

2026 RSPPI CLF testimony SB781 - to submit.pdf

Uploaded by: Allie Wainer

Position: FAV



**Testimony Supporting SB 781
Senate Education, Energy, and the Environment Committee
Written Testimony**

Position: SUPPORT

The views expressed here are our own and do not necessarily reflect the policies or positions of Johns Hopkins University/Johns Hopkins Health System.

Dear Chair Feldman and Members of the Committee,

Thank you for the opportunity to provide testimony in support of SB 781, Cumulative Harms for Environmental Restoration for Improving our Shared Health – CHERISH Our Communities Act. As experts in cumulative risk assessment, community environmental health, and food systems policy, we are writing to express our strong support of SB 781, the CHERISH Our Communities Act.

For 29 years, the Johns Hopkins Risk Sciences and Public Policy Institute (RSPPI) has worked to apply human health risk assessment methods to develop policies that reduce the health impacts of chemical exposures. Our research and practice in the fields of exposure science, chemical risk assessment, risk policy and management have supported scientific assessments and policy making on a wide variety of environment and health issues. Through this work we have developed expertise in health risks of arsenic and other metals that leach from coal combustion waste (fly ash) disposal, use of antibiotics, biosolids and pesticides in food production, tobacco regulation, urban agriculture, and exposures to air toxics including benzene and other organic solvents. The Johns Hopkins Center for a Livable Future (CLF) has been studying the complex relationships among agriculture, the environment, and health since our founding in 1996. CLF has done extensive research on the public health implications of industrial food animal production, including the public health concerns of living proximate to animal feeding operations and the planetary health implications of food production and consumption.

Main points covered in our comment letter are: 1) why policy action to reduce cumulative exposure is needed; 2) the health impacts and risks that result from cumulative exposures; and 3) the readily available methods we have to prepare Burden Reports.

1) An everyday reality: Cumulative exposures and impacts

Most people do not realize that everyday activities—e.g., getting to work, the food we eat and products we use—expose us to complex mixtures of environmental chemicals and other non-chemical stressors (e.g., low income, nutritional status, psychosocial stress). We can do some things on our own to reduce these exposures, but broader action and policy changes are also needed to protect public health. Each person's ability to respond to these stressors depends on their own health status and their ability to access other resources such as health care within their community. For example, good nutrition reduces the amount of lead (Pb) people absorb from environmental sources. From the Maryland EJ Screening tool we know that people in many Maryland communities are faced with more than their fair share of chemical stressors as well as challenging health disparities, social and economic circumstances. Exposure to confined animal feed operations (CAFOs) is another example of an environmental exposure that disproportionately impacts low-income communities and communities of color in Maryland. The negative health and environmental impacts associated with CAFOs can become concentrated in these communities due to limited economic and political resources, making it even more important that the risks faced by these communities are considered in our policy. The CHERISH Act's requirement for a Burden Report provides decision makers with a more complete understanding of this critical context, so risk management decisions can be made that protect health in all communities.

2) Examples of cumulative risk and impact

Research at the individual, community and state levels finds chemical mixtures and combined exposures of chemical and non-chemical stressors to be associated with outcomes such as mortality, increased cancer risk and child neurodevelopment. Researchers at RSPPI developed a method to pair a cumulative risk assessment with community health finding that exposures to large mixtures of toxic air pollutants (>100 chemicals) were associated with increased mortality at the neighborhood level in Philadelphia. In Maryland, research showed that cancer risks estimated from exposures to mixtures of air toxics were higher in communities of color and low socio-economic position. Research has shown that people can have different responses to certain exposures depending on health status or wealth measured as socio-economic status. For example, an analysis of data from the National Health and Nutrition Examination Survey found that women of reproductive age who had prior Hepatitis B infection were more likely to have higher levels of mercury in their blood, which would put their infants at greater risk of developmental delays. Other research found that people with different socio-economic status had differing amounts of IQ loss due to lead (Pb) exposure from air, with those of lower socio-economic status having greater IQ loss. Studies of air and other pollutant exposures in combination with race, ethnicity, or stress show increased risks of adverse birth and neurodevelopmental outcomes. Concentrated Animal Feeding Operations (CAFOs), which emit air pollutants, odors and gases, and biological agents, are another potential source of cumulative risk. CLF researchers authored a study focused on the cumulative effects of living near multiple, large poultry CAFOs, and found that living in closer proximity to these facilities was associated with increased risk of community acquired pneumonia.

3) Employ readily available methods for Burden Reports

Creating a Burden Report can draw upon a strong foundation of well-recognized methods in a community-engaged approach. Methods such as health impact assessment and chemical mixtures risk assessment can provide the necessary context on health, social factors and the

chemical exposures affecting community residents. The US EPA has applied health impact assessment to promote “sustainable and healthy communities.” The Maryland Department of Health offers a Health Impact Assessment Toolkit including the ability to “... map Maryland health, environmental, and social economic data at the county, ZIP code, and census tract level.” Data on environmental exposures can be evaluated with mixtures and cumulative risk assessment methods that have been available for many years. These same cumulative risk assessment methods are being used as part of New Jersey’s Environmental Justice Law implementation. Leveraging these approaches to incorporate consideration of cumulative harms in environmental permitting decisions would be an important step forward for public health to reduce cumulative exposures and prevent harm in Maryland’s communities.

We support SB 781 to ensure that permit decisions are made with a full understanding of the health impacts on affected communities.

We look forward to working with community members and state and local decision makers to develop and implement practical cumulative risk and impact assessment approaches for Maryland. Please reach out to Patti Truant Anderson at ptruant1@jhu.edu for any additional information or references.

Sincerely,

Mary A. Fox, PhD, MPH
The Risk Sciences and Public Policy Institute
Associate Practice Professor, Department of Health Policy and Management
Johns Hopkins Bloomberg School of Public Health

Susan Chemerynski, ScD, MPH
Director, The Risk Sciences and Public Policy Institute
Jacob I. and Irene B. Fabrikant Chair in Health Risk and Society
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Sara N. Lupolt, PhD, MPH
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Keeve E. Nachman, PhD, MHS
Associate Director, Johns Hopkins Center for a Livable Future
Robert S. Lawrence Professor of Environmental Health and Engineering
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Patti Truant Anderson, PhD, MPH
Policy Director, Johns Hopkins Center for a Livable Future
Assistant Practice Professor, Environmental Health and Engineering
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Allie Wainer, MS
Program Officer, Johns Hopkins Center for a Livable Future
Department of Environmental Health and Engineering
Johns Hopkins Bloomberg School of Public Health

SB780-781 Testimony - Andrew Hinz.pdf

Uploaded by: Andrew Hinz

Position: FAV

Testimony Supporting SBs 0780/0781
Senate Education, Energy, and the Environment Committee
February 27, 2026

Andrew Hinz
1427 Park Avenue
Baltimore, Maryland 21217
ahinz61@outlook.com
443-617-4079

Position: SUPPORT

Members of the Committee,

As a Baltimore City resident I urge you to pass SBs 780 and 781, The CHERISH OUR COMMUNITIES ACT OF 2026.

It is common sense and good government that the Maryland Department of the Environment (MDE) and the Maryland Public Service Commission (PSC) SB341 are allowed by law to consider additional environmental factors when issuing pollution permits in communities already hosting polluting facilities and struggling for economic and environmental parity with the rest of the state—the question is why it took so long for this bill to be introduced.

As far as funding for the additional MDE and PSC staff required to do the additional analysis and enhanced decision-making, RGGI should be explicitly tapped for the needed money if no other source is available.

SB781_Andy Dieguez_Fav_CHERISH ACT.pdf

Uploaded by: Andy Dieguez

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Andy Dieguez

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Andy Dieguez, and I am an 8th-grade student at Hampstead Hill Academy. I live in Baltimore City with my family, including my younger brother Manny, who has asthma and autism. I am submitting this testimony in support of SB781 – the CHERISH Our Communities Act.

Many children in our community, including my brother, face serious health challenges because of poor air quality. Polluted air can trigger asthma attacks, worsen respiratory illnesses, and make daily life more difficult for families. Frontline communities like ours are often the most affected by environmental pollution, yet we receive the least protections and resources to address these issues.

The CHERISH Our Communities Act is an important step toward correcting these inequities. This bill ensures that the Maryland Department of the Environment considers the real impacts of pollution on communities that are overburdened and vulnerable. By supporting this legislation, decision-makers can help ensure that every child has the opportunity to live, learn, and grow in a safe and healthy environment.

I urge the committee to vote in favor of SB781. Passing this bill will protect the health of children and families across Baltimore City and create a cleaner, safer future for our communities.

Thank you for your time and consideration.

Sincerely,
Andy Dieguez

SB 7081_CHERISH_Nature Forward__Fav Testimony.docx

Uploaded by: Angie McCarthy

Position: FAV

Testimony for **SB0781** and HB1268

Support for CHERISH Our Communities Act

Bill Name: 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)

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 CHERISH. 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 George's. 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, SB0781 and HB1268.

We are submitting this testimony in conjunction with our written testimony in strong support of SB780/HB1267, Certificate of Public Convenience and Necessity - BURDEN Analysis (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.

We believe that all Marylanders deserve access to clean air and drinking water, no matter their zipcode. Environmental hazards in air, water, and on the land that are a risk to living a healthy life need to be further addressed and not concentrated in the same neighborhoods, over and over again. It is well understood that some Maryland communities are exposed to much heavier pollution than others, and this is an example of environmental racism. One example of this heavy burden has been evaluated in South Baltimore. A 2023 report from the Maryland Department of the Environment (MDE) described the working-class communities exposed to multiple sources of pollution in this area as follows: "The open-air coal terminal is one of dozens



of sources of air pollution regulated by MDE in the Curtis Bay area, including the Curtis Bay Energy medical waste incinerator, the BRESKO municipal solid waste incinerator, the Quarantine Road Landfill, the Patapsco Wastewater Treatment Plant, concrete crushing plants, asphalt manufacturing, chemical plants, and oil and gas terminals. Heavy diesel truck traffic is a significant mobile source of pollution in Curtis Bay with levels of black carbon along Pennington and Curtis Ave. similar to levels on major Baltimore highways.”¹ MDE concluded this report by saying: “Reducing coal dust particulates and cumulative pollution burden in Curtis Bay could decrease overall morbidity and mortality risk and also provide larger relative benefits to those with the highest risk, thereby decreasing health disparities while promoting health for all.” Simply put, we need CHERISH. The main purpose of the bill is to add requirements in the Maryland Department of the Environment (MDE) permitting system to better protect communities that already face heavy pollution burdens and to provide public communications about polluting facilities so that the community can voice concerns about the siting of those facilities.

Major points about the bill include:

- It applies only to parts of the state that are burdened by disproportionate pollution. For example, any census tract for which the final Environmental Justice (EJ) score from the Maryland EJ Tool is above the 75th percentile for the state is one of several indicators of an at-risk census tract.²
- It incorporates consideration of cumulative impacts into Maryland’s process of issuing permits to pollute, based on laws already passed in New Jersey, Minnesota, and New York.
- It will apply to a specific list of types of permits, mostly air pollution permits, water pollution permits for a narrow list of types of industries, and waste disposal permits. It will not impact most businesses, and will not impact housing or other construction (unless it is the construction of a facility that would pollute).
- Currently, nearby communities have no opportunity to give public comment on several types of permits to pollute, including more than half of air pollution permits. The CHERISH Our Communities Act will ensure public participation in the process and fix this longstanding environmental injustice.
- This bill will prevent new polluters from being built in environmental justice communities if the Maryland Department of the Environment 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.

1

https://mde.maryland.gov/programs/permits/AirManagementPermits/Documents/FINAL_Full_CB%20Coalab_%20Report.pdf (page 3)

² Environmental Justice” is defined in the bill as equal protection from environmental and public health hazards for all people regardless of race, income, culture and social status.



Given the above requirements, Nature Forward recognizes the CHERISH Our Communities Act as a significant improvement over the current permitting process for highly pollution burdened populations and strongly urges your support for this bill. Thank you for your consideration of our views and our respectful request for a favorable report on this bill.

Sincerely,

Angie McCarthy

Maryland Conservation Advocate

SB781_BrooksB.pdf

Uploaded by: Benjamin Brooks

Position: FAV

BENJAMIN BROOKS
Legislative District 10
Baltimore County

Education, Energy, and the
Environment Committee

Energy Subcommittee

Chair, Joint Electric Universal
Service Program Workgroup



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TESTIMONY IN SUPPORT OF SB 781
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)

Education, Energy and the Environment Committee
March 3, 2026

Chair Feldman, Vice-Chair Kagan, and Members of the Committee,

Thank you for the opportunity to testify before you today on SB 781, CHERISH our Communities Act. This legislation represents a comprehensive and necessary step forward in strengthening environmental justice protections within Maryland's permitting framework.

For decades, environmental and public health burdens have not been distributed equally. Certain communities, particularly overburdened and underserved areas, have experienced a disproportionate concentration of industrial facilities, transportation corridors, waste operations, and other pollution-generating activities. These cumulative impacts affect air quality, water quality, land use, public health outcomes, and overall quality of life.

While Maryland has made meaningful progress in recognizing environmental justice concerns, gaps remain within the State's environmental permitting structure. Existing law often evaluates permits individually, without fully accounting for cumulative impacts or the historical concentration of environmental hazards within a particular community. As a result, residents in already overburdened areas may continue to experience incremental increases in pollution and associated health risks.

The CHERISH Act addresses this structural challenge by modernizing how environmental permits are reviewed and issued. The legislation strengthens requirements for environmental justice analysis, enhances transparency in the permitting process, and ensures that cumulative impacts are meaningfully considered before additional burdens are placed on vulnerable communities.

The need for this legislation is grounded in several realities:

- **Cumulative Impacts:** Traditional permit reviews often assess compliance in isolation. However, communities experience pollution collectively. The combined effect of multiple facilities can significantly exceed what any single permit evaluation might reveal.
- **Public Health Concerns:** Environmental exposure is directly linked to asthma rates, cardiovascular disease, developmental challenges, and other adverse health outcomes. Overburdened communities frequently report higher rates of these conditions.
- **Community Engagement Gaps:** Residents in impacted areas often lack adequate notice, access to information, or meaningful opportunity to participate in permitting decisions that affect their neighborhoods.
- **Long-Term Economic and Environmental Costs:** Environmental degradation carries downstream costs: healthcare expenditures, reduced property values, infrastructure strain, and climate vulnerability, that ultimately affect the entire State.

SB 781 strengthens Maryland's commitment to environmental equity by requiring a more holistic, data-informed, and community-centered approach to permitting decisions. Importantly, the bill does not prevent economic development that benefits overburdened communities. It allows projects to move forward when they serve a compelling public interest and does not affect businesses or activities that do not require the specific pollution permits addressed in the bill.

This legislation reflects a proactive approach. Instead of responding after harm has occurred, the CHERISH Act embeds preventative review mechanisms into the front end of the permitting process. By doing so, Maryland can reduce avoidable health disparities, protect environmental resources, and promote more balanced economic development.

Environmental justice is not solely an environmental issue, it is a public health issue, an economic issue, and a civil rights issue. SB 781 aligns Maryland's regulatory structure with these principles and affirms that no community should bear a disproportionate share of environmental harm.

For these reasons, I respectfully urge a favorable report on SB 781.

With kindest regards,



Benjamin Brooks

Position.pdf

Uploaded by: Betsy Krieger

Position: FAV

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

As a resident of the 41st district and the President of Be the Change, I am writing to express our strong support of SB0781, the CHERISH Our Communities Act applying to MDE-issued permits.

Several years ago, I was part of a group that toured the Cherry Hill/Westport areas. I will never forget the comments by a long-time resident who talked about all her neighbors who died of cancer and the children with asthma.

Our members are fortunate to live in areas that do not suffer from industry-caused pollution. Because people in other communities do not have financial resources, they should not be forced to suffer these horrible health impacts.

We support this bill because it will give the community a voice and will reduce the burden of pollution in vulnerable communities.

Betsy Krieger
411 Hawthorn Rd
Baltimore, MD
Be the Change Bmore

SB0781_Fav_CCANAF.pdf

Uploaded by: Brittany Baker

Position: FAV

TESTIMONY OF
LAUREN GREACEN GYGAX
MARYLAND PROGRAM ASSOCIATE

TESTIMONY OF
BRITTANY BAKER
MARYLAND DIRECTOR

MIKE TIDWELL
EXECUTIVE DIRECTOR



**SB0781 - Environmental Permits-Requirement for Burden Analysis, Issuance and
Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for
Improving Shared Health - CHERISH Our Communities Act)**

FAVORABLE

Education, Energy, and the Environment
February 27, 2026

Dear Chair Feldman, Vice Chair Kagan, and members of the committee,

This legislation is critical for Maryland to protect communities of color that are often already faced with greater proximity to sources of pollution, from further environmental injustices.

Historically, racist redlining and land-use policies systematically divested from and discriminated against communities of color. Communities of color were targeted for polluting facilities such as industrial sites, mining operations, hazardous waste landfills, and concentrated animal feeding operations.¹ Black and Brown people have also historically carried the burden of the fossil fuel energy system and continue to bear the brunt of this today.² People of color make up 42% of the U.S. population, but represent 57% of those living in counties with unhealthy levels of air pollution.³ Low-income, Black, and other communities of color in Maryland face greater cancer risks and exposure to air toxins.⁴ It is essential that Maryland focuses on addressing these environmental and public health harms.

In recent years Maryland legislators have been working to advance reparative justice. For example progress has been made on identifying environmental justice communities through the MD EJ screening tool. But this work needs to go further than just identifying these underserved and overburdened communities. MDE and PSC need to have the authority to reject permits if there is an environmental justice concern.

¹ <https://pmc.ncbi.nlm.nih.gov/articles/PMC10568515/>

² <https://www.nature.com/articles/s41560-022-01162-y>

³ <https://css.umich.edu/publications/factsheets/sustainability-indicators/environmental-justice-factsheet>

⁴ https://cleanwater.org/sites/default/files/2025-01/CHERISH%20Act%202025%20Factsheet_English.pdf

TESTIMONY OF
LAUREN GREACEN GYGAX
MARYLAND PROGRAM ASSOCIATE

—
TESTIMONY OF
BRITTANY BAKER
MARYLAND DIRECTOR

—
MIKE TIDWELL
EXECUTIVE DIRECTOR



The CHERISH Act would advance environmental justice by setting new requirements for pollution permits in environmental justice communities to ensure that communities that are already overburdened with sources of pollution are protected from additional harm. The bill would fill in the gaps of Maryland’s current permit process by allowing public participation in the process. It would also prevent new polluters from being located in environmental justice communities if the Maryland Department of the Environment determines, through a deliberative process, that the project would contribute to a disproportionate pollution and health burden on the nearby community. The bill is targeted in scope to permits that specifically create air pollution, water pollution, and waste disposal. This legislation builds off of existing laws passed in New Jersey, Minnesota and New York. The CHERISH act is critical solution for addressing the inequities in communities suffering from pollution

I urge the favorable passing of SB0781.

SB7081 CHERISH MDE.pdf

Uploaded by: Bryan Dunning

Position: FAV



March 3, 2026

**Testimony of Bryan Dunning
Senior Policy Analyst
Center for Progressive Reform**

**Before the Maryland Senate's Education, Energy and the Environment Committee
Requesting a Favorable Report on SB0781: Environmental Permits – Requirements for
Burden Analysis, Issuance and Renewal, and Public Participation (Cumulative Harms for
Environmental Restoration for Improving Shared Health – CHERSH Our Communities
Act)**

Dear Chairman Feldman, Vice-Chair Kagan, and the members of the Education, Energy, and the Environment Committee,

Thank you for the opportunity to provide testimony on SB0781 (the CHERISH Act) on behalf of the Center for Progressive Reform. The Center is a research and advocacy organization that focuses on advancing good governance and achieving equitable public protections. The CHERISH Act requires that the Maryland Department of the Environment (MDE) assess certain permits for polluting facilities located in disparately impacted communities in Maryland to determine whether they will add to the cumulative health impacts borne by the community. Critically, CHERISH requires that not only MDE conduct this analysis, but resolves a historic issue where the Agency *could* review the cumulative impacts, but could not base a permitting determination on that information. CHERISH empowers MDE to act and provides a pathway forward for Maryland to meet the challenge of its long promise to make good on advancing environmental justice in the state. As such the Center for Progressive Reform requests a **Favorable** report on SB0781.

CEJSC Letter of Support SB0781_HB1268.docx.pdf

Uploaded by: Camille Burke

Position: FAV

MARYLAND COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES

March 03, 2026

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West, Miller Senate Office Building Annapolis, MD 21401

The Honorable Marc Korman
Chair, Environment and Transportation Committee
251 Taylor House Office Building Annapolis, Maryland 21401

Thank you for the opportunity to provide testimony in support of SB 781/ HB 1268 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) on behalf of the Maryland Commission on Environmental Justice and Sustainable Communities (CEJSC).

The CEJSC was established in 2001 by Executive Order on January 1, 2001 and is now statutorily codified under § 1-701 of the Environment Article of the Md. Ann. Code. The Commission is charged with:

- Advising the State government agencies on EJ.
- Analyzing the effectiveness of State and local government laws and policies to address issues of EJ and sustainable communities.
- Coordinating with the Children's Environmental Health and Protection Advisory Council (CEHPAC) on the issues of EJ and sustainable communities.
- Developing criteria to assess what communities in MD may be experiencing EJ issues.
- Recommending options for addressing EJ issues to the Governor and the General Assembly; including prioritized areas of the State that need immediate attention.

The CEJSC is committed to doing our part to ensure that environmental laws and programs protect the environment as well as the health and well-being of all Marylanders. Accordingly, we included the following recommendation in our 2025 annual report:

- CEJSC recommends passage of legislation that aligns state environmental permitting with people's lived experience by giving MDE the authority to condition, modify, or deny certain types of permits (including new, expansion, and renewal) in areas of the state where there is a concentration of pollution, thereby acknowledging the impact of

existing burdens in overburdened communities across the state.

