



COMMUNITY PARTNERSHIPS PROGRAM

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**Testimony Supporting SB0978
Senate Education, Energy, and the Environment Committee
February 25, 2025**

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

As a resident of Montgomery County and a representative of Earthjustice¹, I am writing to express our strong support for the passage of SB0978: Cumulative Harms to Environmental Restoration for Improving Shared Health – CHERISH Our Communities Act. This crucial public health legislation will address a significant gap in Maryland's ability to safeguard communities that are already disproportionately harmed by pollution.

For centuries, polluting facilities have been intentionally and disproportionately located in minority and economically disadvantaged communities in Maryland. Black, low-income, and other communities of color in the state experience a higher pollution burden, leading to greater health risks from exposure to air toxics. SB0978 marks a crucial advancement in addressing these environmental inequities, working toward ensuring that all Maryland residents have equitable access to clean air, clean water, and healthy outdoor spaces. Notably, this bill was developed and has been advocated for by residents of frontline communities, who have long borne the unfair and disproportionate health impacts of pollution.

SB 0978 amends Maryland's environmental laws to ensure comprehensive environmental impact assessments and meaningful public participation for new, renewed, and expanded environmental permits issued by the Maryland Department of the Environment (MDE). Under the current system, many environmental permit applications bypass public engagement processes and fail to account for the cumulative harms caused by both ongoing and historic pollution sources. This bill addresses those gaps, fostering greater transparency and accountability in the permitting process.

SB 0978 equips MDE with essential tools to prevent the further concentration of polluting facilities in communities already overburdened by environmental hazards. Specifically, the bill targets communities located near and within census tracts that have an environmental justice score of 75 or above, as identified by MDE's Environmental Justice Screening Tool. These communities are

¹Earthjustice is a non-profit public interest environmental law organization that represents other non-profits free of charge. Earthjustice uses the power of law and the strength of partnership to protect people's health, to preserve magnificent places and wildlife, to advance clean energy, and to combat climate change.

among the top 25% most polluted and underserved in the state. SB0978 ensures that the permitting process takes into account the existing pollution burden before allowing additional polluting facilities that could exacerbate the already disproportionate environmental impacts on these areas.

For projects proposed in these high-burden areas, SB0978 mandates that permit applicants submit an Environmental Impact Statement and an Existing Burden Report. It also directs MDE to assess whether the project would increase pollution in the surrounding community as part of its review process. If the project would exacerbate pollution, the bill outlines specific steps MDE must take to protect the community and ensure economic benefits that help mitigate the harm caused by pollution.

SB 0978, along with its companion bill HB 1406 (which addresses polluting energy-generating facilities), is the product of years of community-led efforts to evaluate the cumulative impacts of pollution. As states like New Jersey, New York, Connecticut, and Minnesota have taken legislative action on this issue in recent years, Maryland must act now to ensure its protections for overburdened communities keep pace. Please support the CHERISH Our Communities Act to secure these vital protections for frontline communities in Maryland in 2025.

Earthjustice strongly urges a favorable report for SB0978.

Thank you in advance for your support. Should you have any questions, please contact me at rrintelmann@earthjustice.org.

Respectfully submitted,

A handwritten signature in dark ink, reading "Rachel A. Rintelmann", with a stylized flourish at the end.

Rachel A. Rintelmann

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