



University of Maryland Student Government Association Sustainability Committee (SSC)

Honorable Chair Smith and esteemed Senators of the Judicial Proceedings Committee:

SSC is the body of the University of Maryland's Student Government Association (SGA) responsible for representing the environmental interests, concerns, and ideas of the student body. Our members come from all over the state and are pursuing degrees in dozens of academic fields. Our position as students in a time of great environmental change has pushed us to prioritize advocacy for environmental initiatives that will aid us in protecting and ensuring our future. Located in Prince George's County, Maryland, UMD is a significant stakeholder in the local economic and political success of the region. In drafting this testimony, SSC intends to use our position as representatives of the undergraduate student body to envision a better future for those who will one day inherit this planet. As members of Maryland's next generation, we call upon the Maryland General Assembly, specifically the House Environment and Transportation Committee, to advocate for the **Constitutional Amendment for Environmental Human Rights** by adopting a **favorable** report of **SB783**.

In order to move towards a more environmentally just and equitable future, we must begin by acknowledging the historic legacy of environmental injustice perpetrated by our own local, state and federal institutions. The very land that we stand on today was once governed by the Accohannock, Assateague, Choptank, Delaware, Matapeake, Nanticoke, Piscataway, Pocomoke, and Shawnee Tribes prior to the forced dispossession and genocide of Indigenous peoples.¹ As we work to advance environmental justice, it's important to understand how historic systemic discriminatory policies and practices have contributed to the deep-rooted inequities that continue to prevail to this day.

Despite the Maryland General Assembly recognizing that "each person has a fundamental and inalienable right to a healthful environment" with the passing of the Maryland Environmental Policy Act in 1973, we continue to see massive disparities in environmental pollution and health throughout Maryland today.² Pollution in Maryland is largely concentrated in communities of color and lower income areas, particularly in Baltimore City, Charles County, Prince George's County – Maryland's three majority-Black counties – and the Eastern Shore.³

¹ <https://msa.maryland.gov/msa/mdmanual/01glance/native/html/01native.html>

² Md. Code Ann., Nat. Res. §§ 1-301 to 1-305 (West) (hereinafter "MEPA").

³ <https://ejscreen.epa.gov/mapper>



For example, this is evident in the shocking 18 year difference in life expectancy of residents between the predominantly White community of Roland Park, Baltimore and residents in the predominantly Black communities of Downtown Baltimore.⁴ Asthma hospitalizations in Baltimore are 4x higher than the average rate in Maryland.^{5,6} These sobering statistics reveal generations of environmental injustice in the making. Dr. Bullard, renowned professor of Urban Planning and Environmental Policy at Texas Southern University and recognized “Father of Environmental Justice,” describes environmental injustice as the systemic barriers, policies, and institutional factors that have created the disparate vulnerabilities we see today, such as the disproportionate burden of toxic waste facilities in minority and lower income communities who for decades, “have been the victim of racial redlining, of neighborhoods and communities where the home loans were denied, insurance was denied, and where basic services were denied, you can see the footprint of that denial, of that racial discrimination.”⁷ In order to remediate these long standing inequities, we must first establish that as a basic human right, every Marylander deserves the right to live in a clean, healthy, and sustainable environment.

As representatives of the University of Maryland’s College Park Student Government Association Sustainability Committee, we have a particular concern and stake in addressing environmental justice issues as students and residents of Prince George’s County, MD. For generations, PG County has served as a dumping ground for toxic waste and other environmental pollutants. The congregation of environmental hazards within the region is of particular concern when taking into account the history of PG County as a predominantly Black county, with Black residents accounting for 61% of the current population.⁸ Of Maryland’s 24 counties, PG County has the 3rd highest number of power plants per square mile.⁹ PG County’s disproportionate burden of environmental hazards coincides with national trends of minority communities being cited for polluting facilities,¹⁰ even despite PG County ranking above average in terms of median household income when compared with other Maryland counties.¹¹ This inequitable distribution of environmental pollution, even in a higher income area, highlights the central role systemic racism plays in perpetuating environmental injustices.