The Moore-Miller Administration's Transition report included this recommendation (2023, p. 27) and the CEJSC has included similar recommendations for at least the last two years in a row. The state's permitting process currently does not adequately consider existing pollution sources, health, or socioeconomic factors, even though the state of the science has demonstrated these indicators do influence community health and the community's ability to respond to the historical accumulation of pollution sources. Other states have passed and are passing sweeping environmental justice permitting legislation. The CEJSC received a thorough presentation from national expert and former Senior Policy Advisor in the Office of Environmental Justice at the Environmental Protection Agency, Charles Lee, on this topic in 2024.

SB0781/HB1268 directly addresses our recommendation and would give the Maryland Department of the Environment (MDE) the authority to consider cumulative impacts in the issuance of certain permits in areas of the state most overburdened by pollution. This bill requires the Department of the Environment to issue a determination as to whether approving a covered individual environmental permit will cause or contribute to adverse environmental or public health stressors. Through a baseline understanding of risk, disparities, and environmental needs (BURDEN) report provided by the permit applicant, the PSC will have important information about existing pollution and environmental concerns in the area around the proposed permitted facility they can use to make a decision about the permit.

CEJSC is charged with examining 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. This bill and its companion that applies to Public Service Commission (PSC) permits represents an appropriate and necessary next step for environmental justice in Maryland, building on efforts that created the MDEnviroScreen mapping tool and providing some EJ information as part of the environmental permitting process. This legislation strategically aligns with our statutory obligation to address historical environmental justice impacts, providing the Department of the Environment with the legal discretion required to protect our most overburdened populations across the state of Maryland.

Sincerely,

Camille Burke

Chair of the Maryland Commission on Environmental Justice and Sustainable Communities

SB781 _Carlos Alvarez_Fav_CHERISH ACT.pdf

Uploaded by: Carlos Alvarez

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Carlos Alvarez

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Carlos Alvarez, I am a student at High Point High School. I live in Silver Spring, in District 47B. I am a part of the Youth Leadership Academy with CHISPA Maryland. I am writing to you today to express my support for SB781 - CHERISH Our Communities Act.

The reason for this message is to ask you to support SB781- CHERISH Our Community Act because it protects the environment and also our health. Pollution makes diseases like asthma and other respiratory problems worse.

I also have a classmate who suffers from asthma, and I have seen how poor air quality affects him. That is why I believe SB781 - CHERISH Our Community Act, is important, because it would help reduce pollution and protect people like him. A cleaner environment means a better quality of life for everyone.

The CHERISH Act helps improve living conditions by protecting clean air and public health. Clean air is essential for people to live healthier lives, especially in communities that have been exposed to high levels of pollution.

Thank you for taking the time to read my testimony and consider this important issue. I truly hope you will support and vote yes for SB781 - CHERISH Our Community Act, for the health and well-being of our community.

Sincerely,

Carlos Alvarez

CHERISH Testimony - Support.pdf

Uploaded by: Carlos Sanchez

Position: FAV

Testimony Supporting SB0781
Senate Education, Energy, and the Environment Committee
March 3, 2026

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

My name is Carlos Sanchez, and I am a resident of Baltimore City and a member of the South Baltimore Community Land Trust, a grassroots nonprofit organization. I am writing to express my strong support for SB0781, the CHERISH Our Communities Act applying to MDE-issued permits.

As someone who lives in a community on the front lines of polluting industry, I have witnessed the cumulative effects of industrial activity in South Baltimore for years. Our neighborhoods are surrounded by major roadways, industrial facilities, waste sites, and other pollution sources that contribute to toxic air and environmental degradation. These impacts are not theoretical. They show up in our emergency rooms, in our schools, and in our homes — through higher rates of asthma, cardiovascular disease, and other chronic health conditions that disproportionately affect low-income communities and communities of color.

SB0781 takes an essential step toward addressing this long-standing environmental injustice by incorporating consideration of cumulative impacts into Maryland's permitting decisions. Other states, including New Jersey, Minnesota, and New York, have already passed similar laws. New Jersey's law has moved into implementation and successfully withstood legal challenges from polluting industry interests. Maryland has the opportunity to follow these proven models and ensure that our most overburdened communities are no longer treated as sacrifice zones.

This legislation is both geographically and practically targeted. It applies only to communities identified as bearing disproportionate pollution burdens. It applies only to a defined set of permits — primarily certain air pollution permits, a narrow category of water pollution permits, and waste disposal permits. It will not impact most businesses, housing developments, or general construction projects unless the project itself is a significant polluting facility.

Importantly, SB0781 corrects a major gap in public participation. Currently, nearby residents have no opportunity to comment on several types of permits to pollute, including more than half of air pollution permits. This bill guarantees meaningful public input before decisions are made that directly affect our health and quality of life.

The bill also ensures accountability. It prevents new polluting facilities from being built in overburdened communities if the Maryland Department of the Environment determines — through a deliberative public process — that the facility would contribute to disproportionate pollution and health burdens. For existing facilities seeking permit renewals, it provides tools to reduce pollution if the agency determines the facility is contributing to cumulative harm.

For far too long, communities like mine in South Baltimore have carried the weight of pollution without having a real voice in the decisions that shape our environment. SB0781 provides a thoughtful, data-driven framework to protect public health where it is needed most, while maintaining a targeted and practical approach.

I respectfully urge you to vote in favor of SB0781. Thank you for your time and consideration.

Sincerely,

Carlos Sanchez-Gonzalez
The South Baltimore Community Land Trust

SB781_Casandra De Leon Cabrera_Fav_CHERISH ACT.pd

Uploaded by: Casandra De Leon Cabrera

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Casandra De Leon Cabrera

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Cassandra de Leon, and I have been a resident of Hattsville District 47 for the past 16 years. I am a high school student in Prince George's County, and I am deeply committed to advocating for environmental justice and healthier communities.

I am writing today in strong support of SB781- CHERISH Our Communities Act because this legislation is personal to me and my neighborhood. We have poor air quality. Too often, families like mine live in neighborhoods already burdened by pollution, yet we continue to face new environmental risks without adequate protections.

Communities like ours have been overlooked for too long. We are exposed to multiple sources of pollution that accumulate over time and create serious health risks for children and neighbors. CHERISH Our Communities Act is a critical step toward ensuring that Maryland fully considers the cumulative impacts of pollution when reviewing permits and making decisions that affect our communities.

By supporting this bill, you are helping protect families who are already facing environmental and health challenges. You are also taking an important step toward ensuring that every Maryland child, regardless of their zip code, has the opportunity to grow up in a safe and healthy environment.

I respectfully urge you to support SB781 and stand with families like mine who deserve clean air, healthier neighborhoods, and stronger protections for our communities.

Thank you for your time and consideration.

Sincerely,

Casandra De Leon Cabrera

LWVMD - SB 781 - CHERISH (MDE).pdf

Uploaded by: Casey Hunter

Position: FAV



TESTIMONY TO: SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE

SB 781 - 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)

POSITION: Support

BY: Linda T. Kohn, President

DATE: March 3, 2026

The League of Women Voters of Maryland supports policies that protect our planet and promote public health. The League believes that advancing environmental justice is essential to creating an equitable and sustainable future for all Marylanders.

The League of Women Voters of Maryland **supports SB 781**, the CHERISH Our Communities Act, which applies to permits issued by the Maryland Department of the Environment. SB 781 would require the Department to consider cumulative environmental and public health impacts when issuing permits in communities that are disproportionately burdened by pollution. Additionally, this bill would protect at-risk communities from new facilities that would further contribute to the disproportionate pollution and health burdens they are subject to.

Under Maryland's current process, impacted communities are being left out of the conversation while decisions that directly affect their health and wellbeing are being made. For many types of pollution permits, nearby communities currently have no opportunity to submit public comments. *This is unacceptable.* The League believes that the public has a right to know about the pollution in their communities, and that the public has a right to participate in the decision-making process at every level. The CHERISH Our Communities Act would address the historical injustice that Maryland's overburdened and underserved communities continue to experience by ensuring they have a voice in the permitting process.

Overburdened and underserved communities - namely low-income communities and communities of color - disproportionately bear the brunt of pollution and its associated health impacts. Projects that degrade air and water quality are often placed in these overburdened and underserved census tracts, perpetuating inequities in opportunity and health outcomes. **SB 781** would work to protect these communities from further environmental injustice at the hands of the state's permitting process.

The League of Women Voters of Maryland **strongly urges a favorable report on SB 781.**

SB0781_Environmental Permits_CHERISH_Act_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0781

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)

Bill Sponsor: Senator Brooks

Committee: Education, Energy, and the Environment

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in strong support of SB0781 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

For decades, decisions made by the Department of the Environment have been made with the intent to facilitate the building of infrastructure rather than what was necessary for the public good. What those policies have left us with are areas of that state that are toxic to the residents who live there and never had a voice.

The CHERISH Act would realign the goals of the PSC to ensure that the infrastructure we do build (and renew permits for) would have safeguards for the residents of the state. It would require –

- Any new permit applications to include an Environmental Impact Statement and Baseline Understanding of Risk, Disparities, and Environmental Needs (BURDEN) Report
- MDE to conduct a public notice and review process for these permits
- MDE to prepare a final Existing BURDEN Report based on public comment and input from stakeholders
- MDE to determine whether issuing a permit would cause an increased potential for adverse impacts on the community
- MDE to make information about enforcement actions against permitted facilities in covered areas easily available online, and direct 25% of penalties from enforcement actions to the impacted communities

Our members look forward to having our primary environmental watchdog support the public needs in this manner. We strongly support this bill and recommend a **FAVORABLE** report in committee.

0781.pdf

Uploaded by: Christina Schoppert Devereux

Position: FAV



SB 0781

Hearing before the Senate Education, Energy, and the Environment Committee

March 3, 2026

POSITION: Favorable

Community Law Center (CLC), a 501(c)(3) nonprofit organization, is a legal partner to Maryland neighborhoods and nonprofits in pursuit of more just and vibrant communities. CLC was founded in 1983 by a group of lawyers and community organizers who identified the need for residents of under-resourced communities to have the tools to effectively advocate for themselves. CLC provides direct legal representation to communities and nonprofits on issues of equitable development, environmental justice, organizational governance, real estate, contracts, and more. We advocate for the self-determination and flourishing of Maryland neighborhoods and nonprofit organizations.

CLC supports SB 0781 because it will help to ensure that additional environmental harm is not situated in Maryland's most environmentally burdened communities.

Unfortunately, many of the communities in Maryland with the fewest resources available to respond to pollution and other environmental harms are the exact communities where most of the environmental burdens of our society have been placed. This placement is not accidental; municipalities have historically zoned land in low-market value areas "Industrial." It follows that residential land around industrial zones loses additional market value once industry is situated near it. This means that Maryland's poorest residents can sometimes only afford to live in areas near industry, where pollution burden is high.

Currently, the MDE assesses permits on a case-by-case basis, meaning that if individual projects meet a certain pollution threshold, they can be approved. The MDE is not required to assess existing pollution in a project area before it approves a permit. This means that the amount of pollution a community already experiences is not taken into consideration before more pollution is permitted. This may make sense for industry, but it does not make sense for residents of Maryland. If there are ten pollution sources in one community, the cumulative impact of those ten sources for residents *must be considered* before an eleventh polluting source is permitted to locate in that community. SB 0781 ensures that the MDE consider existing burden before approving additional burden in any location. It just makes sense.

As an organization that advocates for the interests of communities who have long borne the brunt of societal injustice, we are thrilled that the State of Maryland is poised to take a crucial step to address some of the harm that continues to be placed in our poorest communities.

CLC strongly supports SB 0781. Thank you for the opportunity to provide this testimony.

For the above reasons,
CLC urges a FAVORABLE VOTE ON SB 0781.

Please contact Christina Schoppert Devereux, Staff Attorney at Community Law Center, with any questions.
christinas@communitylaw.org | 443-604-3607 (cell)

2026HeaneyLabrutoSLCEJCPCHERISHActStatementSenateC

Uploaded by: Christopher Heaney

Position: FAV

Testimony Supporting SB0780 and SB0781
Senate Education, Energy, and the Environment Committee
March 3, 2026

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

The views expressed below are our own and do not necessarily reflect the policies or positions of Johns Hopkins University/Johns Hopkins Health System.

As co-chairs of the **Environmental Justice and Community Partnerships (EJCP) Committee** of the Sustainability Leadership Council (SLC) at Johns Hopkins University (JHU), and as residents of Maryland, we write to **express our strong support of SB0780 and SB0781**, the CHERISH Our Communities Act (including the Public Service Commission version of the bill).

The EJCP Committee serves in a leadership, convening, and guidance capacity for university-wide academic, research, and operational activities that can positively impact environmental justice through the depth and breadth of JHU's capacities and partnerships. Communities of color and low-income communities bear a disproportionate and adverse environmental and health burden from pollution. The current regulatory framework in Maryland considers the emission of environmental pollutants one permit at a time, in isolation, whereas residents of overburdened, low-income communities and communities of color experience the adverse environmental and health impacts from the totality of pollutant emissions across numerous permitted facilities. Foundational to the efforts of the EJCP Committee is a goal to improve understanding and identify opportunities to mitigate the cumulative impacts and disproportionate and adverse burdens of pollution on the health and the environment, locally in Baltimore, across our state, and worldwide. *Herein, we provide:*

1. Information about the EJCP Committee's positionality and role within JHU and its community partnerships;
2. Steps JHU has taken to understand and meaningfully integrate principles and practices of environmental justice in the promulgation of its new Climate Action & Sustainability Plan;
3. An example of how JHU has integrated the 17 Principles of Environmental Justice¹ into institutional, university-wide decision-making and operational practices; and
4. Examples of the EJCP's partnership work with overburdened communities and how they would benefit from the CHERISH Our Communities Act.

1) EJCP Committee at JHU:

As co-chairs of the JHU EJCP Committee, we support the CHERISH Our Communities Act. Our support is informed by the EJCP's academic, research, policy, and operations work at JHU. Dr. Christopher D. Heaney, Associate Professor of Environmental Health and Engineering, co-leader of the Community Engagement Core of the Center for Community Health: Addressing Regional Maryland Environmental Determinants of Disease (CHARMED), and Director of the Community Science and Innovation for Environmental Justice (CSI EJ) Initiative, leads research

addressing community identified environmental health and justice concerns in South Baltimore and Maryland's eastern shore related to the cumulative burdens of air, land, and water pollution. Dr. Nicole Labruto is the faculty director of JHU's Medicine, Science, and the Humanities Program, and has long worked as an academic advocate for community organizations seeking environmental justice on their terms. She works and teaches on environmental racism, food and land justice, and zero waste efforts. The EJCP Committee is comprised of leaders from across JHU, including the Provost's Office, University Administration, Student Affairs, Office of Climate and Sustainability, Krieger School of Arts and Sciences, School of Education, School of Medicine, Whiting School of Engineering, and Bloomberg School of Public Health. The EJCP Committee aims to elevate cross-university engagement and community partnerships to address critical environmental justice issues in Baltimore, across Maryland, and worldwide.

2) Environmental justice as a priority of the Climate Action & Sustainability Plan:

As JHU planned and implemented a new Climate Action & Sustainability Plan ², the importance of environmental justice and community engagement was evident at each step of the process. Throughout the planning process, community partners and stakeholders on the community advisory board (CAB) provided critical input on the priorities and perspectives of local residents and organizations and advocated for JHU to prioritize and meaningfully integrate the principles and practice of environmental justice into its academics, research, practice, and operations. EJ arose as a focal issue in terms of JHU's impact in Baltimore – and led to a pledge of JHU's business support and organic wastes streams to support a local composting infrastructure in Baltimore with regional community partners that adheres to community and worker standards.

3) JHU Environmental Justice (EJ) Decision-Making Prompts:

The [JHU EJ Decision-Making Prompts](#)³ are a set of considerations and actions based on the 17 Principles of Environmental Justice¹, drafted and adopted in 1991 at the National People of Color Environmental Leadership Summit. These principles have guided the global environmental justice movement since they were released. The EJCP Committee used them as a template to create a set of EJ prompts that faculty and staff can use to guide research, operations, and community engagement decisions such that they take into consideration the political, economic and cultural involvement and wellbeing of all people potentially impacted by the university's projects and commitments. We encourage the State to consider these same principles of EJ as a foundational framework for its review of permits for environmental pollution emissions – by the totality of their impacts rather than individually – on overburdened communities.

4) Examples of EJCP Committee's partnerships that highlight the importance and benefits of adopting a cumulative impacts framework as outlined in the CHERISH Our Communities Act:

Cumulative Impacts in South Baltimore, Maryland

Dr. Heaney and members of the EJCP have partnered with the South Baltimore Community Land Trust (SBCLT), the Community of Curtis Bay Association (CCBA), and the

South Baltimore 7 (SB7) Coalition to provide scientific and technical support that addresses their community-identified concerns with environmental pollution from roughly 70 facilities regulated by air pollutant permits from the Maryland Department of the Environment (MDE). These include a coal export terminal, solid waste incinerator, medical waste incinerator, wastewater treatment plant, municipal landfill, chemical manufacturing plant, oil and gas facilities, among others. The operating permits of these facilities are regulated individually rather than through a framework of their cumulative impacts that acknowledges the existing burden on community members. Our scientific and technical investigations with SBCLT have provided critical answers to community concerns about the presence of coal dust in their neighborhood, the frequency of visible black smoke emissions from the Curtis Bay medical waste incinerator, and overall community air pollution burden. Additionally, South Baltimore residents in partnership with members of the JHU community have documented several decades of industrial explosions, leaks, spills, and other disasters impacting quality of life and mental health in the area.⁴ However, our efforts address the tip of the iceberg among the 70 facilities permitted to emit air pollutants in the community. For example, we estimated health costs associated with air pollutant emissions from just two of these 70 facilities – Baltimore’s municipal solid waste incinerator and medical waste incinerator – to be \$97 million annually. The adoption of the CHERISH Our Communities Act would account for the existing environmental burden in South Baltimore, including facilities regulated not just for pollutant emissions to air, but also water and land. The EJCP Committee will continue to partner with South Baltimore communities to provide scientific and technical responses to the reality of their daily lived experiences with cumulative, disproportionate, and adverse impacts.

JHU’s commitment to divert medical waste from Curtis Bay Energy, LP

In March 2024, JHU announced at a Baltimore City Council hearing that it would divert medical waste from Curtis Bay Energy, LP. This announcement came after MDE and the Maryland Attorney General announced \$1.75 million criminal penalty for violations at the facility⁵; and a collaborative investigation by SBCLT and JHU scientists documented ongoing visible black smoke emissions at the facility after this state investigation. This operational decision demonstrated JHU’s support for and commitment to mitigating disproportionate and adverse impacts in overburdened communities of Baltimore. The decision was advocated for and supported by the EJCP Committee and many faculty members, staff, and students.

Cumulative impacts on Maryland’s Eastern Shore

Since the mid-20th century, food animal production has shifted from smaller farms to the confined animal feeding operation (CAFO) model that concentrates animals and their waste in small areas, threatening air and water quality. The Eastern Shore of Maryland, including Eastern Shore counties in Delaware (DE) and Virginia (VA), are host to a plethora of poultry CAFOs and related infrastructure such as poultry processing plants, biofuel transition stations, and other waste-to-energy projects, which release pollutants to air, water, and land in the communities situated near these facilities. Almost 300,000,000 chickens from this agriculturally dense area were sold in 2017⁶, generating large amounts of waste and other pollutants such as particulate matter (PM), ammonia and nitrogen that pollute the air, soil, and water of neighboring rural communities.⁷⁻¹⁰ The 600+ industrial poultry operations in Sussex County, Delaware, produce

approximately 200,000,000 chickens each year. In more recent years, the CAFO biogas industry has been hailed in the region as a “green” solution to the waste problems of the livestock agricultural industry. However, manure is converted to energy through the production of biomethane from manure digesters, further polluting the air and affecting health and quality of life of communities who live proximal to these facilities.⁸ Health effects related to proximity to poultry CAFOs are one of the main concerns for the residents of the Eastern Shore of Maryland. Studies have found that proximity to more and larger poultry operations could increase the risk of community acquired pneumonia and is associated with reduced gestation time and birth weight.¹¹⁻¹⁴ Air pollution from CAFOs has been recognized as an environmental and public health concern by the National Academy of Sciences¹⁵, the US-GAO¹⁶, and the Pew Commission on Industrial Food Animal Production¹⁷. Although CAFO air pollution contributes to regional ammonia (NH₃) deposition and greenhouse gases emissions, fence-line neighbors in rural communities across the U.S. are most directly affected by harmful particles and gases emitted from storage and land application of animal waste and from confinement barns.¹⁵ CAFO air emissions result in episodic exposures that affect neighbors because of their malodorant and irritant properties. Concerns of dispersion and dissemination of antimicrobial resistance arise from the common use of antimicrobial and arsenical drugs in swine and poultry CAFOs.¹⁷ Further, there has been increased awareness of the cumulative impacts and adverse interactions between air pollution and respiratory infectious diseases, such as the COVID-19 pandemic’s disproportionate and adverse impact on low income, vulnerable populations experiencing greater burden of air pollution.¹⁸ The critical importance of accounting for cumulative impacts, including infectious diseases is further exemplified by the disproportionate impact of COVID-19 on livestock industry workers¹⁹ as well as the ongoing rise in concern with the H5N1 influenza A virus outbreak affecting poultry and other livestock industry workers. Biosecurity concerns with epidemic and pandemic pathogen reassortment and spillover between poultry and humans living at the fence-line in rural areas of Maryland’s Eastern Shore would benefit from risk mitigation approaches that account for the cumulative and interactive effects between environmental, infectious, and other agents and stressors.

The distribution of the poultry industry across MD and DE disproportionately impacts low-income communities and communities of color, as CAFOs are located in counties with some of the lowest wealth in the state. Increases in median household income are associated with a reduction in the number of CAFOs nearby.^{20,21} Recent permitting of poultry waste-to-energy sites in the Delmarva Peninsula has disproportionately impacted the Haitian Creole and Latinx populations who live in the communities most proximal to these facilities. In addition to CAFOs, residents of these communities now must contend with issues due to CAFO manure digesters and biogas. The process used in manure-to-energy conversion generates harmful air contaminants and perpetuates the expansion of legacy industrial livestock production practices and infrastructure that remains harmful to the environment and surrounding communities.⁸ Our community partners at the Sentinels of Eastern Shore Health (SESH) and Sussex Health and Environmental Network (SHEN) have been requesting changes in Maryland state permitting to account for the *existing burden* and *cumulative impacts* of high density industrial livestock production in any new environmental permits or permit renewals. The CHERISH Our Communities Act would take critical steps towards mitigating the cumulative environmental burdens of our community partners on Maryland’s Eastern Shore.

