>2</sup> Delegates of the First National People of Color Environmental Leadership Summit, *17 Principles of Environmental Justice* (1991), <https://www.ejnet.org/ej/principles.html>.

Maryland Department of the Environment to ensure that all Marylanders are given equal protection under our environmental laws. We believe this bill will empower the Commission and charge the Department with evaluating what role the Commission needs to play in the future to adequately protect all Marylanders and remedy ongoing environmental injustices.

It is clear that the Commission understands that they must improve their public engagement and outreach. In the Commission's 2019-2020 Annual Report, recommendations included conducting virtual listening sessions in communities suffering from environmental injustice around Maryland, and creating a public input portal for community identification of environmental justice issues directly to the Commission<sup>3</sup>. Unfortunately this recognition is not new, and has yet to be turned into action. During a Commission Meeting in November 2020, Maryland Department of the Environment representative Devon Dodson stated, "it is our recommendation to go out into communities to hear their local concerns," to which Joe Griffiths of the Maryland Department of Planning agreed and stated that "in past years, the Commission discussed the creation of an outreach plan," that has not yet come to fruition.<sup>4</sup> The proposed amendments set a mandate to establish an outreach plan which includes the development of an online portal to solicit input from community members; protocol for giving adequate notice for Commission meetings; and guidelines for accessibility for all community members in attendance, whether in-person or virtually.

**For these reasons, we urge this Committee to vote in favor of HB 1207 with the amendments before you.**

Thank you,

Arielle King

Law Clerk

Evan M. Isaacson

Director of Policy and Research

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<sup>3</sup> Maryland Commission on Environmental Justice and Sustainable Communities, *Annual Report 2020*, 11 (2020), <https://mde.maryland.gov/programs/Crossmedia/EnvironmentalJustice/Documents/Commission%20on%20Environmental%20Justice%20and%20Sustainable%20Communities%20Annual%20Report%202020.pdf>.

<sup>4</sup> Maryland Commission on Environmental Justice and Sustainable Communities, *Meeting Minutes* (November 24, 2020), <https://mde.maryland.gov/programs/Crossmedia/EnvironmentalJustice/Documents/CEJSC%20Meeting%20Minutes%20for%20November%2024,%202020.pdf>.