

Testimony for **SB0780** and HB1287

Support for CHERISH Our Communities Act

Bill Name: Certificate of Public Convenience and Necessity - BURDEN Analysis (CHERISH Our Communities Act)

Bill Sponsors: Brooks

Committee: Senate Education, Energy, and the Environment

Organization Submitting: Nature Forward

Submitted by: Angie McCarthy, MD Conservation Advocate

Position: Favorable



Dear Chair Feldman, Vice Chair Kagan, and the rest of EEE;

I am submitting testimony on behalf of Nature Forward in strong support of Certificates of Public Convenience and Necessity — Burden Analysis (Cumulative Harms for Environmental Restoration for Improving Shared Health — CHERISH Our Communities Act). Nature Forward (formerly Audubon Naturalist Society) is the oldest independent environmental organization protecting nature in the DC metro region, including Maryland’s near counties of Montgomery and Prince Georges. Our mission is to inspire residents of Maryland and the Washington, DC, region to appreciate, understand, and protect their natural environment through outdoor experiences, education, and advocacy. We thank the Maryland legislators for the opportunity to provide testimony on the CHERISH Our Communities Act, SB0780 and HB1287, and to express our support for applying Certificates of Public Convenience and Necessity (CPCN) to polluting energy generation.

We are submitting this testimony in conjunction with our written testimony in strong support of SB781/HB1268, Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act). Protecting the most vulnerable Marylanders must address all sources of pollution, whether under the purview of Department of the Environment permits or Public Service Commission CPCNs.

Because of Nature Forward’s mission, we believe that breathing clean air and drinking clean water should be a given for all people in Maryland. Environmental hazards that are a risk to living a healthy life should be addressed and should not be concentrated in some areas of Maryland. But it is well understood that some Maryland communities are exposed to much heavier pollution than others.



This bill would further advance Governor Moore’s Environment Justice goals as described in his Executive Order 01.01.2025.1 and build on the existing Environmental Justice mapping tool created to identify census tracts that have borne the brunt of disproportionate exposure to environmental hazards.¹

The main purpose of SB780 is to add requirements to the Public Service Commission’s CPCN system to better protect communities that already face heavy pollution burdens, and to require public communications about polluting facilities so that the community can voice concerns about the siting of those facilities. This bill prevents new polluting energy generation from being built if the Public Service Commission determines -- through a deliberative public process with public input -- that allowing it to be built would contribute to a disproportionate pollution and health burden on the nearby community.

Significantly:

- The new requirements in the bill are targeted geographically. They apply only to parts of the state that are disproportionately burdened by pollution – the “at risk” census tracts as defined by designated risk indicators which include scoring above the 75th percentile in the state on the Maryland Environmental Justice tool.
- The new requirements in the bill are targeted in scope. They apply only to polluting energy generation.
- The new requirements in the bill exclude solar, wind, and geothermal power and thus provide new and sorely needed incentives for clean energy generation in Maryland.
- The CHERISH Our Communities Act will ensure that nearby communities have the opportunity to participate in the CPCN process.

Nature Forward believes that the CHERISH Our Communities Act would be a significant improvement over the current CPCN process for highly pollution burdened communities and strongly urges your support for this bill. Communities that are already overburdened by pollution should not be forced to accommodate even more polluting energy generation in order to put more electricity on our regional grid, electricity that will benefit distant communities and data centers.

Thank you for your consideration of our views and our respectful request for a favorable report on this bill.

1

[https://governor.maryland.gov/Lists/ExecutiveOrders/Attachments/89/EO%2001.01.2025.17%20Valuing%20Opportunity,%20Inclusion,%20and%20Community%20Equity%20\(VOICE\)_Accessible.pdf](https://governor.maryland.gov/Lists/ExecutiveOrders/Attachments/89/EO%2001.01.2025.17%20Valuing%20Opportunity,%20Inclusion,%20and%20Community%20Equity%20(VOICE)_Accessible.pdf)



Sincerely,

Angie McCarthy

Maryland Conservation Advocate