Cumulative Impacts in Govans, Baltimore City, Maryland

When a human crematory was proposed to be built in the dense, lower-income residential neighborhood of Govans, the York Road Partnership, a community association that spans over 20 Baltimore City neighborhoods, took action. We researched the known public health impacts of human crematoria, circulated the information, and enlisted community members to take public action through hearing attendance, letter writing, and calls to elected officials. Dozens of letters and several hearings against the issuing of the permit ended in frustration: in December 2024, the permit was granted despite vehement community desires for it to be denied. Residents now have no recourse to transparency for a facility that will emit lead, mercury, and other toxins. The CHERISH Our Communities Act would make sure that information is easily available when it impacts our neighborhood and our health.

Collaborative Research, Teaching, and Project Development for Food and Land Sovereignty in South Baltimore

Black neighborhoods in Baltimore suffer disproportionately high rates of food apartheid, which correlate with increased comorbidities and lower life expectancy. Food apartheid is a term that describes geographic areas that lack access to affordable, healthy, culturally appropriate food because of racially discriminatory and segregationist policies. Baltimore's Black Yield Institute (BYI) is leading the way in providing healthy food access to South Baltimore neighborhoods and working toward food and land sovereignty through urban farming, farmers markets, supply chain modification, educational programs, and community events. Nicole Labruto and other members of JHU have partnered with BYI to produce scholarship on the historical and sociological dimensions of food apartheid, and to generate an academic-community toolkit for identifying existing and potential community assets for combatting food apartheid conditions. Labruto has co-taught political education courses with BYI's director Brother Eric Jackson, and together with students they have secured grant funding to expand BYI's food supply chain modification efforts through land acquisition for the purpose of creating a site for food production and distribution. Sustained partnership between BYI and JHU has generated meaningful impacts on the quest for food and land justice in South Baltimore.

Based on our experience as co-chairs of the JHU EJCP Committee and as demonstrated by the above examples, we support the CHERISH Our Communities Act and encourage passage of this bill. The benefits of meaningful integration of these principles into institutional practices via the CHERISH Our Communities Act would promote the environment, health and safety of Maryland's most overburdened residents, in alignment with EJ goals in Maryland's Climate Pollution Reduction Plan²² and MDE's Agency Climate Implementation Plan²³. Building upon our longstanding partnerships with Maryland community-based organizations and state environmental regulatory agencies, we also commit to supporting—where possible—the implementation of the CHERISH Our Communities Act such as methodological recommendations for “Environmental Impact Statements” and “Existing Burden Reports.” Through the CHERISH Our Communities Act, Maryland is presented with a key opportunity to be a national leader in advancing environmental justice and ensure improved equity, health, and quality of life for its residents.

Christopher D. Heaney, PhD, MS

Associate Professor, Environmental Health & Engineering, Epidemiology, International Health
Johns Hopkins Bloomberg School of Public Health

Nicole Labruto, PhD

Associate Teaching Professor, Program in Medicine, Science, and the Humanities;
Anthropology; Environmental Studies

Research Co-Lead, Institute for Planetary Health

Krieger School of Arts and Science

Johns Hopkins University

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SB781_Cinthia Escobar_Fav_CHERISH ACT.pdf

Uploaded by: Cinthia Escobar

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Cinthia Escobar

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Cinthia Escobar, and I am an 11th grade student at Fairmont Heights School. I am a member of the Chispa Maryland Youth Leadership Academy. I live in Hyattsville with my family. I am submitting this testimony in support of SB781 - the CHERISH Our Communities Act.

Many children in our community face serious health challenges because of poor air quality. Pollution greatly affects people, especially children and older adults, pregnant mothers with chronic illnesses, and with the CHERISH Our Community Act, we can have a much better environment in the future.

I wrote this letter to look forward to your support because we need to continue to work together to have a state with good conditions for all residents. I urge the committee to vote in favor of SB781. Passing this bill will protect the health of children and families across Maryland and create a cleaner, safer future for our communities.

Thank you for your time and consideration.

Cinthia Escobar

SB781_Clara Gonzalez_Fav_CHERISH ACT.pdf

Uploaded by: Clara Gonzalez

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Clara Gonzalez

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Clara Gonzalez, and I am grateful for the opportunity to submit this testimony in strong support of SB781 – the CHERISH Our Communities Act. I have lived in Baltimore’s zip code 21205 for the past eight years, where I have experienced the urgent need for environmental justice in our communities.

As a Promotora of Environmental Justice with CHISPA Maryland, a program of the Maryland League of Conservation Voters, I am committed to advocating for policies that protect our environment and prioritize the health and well-being of our families. As a mother of a child with asthma, the quality of the air we breathe is not just a policy issue—it is a daily concern that directly affects my child’s health and our family’s peace of mind.

In our neighborhood, many families are familiar with the sound of children struggling to breathe. The cumulative burden of pollution continues to impact our health and quality of life. SB781 represents an important step toward ensuring that the Maryland Department of the Environment considers the real impacts of pollution on communities that have been historically overburdened.

As both a Promotora of Environmental Justice and a mother, I urge you to support SB781 and take meaningful action to ensure cleaner air, healthier communities, and a more equitable future for all Maryland residents.

Thank you for your time and consideration.

Sincerely,
Clara Gonzalez

Dawn Hegarty Testimony Support SB0780 SB0781.pdf

Uploaded by: Dawn Hegarty

Position: FAV

Dawn Hegarty / dawnhegarty3@gmail.com

Senate Bills 0780 and 0781 – SUPPORT
Certificate of Public Convenience and Necessity - BURDEN Analysis (SB 0780)

and

Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health (SB 0781)

(CHERISH Our Communities Act)

Senate Education, Energy, and Environment Committee

Dear Chair Feldman and Members of the Committee,

My name is Dawn Hegarty. I am a resident of the Riviera Beach Community in Northern Anne Arundel County, District 31, and a property owner in Curtis Bay, Baltimore City, District 10. I am writing to express my strong support for SB 0780 and SB 0781, the CHERISH Our Communities Act.

This legislation is critical to ensuring stronger oversight of permits issued by the Maryland Department of the Environment (MDE), without adding new taxes or financial burdens on residents who are already paying with their health and quality of life after decades of exposure.

I am also a certified Anne Arundel County Watershed Steward. I raised my children along the Patapsco River watershed. My family has lived in Pasadena, Maryland since 1986, and we have owned property in Curtis Bay since 1987. For decades, we have witnessed firsthand the cumulative impacts of industrial activity, aging wastewater infrastructure, and regulatory gaps in communities that are already overburdened.

Communities like Curtis Bay and parts of Northern Anne Arundel County share the same airshed and watershed. Pollution does not stop at district lines. What enters our air settles into our waterways. What runs off hardened surfaces in overburdened communities flows untreated into our streams, rivers, and ultimately the Chesapeake Bay. Stormwater runoff carries oil, heavy metals, chemicals, and debris from industrial sites and densely developed areas directly into the waters where our children's fish and crab.

These cumulative impacts do not just affect people — they damage our ecosystem. They degrade water quality, harm aquatic life, disrupt habitats, and weaken the overall health of our watershed. As stewards of the environment, we cannot separate community health from the health of our waters.

Redistricting and permitting decisions that continue to concentrate industry in already impacted areas only deepen environmental inequities. SB 0780 and SB 0781 help ensure that permits

issued by MDE account for cumulative impacts and do not continue to disproportionately burden the same communities, homes, and ecosystems.

While I cannot scientifically prove direct causation, I can share lived experience.

In my family alone:

- My mother-in-law suffered from Alzheimer's disease.
- My grandmother suffered from Alzheimer's disease.
- My father was diagnosed in 2025 with lung cancer and struggled with COPD, asbestos exposure, heart disease, and AFIB.
- My mother battled breast cancer and Parkinson's disease.
- I was diagnosed with breast cancer in 2025.

Among friends and neighbors, I have witnessed increases in miscarriages, infertility, asthma, heart disease, ALS, cancers, AFIB, and learning disabilities — on my block alone. The numbers are increasing.

We breathe air affected by heavy industry, including operations from CSX Transportation, incinerators, medical waste facilities, chemical plants, and aging substations located within residential neighborhoods. Mercury and other toxic forever pollutants are documented contaminants in both air and water systems. Even when exposures fall within regulatory limits, cumulative impacts over decades matter.

As a caregiver to family members, and now as a patient myself, I speak not only as an advocate but as someone who feels vulnerable sharing this deeply personal history. I do so because too many families suffer alone, in silence, or behind closed doors.

Environmental justice means no community is left behind, overburdened, or treated as a sacrifice zone. It means transparency, accountability, and fair representation in permitting decisions. It means recognizing that failing wastewater facilities, coal transport, incinerators, medical waste, chemical industries, aging infrastructure, and uncontrolled stormwater runoff compound existing risks — often without adequate safeguards.

SB 0780 and SB 0781 do not halt responsible development. They simply ensure that state-issued permits consider cumulative environmental and public health impacts — including impacts to our waters and ecosystem — before further burdening communities that are already compromised.

No amount of greenwashing will protect us if safeguards and protections are not enacted into law. We can plant trees and restore oyster beds to help save the Chesapeake Bay, but if we do not address cumulative exposure at its source, the health of our communities and our waters, along with the air we breathe will continue to decline.

We all want to save something. How about saving us — and the airways and the waterways that sustain us?

I respectfully urge a favorable report on SB 0780 and SB 0781.

Thank you for your time, your service, and your consideration.

Respectfully,

Dawn Hegarty

Anne Arundel County Watershed Steward

District 31 Resident & District 10 Property Owner

SB0781_Dahl_Fav.pdf

Uploaded by: Elizabeth Dahl

Position: FAV

Testimony Supporting SB0781

Senate Education, Energy, and the Environment Committee

March 3, 2026

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

As a resident of Parkville MD, District 8 and a professional environmental scientist and educator concerned about environmental health and justice, I am writing to express my strong support of SB0781, the CHERISH Our Communities Act applying to MDE-issued permits.

I have been an environmental scientist focused on marine and atmospheric chemistry for over 30 years. One of my research areas with my undergraduate students is air pollution from particulate matter. As a result of this work, I've trained students how to monitor and assess air quality and assess the pollution levels in various areas around Baltimore City and county. I also work with students in an introductory environmental science course to assess the pollution sources and exposure where they live and in and around Baltimore. I receive a lot of feedback about this exercise being eye opening because many did not realize the proximity and the health burden on their communities.

Baltimore is a great city with a rich history. Unfortunately that history also includes environmental injustice which continues to this day. In district 8, a few years ago a friend who was the president of a local community organization asked me how their community could work to prevent a new air pollution source in their neighborhood since there were already so many sources and there wasn't a need for this new facility. I told her that unfortunately, they cannot consider the pollution sources when issuing a new permit, and then told her about this bill.

Both she and I live in areas that are overburdened by pollution according to Maryland EnviroScreen, and she lives in an area that is also underserved and overburdened. Meanwhile, at the institution where I work which is also in an overburdened and underserved area, students, staff, and faculty have been working to help the local community oppose yet another air pollution source that MDE permitted despite community opposition based on health concerns related to air quality.

My goal as a scientist and educator is to help people see the environment around them, both the good and the bad. Many communities already recognize the environmental burdens whether it is through having many people in their community with health issues, smelling the pollution, or seeing with their eyes the pollution around them. And it is

frustrating when permitting agencies do not have to listen to community members, but cannot consider the cumulative impacts on a community.

The CHERISH act incorporates consideration of cumulative impacts into Maryland's pollution permitting process. It is based on laws already passed in states such as New Jersey, Minnesota, and New York. It will enable protection for communities that are already overburdened by pollution, particularly air pollution. Through a deliberative public process, the Maryland Department of the Environment will determine if new polluters and renewed permits may contribute to a disproportionate pollution and health burden on nearby communities and will be able to use this assessment in their decision making. Unlike the current process that does not permit this consideration.

It is common sense to look at the whole picture when making a pollution permitting decision. This bill will contribute to improving community health through lowering pollution levels, potentially leading to lowering health costs and disease burden and reducing the impacts on school and work performance.

Sincerely,

Dr. Elizabeth Dahl

SB0780:0781.EEE.CHERISH.pdf

Uploaded by: Elizabeth Singer

Position: FAV



Committee: Education, Energy, and the Environment
Testimony: Senate Bills 780/781 – CHERISH Our Communities Act
Organization: Jewish Community Relations Council of Howard County, MD
Submitting: Laura Salganik, Chair
Position: FAVORABLE
Hearing Date: March 3, 2026

Dear Chairman Feldman, Vice Chair Kagan and Committee Members:

The Jewish Community Relations Council of Howard County is submitting this testimony in favor of both SB 780 and SB 781, Cherish Our Communities Act. As Jews, we are obligated to try and repair the world (tikkun olam) and by supporting these bills, we demonstrate our commitment to advancing our Jewish values in the interest of protecting overburdened communities.

Together, SB 780 and SB 781 will identify and help mitigate detrimental impacts of the decades long practice of constructing major highways, and siting landfills, hazardous waste facilities, incinerators, industrial plants and other pollution facilities in or near communities of color and low-income communities.

These paired environmental justice bills will correct widely acknowledged flaws in both the Maryland Department of Environment’s permitting program and the Public Service Commission’s approval process for siting polluting electric generating stations. By failing to consider the total existing facilities in already overburdened communities, the government approval process largely ignores the severe impacts of additional risk to already challenged neighborhoods.

SB 781 would add new Maryland Department of the Environment permitting requirements for facilities in census tracts with pollution risk/environmental justice scores at or above the 75th percentile. These requirements would include enhanced notice of public participation opportunities and submission of a report to document baseline understanding of risk, disparities and environmental needs or a “BURDEN” report.

SB 780 calls for similar requirements in the Public Service Commission’s Certificate of Public Convenience and Necessity (CPCN) thus strengthening the approval process for polluting electric generating stations. Together, SB780 and SB781 will provide needed protection for Maryland’s communities overburdened by pollution.

We respectfully urge this committee to return a favorable report on SB 780 and SB 781.

CHERISH Act-SB0781-HB1288 FAV FFM.pdf

Uploaded by: Erinn Camp Mansour

Position: FAV

RE: Support The CHERISH Act, SB0781/HB1288
TO: Chair Feldman, Vice Chair Kagan, Members of the Committee
FROM: Elizabeth Tobin, Clerk, Frederick Friends Meeting, Religious Society of Friends
DATE: March 03, 2026

We, Frederick Friends Meeting, are submitting this testimony in support of the CHERISH Act. We feel a deep concern for communities, often underserved, who are burdened with cumulative dangerous pollutants and have little legal access to self-protection.

Although there are many other examples, Brandywine MD is a poster child for communities who have suffered from damaging cumulative contamination with little legal recourse for self-protection. We watched this small, mostly black community, defenseless without adequate regulatory protection, become home to one of the most dangerous fly ash landfills in the nation, four coal and/or gas burning power plants, and a superfund site.

The CHERISH Act protects communities from this kind of harm by empowering the Maryland Department of the Environment (MDE) and the Public Service Commission (PSC) to consider not only a single permitted pollutant but to consider the combined effect of pollutants on a community. With CHERISH, agencies will have access to pollution's health impacts threatening communities. Residents will be able to participate in decisions made about their community. Where harm is already being done, CHERISH will enable MDE/PSC to deny permit renewal without reasonable corrections.

We believe all communities without exception have a right to breathe clean air and to drink safe water. For this reason, we urge you to support the 2026 CHERISH Act. Thank you.

EvelynHoon_SB0781_WrittenTestimony.pdf

Uploaded by: Evelyn Hoon

Position: FAV

Testimony Supporting SB0781 – 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)

Senate Education, Energy, and the Environment Committee

March 3, 2026

Position: FAVORABLE

Chair Korman, Vice-Chair Guyton, and members of the Committee,

My name is Evelyn Hoon. I am a lifelong Marylander, a resident of District 46, and a Doctoral Researcher in Social Anthropology enrolled at the University of Cambridge (UK), where I study environmental health in Baltimore City and North Anne Arundel County. My opinions herein are my own, and do not reflect the position of the University of Cambridge. Today, I am writing to urge the committee to issue a favorable report on SB0780 and SB0781, the CHERISH Our Communities Act.

As a social scientist, my research has investigated the healthcare experiences of older adults experiencing pollution-related chronic illnesses in Baltimore. As you may know, **older adults are highly vulnerable to impacts from air pollution**, which can aggravate heart disease and stroke, lung diseases, and diabetes. Exposure to small particulate matter (PM2.5) increases older adults' risk of hospitalization for cardiovascular and respiratory emergencies, as well as contributing to dementia risk. PM2.5, along with dozens of other priority pollutants, is emitted by stationary pollution sources governed by MDE permits (relevant proposed legislation: SB0781).

Currently, many communities in Maryland are surrounded by dozens of stationary pollution sources, and thus experience air pollution burdens many times higher than considered safe by EPA or WHO standards. This has real impacts for older adults in Maryland. The CHERISH Our Communities Act (SB0780 and SB0781) will take reasonable action to protect the health of our most vulnerable populations. It will apply **only specific overburdened and underserved geographic regions**. SB0781 will only apply to a specific subset of MDE permits – primarily air pollution permits, with a narrow list of water and waste disposal permits also included. Resultantly, **SB0781 will not impact most businesses, and will not impact housing or other construction**. SB0781's reasonable and low demand upon MDE will result in major benefits to the health of Marylanders.

The CHERISH Act is personal to me. Through my research, I have developed close relationships with many individuals impacted by air pollution. **Several months ago, a dear friend and central informant for my Masters thesis passed away.** I will never forget all the afternoons spent sitting with him in the local diner, snacking on old bay potato chips and iced tea, watching college football, and discussing his life and medical history. He lived for many years with Asthma-COPD overlap syndrome (ACOS),

and was diagnosed with lung cancer in his mid-60s. He was not a smoker or an industrial worker, but he lived his whole life next door to dozens of industrial sites, in a heavily polluted and underserved community – Fairfield, and later Brooklyn, in District 46. He was kind, thoughtful, and endlessly witty. He loved fishing and Christmas movies. He is survived by his five children and three grandchildren. His death was avoidable.

Today, you have the power to pass legislation to protect Marylanders from pollution-related illness; to re-write this too-familiar story of struggle; to turn over a bright new page for our state, and make Maryland a leader in the nation for environmental protections.

SB0780 and SB0781 will empower the PSC and MDE to take reasonable action to protect the health and environment of our state's most overburdened and underserved communities. This bill package, which should be **considered and passed together**, reasonably reforms permitting processes for the Public Service Commission (SB0780), and the Maryland Department of the Environment (SB0781), as the sponsor panel will detail.

All of us testifying favorable today sincerely hope to celebrate the passing of this exciting piece of common-sense, community-led legislation this session. As a proud Marylander, researcher, and friend and collaborator of those impacted by cumulative pollution, **I strongly urge a favorable report on SB0780 and SB0781.**

Sincerely,

Evelyn Hoon

Private citizen – Resident, District 46

MPhil Health Medicine and Society; MA Hons Social Anthropology

Doctoral Researcher, Dept. Social Anthropology, Univ. of Cambridge

This testimony is my own and does not reflect the views of the University of Cambridge.

Reference material for further review:

AirNow.Gov. <https://www.airnow.gov/air-quality-and-health/older-adults/>.

Clay & Muller 2019. *Recent Increases in Air Pollution: Evidence and Implications for Mortality*. National Bureau of Economic Research, <https://doi.org/10.3386/w26381>.

Rogowski et al. 2025. *Long-term air pollution exposure and incident dementia: A systematic review and meta-analysis*. The Lancet Planetary Health, [https://doi.org/10.1016/S2542-5196\(25\)00118-4](https://doi.org/10.1016/S2542-5196(25)00118-4)

Simoni et al. 2015. *Adverse effects of outdoor pollution in the elderly*. Journal of Thoracic Disease, <http://doi.org.10.3978/j.issn.2072-1439.2014.12.10>

Sun & Zhu 2019. *Exposure to outdoor air pollution and its human health outcomes: A scoping review*. PLoS One, <https://doi.org/10.1371/journal.pone.0216550>.

Wei et al. 2024. *Exposure-response associations between chronic exposure to fine particulate matter and risks of hospital admission for major cardiovascular diseases: population based cohort study*. BMJ, <http://doi.org/10.1136/bmj-2023-076939>

SB781_Felicita Cano_Fav_Cherish Act.pdf

Uploaded by: Felicita Cano

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Felicita Cano

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Felicita Cano, and I have been a resident of Baltimore City's District 46 for the past five years. I am a mother of four children—one of whom lives with asthma—and I am deeply committed to advocating for environmental justice and healthier communities.

As a mother, there is nothing more frightening than watching your child struggle to breathe. Asthma attacks are not just medical events; they are moments filled with fear and uncertainty. I constantly worry about the air my children are breathing—at home, at school, and in our neighborhood. In many parts of Baltimore, families like mine are exposed to pollution from highways, industrial facilities, and other sources that contribute to poor air quality and higher asthma rates.

For too long, communities like District 46 have faced the cumulative impacts of environmental hazards without meaningful protection. Our neighborhoods often carry multiple burdens at the same time—air pollution, traffic emissions, and industrial activity—while lacking the resources to address the health consequences. This is not just an environmental issue; it is a public health and equity issue.

The CHERISH Our Communities Act is an important step toward protecting families like mine. By requiring the state to consider cumulative impacts before approving new permits, this bill helps prevent further harm to communities that are already overburdened. It ensures that no neighborhood continues to be treated as a dumping ground for pollution.

Every child deserves to grow up breathing clean air. Every parent deserves peace of mind knowing their child's health is being protected. I respectfully urge you to give SB781 a favorable report and stand with families across Baltimore who are calling for fairness, accountability, and environmental justice.

