

February 24, 2021

FAVORABLE WITH AMENDMENTS – SB674: Environment-Commission on Environmental Justice and Sustainable Communities-Reform

Mr. Chairman and Members of the Committee,

As with many Maryland individuals, community groups, and advocacy organizations, the signatories below were encouraged by the formation of the Senate President’s Advisory Workgroup on Equity and Inclusion. In 2001 the Commission on Environmental Justice and Sustainable Communities (CEJSC) was empowered to provide guidance on environmental justice and community-related issues. Twenty years later, it is clear that the Commission’s membership, mandate, and authority are not equal to the monumental task of dismantling the profound disadvantages experienced by frontline and fence-line communities from environmental injustices endured due to urban heat islands, lack of green infrastructure, disproportionate air and pollution from power plants, incinerators, industrial chicken farms, concrete batching, and other polluting industries in both urban and rural areas as well as unsafe worker conditions. SB674 is an important first step in addressing these injustices. We applaud the Workgroup on Equity and Inclusion for their dedication in confronting the issue head-on, and thank the Senate members of that Workgroup, as well as Delegate Bridges for their leadership on this issue.

While we appreciate that addressing racial injustice takes time and is never completely done, it also requires steadfast commitment and we do strongly believe that the proposed legislation does not go far enough to advance and sustain the structural changes needed and where incremental progress is too slow. For that reason, we offer the following amendments to ensure that the CEJSC is empowered to truly address the needs of the most vulnerable Marylanders, whose voices have for so long been unheard. These amendments reflect recommendations that have been made to both Governor Hogan and to the President’s Workgroup, from members of impacted communities and recognized experts in the field of environmental justice:

Page/Line Number	Critical Amendments
Page 3 line 16	(x)1. AT LEAST FOUR REPRESENTATIVES FROM COMMUNITIES IMPACTED BY ENVIRONMENTAL JUSTICE ISSUES;

Page 4 line 2	(2) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE COMMISSION SHALL REFLECT THE RACIAL, GENDER, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE, ACCORDING TO THE MOST RECENT CENSUS DATA.
Page 5, line 6	(h)(2) USE DATA SETS AND MAPPING TOOLS IN COORDINATION WITH THE UNIVERSITY OF MARYLAND COMMUNITY ENGAGEMENT, ENVIRONMENTAL JUSTICE AND HEALTH LAB, TO REVIEW AND ANALYZE THE IMPACT OF CURRENT STATE AND LOCAL LAWS, PERMITS, ACTIONS AND POLICIES ON THE ISSUE OF ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES INCLUDING CUMULATIVE IMPACTS, EFFECTS, AND EXPOSURE;
Page 5, line 9	(h)(3) Assess the adequacy of State and local government laws to address the issue of environmental justice and sustainable communities INCLUDING FOR COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, PROHIBITING DISCRIMINATION ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN IN ANY PROGRAM OR ACTIVITY THAT RECEIVES FEDERAL FUNDS OR OTHER FEDERAL FINANCIAL ASSISTANCE;
Page 5, line 11	(h)(4) COORDINATE WITH THE CHILDREN’S ENVIRONMENTAL HEALTH AND PROTECTION ADVISORY COUNCIL, THE MARYLAND OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, AND THE COMMISSION ON CLIMATE CHANGE ON RECOMMENDATIONS RELATED TO ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES;

Page 5 line 19	(h)(6) RECOMMEND LEGISLATIVE POLICY AND BUDGET OPTIONS OPTIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY FOR ADDRESSING ISSUES, CONCERNS OR PROBLEMS RELATED TO ENVIRONMENTAL JUSTICE AND THE CUMULATIVE EXPOSURE, IMPACTS, OR EFFECTS THAT SURFACE AFTER REVIEWING STATE LAWS AND POLICIES, AND RECEIVING INPUT FROM THE PUBLIC REGARDING ENVIRONMENTAL INJUSTICES , INCLUDING PRIORITIZING AREAS OF THE STATE THAT NEED IMMEDIATE ATTENTION.
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Throughout	Replace “Community impacted by environmental justice issues” in all parts of the document to “community disproportionately impacted by environmental and public health hazards”
Page 3, line 4 & line 19	define “Business organization”
Page 3, line 6 & line 21	define “environmental organization”
Page 4, line 24	AT LEAST ONE SHALL BE HELD IN AN URBAN LOCATION OF THE STATE NOT INCLUDING THE OFFICES OF THE DEPARTMENT

