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February 24, 2022

FAVORABLE: SB 818/HB 1200: Environment – Permit Applications – Environmental Justice Screening

Chairman Pinsky and Members of the Committee:

We are writing in strong support of Senate Bill 818 on behalf of Waterkeepers Chesapeake, and the undersigned organizations. Waterkeepers Chesapeake is a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to make the waters of the Chesapeake and Coastal Bays swimmable and fishable. As Waterkeepers work to protect and maintain the ability of the public to safely enjoy the waters of our State, we are in support of ensuring communities are able to have an active, better-informed role when there is proposed development in or around their neighborhoods.

We support the movement behind environmental justice, and the “equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status,” as the bill defines it. Currently, when issuing permits to emit air pollution or water pollution, the Maryland Department of the Environment (MDE) does not take into account any of the other pollution sources in the same proximity. Rectifying cumulative impacts and the inequalities that they promulgate in our communities is complex, however simply identifying the sources of pollution is straightforward and the state, through the University of Maryland, has already designed a tool to identify these sources -- the Maryland EJ Screen.

This bill does not seek to place a burden on developers nor deny them a fair opportunity to seek a permit with the MDE. Senate Bill 818 simply requires an identification and disclosure of the local pollution sources when a permit is being requested for a new polluting facility, and that this

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identification be included in the "packet" of materials that are provided for public notice and comment. Many communities are at a disadvantage when it comes to having access to information regarding project developments, in particular low-income communities of color who bear the brunt of such development projects. This lack of information has left many communities in this situation powerless to advocate for themselves or be well enough informed to request changes be made to proposed developments in order to prevent harm to their communities' health. Allowing such conflicts between developers and the communities surrounding their proposals to be debated early on in the permitting process is a benefit to not only communities but all parties involved, helping to avoid any costly consequences later on.

Waterkeepers Chesapeake strongly believe SB 818 helps further the goals of providing communities the opportunity to advocate for themselves and to be well informed, as well as taking a significant step towards achieving environmental justice. Through the establishment of requiring a permit to MDE to include the EJ Score from the EJ Screen tool, Senate Bill 818 will provide the proper procedures to help reach these goals.

For these reasons, we urge a favorable report on SB 818.

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