Thank you for your time and consideration.

Sincerely,
Felicita Cano

ECA testimony SB0781 - CHERISH (MDE).pdf

Uploaded by: Frances Stewart

Position: FAV



SB0781 - SUPPORT
Frances Stewart, MD
Elders Climate Action Maryland
frances.stewart6@gmail.com
301-718-0446

SB0781 – Environmental Permits – Requirements for Burden Analysis and Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health – CHERISH Our Communities Act)

Meeting of the Education, Energy, and the Environment Committee

March 3, 2026

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee, on behalf of Elders Climate Action Maryland, I urge a favorable report on SB0781, the CHERISH Our Communities Act.

Elders Climate Action is a nationwide organization devoted to ensuring that our children, grandchildren, and future generations have a world in which they can thrive. The Maryland Chapter has members across the state.

Climate change is the main focus of our work, but we recognize air pollution as one of the greatest threats to our health. Also, climate change and air pollution share root causes.

Air pollution and its deadly effects are not evenly distributed. Many communities face much higher burdens and significantly worse health outcomes. Those communities are disproportionately underserved and have more vulnerable populations.

We see that clearly in Maryland communities like the Curtis Bay neighborhood in Baltimore. That community suffers from 70 sources of industrial air pollution, including the largest medical waste incinerator in the United States. In 2017, the Baltimore City Health Department reported that the life expectancy at birth for

Curtis Bay residents was among the lowest in Baltimore, and they had higher rates of respiratory illness, heart disease, and cancer than the city as a whole.¹

Currently, the Maryland Department of the Environment lacks the legal authority to make permitting decisions based on environmental justice data and cumulative impacts.

The CHERISH Our Communities Act (Cumulative Harms to Environmental Restoration for Improving Our Shared Health) is well named. It will address a critical gap in Maryland's environmental protection system by requiring MDE to consider cumulative impacts on communities when they make decisions on new permits.

The CHERISH Act also requires meaningful community engagement for all major pollution permits. MDE may reject a permit because of the impacts, or it may require strong conditions to reduce pollution and create community benefits agreements.

New Jersey, New York, and Minnesota have already made similar changes in their permitting system. Maryland should join these states as a leader for environmental justice and protect our vulnerable communities from further harm.

For all of these reasons, we strongly urge a favorable report on SB0781, the CHERISH Our Communities Act. Thank you.

¹ Baltimore City 2017 Neighborhood Health Profile - Brooklyn/Curtis Bay/Hawkins Point (Baltimore City Health Department, 2017).

SB781_Gabriela Ibarra_FAV_CHERISH ACT.pdf

Uploaded by: Gabriela Ibarra

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Gabriela Ibarra

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Gabriela Ibarra, I am 16 years old, and I am an 11th grade student at Bladensburg High School. I live in Riverdale Park, in District 22. I am a part of the Youth Leadership Academy with CHISPA Maryland. I am writing to you today to express my support for SB781 - CHERISH Our Communities Act environment

I'm writing to share my thoughts on CHERISH Our Communities Act. I believe this legislation is important because it can help make our communities cleaner and healthier.

This issue matters to me because environmental conditions directly affect people's health. Cleaner air could help reduce asthma-related problems, which is something some of my friends struggle with and that can cause students to miss school.

I respectfully ask that you consider supporting SB781 - CHERISH Act. so communities can benefit from its impact. Thank you for your time and for your service to our community.

Sincerely,

Gabriela Ibarra

Testimony on Senate Bill 0781.pdf

Uploaded by: Gita Lefstein

Position: FAV

Testimony on Senate Bill – Favorable

SB 0781 – 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)

February 27, 2026

Dear Honorable Chair Feldman, Vice Chair Kagan, and Members of the Committee,

My name is Gita Lefstein, and I am a resident of Baltimore County, Maryland. I am writing in support of SB 0781, the CHERISH Our Communities Act.

I am a retired teacher who taught in Cherry Hill in Baltimore for a number of years. One of the students whom I taught died a few years later as a result of asthma. She was still a child. She should not have died. Air pollution is a major factor in asthma. People in poorer neighborhoods tend to be stuck with a greater concentration of polluting industries which contribute to major health problems and early deaths. The CHERISH Our Communities Act would require the Maryland Department of the Environment to limit new polluting industries in overburdened areas, reduce pollution from already existing industries when they apply for renewal of their permits and allow people in the neighborhood to have input in such decisions.

For these reasons, I respectfully urge the committee to issue a **favorable report** on **SB 0781**.

Thank you.

Support for SB 0781 copy.pdf

Uploaded by: Glenn Smith

Position: FAV

Testimony Supporting SB0781
Senate Education, Energy and the
Environment Committee

Position: SUPPORT

Good Day Chair Feldman and Members of the Committee.

As a resident of Legislative District 40 and Baltimore City and President of the Baltimore Transit Equity Coalition and Reconnecting Communities In West Baltimore Coalition. I am writing to express my strong support for SB 0781, the CHERISH Our Communities Act applying to MDE-issued permits. My organizations are working to reduce projects that have a harmful impact on our communities. We urge the committee to protect the most vulnerable Marylanders with this bill and support environmental justice. The CHERISH Our Communities Act will ensure public participation in the process and fix the longstanding inequities in environmental justice. Thank you for your time, consideration and Leadership.

Min. Glenn Isaac Smith

Co-Founder and President

Baltimore Transit Equity Coalition

Reconnecting Communities In West Baltimore Coalition

827 N. Arlington Avenue #504

Baltimore, Maryland 21217

443-765-2638

cherish bill greg (003).pdf

Uploaded by: Gregory Sliviak

Position: FAV

Gregory Sliviak

sliviakswelding@comcast.net

Senate Bills 0780 and 0781 – SUPPORT

Certificate of Public Convenience and Necessity - BURDEN Analysis (SB 0780)

**And Environmental Permits - Requirements for Burden Analysis, Issuance and
Renewal, and Public Participation (Cumulative Harms for Environmental Restoration
for Improving Shared Health (SB 0781)**

(CHERISH Our Communities Act)

Senate Education, Energy, and Environment Committee

Dear Chair Feldman and Members of the Committee,

My name is Gregory Sliviak. I am a resident of rock creek. I am a second generation union Ironworker. I've spent my career erecting steel in and around Baltimore city and Maryland throughout the late 70s until 2007. I worked on Convention centers, stadiums, hotels and numerous high rises. On the weekends, I worked on almost every chemical plant in Balt. as well as many hours in Sparrows Point steel mill. I have witnessed many environmental atrocities and violations. Most plants have a discharge pipe running directly into the bay. There are way too many pollutants to name them all. Allied Chemical in Balt city was one of the largest. In operation for over 150 years they dumped chromium and arsenic and many other poisons into many areas of the harbor. Some of these contaminants were used as fill dirt under parking lots and sidewalks still used today. Some employees had holes through the middle of their nose to which they received a \$5000.00 check. A few times after working on weekends my shoes would get wet and fall apart during the week. This was just from walking in various powders around the plants. These dusts were always airborne and washed away in runoff as well. It has always been cheaper to pay fines than remediate the problem. One time I witnessed Greenpeace pull up to the sludge pond at Sparrows Point steel mill and pump the sludge onto Bethlehem Blvd to prove a point before they were arrested by the Coastguard. Sparrows Point was the largest steel mill in the United States. Under every giant mill building is a trough or pipe leading to the first sludge pond. Then it was pumped up hill to a holding dike-pond until it was higher than high tide in the bay. Then a 12 ft. overflow pipe spilled the contamination into the bay 24 hours a day. I also witnessed a barge of 55 gal drums full of PCBs being dumped into the bay. Once I was working at Brandon Shores during nightshift I overheard a foreman laughing when he told a coworker to burn out the stacks after dark because it would look like a giant mushroom cloud and would cause a stir. I have witnessed many things first hand and I am certain

every river in this upper Chesapeake Bay has its own unique set of poison sediments. Some are semi-contained by years of sediments. Most area residents don't know there are limits on how many crabs you should eat and also fish because of pollutants. Watermen have had amputations and some have died of infections from rockfish! I really appreciate anyone taking the time to read this, and I plead we do not go backwards in protecting our environment.

Anne Arundel County and the surrounding area cannot take any further degradation of the environment, which includes the air, soil and waterways!

Senate Bills SB 0780 and SB 0781 proposed in this legislative session will create the necessary regulatory infrastructure to implement a measured and cost-effective approach to correcting the burden of cumulative pollution in Maryland's most overburdened communities and it will give overburdened communities a voice in the process.

I strongly support SB 0780 and SB 0781.

Sincerely,

Gregory Sliviak

sliviakswelding@comcast.net

Rock Creek

Pasadena, MD 21122

Draft SB 781- CHERISH our Communities 2026 Testimo

Uploaded by: Healthy Climate Maryland N/A

Position: FAV



February 27, 2026

Support – 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)

Education, Energy and the Environment Committee

Thank you for the opportunity to support SB 781 – The CHERISH Our Communities Act. This legislation incorporates consideration of cumulative environmental and public health impacts into Maryland’s permitting process for certain polluting facilities, building on similar laws enacted in New Jersey, Minnesota, and New York. The bill is carefully targeted in both geography and scope: it applies only to communities already burdened by disproportionate pollution and focuses on a defined set of permits, primarily certain air pollution permits, select water discharge permits, and waste disposal permits. It does not affect most businesses, housing, or general construction activities unless they involve the construction of a new polluting facility.

Importantly, the Act strengthens public participation by ensuring that communities have meaningful opportunities to provide input on permit decisions—addressing longstanding environmental justice concerns where many air pollution permits currently move forward without public comment. The legislation prevents the siting of new polluting facilities in overburdened communities if the Maryland Department of the Environment determines, through a deliberative and public process, that the project would contribute to a disproportionate pollution and health burden. It also provides a mechanism to reduce pollution from existing facilities during permit renewals when disproportionate impacts are identified. 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. 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 environmental permits that are issued by the Maryland Department of the Environment (MDE). Currently, many environmental permit

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-d377557b6a81.html



applications do not even include a public participation 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. Together, these provisions create a critical opportunity to prevent additional harm and advance environmental justice for Marylanders.

SB 781 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. Amidst the recent surge of attacks on programs promoting diversity, equity, and inclusion, bills like SB 781 are essential in safeguarding these vital communities. 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 781 – 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

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>



for those working in the field of public health. MdPHA remains dedicated to increasing health equity for Marylanders through advocacy and community collaborations

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.

SB0781_FAV_Iman_Habib.pdf

Uploaded by: Iman Habib

Position: FAV



PROGRESSIVE MARYLAND

P.O. Box 7595, Largo MD 20792

ProgressiveMaryland.org

Info@progressivemaryland.org

Bill Title: [SB0781](#) 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)

Position: SUPPORT (FAV)

To: Education, Energy, and the Environment Committee

From: Iman Habib, Climate Policy Analyst on behalf of Progressive Maryland

Date: February 24, 2026

My name is Iman Habib, Climate Policy Analyst for Progressive Maryland, a member-led, power-building organization that centers working class voices as we tackle a wide range of issues, including environmental justice. We have over 125,000 members spanning across Maryland with significant bases in Baltimore City, Prince George's, Montgomery, Frederick, and Harford counties, as well as the Eastern Shore. Black and Brown communities have the right to be in decision-making spaces when it comes to actions that impact their health and environment.

Progressive Maryland is in strong support of SB781 - 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).

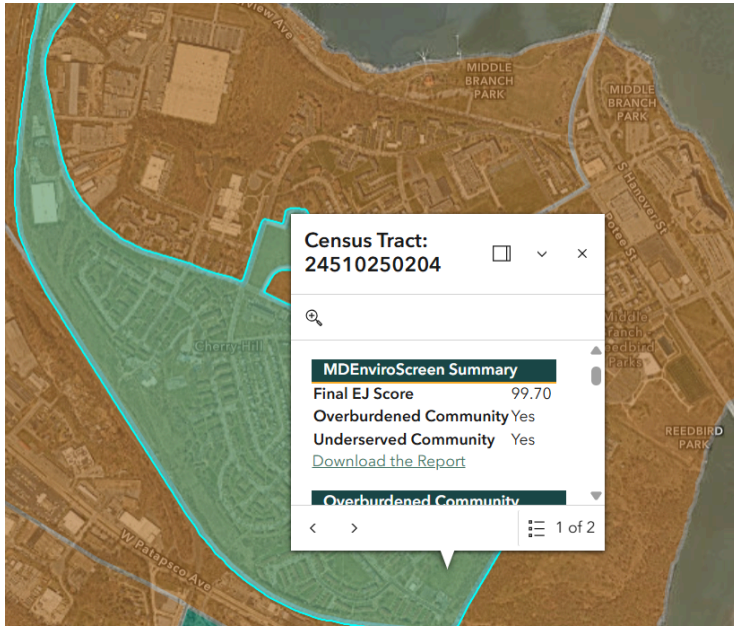
This bill ensures that the state considers the environmental and health impact on communities living in close proximity to proposed non-energy generation facilities. From our work on the ground, we hear member stories everyday about the cumulative burdens imposed onto them by surrounding industries. To put this into perspective, the Baltimore City neighborhoods of Cherry Hill, Westport, and Brooklyn have overall Environmental Justice scores of 99.7,¹ 100,² and 98.4³, respectively—some of the highest in the state of Maryland. This means that these communities have a higher pollution burden than at least 98% of other areas, clearly demonstrating the disproportionate environmental and health effects on these residents.

For example, hazardous waste landfill proximity EJ scores are 96.2, 98.5, 95.9, respectively for Cherry Hill, Westport, and Brooklyn; while the EJ scores for asthma discharges are 99.3 in Cherry Hill and 97 in Westport. But these are not mere datapoints—they are the livelihoods and stories of real people. We personally have spoken with residents of these neighborhoods who live close to the WIN Waste Wheelabrator (“BRESKO”) incinerator. Among them are those who developed cancer; whose entire families in their neighborhood block died of cancer; who were diagnosed with osteoporosis and other chronic diseases after continued exposure to the pollutants and toxic substances released from BRESKO and other surrounding facilities.

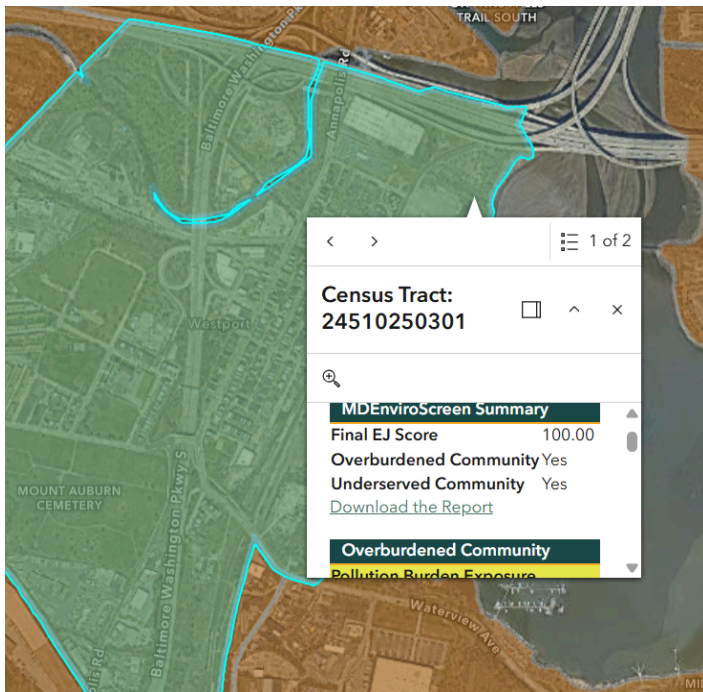
As long as facilities continue to be proposed in these neighborhoods, it is especially crucial that we factor these community perspectives into the decision-making process. By “cherishing” our

communities' lived experiences, stories, and values, we can truly expect meaningful change and tangible outcomes for Marylanders. **Progressive Maryland urges the Education, Energy, and the Environment Committee to issue a favorable report on SB781.**

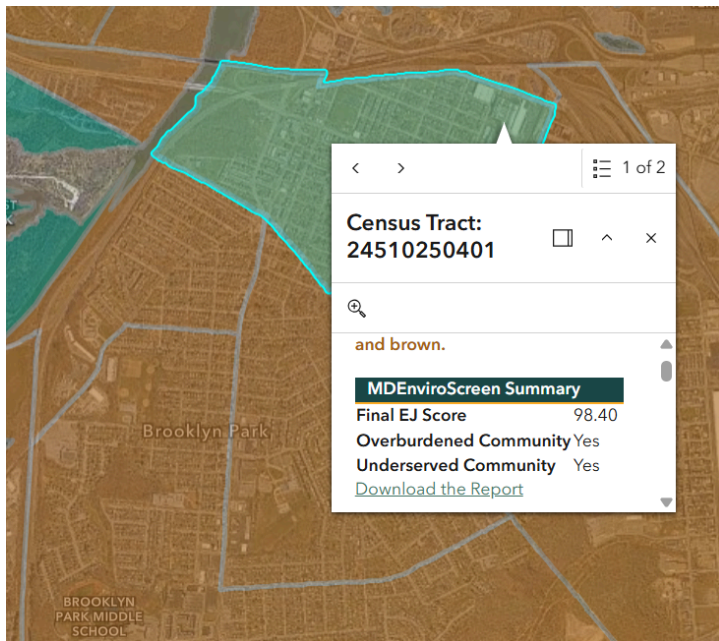
¹EJ Score from Cherry Hill neighborhood in Baltimore City



²EJ Score from Westport neighborhood in Baltimore City



³EJ Score from Brooklyn neighborhood in Baltimore City



SB781_Jaylyn Manzanares_FAV_CHERISH ACT.pdf

Uploaded by: Jaylyn Manzanares

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Jaylyn Manzanares

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Jaylyn Manzanares. I am 16 years old and an 11th-grade student at Bladensburg High School. I live in Bladensburg, in District 47. I am part of the Youth Leadership Academy with CHISPA Maryland. I am writing to express my support for SB 781, the CHERISH Our Communities Act.

I care about this issue because asthma is a serious problem for many people, especially children whose lungs are still developing. Every day, I see children playing outside and enjoying the beauty that nature offers. What hurts to know is that many kids are unable to do so. The fear of asthma is real, and living with the uncertainty of when an attack might happen is terrifying.

I know many people who are forced to live with asthma. I've heard their stories and can never imagine being in their shoes. This is why I respectfully ask for your support for SB 781, the CHERISH Act. Your support can make a difference, so we can focus on having clean air and safe places to play and work.

Thank you for your time and for representing our community. I appreciate what you do for our community and its people.

Sincerely,

Jaylyn Manzanares.

Cherish ACT SB0781 Johnson 2026.pdf

Uploaded by: Jeffrey Johnson

Position: FAV

Testimony for SB0781 (CHERISH ACT)
Cumulative Harms to Environmental Restoration
for Improving Shared Health

Bill Sponsor: Senator Brooks

Committee: Education, Energy and the Environment

Organization Submitting: Chesapeake Earth Holders Community

Person Submitting: Jeffrey V. Johnson, Ph.D, Co-Founder, Board Member

Position: FAVORABLE

My name is Jeffrey V. Johnson and I live in Reisterstown, Legislative District 10. I am submitting this testimony on behalf of the Chesapeake Earth Holders Community which is a member of the Maryland Legislative Coalition as well as the Interfaith Power and Light DMV Network of faith based congregations.

As an environmental health scientist and Professor Emeritus at the University of Maryland with a PhD in Public Health from the Johns Hopkins School of Public Health, I believe the CHERISH Act addresses a vitally important concern that has been the subject of my own research for many years: the impact of combined environmental exposures on the health of vulnerable populations.

The CHERISH Act will dramatically improve the State of Maryland's capacity to protect vulnerable communities from the adverse health impact of the total combined pollution produced by multiple sources in their environment.

The CHERISH Act will focus on protecting those communities that are already the most polluted and the most vulnerable with the fewest socioeconomic resources. The CHERISH Act proposes to use an already well developed measure of combined adverse environmental exposures to identify the 25% highest risk communities in our state.

The CHERISH Act will serve to protect individuals within communities that are already at risk from **new** exposures that are likely to add further to their environmental burden and health risk. We strongly support the CHERISH Act, SB0781, and recommend a FAVORABLE report in committee.

SB0781 CHERISH Our Communities Act 84 organization

Uploaded by: Jennifer Kunze

Position: FAV

CHERISH Our Communities Act

From Cumulative Harms to Environmental Restoration for Improving our Shared Health

SB0780 & SB0781

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

The undersigned **84 organizations** urge you to pass the CHERISH Our Communities Act, **HB1268/SB0781** applying to permits issued by the Maryland Department of the Environment and **HB1287/SB0780** applying to certain Certificates of Public Convenience and Necessity issued by the Public Service Commission. This legislation is critical, timely, and necessary for Maryland to live up to its promises to protect vulnerable communities and leave no one behind.

The CHERISH Our Communities Act (*from Cumulative Harms to Environmental Restoration for Improving our Shared Health*) fills gaps in Maryland's current processes for issuing permits to pollute by incorporating considerations of the cumulative impacts of pollution. Applying best practices from legislation already passed in New Jersey in 2020, in New York in 2022, and in Minnesota in 2023, this legislation will protect Maryland's most at-risk communities that are already overburdened by disproportionate pollution and health harms. It will ensure that communities have a voice in the permitting process and protect public health.

Maryland has considered legislation like the CHERISH Our Communities Act for more than 12 years, and our state is falling behind and failing residents facing environmental injustice. We urge you to pass the CHERISH Our Communities Act in 2026.