<p>Page 4, line 24</p>	<p>Add new paragraph under subsection (g)(1)(II) that reads:</p> <p>(3) ALL, WHETHER VIRTUAL OR IN-PERSON, SHALL BE REASONABLY ACCESSIBLE TO ALL ATTENDEES, INCLUDING THOSE WITH LIMITED ENGLISH PROFICIENCY AND DISABILITIES. (4) ADEQUATE NOTICE OF THE TIME AND LOCATION SHALL BE GIVEN TO THE PUBLIC ON THE DEPARTMENT'S WEBSITE.</p>
<p>Page 4, line 27</p>	<p>A MEMBER OF THE COMMISSION MAY ONLY REPRESENT ONE ENTITY OR GROUP AS A MEMBER OF THE COMMISSION.</p>

Page 5, line 14

Insert new (5)

(5) “CREATE A PUBLIC ENGAGEMENT PLAN FOR COLLECTING COMMUNITY MEMBER INPUT, INCLUDING BUT NOT LIMITED TO:

(a) AN ONLINE PORTAL TO SOLICIT INPUT FROM COMMUNITY MEMBERS AND PUBLIC LISTENING SESSIONS IN COMMUNITIES THROUGHOUT THE STATE TO HEAR LOCAL CONCERNS;

(b) A PROTOCOL FOR GIVING THE PUBLIC ADEQUATE NOTICE AND INFORMATION ABOUT PUBLIC ENGAGEMENT OPPORTUNITIES; AND

(c) MEASURES TO ENSURE THAT ALL METHODS OF PUBLIC ENGAGEMENT, WHETHER VIRTUAL OR IN-PERSON, ARE REASONABLY ACCESSIBLE TO UNDERSERVED COMMUNITIES, INCLUDING THOSE WITH LIMITED ENGLISH PROFICIENCY AND DISABILITIES.

Page 5, line 19

(6) RECOMMEND OPTIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY FOR ADDRESSING ISSUES, CONCERNS, OR PROBLEMS RELATED TO ENVIRONMENTAL JUSTICE THAT SURFACE AFTER REVIEWING STATE LAWS AND POLICIES, INCLUDING PRIORITIZING AREAS OF THE STATE THAT NEED IMMEDIATE ATTENTION INCLUDING ESTABLISHING A PROCESS REQUIRING THE DEPARTMENT TO CONSULT WITH THE COMMISSION PRIOR TO ISSUING

**OR ADOPTING SIGNIFICANT POLICIES, PLANS,
ACTIONS, DECISIONS, OR REGULATIONS.**

With the inclusion of these amendments, we are confident that Maryland will be able to take the difficult, but essential steps needed to confront the racial injustices related to environmental pollution of its past and present and ensure a brighter future for all who live here.

For these reasons we urge the Committee to adopt these amendments and issue a favorable report on an impactful piece of legislation.

Respectfully submitted,

Maryland League of Conservation Voters
Community Engagement, Environmental Justice, and Health (CEEJH) Laboratory, University of
Maryland-College Park
Annapolis Green
Assateague Coastal Trust
Audubon Naturalist Society
CATA Immigrant Workers Support Group
Center for Progressive Reform
Charles County Democratic Central Committee Community Outreach Legislation
Chesapeake Bay Foundation
Chesapeake Climate Action Network
Chesapeake Conservancy
Chesapeake Legal Alliance
Clean Air Prince George's
Clean Water Action
Climate Law and Policy Project
Concerned Citizens Against Industrial CAFOs
Daughters Of Charity of St. Vincent de Paul
Defensores de la Cuenca

Downtown Residents Advocacy Network
Food and Water Watch
Howard County Climate Action
Indivisible Howard County
Ji'Aires Workgroup
Maryland Campaign for Environmental Human Rights
Maryland Catholics for our Common Home
Maryland Legislative Coalition
MLC Climate Justice Wing
Maryland Pesticide Education Network
Maryland Sierra Club
MOM's Organic Market
Montgomery Countryside Alliance
NAACP Maryland State Conference
NARAL Pro-Choice Maryland
Namati US Environmental Justice Program
National Aquarium
Northeast Catholic Community Peace/Justice Committee
Prince George's County Young Democrats
San Camilo Secular Franciscan Fraternity
Sentinels of Eastern Shore Health
ShoreRivers
St. Camillus Catholic Church's Justice, Peace and Integrity of Creation
Strong Future Maryland
Takoma Park Mobilization Environment Committee
Unitarian Universalist Legislative Ministry of Maryland
Washington Area Bicyclist Association
Waterkeepers Chesapeake
Wicomico Environmental Trust
WISE
Shirley Hyman (individual)
Alicia Menendez (individual)
Jeanne McCann (individual)
Janna Parker (individual)
Maya Santhanam (individual)
Miryan Cabrera (individual)
Talia Schwelling (individual)
Vontasha Simms (individual)
Caiwei Zhang (individual)