⁴ <https://khn.org/news/map-in-poor-baltimore-neighborhoods-life-expectancy-similar-to-developing-countries/>

⁵ <https://maps.health.maryland.gov/epht/>

⁶ <https://phpa.health.maryland.gov/Documents/Maryland-Asthma-Control-Program-2017-Legislative-Report.pdf>

⁷ <https://grist.org/article/robert-bullard-environmental-justice-2020-biden-race/>

⁸ <https://datausa.io/profile/geo/prince-georges-county-md>

⁹ <https://www.countyoffice.org/md-prince-georges-county-power-plant/>

¹⁰ <https://www.epa.gov/sciencematters/study-finds-exposure-air-pollution-higher-people-color-regardless-region-or-income>

¹¹ <https://www.census.gov/quickfacts/fact/map/MD.princegeorgescountymaryland/INC110219>



In 2018, the Maryland General Assembly Prince established the Prince George’s County Environmental Justice Commission with the passage of HB-183.¹² This commission was created with the intention of coming to terms with the history of environmental violence perpetrated against communities of color in PG County. In a 2019 report, the commission identified 11 areas of concern within the county, including cumulative concern of environmental hazards; inequities in zoning, planning, and development; air pollution, traffic and public health; water quality, lead issues; and landfills, brownfields, and rubble fills.¹³ The report also identifies four environmental justice “hotspots” in PG County, where clusters of environmental hazards work together to amplify the threat to the health and wellbeing of nearby communities. The mere need for the commission’s establishment, in addition to its findings, highlights that we must continue to explore techniques for redressing PG’s extensive history of environmental racism and injustice.

Environmental injustice is a systemic issue, therefore in need of systemic change. Unfortunately, the Maryland Environmental Policy Act has fallen short in creating a truly just and healthy environment for every Marylander. This can in part be attributed to the fact that Maryland’s environmental laws tend to address specific issues and often lack the necessary systems of enforcement. This fractured approach is insufficient and inopportune. A constitutional amendment, as opposed to a law, would guide future policy making and address environmental and public health issues through both preventative and corrective action. Already, three states – New York, Pennsylvania and Montana – have passed similar bills and adopted constitutional environmental human rights amendments following overwhelming support at the polls. In our own home state, support among Marylanders can be seen through a recent Opinion Works, LLC survey of registered Maryland voters conducted between December 2021 - January 10, 2022 that found 76% of respondents favored the Environmental Human Rights Amendment.¹⁴ In this case, the Maryland General Assembly is tasked with allowing Maryland residents to determine for ourselves what our future can look like. As elected officials appointed to represent our best interests, it is your ethical imperative to put democracy back into the people’s hands. We call upon you to uphold the democratic process through the passage of the Environmental Human Rights Amendment Bill (HB596). Give Marylanders the autonomy to finally designate a clean environment as a basic human right.

As we have examined above, it is necessary to evaluate the current state of environmental injustices in Maryland to gain a greater understanding of the relationship between environmental degradation and human health. However, as we look towards an uncertain future, we find value

¹² https://mgaleg.maryland.gov/2018RS/Chapters_noln/CH_779_hb0183t.pdf

¹³ <https://www.princegeorgescountymd.gov/DocumentCenter/View/27132/Environmental-Justice-Commission-Report-Final-PDF>

¹⁴ <https://drive.google.com/file/d/1DKabeuZBAuYOgzv845bbDJPzfdMGYI28/view?usp=sharing>



in painting a picture of what the world could one day become. We are at a pivotal point in the history of our planet, and it is only when we come together that we can imagine a future where the health and wellbeing of all people is permanently secured. The passage of the Environmental Human Rights Amendment would be a crucial step forward in advancing environmental protection and health for all, especially within communities of color and low-income communities most impacted by environmental degradation. Maryland has the power to become a leading force in the nation as we transition towards a just and sustainable future. As students, constituents, and members of the next generation, we turn to our representatives to fight for our futures. A constitutional right to a clean environment is essential if we hope to achieve the health and wellbeing of all.



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