Sincerely,

Mid-Atlantic Justice Coalition

17 for Peace and Justice

Michelle Wang, President

Alliance of Nurses for Healthy Environments

Cara Cook, Deputy Director

Arundel Rivers Federation

Elle Bassett, South, West, and Rhode Riverkeeper

Audubon Mid-Atlantic

Jim Brown, Policy Director

B'More Just Transition Network

Naadiya Hutchinson, Co-Founder

Baltimore City 4th District

Mark S. Conway, Councilperson

Baltimore Green Justice Workers Cooperative (BGJWC)

Kimberly Armstrong & Lynn Pinder, Co-Founders

Baltimore Green Space

Kindle Samuel, Interim Executive Director

Baltimore Greenway Trails Coalition

Quinton Batts, Baltimore Project Manager

CHERISH Our Communities Act

SB0780 & SB0781

Testimony from 84 organizations

Baltimore Jewish Council

Abby Snyder, Director of Government Relations

Baltimore Peace Action

Richard Ochs, Board Member

Baltimore Phil Berrigan Memorial Chapter Veterans For Peace

Ellen E Barfield, Chapter Co-Founder and Coordinator

Baltimore Transit Equity Coalition

Min. Glenn Isaac Smith, President

Be the Change Bmore

Betsy Krieger, President

Beaverdam Creek Watershed Watch Group

Tom Taylor, Co-Chair

Black Girls Vote

Dea Thomas, Environmental Justice Consultant

Blue Water Baltimore

Alice Volpitta, Baltimore Harbor Waterkeeper

Brooklyn Billies Real Estate Club

Geri Ford, President

Cedar Lane Unitarian Universalist Environmental Justice Ministry

Lee McNair, Member

Center for Engagement Environmental Justice and Health

Krys White, Associate ED

Center for Progressive Reform

Bryan Dunning, Senior Policy Analyst

Centro de Apoyo Familiar

Andrea Martinez, Healthy Families Programs Manager

Charm City Land Trusts

Cheryl Bryant, Executive Director

Chesapeake Bay Foundation

Matt Stegman, MD Staff Attorney

Clean Water Action

Jennifer Kunze, Maryland Organizing Director

Climate Communications Coalition

Sonia Demiray, Executive Director

Climate Law & Policy Project

Donald M. Goldberg, Executive Director

Coal Kills Baltimore

John Scheinman, Co-Founder

Community Development Network of Maryland

Claudia Wilson Randall, Executive Director

Community of Curtis Bay Association

Greg Sawtell, Board Member

Concerned Citizens Against Industrial CAFOS (CCAIC)

Gabby Ross, Founder

District Heights Sustainability Committee

Nicole Jackson, Chair

Earthjustice

Susan Miller, Senior Attorney

Environmental Integrity Project

Leah Kelly, Senior Attorney

CHERISH Our Communities Act

SB0780 & SB0781

Testimony from 84 organizations

Environmental Justice Action Team

Raymond Mosley, Team Leader

Envision Frederick County

Elizabeth Bauer, Chair

Fix Maryland Rail

Diane Wittner, Organizer

Food & Water Watch

Jorge Aguilar, Southern Region Director

Greater Washington Region Clean Cities Coalition

Antoine M. Thompson, CEO & Executive Director

Healthy Climate Maryland

Abigail Ulman, Grassroots Chair

High Note Consulting, LLC

Michael Dalto, President

Illuminate Maryland

Rishit Guttam, Co-President

Indivisible HoCoMD

Peter Alexander, Co-Facilitator

Interfaith Partners for the Chesapeake

Anna Awimbo, Director of Leadership Development

Interfaith Power & Light DMV

Anjali Gulati, Climate Equity Associate

J.Neal Design

Jason Neal, Founder/Architect

Langley Park Civic Association, Inc.

Norberto Martinez, Executive Director

League of Women Voters of Maryland

Linda Kohn, President

Maryland Catholics for Our Common Home

Robert M. Simon, Coordinator

Maryland Climate Partners

Laura Bartock, Coalition Facilitator

Maryland Latinos Unidos

Carlos Orbe, Jr., Communications and Public Affairs Specialist

Maryland League of Conservation Voters

Rebecca Rehr, Director, Climate Policy & Justice

Maryland Legislative Coalition

Cecilia Plante, Co-Chair

Maryland Legislative Coalition Climate Justice Wing

Dave Arndt, Co-Chair

Maryland Pesticide Education Network

Ruth Berlin, Executive Director

Mobilize Frederick

Kathy Kinsey, Chair, Government Affairs Committee

Montgomery Countryside Alliance

Caroline Taylor, Executive Director

Mountain Maryland Movement (Frostburg)

Annie Bristow, Convener

National Aquarium

Maggie Ostdahl, Director of Conservation Policy

CHERISH Our Communities Act

SB0780 & SB0781

Testimony from 84 organizations

Nature Forward

Angie McCarthy, Maryland Conservation Advocate

Office of Councilman Mark Conway

Mark S. Conway, Councilmember 4th District, Baltimore City

Office of Councilwoman Phylicia Porter, District 10

Phylicia Porter, Councilwoman, Baltimore City

Out For Justice

Trina Selden, Executive Director

Potomac Riverkeeper Network

Betsy Nicholas, President

Progressive Maryland

Max Socol, Director of Campaigns

Reconnecting Communities In West Baltimore Coalition

Min. Glenn Isaac Smith, President

SB7 Coalition Inc.

Michael Middleton, Executive Director

Sentinels of Eastern Shore Health

Maria Payan, Co-Founder

ShoreRivers

Annie Richards, Chester Riverkeeper

Showing Up for Racial Justice Annapolis and Anne Arundel County (SURJ3A)

Lynda Davis, Chapter Coordinator

Sierra Club Maryland Chapter

Paula Posas, Deputy Director

South Baltimore Community Land Trust

Shashawnda Campbell, EJ Director

St. Vincent de Paul Church Green Team

Kathy Younkin, Green Team Chair

St. Vincent de Paul Church's Racial Equity Group

Peggy Meyer, Co-Chair

Surfrider Foundation

Matt Gove, Mid-Atlantic Policy Manager

Sustainable Hyattsville

Greg Smith, Board Member

The Nature Conservancy

Humna Sharif, Climate Adaptation Director

Third Act Maryland

Laura Welch, Co-Facilitator

Trash Free Maryland

Kelly Doordan, Executive Director

Unitarian Universalist Fellowship of Harford County

Erin Gallagher, Board Member and Social Justice Chair

Unitarian Universalist Legislative Ministry of Maryland

Phil Webster, PdD, Lead Advocate for the Climate

York Road Partnership

Dan Pontious, President

Young, Gifted & Green

LaTricea D. Adams, Founder CEO & President

SB0781 Clean Water Action Favorable.pdf

Uploaded by: Jennifer Kunze

Position: FAV



**Testimony Supporting SB0781
Senate Education, Energy, and the Environment Committee
March 3, 2026**

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

Clean Water Action urges you to issue a favorable report on SB0781, the CHERISH Our Communities Act applying to MDE-issued permits. This important legislation will provide important, targeted environmental health protections for the communities in Maryland most overburdened by pollution.

SB0781 is environmental justice legislation developed and driven by frontline communities in Maryland. This bill identifies polluting facilities of greatest concern to frontline communities in Maryland, and the permits relevant to their pollution. The bill applies specifically to covered permits proposed to be sited in or near communities in Maryland already at risk from pollution according to data in the Maryland Department of the Environment's EnviroScreen tool. The bill will fill critical gaps in Maryland's current system of issuing permits to pollute, ensuring that communities have the opportunity to participate in the permitting process and that community health is put first in communities in Maryland currently experiencing environmental injustice.

This bill is both the result of years and decades of organizing and advocacy among communities in Maryland overburdened by pollution, and reflective of lessons learned from successful bills passed in states like New Jersey, Minnesota, Connecticut, and New York. Please issue a favorable report on SB0781 incorporating the amendments reflecting updated consensus so that communities on the front lines of pollution in Maryland can gain these critical protections.

Thank you,

Jennifer Kunze
Maryland Organizing Director
Clean Water Action
jkunze@cleanwater.org

SB 781

Uploaded by: Jeremy D Baker

Position: FAV



**The Maryland Department of the Environment
Secretary Serena McIlwain**

Senate Bill 781

***Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and
Public Participation***

Position: Support
Committee: Education, Energy, and the Environment
Date: March 3, 2026
From: Aneca Atkinson, Assistant Secretary of Environmental Justice

The Maryland Department of the Environment (MDE) **SUPPORTS** SB 781.

Bill Summary

SB 781 would require MDE to conduct an environmental justice (EJ) evaluation through the review of an Existing Burden Report for certain new, renewal, or expansion permit applications. A permit applicant must perform an EJ evaluation if a proposed facility activity would be located in a census tract designated as "at-risk" based on specific, data-driven thresholds linked to the State's EJ Screening Tool. These thresholds include: a final EJ Score at or above the 75th percentile statewide, any tract where six or more of the twenty-one defined environmental health stressors are at or above the 75th percentile, proximity to the 95th percentile for mining, emitting power plants, or hazardous waste landfills, or the 99th percentile for concentrated animal feeding operations (CAFOs). The Existing Burden Report, if applicable, would functionally allow MDE to take into account the totality of specified environmental health stressors in the State's most overburdened and underserved communities. Based on the results of the analysis and report, MDE could put conditions on, or deny, the permit.

Position Rationale

The State is committed to decreasing the pollution burden on underserved and overburdened communities - a top priority for the Moore-Miller Administration and Secretary McIlwain. The Administration is positioning Maryland as a national leader by incorporating environmental justice within its 'all-of-the-above' strategy in the State Plan, and the Valuing Opportunity, Inclusion, and Community Equity (VOICE) Executive Order signed by Governor Moore in 2025. In an era where federal protections are being rolled back and the basic right to a healthy environment is under threat, Maryland is focused on addressing environmental justice issues in our most vulnerable communities.

In June 2025 MDE relaunched the EJ Screening Tool, MDEnviroScreen, after the federal government eliminated their tool and its underlying data. SB 781 represents a strategic paradigm shift in Maryland's regulatory philosophy—moving from the assessment of isolated pollution sources toward a modern, equity-centered framework. Additionally, integrating the MDE EJ Screening tool into the permitting process would ease the burden on agency staff and streamline the process for applicants. Throughout the drafting process MDE has worked with stakeholders to 1) refine the "at-risk area" census tract designation; 2) concentrate the scope of the bill to the permits that stakeholders observe as contributing to adverse

Contact: Jeremy D. Baker, Director of Government Relations
Cell: 443-931-0937, Email: jeremy.baker@maryland.gov

conditions in overburdened areas; and 3) streamline the Burden Report process for applicants through refining the necessary steps for a completed application.

MDE is committed to working with the bill sponsors, community members, and all other stakeholders on any future amendments needed to provide clarity and refine the scope of the bill. To ensure a successful rollout if the bill becomes law, Secretary Mellwain is prepared to internally reprioritize \$700,000 and five corresponding positions to support the enhanced environmental justice efforts under CHERISH. While this reallocation provides a strong foundation, to achieve full implementation and maintain operational integrity the Department would need approximately \$560,000 in additional expenditures to cover staffing and technical review costs. The Department looks forward to working with the General Assembly to address these important fiscal implications during the legislative process.

Accordingly, MDE asks for a **FAVORABLE** report for SB 781.

SB781_EEE_CHERISH.Audubon.FAV.pdf

Uploaded by: Jim Brown

Position: FAV



Maryland Office
2901 E. Baltimore St
Baltimore, MD 21214

February 27, 2026

To: Chairman Feldman, Vice-Chair Kagan, and members of the Senate Committee on Education, Energy and the Environment

From: Jim Brown, Policy Director, Audubon Mid-Atlantic

Subject: Favorable Testimony for Maryland SB 781, CHERISH our Communities Act

Audubon Mid-Atlantic submits this testimony in support of SB 781. Audubon Mid-Atlantic is the regional office of National Audubon Society, representing over 35,000 Marylanders who advocate for the protection of birds, bird habitat, and policies aiming to protect both birds and human communities in the face of increasing environmental challenges, habitat loss, pollution, and climate change. Audubon enthusiastically supports the CHERISH Act because it will protect vulnerable communities from the negative impacts of polluters while supporting a cleaner environment for the people and birds of every community in Maryland.

Audubon works with communities in South Baltimore and the Lower Eastern Shore to restore important habitat, improve parks, and enhance public gathering spaces. We see firsthand the environmental justice disparities and negative public health impacts of pollution that these communities face at much higher rates than other communities. Audubon believes the CHERISH Act's proposed changes to environmental permitting to provide adequate environmental impact assessment and opportunities for public participation for new, renewed, and expanded environmental permits that are issued by the Maryland Department of the Environment (MDE) will improve the lives of residents in communities across the state, and in particular those communities that have bared the brunt of environmental and public health burdens. The additional benefits to the broader environment will include cleaner water and air which positively impact bird habitat and the ecosystems which we all depend on.

Audubon supports the CHERISH act because Audubon believes in equitable environmental justice for every community in Maryland. Audubon believes everyone in Maryland deserves access to clean air and water, and healthy outdoor spaces. We believe the CHERISH Act is a necessary step to protect Marylanders while keeping our state a leader in environmental planning and environmental justice.

Audubon Mid-Atlantic respectfully urges a favorable review of SB 781.

Thank You,

Jim Brown
Policy Director
Audubon Mid-Atlantic

IPL-DMV FAV Testimony for SB 781.pdf

Uploaded by: Joelle Novey

Position: FAV



Testimony Supporting SB 781
Education, Energy, & the Environment Committee
February 27th, 2026
Position: FAVORABLE

Chair Feldman and Members of the Committee,

On behalf of Interfaith Power & Light (DC.MD.NoVa) working with over a thousand congregations in Maryland, we respectfully urge a favorable report on SB 781, the CHERISH Our Communities Act.

Across Maryland, we see a painful and persistent reality: some communities – often low-income communities and communities of color – live with a disproportionate share of pollution. Families worship, learn, work, and raise children in the shadow of highways, industrial facilities, and incinerators. Yet under Maryland’s current permitting system, state agencies evaluate pollution sources one at a time. They do not meaningfully assess the cumulative impacts of multiple polluters on the health of a community when deciding whether to issue a new, renewed, or expanded permit.

This siloed approach ignores lived experience. Residents do not breathe pollution one permit at a time. They experience it cumulatively, leading to higher asthma rates, heart disease, and missed school days. While the Maryland Department of the Environment has developed new environmental justice mapping tools, it lacks explicit legal authority to use that information to shape permitting decisions. As a result, communities already overburdened by pollution remain vulnerable to additional harm.

The CHERISH Our Communities Act would apply to permit types of greatest concern in overburdened communities and require a robust Environmental Impact Assessment. This assessment would incorporate the Maryland EJ Score for affected census tracts; a description of the proposed permit and its environmental setting; an analysis of short- and long-term public health and environmental impacts; alternatives to the proposed action; mitigation measures; and an Existing Burden Report detailing current pollution levels in impacted communities.

Importantly, the bill ensures that permits cannot simply move forward unchanged in communities already carrying disproportionate burdens. If a project would exacerbate environmental injustice, the permit must be meaningfully altered and include a Community Benefits Agreement, or be denied. This establishes a commonsense guardrail: economic development must not come at the cost of community health and dignity.

As people of faith, we are guided by the moral principle that **every person is worthy of clean air, clean water, and a healthy environment**. We are called to protect the most vulnerable among us and to repair harm where it has been done. Through CHERISH, Maryland has the opportunity to demonstrate that we are committed to environmental justice not just in words, but in law.

We urge you to advance SB 781 and ensure that Maryland’s permitting system truly cherishes our communities by prioritizing public health, transparency, and equity.

John Garofolo Written Testimony for SB0780 and SB0

Uploaded by: John Garofolo

Position: FAV

Senate Bills 0780 and 0781 – SUPPORT

Certificate of Public Convenience and Necessity - BURDEN Analysis (SB 0780)

and

Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health (SB 0781)

(CHERISH Our Communities Act)

Senate Education, Energy, and Environment Committee

Dear Chair Feldman and Members of the Committee,

My name is John Garofolo. Thank you for allowing me to testify for SB 0780 and SB 0781. I'm writing a combined testimony in support of these bills since they are closely related and would protect my health and the health of communities all around me from the many sources of pollution in my area of Curtis Bay in Anne Arundel County. I am a retired federal scientist, an Anne Arundel Watershed Steward, a citizen environmentalist, a citizen member of the MPA Cox Creek Citizen Oversight Committee, and I have previously been on the board of directors of my community association. I also facilitate the all-volunteer Anne Arundel Patapsco Environmental Coalition which engages with several hundred citizens of Pasadena, Glen Burnie, and Curtis Bay on pollution issues because my area of northern Anne Arundel County along the Patapsco River has been struggling with polluters and pollution for decades.

I have lived in Stoney Beach for over 20 years – a beautiful 62-acre peninsula community of 458 homes in Curtis Bay in Northern Anne Arundel County surrounded by the Patapsco River, Stoney Creek, and Cox Creek. It would be an oasis if it wasn't also surrounded by polluters. Our area in northern Anne Arundel County and South Baltimore nearby is riddled with legacy pollution and continued polluters of many types spanning coal/diesel/gas power plants, sewage treatment plants, medical and other waste incinerators, dumps of toxic materials and forever chemicals, heavy metals, PCBs, petroleum byproducts, chemical and nuclear waste, coal piles and spent coal ash, contaminated dredge material, fuel and processed fuel storage, and more. **We have identified 4 polluting facilities within hundreds of feet of our community and are aware of over 60 in our area.**

The impacts of pollution on health are serious. **But, we are extremely concerned about the multiplicative effects on our health from the cumulative impacts of the many sources of pollution near our communities.**

Myself and many neighbors in my community and nearby communities in northern Anne Arundel County are convinced that the pollution here has greatly affected our health. We are discouraged that in 2026 the state still treats our area like the “Sacrifice Zone” of greater Baltimore through its lack of meaningful regulation and oversight of polluters and protection of pollution overburdened communities from cumulative pollution.

Exposure to multiple pollutants creates greater synergistic health risks and impacts spanning chronic illnesses, early mortality, lost work, lost business, health care system strain, infrastructure strain, depressed home values, and overarching economic impacts. Unfortunately, right now, the state approves permits for polluting agencies and industries largely without considering these impacts of cumulative pollution in a given area or the socioeconomic status of nearby communities. The bills collectively called “CHERISH” will create modernized regulatory controls on the amount and kinds of pollution that will be permitted to be generated in overburdened areas of the state. **It’s important that the legislation defined in SB 0780 and SB 0781 is passed into law to protect us from the cumulative impacts of multiple sources of pollution. This matters to me very personally.**

My home and the hundreds of others in my community (see attached photo) and in several nearby communities are within 1000 feet of the coal-powered Brandon Shores power generation station and even closer to the Wagner power generation station which was recently converted from coal to diesel and natural gas. Per the Talen Energy website¹ (the owner of the two plants), these plants currently employ 4 boilers emitting pollution – that’s 4 sources of pollution. **Our community sometimes chokes on the fumes of these polluters, and we have ash from Brandon Shores frequently falling on our homes – even with the emissions mitigation added to Brandon Shores in 2012.** And we’ve now been told that these polluters must be kept open until 2029 because the PJM grid operator and BG&E and multiple states on the PJM grid have made poor decisions about electricity reliability. We are paying the price with our health. I began engaging with Anne Arundel County and MDE in 2016 on these polluters after learning that the entire Greater Baltimore area had been declared a sulfur dioxide non-attainment zone by the EPA because of the power plants next to my home. I worked with Senator Simonaire and District 31 legislators and our county councilman in 2017 for a bill that

¹ <https://www.talenenergy.com/our-portfolio/>

was signed in to law to place an SO2 monitor in my community because there was no nearby monitor. In 2018, as required by that legislation, the MD Department of Environment (MDE) installed a SO2 monitor in nearby Riviera Beach which was described by the EPA in its 2022 report as antiquated and buggy and its data useless. At MDE's request, the EPA allowed MDE to remove the monitor instead of replacing it. The EPA was forced to disregard all of the data from the monitor. **Our community has never had actual independent continuous physical monitoring of its SO2 levels or other toxins emitted by coal burning including NO2, particulates, mercury, other heavy metals, and toxic chemical byproducts.**

But, we have anecdotal evidence that we have been exposed to extensive pollution from these power plants. Two years ago when we set out to create a living shoreline to protect a vulnerable point in our community from extreme erosion caused by storms, we reached out to the MD Port Administration (MPA) to make beneficial use of dredge material taken from the water around our community to replace the lost sand there. MPA identified newly dredged material from just off our shore from Cox Creek between our community and the Wagner power plant. **When it was tested as required by MDE, it was found to contain high levels of a carcinogenic chemical from coal-burning called benzo[a]pyrene.** This means that we've been exposed to this chemical in the air and in our soil and in the waters around our community for decades. The pile of sand had to sit in the sun for a year so that the chemical would dissipate before we could use it. **We do not know how much benzo[a]pyrene (or other toxins) we're still being exposed to.**

In engaging MPA on our living shoreline project, we learned that they planned to dig up the Patapsco River just off our shore, mine the sand and gravel in the riverbed up to 90 feet deep, and dump contaminated harbor dredge in its place in a process they call Confined Aquatic Disposal (CAD). Our kids swim and crab and fish in that water. We should be trying to protect and restore the fragile Patapsco, not unnecessarily worsen it. A group of volunteers have spent the last two years working tirelessly to bring sensibility to the state on this issue and worked hard with our District 31 legislators to create a 4-year moratorium on Confined Aquatic Disposal which was just recently signed into law by a General Assembly over-ride of the Governor's inexplicable veto. There are now only 3 years left on the moratorium.

Just over the last few months, there have been suspicious emissions of pollution from both the Wagner and Brandon Shores power plants that members of our community reported to multiple agencies in the state. A boiler/stack cleaning operation from Brandon Shores rained a dirty salty substance down on our homes last fall. Our community was frightened because we

weren't told what it was or where it came from. Since then, there have been several emissions of black smoke from the Wagner power plant during faulty startups of its diesel generators. We have begun asking more questions about these issues and lodging complaints, but nothing has been done except that the power plant owner recently agreed to notify us when there's an issue, but that won't stop the problems or our exposure. We are considering installing our own air monitoring equipment at our own expense so that we're better informed about our local air quality because we're not getting timely reliable information. **SB 0780 could make a significant difference in assuring oversight and accountability for these kinds of emissions and that they're taken into account in their determination of our cumulative exposure to pollution.**

There are also long-standing toxic pools and new piles of coal and spent coal ash pits on the grounds of the power plants that are likely leaching into the Patapsco near our community. **It's not clear which of SB 0780 or SB 0781 would apply to those. This is one of many reasons why SB 0780 and SB 0781 are both important and need to both be implemented in tandem.**

We also experience frequent horrible sewage smells coming from the Anne Arundel Cox Creek Water Reclamation Facility (sewage treatment plant) which is also just hundreds of feet from our community, and it has had several spills into Cox Creek adjoining our community. We've made many reports to the county and state regarding the odor, with absolutely no resulting action. We'd like to better understand what toxins and bio hazards we're being exposed to in those odors.

