



February 27, 2026

Support – SB 780 - Certificate of Public Convenience and Necessity - BURDEN Analysis (CHERISH Our Communities Act)

Education, Energy and the Environment Committee

Thank you for the opportunity to support SB 780 – The CHERISH Our Communities Act. This legislation applies environmental justice protections to Certificates of Public Convenience and Necessity (CPCNs), the permits required for new or expanding power plants and other energy-generating facilities that connect to the grid. The bill requires that applications for certain generating stations located within designated at-risk census tracts include a Baseline Understanding of Risk, Disparities, and Environmental Needs (BURDEN) report documenting existing environmental and public health burdens. It further directs the Public Service Commission to determine whether issuing a CPCN would cause or contribute to adverse environmental or public health stressors and to deny an application if it would exacerbate disproportionate impacts in already overburdened communities. By ensuring a deliberative public participation process and meaningful consideration of cumulative harms, this legislation creates a critical safeguard to prevent additional pollution burdens in our most vulnerable communities.

The CHERISH Our Communities Act addresses the disproportionate environmental and public health harms that environmental justice communities in Maryland face from pollution generating facilities. This bill takes an important step in embedding environmental justice in the state's regulatory process by enabling the Maryland Department of the Environment (MDE) to consider the results of an Existing Burden Report in its permitting decisions, when certain types of permits are proposed in communities that have an EJ score of 75 or above, or in the surrounding 1.5 miles. Resource-strained, Black, and other communities of color in Maryland face greater cancer risks and exposure to air toxics due to higher pollution burden.¹ Just last year, citizens of Baltimore launched a lawsuit against a waste-to-energy incinerator that residents claim increase air pollution to the Black and Latinx communities nearby.² Baltimore has a long history of redlining as well as which contributed significantly to the systemic nature of the most affected communities being those primarily Black, LatinX or low-SES. SB 780 intends to change this by addressing multiple facility types as well, including incinerators, as well as air, water, and land permits. The CHERISH Our Communities Act amends Maryland's environmental law to provide adequate environmental impact assessment and opportunities for public participation for new, renewed, and expanded

¹ Apelberg, B. J., Buckley, T. J., & White, R. H. (2005). Socioeconomic and Racial Disparities in Cancer Risk from Air Toxics in Maryland. *Environmental Health Perspectives*, 113(6), 693–699. <https://doi.org/10.1289/ehp.7609>

² Wheeler, T. B. (2024, June 17). Baltimore incinerator draws fire for air pollution. *Bay Journal*. https://www.bayjournal.com/news/pollution/baltimore-incinerator-draws-fire-for-air-pollution/article_57463c0a-2c59-11ef-ac01-d377557b6a8.1.html



environmental permits that are issued by the Maryland Department of the Environment (MDE). Currently, many environmental permit applications do not even include a public engagement process, and do not take into consideration the cumulative harms posed by multiple historic sources of pollution. Environmental impact analyses have been instrumental tools in mitigating environmental risks and hazards. They can help to identify significant hazards and protect communities as well as businesses to avoid costly environmental hazards.³ Environmental impact assessments include a public participation step, where impacted communities are able to share their concerns and this bill will address the current gap in engagement with these communities.

SB 780 also aligns with the state of Maryland's larger Climate Pollution Reduction Plan, which aims to achieve net-zero emissions by 2045.⁴ The CHERISH Act prioritizes Maryland residents' well-being and ensures that MDE's decision-making processes are transparent and inclusive. Now, more than ever, it is imperative that we stand firm in protecting the values that foster equality and justice.

Thank you for the opportunity to support SB 780 – The CHERISH Our Communities Act.

Respectfully Submitted,

Signed by:

6171FEFD32CD49A...

Ruth Ann Norton

Chair of Healthy Climate Maryland Coalition

The Maryland Public Health Association is one of the oldest and most vibrant state affiliates of the American Public Health Association (APHA) and Maryland's leading professional organization for those working in the field of public health. MdPHA remains dedicated to increasing health equity for Marylanders through advocacy and community collaborations

³ Bhatia R, Wernham A. Integrating human health into environmental impact assessment: an unrealized opportunity for environmental health and justice. *Environ Health Perspect*. 2008 Aug;116(8):991-1000. doi: 10.1289/ehp.11132. PMID: 18709140; PMCID: PMC2516559.

⁴ Climate Pollution Reduction Plan. (2024). Department of the Environment.
<https://mde.maryland.gov/programs/air/ClimateChange/CPRP/Pages/Overview.aspx>



Healthy Climate Maryland is a coalition of dedicated public health and medical professionals seeking to address climate change and environmental challenges in our state by focusing on their impacts on public health. We are working to educate, advocate, and build strong partnerships towards a healthier, more sustainable future for Maryland.