



Central Maryland Ecumenical Council
4 University Boulevard
Baltimore Maryland 21218

Dear Chairman Pinsky, Chairman Barve, Vice-Chair Kagan, Vice-Chair Stein and Honorable Members of the Committees

I write to ask you to support SB151/HB82, the Maryland constitutional amendment for Environmental Human Rights which, when placed in our Declaration of Rights, would assure that everyone has a right to a healthy environment. This is as fundamental a right as any other civil right protected by our constitution, and should be protected as such. Indeed without the essentials of clean air, clean water, healthy soil, without the security of a stable climate, all other rights are jeopardized. What Rachel Carson wrote about the federal constitution years ago is true of our state constitution as well: if the constitution "contains no guarantee that [all persons] shall be secure against lethal poisons distributed either by private individuals or by public officials, it is surely only because our forefathers, despite their considerable wisdom and foresight, could conceive of no such problem."

But we can. Because we are living it.

As Chair of Central Maryland Ecumenical Council (CMEC), and Pastor of Gwynn Oak and Arlington Lewin United Methodist Churches in Baltimore City, I am keenly aware of our call for creation care. Each of the nine denomination participating with CMEC recognizes Environmental Human Rights as fundamental in our understanding of creation care. As a Baltimore City Pastor, I recognize that many of my constituents do not own their homes. Therefore they may not have a direct impact on the environment. But their rights to clean, healthy environment must be recognized and preserved. As a parent and grandparent, my family has struggle with respiratory health issues, lead in water and soil, and the havoc brought on by the climate crisis.

In 1973, the Maryland General Assembly passed the Maryland Environmental Policy Act which recognized that "**each person has the fundamental and inalienable right to a healthful environment.**" For almost fifty years, this right has been the articulated policy of the State of Maryland. Unfortunately, MEPA only applied to state agencies and few developed the mandated rules to enforce this right. As a result, this right has largely been ignored.

All too often, the interests of private industry have been preferred over the health and well-being of Maryland's residents. For example, according to research conducted by students at the Johns Hopkins Bloomberg School of Public Health, 200 pollution emitting facilities are concentrated in a 2.5 mile radius in South Baltimore. This concentration of pollution leads to unjust health disparities in South Baltimore, including asthma hospitalization rates 4 times the rate of the Maryland average.

On the Eastern Shore, CAFOs cause water, air and land pollution. Environmental hazards are likewise found elsewhere around the state, including power plants in Anne Arundel County, the concrete batching plant in Bladensburg in Prince George's County, the cumulative impacts of pollution due to road expansion and transportation, PFAS contaminating drinking water in Montgomery County and the fish and oysters in the Potomac River, and more. What is consistent across these examples is that not only are we degrading the very environment upon which we all depend, but communities of color and those who live in low-income neighborhoods are the communities bearing the burden of this pollution and the consequences of health disparities. Our state has created systems that reinforce inequity from generation to generation and it's time to make fundamental change to those systems.

I am writing to you today to ask for your support and your vote for the Maryland Constitutional Amendment for Environmental Human Rights SB151/HB82. Voting yes for the Amendment will give the right to live in a healthful environment to everyone across the generations: those alive today - especially the children - and all those yet to come. It will also create a compelling legal impetus to pass a swath of environmental legislation that will protect our environment, economy and public health.

We currently rely on the personal predilections of legislators to get the job done. That is not enough. We need a constitutional right to assure such protection. Years of not protecting that right legally has left the door open for disparities in exposure to air and water pollution as well as increased rates of asthma, heart disease and cancer due to environmental pollution of our land and our bay. Six states already have environmental rights in their constitutions. More states are currently considering adding them.

The Environmental Human Rights Amendment would work in tandem with environmental policy and environmental legislation to assure that:

1. "Each person has the fundamental and inalienable right to live in a healthful environment", including clean air, water, land and a stable climate.
2. The state will serve as the trustee and protector of Maryland's natural resources for current and future generations.

The amendment would ensure that a right to a healthful environment was enforceable, that all levels of government would be mandated to adhere to them, and that public and environmental health would remain a top priority regardless of administrative and political changes in leadership.

The state's role as trustee and protector of natural resources is the more common use of the environmental rights amendments in other states. In Maryland, we expect that an EHR amendment would encourage agencies to act in greater accordance with public health protection and act in accordance with their trustee duty. Permit exceptions may be minimized at a local level if those actions would be in conflict with the local government's role of trustee of natural resources. Local governments would have legal support to invest in urban green spaces to promote healthful environments. The right of the public to live in a healthful environment would create greater impetus for the public to be involved in deliberations over issues like air quality, waste, fossil fuel infrastructure, and highway expansion.

The pandemic has revealed inequities that have existed for generations. Those inequities demand that we take a look at our legal system to put a foundation in place that begins to address those inequities and protect everyone's right to live in a healthy environment.

We ask that you support and vote for the Maryland Constitutional Amendment for Environmental Human Rights.

Sincerely,

A handwritten signature in cursive script that reads "Dellyne Hinton". The signature is written in dark ink and is positioned below the word "Sincerely,".

Rev. Dellyne Hinton
Chair, Central Maryland Ecumenical Council
Pastor, Gwynn Oak and Arlington Lewin UMC