We also are constantly barraged with extremely toxic odors coming from the Curtis Bay Energy medical waste incinerator. The odors smell like a combination of organic material, plastics, and chemicals. Once again, we've made many reports, but nothing seems to happen. It's essential that we better understand what toxins we're being exposed to in those odors. And that emissions from this horrible polluter are properly regulated for our health.

We have anecdotal evidence from our community and neighboring communities of higher respiratory, cardiac, cancer, and neurological disease in our area – likely due to the proliferation of pollutants all around us. **I know this personally because over the last several years, I've struggled with lymphoma (cancer), cardiac atrial fibrillation (AFIB) and atrial flutter, asthma, and metabolic problems and I am concerned that they were brought on by the toxins in my environment.**

The awful and harsh reality is that a long time ago, the state apparently decided that we're the "Sacrifice Zone" for the greater Baltimore area and that we're just supposed to accept that and shut up. But, nobody sent me that memo when I moved here 20 years ago. Nobody handed me a pollution report when I bought my home. I wish they had! Ironically, a version of that is now being created and available through an app and it's impacting our home values.² My home got a 5/10 on the app – a "Major" pollution air quality score and it shows nearby polluters as well as historical pollution.

Nobody's health or prosperity should be sacrificed to industrial poisoning for the good of corporate greed or laziness of the state. Our state should be standing up for our health! First and foremost – especially with skyrocketing health costs! And, it should be taking the real health and environmental costs of pollution into account when it considers permitting requests from polluters – especially for overburdened communities. And it shouldn't be forcing us to do the research and investigation that it should be doing to bring awareness to the issues.

The CHERISH Bills SB 780 and SB 781 have a number of benefits that will help to address these issues.

1. CHERISH would create a fair and equitable system for measuring the degree and types of pollution in communities across the state, determine action levels for implementing overburden regulatory controls, and create a regulatory framework to reduce pollution levels in these communities via enhancements in the existing permitting and oversight process.
2. CHERISH would protect the most overburdened communities from the harms of cumulative pollution and provide a voice for these communities in the permitting process and since historically, pollution has been concentrated largely in socioeconomically depressed communities, it would significantly help to address ongoing environmental justice issues in the state.
3. CHERISH would not only protect the most overburdened communities from air, water, and soil pollution, but those nearby as well. This is especially important since air pollution can travel great distances and impact many communities and soil and water pollution can impact downstream communities.

² <https://firststreet.org/>

4. CHERISH seeks to create an economical and efficient solution to overburden regulation. The proposed legislation would cover pollution from many, but not all sources of pollution. It was designed to balance the burden of implementing these new regulations by the state and the taxpayers with the burden of pollution in overburdened communities and by addressing the worst forms of pollution not covered in existing regulations.
5. The CHERISH bill will help to protect community and worker health, reduce sick days and pollution-related chronic illnesses and disabilities, reduce impacts on businesses, reduce impacts to both public and private health and economic infrastructure, and improve property values.
6. The CHERISH bill will help to fill essential gaps in the quickly eroding EPA pollution regulatory infrastructure in meaningful ways that will protect citizens' health.
7. Fines collected from permit violations can be used to support the CHERISH program in MDE and to help offset the taxpayer burden in enforcing compliance.

My dream is for clean water, air, and land for ALL communities across the state and to turn that dream into a reality for communities which have struggled for decades with pollution overburden like my community and area in Northern Anne Arundel County and nearby South Baltimore. These communities will then become Abundance Zones rather than Sacrifice Zones that they've been. And to get there, we need legislation to more appropriately regulate the industrial pollution and fight the inertia that has held us in its grip for so long. This is even more important as **the state and county is committed to building thousands of new homes in our area. The state of MD needs to equally commit to providing a clean environment for the citizens who will live in them and for those of us who have suffered from cumulative pollution for decades – especially in the face of weakening EPA regulations.**

Senate Bills SB 0780 and SB 0781 proposed in this legislative session will create the necessary regulatory infrastructure to implement a measured and cost-effective approach to correcting the heavy burden of cumulative pollution in Maryland's most polluted communities and it will give overburdened communities a voice in the process. It is the right approach to reducing pollution overburden and its many costs to health, economic prosperity, and health-impacted infrastructure for our state. This is URGENT as the EPA is quickly eliminating regulation of pollution. Maryland must stand up for a clean environment for ALL of its citizens!

John S. Garofolo | johngstonebeach@gmail.com

I strongly SUPPORT SB 0780 and SB 0781 per the language proposed by the sponsor and ask the Committee to give it a FAVORABLE reading.

Sincerely,

John S. Garofolo

Stoney Beach, Curtis Bay, MD

John S. Garofolo | johngstonebeach@gmail.com

Photo of Stoney Beach Community from late 2024 in Curtis Bay, Anne Arundel County with Brandon Shores and Wagner power generation stations just next to us.



Cherish Act 2026 Testimony SB0781.pdf

Uploaded by: Jose Alvarenga

Position: FAV

Dear Chair Feldman and Members of the Committee,

As a resident of South Baltimore and a Sustainable and Urban Environmental Engineering student at Morgan State University, I am writing to express my strong support of SB0781, the CHERISH Our Communities Act applying to MDE-issued permits. The community I live in, Lakeland, is located just a mile away from heavily polluting industrial sites. As a result, my family, neighbors, and I are placed at constant risk of exposure to hazardous air pollutants, including particulate matter, volatile organic compounds, and other toxic emissions. These pollutants are well-documented contributors to respiratory disease, cardiovascular conditions, and long-term health complications. When MDE issues or renews permits for facilities in already overburdened communities like mine without fully accounting for cumulative impacts, it perpetuates environmental inequities that have existed for decades.

The impacts of this pollution extend far beyond statistics, they shape our daily lives. Many of my peers struggle with asthma and other respiratory illnesses that are worsened by the industrial activity surrounding our neighborhoods and schools. Instead of enjoying clean air and a safe environment, we are forced to live with preventable health risks.

Applying the CHERISH Our Communities Act to MDE-issued permits is essential. It would ensure that cumulative environmental and public health impacts are meaningfully considered before new or renewed permits are granted. It would also create a stronger framework for community input, so residents most affected by pollution are not excluded from decisions that directly impact their health and futures.

Sincerely,

Jose Alvarenga

sb781_mdsierraclub_fav-3mar2026_CHERISH-MDE.docx.p

Uploaded by: Josh Tulkin

Position: FAV



Committee: Education, Energy, and the Environment

Testimony on: SB 781 - 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)

Position: Support

Hearing Date: March 3, 2026

The Sierra Club Maryland Chapter strongly supports the CHERISH Our Communities Act.¹ 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.² The CHERISH Act is targeted and limited and applies best practices from similar legislation in other states, including New Jersey, New York, and Minnesota.³

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.”⁴ Governor Moore’s [executive order](#) on Valuing Opportunity, Inclusion, and Community Equity (VOICE) aims to “ensure consistent, equitable, and fair distribution of State

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

² 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.

³ [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.](#)

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

resources” and have “all State Agencies ... track and address disparities related to environmental hazards, exposures, risks, health outcomes, investments, and benefits.”

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.

Paula Posas
Deputy Director
Sierra Club Maryland Chapter
paula.posas@mdsierra.org

Josh Tulkin
Chapter Director
Sierra Club Maryland Chapter
josh.tulkin@mdsierra.org

Justin Smith CHERISH Our Communities Act 2026 Writ

Uploaded by: Justin Smith

Position: FAV

Testimony Supporting SB0781
Senate Education, Energy, and the Environment Committee
March 3, 2026

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

As a resident of Baltimore City and a professional in the Natural Resources field, I am writing to express my strong support of SB0781, the CHERISH Our Communities Act applying to MDE-issued permits.

I live within a mile of multiple significant air pollution sources, including the Baltimore Wheelabrator Municipal Waste Combustor, I-95, Domino Sugars, and other industrial facilities. I know that the air quality where I live is impacted by these sources, based on the smells and air quality data I observe in my home and on my commute to work. I am concerned that, without this bill, more polluting industry could be built in my community and others like it around the state. This bill's consideration of cumulative impacts is critical to protecting the health of myself and other Marylanders in vulnerable communities, and begins to right the many historical wrongs of environmental racism. MDE should be required to consider the existing conditions of a community and prioritize public input above polluter's interests. I strongly support this bill and its counterparts in the CHERISH Our Communities ACT.

SB0781 – CHERISH Our Communities Act - MDE - EEE

Uploaded by: Karl Held

Position: FAV



CLIMATE COALITION
Montgomery County, MD

Testimony on: SB0781– 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)

Committee: Education, Energy, and the Environment

Organization: Climate CoalitionMontgomery County

Submitting: Karl Held

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair Feldman and Committee Members:

Thank you for allowing our testimony today in strong support of SB0781. The Climate Coalition Montgomery County, a group of 20 local organizations whose mission is to lead action on climate change, advance a sustainable and just economy, and build resilience urges you to vote favorably on SB0781.

HB0781 would require a new application or renewal for an environmental permit for a facility located in an at-risk census tract to include a report describing the environmental and public health burdens, and require the Department of the Environment (MDE) to issue a determination as to whether approving the permit will cause or contribute to adverse environmental or public health stressors. In short, the bill will require MDE to take environmental justice scores, cumulative pollution burden, and public input into account when making decisions whether to issue or renew a permit for an industrial source. Given the experience of Maryland's overburdened communities, this bill will provide a way for MDE to better evaluate future permits and permit renewals.

A Baltimore City Health Department map shows that for 2018, the most recent year reported, life expectancy at birth in Curtis Bay area was among the lowest in Baltimore. A few years before that, a group of high school students in Curtis Bay learned about an incinerator that a company in Albany, New York, was planning to build a mile from their school. They organized petitions, then protests asking the Maryland Department of the Environment to pull a permit that had already been violated by this proposed largest trash-burning incinerator in the United States. After 2 years of actions, and legal help from an organization of environmental lawyers, they were

successful and MDE finally pulled the permit. Today that community is still home to 70 sources of industrial air pollution. In 2017, the city Board of Health reported that Curtis Bay had a higher death rate from respiratory illness, heart disease, all cancer and lung cancer compared to the death rate for Baltimore.

Win Waste, Maryland's largest trash incinerator, is in south Baltimore. Monetized health costs for one year from air pollution and particulate matter PM2.5 alone cost Maryland over 22 million dollars according to a 2017 report.^[1] Now advocates from South Baltimore have filed a civil rights complaint with the Environmental Protection Agency on behalf of people who are suffering.^[2]

Curtis Bay Energy runs the largest medical waste to energy facility in the country. In 2023, the facility was fined \$1.75 million for improperly incinerating its waste. In 2024, the company was sued again by the state. The Curtis Bay Energy incinerator is receiving medical waste from as far away as Florida and Canada with Maryland supplying a minority of the waste and Baltimore only 7%. Nevertheless, residents downwind are being subjected to pollution coming out of its smokestack from out-of-state sources.^[3]

An October 2024 study published in a peer reviewed journal, demonstrated that dust collected in two residential sites in Curtis Bay, was from the CSX coal terminal, consistent with what residents have been claiming.^[4] This is one of two Baltimore coal terminals supplying 30% of U.S. exports to countries across the globe. These coal exports are worsening the global climate crisis, while Curtis Bay residents suffer the local health impacts from coal dust and PM 2.5 pollution in their own neighborhood. In November 2024, residents of Curtis Bay and across Baltimore packed a MDE public hearing, asking that the CSX air pollution permit not be renewed. MDE issued a new operating permit with conditions, and a year later in November 2025, CSX Transportation sued asking the Surface Transportation Board to block parts of MDE's operating permit.

Residents of Prince George's County are fighting for their own right to breathe clean air. Brandywine, a community that is 67% black, has experienced inexcusable environmental and racial injustice. It has four power plants.^[5] They have to fight against another (gas fired) power plant coming to their area. In addition, diesel trucks, groundwater pollution from a military toxic waste dump, and PM2.5 from coal ash^[6] are some examples of why this bill is needed. The coal ash dump was recently rated the 7th worst such site in the nation.^[7]

Maryland's citizens should not have to fight for the right to breathe healthy air in their own neighborhood or the right for their children to have the same life expectancy as children in other neighborhoods. It should not take lawsuits and public marches and rallies for MDE to make environmentally just permit decisions. By changing the law, MDE will be required to take environmental justice scores and cumulative pollution burdens into account when making permit decisions for the kinds of industrial facilities damaging the health of communities like Curtis Bay and Brandywine.

For these reasons, we strongly support SB781 and urge a favorable vote in committee.

[1] <https://www.cbf.org/document-library/cbf-reports/thurston-wheelabrator-health-impacts-2017.pdf>

[2] <https://www.cbf.org/news-media/newsroom/2024/maryland/south-baltimore-advocates-file-civil-rights-complaint-on-incinerator-pollution>

[3] <https://www.baltimorebrew.com/2024/08/09/baltimore-medical-waste-incinerator-still-pollutes-burning-trash-from-as-far-away-as-florida/>

[4] <https://www.sciencedirect.com/science/article/pii/S0048969724069997>

[5] <https://dbknews.com/2021/02/23/environmental-racism-brandywine-coronavirus-power-plants/>

[6] <https://grist.org/justice/in-maryland-one-community-is-taking-a-stand-against-environmental-racism/>

[7] https://phys.org/news/2022-11-maryland-sites-polluting-coal-ash.html#google_vignette

Bill ___ SB 0781_ CHERISH Our Communities Act.pdf

Uploaded by: Kathleen Valdivia

Position: FAV

Bill: SB0781: 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)

Hearing Date: March 3, 2026

Bill Sponsor: Senator Brooks

Committee: Education, Energy, and the Environment Committee

Committee Members: Senators Feldman, Kagan, Attar, Brooks, Carozza, Gallion, Harris, Hester, Simonaire, Washington, Watson

Submitting Organization: The Green Team of St John The Evangelist Roman Catholic Church

Position: Favorable

Dear Chair and Committee Members:

Thank you for allowing our testimony today in support of SB 0781: 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). The Green Team at St. John the Evangelist Roman Catholic (SJERC) Church in Columbia, Maryland, urges this committee to vote favorably on the CHERISH Act. Our group's mission is to care for all of God's creation, both the human and natural world, as instructed by Catholic social teaching. To that end, our activities include planting trees and gardens, educating ourselves and our communities about environmental issues, and engaging in advocacy. We are providing written testimony in strong support of SB0781, which would address the disproportionate environmental and public health harms that environmental justice communities in Maryland historically have and currently are facing.

For centuries, polluting facilities have been disproportionately and deliberately sited in minority and economically distressed communities in Maryland. And yet, the Maryland Department of the Environment (MDE) only considers permits for each facility and its emissions in a vacuum - not considering the total impact from the concentration of polluters in the surrounding community.

The CHERISH Our Communities Act will change this unjust system. The Act will require environmental justice review and community input for specific permits under consideration. These would include permits for specific types of facilities (identified by environmental justice communities in Maryland as the most important to address such as incinerators, fossil fuel plants, manufacturing facilities, or landfills), and in designated geographic areas (communities in and immediately around census tracts with an environmental justice score of 75 or above, according to the MDE's EJ Screening Tool). And if the MDE concludes that issuing the permit would harm nearby communities, the CHERISH Our Communities Act will protect the community: either by ensuring the permit is denied, or requiring additional controls for the facility and benefits for the community.

Maryland communities that have suffered from an undue and disproportionate burden of pollution should not have to endure further injury from new, expanded, or renewed permitted projects. SB 0781 provides a thoughtful process to avoid future harm. The Green Team of SJERC Church strongly supports SB0781 and urges a FAVORABLE report in Committee.

Written Testimony - SB0781.pdf

Uploaded by: Kathryn Little

Position: FAV

Written Testimony

Bill: **SB0781**

Position: **FAV**

February 27, 2026

Dear Chair Feldman and Members of the Committee:

As a concerned resident of Baltimore City, I am writing to express my strong support of SB0781, the CHERISH Our Communities Act applying to MDE-issued permits. Many residential areas are in close proximity to industrial areas or facilities that pollute their environment, despite the best efforts of zoning laws. We have seen time and again communities become “sacrifice zones,” bearing more than their share of degradation and pollution.

Currently, nearby communities have no opportunity to give public comment on several types of permits to pollute, including more than half of air pollution permits. The CHERISH Our Communities Act will ensure public participation in the process and fix this longstanding environmental injustice. It is also targeted in both scope and geography and applies only to parts of the state that are so burdened by disproportionate pollution.

I urge the Senate Education, Energy, and the Environment Committee to issue a favorable report on this bill.

Respectfully submitted,

Kathryn Little
881 W Lombard St
Baltimore, MD 21201

MF_SB 780:781_CHERISH Act.pdf

Uploaded by: Kathy Kinsey

Position: FAV



Committee: Education, Energy, and the Environment

Testimony on: Senate Bills 780/781– CHERISH Our Communities Act

Organization: Mobilize Frederick

Submitting: Kathy Kinsey

Chair, Government Affairs Committee

Position: Favorable

Hearing Date: March 3, 2026

Dear Chairman Feldman, Vice Chair Kagan, and Members of the Committee,

Thank you for the opportunity to provide testimony in support of SB 780 and 781– Cumulative Harms for Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act. Mobilize Frederick, a nonprofit community advocacy organization formed to assist with implementation of innovative local solutions to address climate change, strongly urges the Committee to issue **favorable** reports on SB 780 and 781.

These paired environmental justice bills would correct a widely acknowledged flaw in both the Maryland Department of Environment’s permitting program for key environmental permits and the Public Service Commission’s approval process for siting polluting electric generating stations – the failure to consider the total existing pollution load when deciding on the issuance of major permits for new or existing facilities in already overburdened communities.

In Maryland and across the United States, a decades long history of constructing major highways and siting landfills, hazardous waste facilities, incinerators, industrial plants, and other polluting facilities in or near communities of color and low-income communities have disproportionately exposed these communities to air, water, and soil pollution, and the resulting adverse health impacts.

This practice is well documented in the Curtis Bay area of Baltimore City and the Brandywine Community in Prince George’s County. Curtis Bay is home to some 70 different polluting industrial facilities, including the CSX coal terminal, medical waste and waste-to-energy incinerators, a chemical plant, a landfill, and heavy diesel truck traffic, and with a life expectancy at birth that is among the lowest in the City. In 2017, the Baltimore City Board of

Health reported that the incidence of respiratory illness, heart disease, and all cancers in Curtis Bay was higher than in the entire City as a whole.¹

In Prince George's County, residents of the majority black Brandywine community live with the air pollution emitted by four fossil-fuel fired power plants located within a 13-mile radius of the community,² as well as a coal ash depository rated as the seventh worst such site in the Country,³ and a military disposal site for hazardous waste, which has contaminated groundwater. These frontline communities and others like them would benefit from a cumulative impact analysis by regulatory authorities considering permits for new or existing facilities in overburdened communities.

MDE's current regulations do not, however, authorize it to take cumulative pollution impacts into account when considering applications for the issuance, renewal, or modification of key permits for industrial plants, landfills, incinerators, or other high-impact facilities. SB 781 would impose new permitting requirements for facilities in "at risk" census tracts already overburdened with pollution – those census tracts with an environmental justice score at or above the 75th percentile in the State and within a 1.5-mile radius, or in close proximity to certain high-impact facilities. The bill would require:

- Enhanced notice and public participation requirements for several types of permits that are not now subject to public participation requirements.
- Applicants for first-time issuance or renewal of a covered permit to submit a BURDEN report, or "baseline understanding of risk, disparities, and environmental needs," to assess the existing pollution burden and any additional pollution burden that would occur from the applicant's site or facility.
- MDE to consider the BURDEN report and take cumulative and historic pollution into account in determining whether issuance of a permit would increase the pollution burden.
- Denial of a permit for a new or existing facility that MDE determines would increase the pollution burden or health stressors in an already overburdened census tract, unless it determines the facility meets an essential community need that cannot be reasonably met through other means, in which case it must impose permit conditions to mitigate the impacts.

¹ <https://www.thebaltimorebanner.comcommunity/public-health/what-its-like-to-live-in-the-epicenter-of-toxic-pollution-QN7KNX5F3ZDH5KG3HE7YRDPPNQ/>

² <https://dbknews.com/2021/02/23/environmental-racism-brandywine-coronavirus-power-plants/>

³ https://phys.org/news/2022-11-maryland-sites-polluting-coal-ash.html#google_vignette

- For a permit renewal that doesn't allow for an increase in pollution, but that MDE determines will cause or contribute to adverse environmental or public health stressors, either denial of the permit or issuance of the permit with the addition of conditions to mitigate the adverse environmental or public health stressors.

SB 780 would embed similar requirements into the PSC's Certificate of Public Convenience and Necessity (CPCN) process for approval of polluting electric generating stations. The federal government's support for expanding fossil fuel power plants – especially coal plants -- and the Environmental Protection Agency's rollback of power plant emission standards for mercury, heavy metals, and particulate matter underscores the need for a robust cumulative pollution impact analysis for proposed power plants in at risk communities.

Together, SB 780 and 781 will bring Maryland's environmental permitting programs in line with other leadership states, including Colorado, Connecticut, Massachusetts, Minnesota, New Jersey, and New York that have adopted cumulative impact assessment requirements as part of their permitting processes in an effort to mitigate these impacts in environmental justice communities.

For the forgoing reasons, we respectfully request the Committee to issue **favorable** reports for SB 780 and 781.

