



TESTIMONY FOR SENATE BILL SB0978

Before Senate Education, Energy, and the Environment, February 25, 2025

Oral Testimony

TO: Senator Clarence K. Lam and

FROM: Brandywine TB Southern Region Neighborhood Coalition (BTB Coalition)

POSITION: Unfavorable

My name is Kamita Gray, the President of the BTB Coalition a neighborhood-based organization, and I am here today to advocate for critical amendments to strengthen Maryland's environmental protections especially as it relates to disparate impacts, we are a community with over 15 heavy industrial pollutant facilities. While this legislation takes important steps toward addressing environmental classifications, it must go further to provide real, enforceable protections for residents in our communities—especially those that have long suffered from environmental inequities. Most answers come from the affected community members who are affected constituency.

First, this bill must expand the impact radius to 3.0 miles. Current regulations fail to capture the full extent of pollution's impacts which our scientific studies found that toxins such as arsenic, mercury, and lead do not remain confined to a small area. A 3.0-mile radius ensures that impacted residents receive the protections they deserve.

Second, the bill must include a strong community provision that empowers the Community as the controller. Too often, 90% of mitigation funds and community benefits agreements bypass the residents most affected. A neighborhood-led approach ensures that local stakeholders—not corporations or distant agencies, or community oriented advocacy nonprofits—directly control, benefit or allocate resources for those being directly affected.

Third, Maryland already recognizes the "Health in All Policies" framework as law, yet this bill does not integrate it. We must ensure that state agencies actively assess and mitigate the health consequences of harmful pollution, particularly in historically marginalized communities.

Finally, we must strengthen enforcement under Title VI of the Civil Rights Act. The Maryland Public Service Commission's Rulemaking Title 20 sets a precedent for addressing community discriminatory environmental practices. However, without explicit enforcement mechanisms in this bill, we risk perpetuating the same inequities that have

plagued communities for decades. MDE is the only agency since 2016 that has failed to incorporate equitable policies since our successful Title VI or incorporate community or title vi as agreed in our Title VI negotiations which continues to facilitate inequalities. Furthermore, as we assert MDE overt racial discrimination permitting systemic racism operates through deeply embedded structures that disproportionately disadvantage certain racial or ethnic groups while privileging others.

Zoning & Land Use Policies – Historically, systemic discriminatory zoning laws facilitated heavy industrial and waste sites therefore strengthening this bill under Title VI will ensure that permit approvals and energy infrastructure decisions do not reinforce racial and economic disparities.

In closing, without these amendments, we risk passing another Ej bill that offers symbolic action, with more red tape rather than providing any real protections. I urge this committee to adopt the necessary changes to uphold Maryland's commitment to environmental burdens, public health, and civil rights. Therefore, we ask that for the sake of and on behalf of the affected Title VI communities that HB 0978 received an unfavorable report in not having substantial amendment.

Thank you for your considerable time and attention, and I welcome any questions.

If you have questions or concerns, you can refer this matter to ECCB– Neighborhood Leadership Council (NLC) by email at btb.eccb@gmail.com or by phone at 240.681.9070.

ECCB–NLC Administrative Chair

Respectfully submitted,

In solidarity, Brandywine/TB Southern Region Neighborhood Coalition; and the Executive Community Citizen's Board Neighborhood Leadership Council (ECCB- NLC).