

**Letter of Information - Senate Bill 978**

**Environmental Permits - Requirements for Public Participation and Impact and Burden Analyses**

Thank you for the opportunity to submit written testimony on behalf of the Commission on Environmental Justice and Sustainable Communities (CEJSC). I respectfully submit this Letter of Information on SB 978 Environmental Permits - Requirements for Public Participation and Impact and Burden Analyses (CHERISH Act) on behalf of the Commission. Senate Bill 978 or CHERISH would benefit EJ communities by requiring certain permit applicants to complete an Existing Burden Report and Environmental Impact Analysis.

This bill proposes additional public participation requirements to permits for projects that have a potential for adverse community environmental and public health impacts. SB 978 would allow for an analysis of cumulative impacts in permitting decisions. For environmental justice communities this bill would allow large projects to be viewed within the context of the total pollution burden within the community. These permits would be reviewed by MDE, MDH, CEJSC and elected officials from the surrounding community to understand the public health and environmental impacts of the proposed project. CEJSC is composed of volunteer members who are appointed from the general public. The Commission is staffed by MDE employees who have the CEJSC as part of their overall duties. CEJSC is concerned MDE staff preparing detailed analyses and reports relating to MDE permits might create a conflict of interest.

If CEJSC is to complete its duties under this bill it would be important to clarify the permit review process to avoid potential conflicts of interest. The Commission supports the intent of this bill because it would allow cumulative impact analysis to be developed that would benefit EJ communities. MDE has built the necessary tools to identify areas of environmental injustice, and now needs the express authority to address environmental justice through its permitting authority.

The Commission on Environmental Justice and Sustainable Communities (CEJSC) is charged with examining Environmental Justice (EJ) issues and sustainable community opportunities that may be associated with public health, safety, economy, government, or other issues relating to EJ and sustainable communities. The commission supports the use of cumulative impact analysis in permits but would like to avoid potential conflicts of interest accordingly, CEJSC submits this **Letter of Information** for SB 978.

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