Sincerely,
KATHY KINSEY
Chair, Government Affairs Committee

cc: Karen Cannon
Executive Director

SB781_Katie Bautista_FAV_CHERISH Act.pdf

Uploaded by: Katie Bautista

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Katie Bautista

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Katie Bautista, and I am a student at Hampstead Hill Academy. I live in Baltimore City, in District 41. I am writing to express my strong support for SB781 – the CHERISH Our Communities Act because this legislation is critical to protecting the health and well-being of families like mine and communities across Maryland.

I have lived with asthma since birth. Every day, I worry about how the air I breathe affects my health, especially at school and in my neighborhood. Many Latino and low-income communities, including mine, are exposed to high levels of pollution from traffic, industry, and other environmental hazards. These cumulative impacts make it harder for children like me to stay healthy, focus in school, and simply enjoy being kids.

Despite facing the greatest environmental and health burdens, our communities are too often left out of decisions that affect our lives. The CHERISH Our Communities Act would help ensure that state agencies consider the real impacts of pollution on vulnerable communities and make more equitable decisions that prioritize our health and future.

I respectfully urge you to support SB781 so that all Maryland families—especially children—can grow up in healthier, safer environments.

Thank you for your time and consideration.

Sincerely,

Katie Bautista

kelly hunt testimony.pdf

Uploaded by: Kelly Hunt

Position: FAV

Senate Bills 0780 and 0781 – SUPPORT
Certificate of Public Convenience and Necessity - BURDEN Analysis (SB 0780)
and
Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and
Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared
Health (SB 0781)
(CHERISH Our Communities Act)
Senate Education, Energy, and Environment Committee

Dear Chair Feldman and Members of the Committee,

My Name is Kelly Hunt. I am a lifelong resident of Pasadena MD & 26 year resident of Riviera Beach.

My family & I are lifelong users of the area. We use the parks & waterways daily. We boat, swim, bike, crab, fish, walk, birdwatch, kayak, etc. There is a reason we have stayed in the area for so long. We don't want to leave however we have great concerns with the increase in pollution & development. Why must we constantly have to fight a battle to keep our air & waterways clean?

I support this bill because I care about our community & want to fight to help it get clean!

Senate Bills SB 0780 and SB 0781 proposed in this legislative session will create the necessary regulatory infrastructure to implement a measured and cost-effective approach to correcting the burden of cumulative pollution in Maryland's most overburdened communities and it will give overburdened communities a voice in the process.

I strongly support SB 0780 and SB 0781.

Sincerely,

Kelly Hunt

Riviera Beach

228 Lake Rd

pasadena MD 21122

Kelann162@yahoo

Com

SB781_Kobe Cruz_FAV_CHERISH ACT.pdf

Uploaded by: Kobe Cruz

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Kobe Cruz

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Kobe Cruz, I am 16 years old, and I am an 11th grade student at Bladensburg High School. I live in Bladensburg, in District 47. I am a part of the Youth Leadership Academy with CHISPA Maryland. I am writing to you today to express my support for SB781 - CHERISH Our Communities Act environment

The CHERISH Act is an important bill that helps protect clean air, clean water, and healthy communities. Now is the time to make a difference for communities across Maryland. Please support SB 781, the CHERISH Act. This issue is important because many people I know have suffered from asthma.

I urge the committee to vote in favor of SB781. Passing this bill will protect the health of children and families across Maryland and create a cleaner, safer future for our communities.

Thank you for your time and for representing our community. I appreciate what you do for our community and the people.

Sincerely,

Kobe Cruz

SB781 CHERISH Act (MDE) - Maryland Climate Partner

Uploaded by: Laura Bartock

Position: FAV



Testimony on SB 781

**Cumulative Harms for Environmental Restoration for Improving Shared Health -
CHERISH Our Communities Act**

Senate Education, Energy, and the Environment Committee

Date: March 3, 2026

Position: SUPPORT

[Maryland Climate Partners](#) strongly supports **SB 781**, which would clarify the authority of the Maryland Department of the Environment (MDE) to consider cumulative environmental and public health impacts when making permitting decisions. This bill represents a necessary and practical step to ensure Maryland's environmental permitting laws are implemented in a manner consistent with the Climate Solutions Now Act (CSNA) and the state's broader climate and environmental justice commitments.

Maryland Climate Partners is a coalition of environmental, faith, consumer advocacy, and social justice organizations focused on the full and equitable implementation of the CSNA. The coalition formed in 2021 to support the passage of bold climate legislation, and we continue to advocate for policies that ensure Maryland has the tools and resources necessary to meet its climate commitments while protecting affordability and advancing equity.

One of the coalition's 2026 policy priorities is ensuring that state climate policies meaningfully protect **overburdened and underserved communities**, which have historically experienced disproportionate exposure to pollution and environmental hazards. **SB 781** directly advances this priority by strengthening how existing environmental review processes account for real-world conditions on the ground.

Current permitting frameworks often evaluate emissions or impacts in isolation, even in areas where communities already face multiple, overlapping sources of pollution. **SB 781** addresses this gap by explicitly authorizing MDE to consider cumulative impacts when reviewing permits. This statutory clarity will help ensure permitting decisions reflect the combined environmental and public health burdens experienced by communities, rather than treating each source as if it exists alone.

Importantly, **SB 781** does not create new environmental standards or prohibit new development. Instead, it provides MDE with clearer guidance on how to apply its existing

authority in a way that is consistent, transparent, and aligned with Maryland law. By grounding cumulative impacts consideration in statute, the bill helps reduce uncertainty for regulators, applicants, and communities alike, while supporting more informed and defensible decision-making.

Cumulative impacts analysis aligns with the CSNA's directive that state agencies consider the long-term climate and equity implications of their actions. CSNA establishes clear emissions reduction targets while also defining "overburdened" and "underserved" communities that warrant targeted consideration in climate-related decision-making. By requiring permitting decisions to account for existing environmental and public health burdens, **SB 781** helps ensure that agency processes are consistent with those statutory equity provisions and do not perpetuate the continued concentration of harm in the same communities.

SB 781 reflects a measured, legally sound approach to environmental review—one that improves implementation without disrupting existing regulatory structures. It equips MDE to carry out its responsibilities in a way that better reflects Maryland's statutory commitments to public health, equity, and climate action.

We strongly urge a favorable report on **SB 781**.

SB781_CHERISH_MDE_EEE_CJW_FAV.pdf

Uploaded by: Laurie McGilvray

Position: FAV



Testimony on: SB0781– 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)
Committee: Education, Energy, and the Environment
Organization: Maryland Legislative Coalition Climate Justice Wing
Submitting: Gwen DuBois
Position: Favorable
Hearing Date: March 3, 2026

Dear Chair Feldman and Committee Members:

Thank you for allowing our testimony today in strong support of SB0781. The Maryland Legislative Coalition Climate Justice Wing, a statewide coalition of 32 grassroots and professional organizations focused on climate justice, urges you to vote favorably on SB0781.

HB0781 would require a new application or renewal for an environmental permit for a facility located in an at-risk census tract to include a report describing the environmental and public health burdens and require the Department of the Environment (MDE) to issue a determination as to whether approving the permit will cause or contribute to adverse environmental or public health stressors. In short, the bill will require MDE to take environmental justice scores, cumulative pollution burden, and public input into account when making decisions whether to issue or renew a permit for an industrial source. Given the experience of Maryland’s overburdened communities, this bill will provide a way for MDE to better evaluate future permits and permit renewals.

A Baltimore City Health Department map shows that for 2018, the most recent year reported, life expectancy at birth in Curtis Bay area was among the lowest in Baltimore.¹ A few years before that, a group of high school students in Curtis Bay learned about an incinerator that a company in Albany, New York, was planning to build a mile from their school. They organized petitions, then protests asking the Maryland Department of the Environment to pull a permit that had already been violated by this proposed largest trash-burning incinerator in the United States. After 2 years of actions, and legal help from an organization of environmental lawyers, they were successful and MDE finally pulled the permit. Today that community is still home to 70 sources of industrial air pollution. In 2017, the city Board of Health reported that Curtis Bay had a higher death rate from respiratory illness, heart disease, all cancer and lung cancer compared to the death rate for Baltimore.²

1

<https://www.arcgis.com/apps/mapviewer/index.html?url=https://services1.arcgis.com/mVFRs7NF4iFitgbY/ArcGIS/rest/services/Lifexp/FeatureServer/0&source=sd>

² <https://www.thebanner.com/community/public-health/what-its-like-to-live-in-the-epicenter-of-toxic-pollution-QN7KNX5F3ZDH5KG3HE7YRDPNQ/>

Win Waste, Maryland's largest trash incinerator, is in south Baltimore. Monetized health costs for one year from air pollution and particulate matter PM2.5 alone cost Maryland over 22 million dollars according to a 2017 report.³ Now advocates from South Baltimore have filed a civil rights complaint with the Environmental Protection Agency on behalf of people who are suffering.⁴

Curtis Bay Energy runs the largest medical waste to energy facility in the country. In 2023, the facility was fined \$1.75 million for improperly incinerating its waste. In 2024, the company was sued again by the state. The Curtis Bay Energy incinerator is receiving medical waste from as far away as Florida and Canada with Maryland supplying a minority of the waste and Baltimore only 7%. Nevertheless, residents downwind are being subjected to pollution coming out of its smokestack from out-of-state sources.⁵

An October 2024 study published in a peer reviewed journal, demonstrated that dust collected in two residential sites in Curtis Bay, was from the CSX coal terminal, consistent with what residents have been claiming.⁶ This is one of two Baltimore coal terminals supplying 30% of U.S. exports to countries across the globe. These coal exports are worsening the global climate crisis, while Curtis Bay residents suffer the local health impacts from coal dust and PM 2.5 pollution in their own neighborhood. In November 2024, residents of Curtis Bay and across Baltimore packed a MDE public hearing, asking that the CSX air pollution permit not be renewed. MDE issued a new operating permit with conditions, and a year later in November 2025, CSX Transportation sued asking the Surface Transportation Board to block parts of MDE's operating permit.

Residents of Prince George's County are fighting for their own right to breath clean air. Brandywine, a community that is 67% black, has experienced inexcusable environmental and racial injustice. It has four power plants.⁷ They have to fight against another (gas fired) power plant coming to their area. In addition, diesel trucks, groundwater pollution from a military toxic waste dump, and PM2.5 from a coal ash⁸ are some examples of why this bill is needed. The coal ash dump was recently rated the 7th worst such site in the nation.⁹

Maryland's citizens should not have to fight for the right to breathe healthy air in their own neighborhood or the right for their children to have the same life expectancy as children in other neighborhoods. It should not take lawsuits and public marches and rallies for MDE to make environmentally just permit decisions. By changing the law, MDE will be required to take environmental justice scores and cumulative pollution burdens into account when making permit

³ <https://www.cbf.org/document-library/cbf-reports/thurston-wheeler-laboratory-health-impacts-2017.pdf>

⁴ <https://www.cbf.org/news-media/newsroom/2024/maryland/south-baltimore-advocates-file-civil-rights-complaint-on-incinerator-pollution>

⁵ <https://www.baltimorebrew.com/2024/08/09/baltimore-medical-waste-incinerator-still-pollutes-burning-trash-from-as-far-away-as-florida/>

⁶ <https://www.sciencedirect.com/science/article/pii/S0048969724069997>

⁷ <https://dbknews.com/2021/02/23/environmental-racism-brandywine-coronavirus-power-plants/>

⁸ <https://grist.org/justice/in-maryland-one-community-is-taking-a-stand-against-environmental-racism/>

⁹ https://phys.org/news/2022-11-maryland-sites-polluting-coal-ash.html#google_vignette

decisions for the kinds of industrial facilities damaging the health of communities like Curtis Bay and Brandywine. For these reasons, we strongly support SB781 and urge a favorable vote in committee.

350MoCo

Cedar Lane Unitarian Universalist Church Environmental Justice Ministry

Chesapeake Earth Holders

Chesapeake Physicians for Social Responsibility

Climate Law and Policy Project

Climate Communications Coalition

Climate Parents of Prince George's

Climate Reality Greater Maryland

ClimateXChange

Coming Clean Network, Union of Concerned Scientists

DoTheMostGood Montgomery County

Echotopia

Elders Climate Action Maryland

Fix Maryland Rail

Glen Echo Heights Mobilization

Greenbelt Climate Action Network

HoCoClimateAction

Howard County Indivisible

Maryland Legislative Coalition

Maryland Energy Advocates

Maryland Third Act

Mizrahi Family Charitable Fund

Mobilize Frederick

Montgomery County Faith Alliance for Climate Solutions

Montgomery Countryside Alliance

Mountain Maryland Movement

Nuclear Information & Resource Service

Progressive Maryland

Safe & Healthy Playing Fields

Sierra Club Maryland Chapter

Takoma Park Mobilization Environment Committee

The Climate Mobilization MoCo Chapter

Unitarian Universalist Legislative Ministry of Maryland

Testimony FOR SB0781 - LG.pdf

Uploaded by: Linnie Girdner

Position: FAV

Dear Honorable Chair Feldman, Vice-Chair Kagan and Members of the Committee,

My name is Linda Girdner and I live in Gambrills, MD. I am writing to urge you to **support SB0781 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)**.

Pollution generating facilities have been disproportionately and deliberately sited in minority and economically distressed communities in Maryland for at least 200 years. Dr. Robert Bullard coined the term “human sacrifice zone” to describe communities inundated by environmental justice (EJ) issues and polluting industries. Environmental justice is the indelible right to equitable environmental protection under the law; the ability to live safe, healthy, and productive lives; and possessing the decision-making power to effect positive environmental change. EJ, fenceline and frontline communities are homes, community centers, schools, and playgrounds that, similar to battlefields, have very real casualties and impacts upon quality of life.

Low-wealth, Black, and other communities of color in Maryland face greater cancer risks and exposure to air toxics due to higher pollution burden. For example, Johns Hopkins Department of Environmental Health and Engineering at the Bloomberg School of Public Health found that the coal terminal at Curtis Bay is a significant driver of air pollution burdens, providing data from their [study](#) that supports what Curtis Bay residents have reported for many years.

The CHERISH Act amends Maryland's environmental law to provide adequate environmental impact assessment and opportunities for public participation for new, renewed, and expanded 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 and historic sources of pollution. The CHERISH Act prioritizes Maryland residents’ well-being and ensures that MDE’s decision-making processes are transparent and inclusive.

The CHERISH Act builds on the robust conversations from the 2024 Legislative Session on HB 24/SB96, which passed ENT, ECM, and the House as whole but did not move in the Senate. Now it is your opportunity to weigh in on legislation that is in direct alignment with environmental justice goals set forth in Maryland’s Climate Pollution Reduction plan and in MDE’s recent Climate Implementation Plan.

Let us not continue “human sacrifice zones” in Maryland. Please vote favorable on SB0781 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) in committee and on the floor.

Thank you for your consideration.

Linda Girdner

Member, Showing Up for Racial Justice, Annapolis and Anne Arundel County

SB 781 - National Aquarium - Support.pdf

Uploaded by: Maggie Ostdahl

Position: FAV



NATIONAL AQUARIUM®

Date: March 3, 2026

Bill: SB 781 -

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)

Position: Support

Dear Chair Feldman and Members of the Committee:

The National Aquarium respectfully requests a favorable report for SB 781, which updates Maryland Department of Environment's permitting processes for specific air and water pollution and waste disposal permits. This legislation is part of the CHERISH Our Communities Act package that is crucially necessary to protect vulnerable communities and live up to Maryland's environmental justice commitments.

The National Aquarium connects people with nature to inspire compassion and care for our ocean planet. Our three overarching strategic goals to combat climate change, stop plastic pollution, and save wildlife and habitats are guided by principles of equity and environmental justice. For more than a decade, the National Aquarium has collaborated with neighbors from Baltimore's Brooklyn and Curtis Bay communities and other partners through the Masonville Cove Urban Wildlife Refuge Partnership, restoring access to and offering year-round educational programming on over 100 acres of remediated land and water. Masonville Cove is adjacent to several communities of Baltimore residents who historically and presently bear a disproportionate share of the impacts of industrial pollution. In Baltimore and beyond, industrial facilities are often concentrated in or near communities of color and economically distressed areas, and people living there inequitably and unjustly experience cumulative impacts of pollution from those facilities.

Together with SB780, this bill address gaps in the state's current process which lacks full consideration of cumulative impacts of pollution as well as appropriate public process participation opportunities for nearby communities. Accounting for cumulative impacts in permitting decisions and setting strict guidelines for community engagement is overdue and necessary to fulfill the state's commitment to environmental justice, public health, and the well-being of all Marylanders.

We urge the Committee to issue a favorable report on SB 781.

Contact:

Maggie Ostdahl

Director of Conservation Policy

410-385-8275

mostdahl@aqua.org

Wills-Karp Testimony-_SB0781March2026.pdf

Uploaded by: Marsha Wills-Karp

Position: FAV

Testimony Supporting SB0780 and SB0781

Senate Environment and Transportation Committee

March 3, 2026

Position: SUPPORT

Dear Chair and Members of the Committee,

Thank you for the opportunity to provide testimony in support of SB0780 and SB0781, the CHERISH our Communities Acts.

As a public health scientist and educator, and a Professor and Chair of the Department of Environmental Health and Engineering in the Johns Hopkins Bloomberg School of Public Health and Director of the NIH funded CHARMED Community Health Center, I am writing in strong support of xxx. I have doctoral training in human physiology with a particular focus on respiratory immunology and environmental health. I have worked in the field of environmental health for 30 years focusing on understanding the health impact of a range of pollutants from industrial activity on vulnerable individuals (pregnant women, children) and disadvantaged communities.

Health Impacts of Environmental Pollutant Exposures

It has long been known that exposure to a range of airborne pollutants (PM2.5-PM10, CO, sulfur dioxide, nitrogen dioxide, black carbon) from a variety of sources (polluting factories, fossil fuel shipment facilities, trash incinerators, landfills, and polluting factories) contributes to loss of life, long-term health problems, and years of diminished quality of life and productivity.

A prime example is that exposure to particulate matter pollution (PM2.5) is strongly linked to all-cause mortality as well as specific diseases including stroke, heart disease, chronic obstructive pulmonary disease, asthma, lung cancer, and pneumonia. The life expectancy in Maryland for all causes is lower in Baltimore than other parts of the State. Moreover, the life expectancy of Black men and women in MD are lower than their white counterparts (MD Life expectancy, 78.5 white, 74.3 black).

In 2021 in Baltimore alone, the Maryland Department of Health found that asthma rates in Baltimore City are not only higher than the national average, but disproportionately affect children, African Americans, and low-income residents. A staggering 18.6% of children in Baltimore suffer from asthma, compared to just 5-8% nationally. Adults in the city also suffer at higher rates, with 13.7% of the population living with asthma—well above both state and national averages. More troubling still, emergency room visits for asthma-related conditions in Baltimore are the highest in the state, with African Americans experiencing asthma-related hospitalizations and mortality rates far higher than their white counterparts.

Additionally, my colleagues and I have found that exposure of pregnant women to even low levels of air pollution (PM2.5) during pregnancy is associated with inflammation of the placenta and a dose-related increased risk of preterm birth (PTB) and low birth weight (Nachman et al., 2016; MD, 6.7 White, 12.8 black).

Prematurity is the leading cause of death in children under 5 years old (infant mortality, 6.1% in MD compared to 5.4% in US, with 9.8% in non-Hispanic blacks). Surviving infants are at greater risk of developing hypertension, obesity, diabetes, and stroke later in life (Mao et al., 2017). These children also often experience neurodevelopmental challenges (Saigal and Doyle, 2008) including Attention Deficit Hyperactivity Disorder (ADHD) (Ahmed, 2024; Forns J, 2018) and autism (MD rates-7% in PTB compared to 1.5% in general population).

Cumulative Impacts

The science behind cumulative impacts shows that the health effects of these pollutants don't simply add up—they interact in complex ways, worsening outcomes over time. We observed that urban Baltimore ambient air contains a wide variety of harmful chemicals [PM2.5, polyaromatic hydrocarbons, and heavy metals (lead, mercury, cadmium)] (Walters et al., 2001) each of which have been individually associated with adverse health outcomes including neurodevelopmental impairment and respiratory disease (Agency for Toxic Substances and Disease Registry; Yang et al, 2024; Zhi, et al., 2025). An illustration of the cumulative burdens of toxic exposure in a community is the report by Hsieh et al (2024) that the increased density of gas stations (benzene) in a neighborhood is associated with increased cancer risks because of cumulative emissions from the individual gas stations. This data highlights the need to take cumulative impacts into consideration when making decisions regarding expansion or development of new pollutant sources in an overburdened community.

Economics Costs of Pollutant Exposures

Addressing the cumulative impacts of pollution is not just a matter of science—it's a matter of economic justice. The costs of unchecked pollution are staggering. In Baltimore, asthma alone results in thousands of emergency room visits every year, with the burden falling disproportionately on the public healthcare system.

In 2019 alone, an estimated \$23 million in emergency room costs were associated with asthma treatment, with nearly 71% of those costs covered by public funds. Added to these figures, are the high health care costs for treatment of PTB-associated comorbidities (estimated at \$5.09 billion in 2016) and the loss of economic productivity due to PTB-associated reductions in cognitive potential (11.9 IQ point decrements on average) (Trasande and Liu, 2011). These costs represent only a fraction of the broader economic impact of environmental pollution on healthcare, lost productivity, and education.

In 1999, the EPA estimated that from 1990-2010, the Clean Air Act prevented over 230,000 premature deaths which were primarily associated with reductions in ambient particulate matter. They estimated that the benefits of the Clean Air Act exceeded the costs by a factor of more than **30 to one**. Given the high costs of pollution-related health costs in MD, the benefits of the CHERISH Act will most certainly outweigh the estimated cost of its implementation in addition to saving lives and increasing the productivity of Marylanders.

Environmental Justice Concerns

This cumulative impact of environmental stressors is a critical factor in public health, especially for communities already burdened by systemic inequality. From the Maryland EJ Screening tool we know that people in many Maryland communities are faced with more than their fair share of chemical stressors as well as challenging health disparities, social and economic circumstances.

According to the U.S. Environmental Protection Agency (EPA) communities of color are exposed to higher-than-average levels of toxic air pollution. In fact, MDE reports that there are 70 regulated pollutant sources in the Curtis Bay area alone. These cumulative exposures over the lifespan of residents result in higher rates a variety of chronic health conditions that place an enormous burden on both individuals and the healthcare system.

