



**Committee: Education, Energy, and the Environment**

**Testimony on: SB 780 - Certificate of Public Convenience and Necessity - BURDEN Analysis (CHERISH Our Communities Act)**

**Position: Support**

**Hearing Date: March 3, 2026**

The Sierra Club Maryland Chapter strongly supports the CHERISH Our Communities Act.<sup>1</sup> The Act is a two-bill package: one to cover permits issued by the Maryland Department of the Environment (MDE) ([HB 1268/SB 781](#)) and one to cover permits issued by the Public Service Commission (PSC) ([HB 1287/SB 780](#)). The CHERISH Act gives two regulatory agencies – MDE and the PSC – clear authority to take environmental justice data into account in permitting decisions. For the most pollution overburdened communities in Maryland, the Act: (1) adds consideration of pollution from nearby sources, (2) provides guidance on new conditions to include in approved permits, and (3) requires meaningful community engagement.

Pollution negatively impacts health. Multiple, cumulative sources of pollution in the community increase cancer risk, shorten lifespans, and worsen overall health. Some communities in Maryland have faced this situation acutely and for far too long. The communities facing the most pollution in Maryland require additional state-level protections to prevent them from becoming exposed to even greater pollution and to reduce their current exposure. The CHERISH Act is the answer to this.

The CHERISH Act ensures that MDE and the PSC obtain the data needed to make an informed decision on a permit, with a Baseline Understanding of Risk, Disparities, and Environmental Needs (BURDEN) Report. The Act also ensures that communities have a voice in the permitting process.<sup>2</sup> The CHERISH Act is targeted and limited and applies best practices from similar legislation in other states, including New Jersey, New York, and Minnesota.<sup>3</sup>

The CHERISH Act is necessary to enact principles of state law and a 2025 gubernatorial executive order. Maryland state law defines environmental justice as “equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status.”<sup>4</sup> Governor Moore’s [executive order](#) on Valuing Opportunity, Inclusion, and Community Equity (VOICE) aims to “ensure consistent, equitable, and fair distribution of State resources” and have “all State Agencies ... track and address disparities related to environmental hazards, exposures, risks, health outcomes, investments, and benefits.”

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<sup>1</sup> CHERISH is an acronym for CHERISH Our Communities from Cumulative Harms to Environmental Restoration for Improving our Shared Health.

<sup>2</sup> Other elements of the Act can be viewed at Clean Water Action’s “Support the CHERISH Our Communities Act” webpage at <https://cleanwater.org/actions/support-cherish-our-communities-act-0>, or in the bills themselves.

<sup>3</sup> [New Jersey Adopts Final EJ Rule on Cumulative Impacts - The Environmental Council of the States \(ECOS\)](#); [Governor Hochul Signs Landmark Environmental Justice Legislation Reducing the Cumulative Impacts of Pollution on Disadvantaged Communities - WE ACT for Environmental Justice](#); [Cumulative impacts rulemaking | Minnesota Pollution Control Agency](#).

<sup>4</sup> [MD Environment Code § 1-701 \(2024\)](#).

Our reality has fallen short of these principles, and thus laws like the CHERISH Act are needed. Law has been described as the way regular people have a voice in systems that prioritize other forms of power. Those other forms of power have prevailed for generations in ways that have been highly detrimental to some of our communities and left them gravely overburdened.

We all need clean air and water and healthy outdoor spaces. This is our moment to stand for environmental justice in Maryland and be a beacon for other states and our nation.

We urge a favorable report on these bills and your strong support in their passage this legislative session.

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