Conclusion

It is crucial that we adopt policies that recognize the full complexity of environmental harm. To truly address the health disparities exacerbated by pollution, we must consider how multiple environmental stressors affect communities when approving permits. Only by taking a comprehensive approach to understanding and mitigating cumulative impacts can we protect public health and ensure a healthier future for all.

I respectfully submit that the CHERISH Act's requirement for an Existing Burden Report provides decision makers with a more complete understanding of this critical context so risk management decisions can be made that protect health in all communities.

I support SB0780 and SB0781

- **to ensure that permit decisions are made with a full understanding of the health impacts on affected communities.**
- **I look forward to working with community members and state and local decision makers to implement practical cumulative risk and impact assessment approaches for Maryland.**

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SB781_Marta Orellana_FAV_CHERISH ACT.pdf

Uploaded by: Marta Orellana

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Marta Orellana

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Marta Orellana, and I have been a resident of Baltimore City's District 46 for the past 17 years. I am a mother of two children—one of whom lives with both asthma and autism and I am deeply committed to advocating for environmental justice and healthier communities.

I am writing today in strong support of SB781 – the CHERISH Our Communities Act because this legislation is personal to me and my family. My youngest son's asthma is directly affected by the quality of the air he breathes every day. Too often, families like mine live in neighborhoods already burdened by pollution, yet we continue to face new environmental risks without adequate protections.

Communities like ours have been overlooked for far too long. We are exposed to multiple sources of pollution that accumulate over time and create serious health risks for our children and neighbors. The CHERISH Our Communities Act is a critical step toward ensuring that the Maryland Department of the Environment fully considers the cumulative impacts of pollution when reviewing permits and making decisions that affect our communities.

By supporting this bill, you are helping protect families who are already facing environmental and health challenges. You are also taking an important step toward ensuring that every Maryland child regardless of their zip code has the opportunity to grow up in a safe and healthy environment.

I respectfully urge you to support SB781 and stand with families like mine who deserve clean air, healthier neighborhoods, and stronger protections for our communities.

Thank you for your time and consideration.

Sincerely,
Marta Orellana

SB 781 - CBF - FAV.pdf

Uploaded by: Matt Stegman

Position: FAV



CHESAPEAKE BAY FOUNDATION

Senate Bill 781

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)

Date: March 3, 2026	Position: FAVORABLE
To: Senate Education, Energy, & Environment Committee	From: Gussie Maguire MD Staff Scientist

The Chesapeake Bay Foundation (CBF) **SUPPORTS Senate Bill 781** which requires certain permit applicants to the Department of the Environment to include a Baseline Understanding of Risk, Disparities, and Environmental Needs or BURDEN Report. Types of permits requiring this assessment include air quality control permits, wastewater discharge permits for facilities such as mines, landfills, and animal feeding operations, sewage sludge permits, operating permits for hazardous materials and nuclear waste facilities, and Title V air quality permits.

BURDEN Reports must include the EJ scores for census tracts within 1.5 miles of the site and include existing pollution sources impacting at-risk census tracts as well as existing public health stressors. Applications for permits that would worsen those stressors could only be approved if there were no reasonable alternative. Public notice processes for permits would include making BURDEN Reports available to the public for review and comment. The bill directs the Department to improve its outreach and notice effectiveness to overburdened communities, improving their ability to self-advocate. Finally, maximum civil penalties for permit violations in at-risk census tracts would be increased 75%; at least 25% of the revenue would go towards supplemental environmental projects in at-risk census tracts.

This bill responds to historic inequities, where poor communities, often communities of color, have been forced to share space with disproportionate numbers of industrial facilities, landfills, incinerators, power plants, and other pollution sources. Overburdened communities face health impacts as well as damage and lack of safe access to natural spaces. Emissions and discharges from multiple facilities within a single watershed place undue stress on the waterway and its surroundings. Requiring an analysis of the environmental and health burdens already impacting an area will help the Department of the Environment make informed decisions about where it can responsibly allow for additional permitted discharges, emissions, and other industrial impacts.

CBF urges the Committee's FAVORABLE report on SB 781.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.

CHERISH Senate Testimony_MAA+BS.pdf

Uploaded by: Matthew Aubourg

Position: FAV

Testimony Supporting SB0781 & SB0780
Senate Education, Energy, and the Environment Committee
March 3, 2026

Position: SUPPORT / FAVORABLE

Dear Chair Feldman and Members of the Committee,

Thank you for the opportunity to submit testimony for the record in support of SB0781 and SB0780—the CHERISH Our Communities Act. We are Baltimore City residents and environmental health practitioners in the Department of Environmental Health and Engineering at the Johns Hopkins Bloomberg School of Public Health. Matthew Aubourg (co-signer) is also a board member of the South Baltimore Community Land Trust (SBCLT). **We write to you in strong support of SB0781 and SB0780—the CHERISH Our Communities Act.**

In our roles as environmental justice researchers and advocates, we have the unique privilege and blessing of seeing what love for one's community looks like, even amidst the threat of cumulative impacts. The residents, youth, organizers, and community scientists we work alongside and learn from live at the frontline of day-to-day and multi-generational impacts of environmental pollution from various industrial activities, and the compounding effects of structural barriers to even basic needs for achieving a full state of health.¹

The CHERISH Act is community-led legislation rooted in environmental justice here in Maryland to protect frontline communities from cumulative harms of pollution. This bill:

1) Translates community testimony directly into responsive regulatory action.

From the neighboring communities of industrial poultry production in the Eastern Shore of Maryland, to the residents at the frontline of a myriad of stationary and mobile industrial polluters in South Baltimore, and beyond in our state, residents in fence-line communities have reported the health and quality of life impacts of pollution for decades.²⁻⁸ The CHERISH Act is targeted in its geography, applying only to communities overburdened by environmental pollution and compounding non-chemical stressors using the MDEnviroscreen EJ Score.⁹ The CHERISH Act also ensures residents in these communities can comment on a specific list of environmental permits through a defined, public process. Currently, there are several

permit types that residents cannot provide any input on, even though that permit may be allowing pollution to occur in their own backyard.

2) Is aligned with the state of public and environmental health science.

The science is clear and unequivocal: air, water, and land pollution are core drivers of community and individual-level mortality and morbidity, which amplify or are amplified by socioeconomic and structural harms.¹⁰⁻¹⁵ Air pollution and heavy metal contamination, for instance, have been linked to increased cancer risk, neurodevelopmental and psychosocial harms, and respiratory and cardiovascular disease.^{12,16-20} Both these environmental exposures and structural burdens are borne disproportionately in communities of color and communities with lower wealth. As aforementioned, impacted community lived experience has described this for decades and the science is meeting this understanding of how environmental exposures interact with non-chemical stressors.

3) Is informed by the state of environmental regulatory practice as demonstrated in multiple other states and jurisdictions.

The current permitting regime in Maryland permits individual facilities without any consideration of that facility's contribution to the combined impacts of multiple polluters in a single area. By and large, these areas are communities of color and communities of lower wealth due to the entrenched histories of redlining and inequitable zoning and land use practices. Multiple states and city-level jurisdictions around the United States (e.g., New Jersey, New York, Massachusetts, Minnesota, Chicago) have passed and implemented cumulative impacts legislation to meet the on-the-ground and scientifically-informed realities of pollution. In New Jersey, for example, their Environmental Justice Law on cumulative impacts is in implementation and has already won against legal challenges from polluting industry interests. There is already a clear track record nationally of implementing legislation to better protect impacted communities, codify environmental justice commitments (i.e., Gov. Wes Moore signing Valuing Opportunity, Inclusion, and Community Equity [VOICE] Executive Order in 2025)^{21,22}, and hold polluters accountable.

The CHERISH Act prevents new polluters from being built in environmental justice communities if the Maryland Department of the Environment 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. It also will reduce pollution from existing facilities when their permits are

being renewed, if MDE determines that facility is contributing to a disproportionate pollution and health burden on the nearby community.

Maryland has a critical opportunity to be a champion for environmental justice, particularly in a national landscape when champions are needed more than ever. Thank you again for this opportunity and we urge a favorable report on **SB0781 & SB0780–the CHERISH Act.**

Sincerely,

Matthew A. Aubourg, MSPH

PhD Student, Environmental Health and
Engineering
Center for a Livable Future Lerner Fellow –
Steve Wing Track
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Bonita D. Salmerón, MPH

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The views expressed here are our own and do not necessarily reflect the policies or positions of Johns Hopkins University/Johns Hopkins Health System.

Laurens Senate Bills 0780 and 0781.pdf

Uploaded by: Matthew Laurens

Position: FAV

Senate Bills 0780 and 0781 – SUPPORT
Certificate of Public Convenience and Necessity - BURDEN Analysis (SB 0780)
and
Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and Public
Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health
(SB 0781)
(CHERISH Our Communities Act)
Senate Education, Energy, and Environment Committee

Dear Chair Feldman and Members of the Committee,

I am a member of the community living along the shores of Stoney Creek and the Patapsco River in Anne Arundel County, Maryland. Our family enjoys water recreation and other outdoor activities, including bird watching and fishing.

I am concerned about cumulative pollution in the area, including the legacy pollution and current polluters near my community. While I am concerned about how the pollution is affecting the health of our waterways, land areas, wildlife, and climate, I am particularly concerned about how pollution is affecting my family's health and well-being.

I support this bill as it will protect the most impacted communities from air, water, and soil pollution. The bill will also protect community and worker health, reduce sick days and pollution-related chronic diseases and disabilities, reduce impacts on businesses, reduce impacts to both public and private health and economic infrastructure, and improve property values.

Senate Bills SB 0780 and SB 0781 proposed in this legislative session will create the necessary regulatory infrastructure to implement a measured and cost-effective approach to correcting the burden of cumulative pollution in Maryland's most overburdened communities and it will give overburdened communities a voice in the process.

I strongly support SB 0780 and SB 0781.

Sincerely,

Matthew Laurens
Stoney Beach, Curtis Bay, MD
mattlaurens@hotmail.com

SB781.docx.pdf

Uploaded by: Melody Hession

Position: FAV



Delaware-Maryland Synod
Evangelical Lutheran Church in America

Testimony Prepared for the
Education, Energy, and the Environment Committee
on
Senate Bill 781
February 27, 2026
Position: Favorable

Chair and members of the Committee, thank you for the opportunity to testify. I am Reverend Melody Hession-Sigmon, assistant to the bishop for public policy in the Delaware-Maryland Synod of the Evangelical Lutheran Church in America, a faith community with congregations in every part of the state.

In 1993, the ELCA made the concerns addressed by **SB781** a matter of public policy for our denomination.

“The land and its inhabitants are often disenfranchised by the rich and powerful. The degradation of the environment occurs where people have little or no voice in decisions — because of racial, gender, or economic discrimination. This degradation aggravates their situation and swells the numbers of those trapped in urban or rural poverty. We pray, therefore, for the humility and wisdom to stand with and for creation, and the fortitude to support advocates whose efforts are made at personal risk.”

Pollution generating facilities have historically been built next to minority and economically distressed communities in Maryland. That trend continues even today as we see sites for new data center projects. The degradation of God’s good earth is occurring in Maryland where people have little or no voice in decisions, and Low-Wealth, Black, and other communities of color are being targeted.

We celebrate that this bill provides an opportunity for residents to have a voice when facilities near them must apply for environmental permits in order to build new projects or continue their presence in close proximity to neighborhoods. We urge Maryland to join New Jersey, New York, and Minnesota in passing legislation like **SB781**. We ask for a favorable report.

Reverend Melody Hession-Sigmon

SB0781_Testimony in Support_17FPJ.pdf

Uploaded by: Michelle Wang

Position: FAV



Testimony Supporting SB0781
Senate Education, Energy, and the Environment Committee
March 3, 2026

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

As a resident of District 42B and the President of 17 for Peace and Justice, UMD's environmental justice student organization, I am writing to express my strong support for SB0781, the CHERISH Our Communities Act, applying to MDE-issued permits.

I am a member of the State Action Committee for 17 for Peace and Justice, which is UMD's only environmental justice student organization. Our committee mobilizes college students to push for stronger state-level environmental legislation. We have been working closely with the CHERISH Act coalition to pass this bill.

As students at the University of Maryland, College Park, we are directly impacted by the environmental justice and health impacts of polluting facilities in Maryland. Our students hail from all different parts of Maryland, including Howard County, Baltimore County, Baltimore City, Anne Arundel County, Prince George's County, and more. At UMD, we are located in Prince George's County, which has the 3rd highest density of power plants of all counties in Maryland.

The current system of permitting in Maryland may seem like a facially neutral policy, but in reality, perpetuates the historic and systemic racism that has occurred in Maryland. Permits that only consider environmental impact and not cumulative impacts or demographics treat these issues as a vacuum. However, it's important to recognize that these issues are cumulative and should be considered together. The CHERISH Act addresses this by considering cumulative impacts into Maryland's process of issuing permits to pollute, based on laws already passed in New Jersey, Minnesota, and New York. New Jersey's bill has already gone into implementation and won against a legal challenge from polluting industry interests.

As young residents of Maryland and students at our state's flagship university, we are deeply concerned about the environmental justice and health impacts that the pollution industry has on Maryland residents, especially marginalized and frontline communities who suffer disproportionately. Protecting our communities from the pollution industry is essential for the long term resilience of our state and to ensure a just and equitable future.



This bill prevents new polluters from being built in environmental justice communities if the Maryland Department of the Environment 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. It will also reduce pollution from existing facilities when their permits are being renewed, if MDE determines that the facility is contributing to a disproportionate pollution and health burden on the nearby community.

We hope that you will work to pass SB0781 and consider the future of our health and environment to vote favorably for the CHERISH Act.

Sincerely,

Michelle Wang

President of 17 for Peace and Justice

University of Maryland, College Park '2027

SB781_Nathaly Montufar_FAV_CHERISH ACT.pdf

Uploaded by: Nathaly Montufar

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Nathaly Montufar

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Nathaly Montufar, I am 15 years old, and I am an 8th grade student at Sonia Sotomayor Middle School. I live in Langley Park, in District 47. I am a part of the Youth Leadership Academy with CHISPA Maryland. I am writing to express my strong support for SB781 – CHERISH Our Communities Act because this legislation is critical to protecting the health and well-being of families like mine and communities across Maryland.

This legislation would make decisions fairer and more protective of communities that are already dealing with high levels of pollution. Right now, permits for new facilities are reviewed one at a time, without fully considering the total or cumulative pollution in an area. This means that neighborhoods already carrying a heavy pollution burden can end up with even more harmful facilities nearby.

CHERISH Our Community Act would allow agencies like the Maryland Department of the Environment (MDE) and the Public Service Commission (PSC) to consider environmental justice data when deciding whether to approve or deny permits. That's important because it focuses on real health impacts people are experiencing.

The CHERISH Act is very important to our Community and environment because it requires evaluating pollution from nearby sources, adding stronger conditions to approved permits, and ensures meaningful community participation in decisions. In practical terms, it gives residents a voice and helps prevent more damage before it happens by reducing cumulative pollution and prioritizing public health, especially in overburdened areas.

CHERISH Our Community Act would improve air and water quality, protect families' health, and create a more just system for everyone in Maryland.

I respectfully urge you to support SB781 so that all Maryland families, especially children can grow up in healthier, safer environments.

Thank you for your time and consideration.

Sincerely,

Nathaly Montufar

SB781 - Fav .pdf

Uploaded by: Neka Duckett-Randolph

Position: FAV



OUT FOR JUSTICE

TESTIMONY IN SUPPORT OF SENATE BILL 781:

TO: Energy, Education, and Environment

FROM: Out For Justice, Inc.

DATE: 3/3/2026

My name is Neka Duckett-Randolph, and I am the resident environmentalist at Out For Justice, a member-led grassroots organization dedicated to engaging, educating, and empowering communities to build power to dismantle harmful systems of oppression. Out for Justice strongly supports SB780, the CHERISH Act.

As an organization that has long advocated for the rights and dignity of individuals impacted by the criminal justice system, **Out For Justice** proudly stands at the intersection of **environmental justice** and **criminal justice reform**. The carceral system and environmental injustice are not separate, isolated issues. They are inextricably linked, particularly for impoverished communities of color, and, more specifically, Black communities. We understand the carceral community is a **frontline environmental justice community**. Black and Brown individuals who have been criminalized—especially those from within Baltimore’s Black Butterfly neighborhoods —often face compounded environmental hazards, both within and outside the prison walls.

Across our state residents experience firsthand the consequences of environmental degradation. Flooding worsened by unchecked development, declining air quality near industrial sites, and contaminated waterways are not abstract environmental concerns; they are daily public safety issues. When stormwater systems fail, families lose homes. When air pollution increases, asthma rates rise. When water systems are compromised, public health emergencies follow.

Environmental degradation destabilizes communities. It increases emergency response burdens, strains healthcare systems, depresses property values, and disproportionately harms low-income and historically marginalized communities. Public safety must be understood not only as crime prevention, but as protection from preventable harm.

Community input is essential to addressing these challenges effectively. Residents possess critical, localized knowledge about flooding patterns, pollution exposure, infrastructure weaknesses, and cumulative environmental impacts. Without structured and meaningful opportunities for community participation, state-level decisions risk overlooking real-world conditions on the ground.

SB780 provides an important opportunity to formalize and strengthen community engagement in environmental processes. Transparent decision-making builds public trust.

Inclusive participation improves policy outcomes. And proactive environmental stewardship reduces the likelihood of costly disasters and emergency interventions later.

When communities are heard early and often:

- Projects are better designed.
- Environmental risks are more accurately assessed.
- Public opposition decreases.
- Implementation becomes more efficient and equitable.

Maryland has long positioned itself as a leader in environmental protection. Protecting the health of the Chesapeake Bay and strengthening climate resilience efforts demonstrate the state's recognition that environmental policy and public safety are inseparable. SB780 continues that legacy by ensuring that those most affected by environmental decisions have a voice in shaping them.

Public safety is not only about responding to emergencies, it is about preventing them.

Environmental degradation, left unchecked and unexamined by impacted communities, increases risks that are avoidable with thoughtful planning and inclusive governance.

Strengthening community input mechanisms is not merely a procedural improvement, it is a public safety imperative.

For these reasons, Out For Justice respectfully urges a favorable report on SB780.

Varma_Written Testimony for SB0780 and SB0781.pdf

Uploaded by: Nikhil Varma

Position: FAV

Senate Bills 0780 and 0781 – SUPPORT

Certificate of Public Convenience and Necessity - BURDEN Analysis (SB 0780)

and

Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health (SB 0781)

(CHERISH Our Communities Act)

Senate Education, Energy, and Environment Committee

Dear Chair Feldman and Members of the Committee,

My name is Nikhil Varma, and I am a resident of the Stoney Beach community in Anne Arundel County. I live within direct view of the H.A. Wagner and Brandon Shores power plants, as well as other industrial facilities operating along the Curtis Bay shoreline.

In February 2026, I observed and documented a prolonged black smoke emission event from the Wagner plant lasting more than ten minutes. Maryland Department of the Environment later confirmed that the unit experienced operational issues during a fuel switch from natural gas to oil. While this event was described as temporary, it underscored a broader issue for our community: we do not have localized, real-time monitoring to understand what we are breathing during startup events, fuel switches, or annual oil testing operations.

Our neighborhood exists alongside multiple pollution sources, including fossil fuel power generation, a medical waste incinerator, and a sewage treatment facility. While each facility is regulated individually, the cumulative burden of these emissions is not meaningfully analyzed in permit decisions or renewals. State monitoring stations located miles away are designed for regional compliance, not neighborhood-level impact assessment.

As a resident, it is deeply concerning that communities hosting legacy industrial infrastructure lack transparent, cumulative analysis when permits are issued or renewed. Residents are often asked to accept extended operations of aging facilities for regional grid reliability, yet we are not provided with accessible data or a structured opportunity to evaluate cumulative health impacts.

Senate Bills SB 0780 and SB 0781 create a reasonable and necessary framework to evaluate cumulative pollution burdens and ensure that overburdened communities have a voice in permitting decisions. These bills do not prohibit development; rather, they strengthen transparency, accountability, and public participation in communities already carrying disproportionate environmental impacts.

Nikhil K. Varma | nvarma7450@gmail.com

I strongly support SB 0780 and SB 0781 and respectfully urge a favorable report.

Sincerely,

Nikhil K. Varma

Stoney Beach, Anne Arundel County, MD

nvarma7450@gmail.com

John S. Garofolo | johngstonebeach@gmail.com

SB781_Paulina Molina_FAV_CHERISH ACT.pdf

Uploaded by: Paulina Molina

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Paulina Molina

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Paulina Molina, I am 24 years old, and I am an undergrad student at the University of Maryland, College Park. I live in New Carrollton, in District 22. I am a new member of CHISPA Maryland. I am writing to express my strong support for SB781 - CHERISH Our Communities Act because this legislation is critical to protecting the health and well-being of families like mine and surrounding communities across Maryland.

Bill SB781 will allow for decisions to be fairer and will take into account the communities that are already suffering from high levels of pollution. Right now, permits for new facilities are reviewed one at a time, without fully considering the already tainted air quality in the area. This means that neighborhoods already carrying a heavy pollution burden can end up with even more harmful facilities nearby. It is common knowledge that pollution and harmful air quality can lead to many health concerns, specifically respiratory issues, such as asthma and Chronic Obstructive Pulmonary Disease (COPD).

CHERISH Our Community Act would allow agencies like Maryland Department of the Environment (MDE) and the Public Service Commission (PSC) to consider environmental justice data when deciding whether to approve or deny permits. By doing so, agencies will have to factor in real health problems and keep in mind that individuals and families are living near polluting facilities.

This bill is vital for keeping our community and environment safe because it requires evaluating pollution from nearby sources, adds stronger protections to approved permits, and ensures meaningful community participation in decision-making. It allows residents to have a voice and helps prevent unnecessary harm. The bill also reduces cumulative pollution and prioritizes public health, especially in overburdened areas.

CHERISH Our Community Act would improve air and water quality, protect families' health, and create a more equal system for everyone in Maryland.

I respectfully urge you to support SB781 so that all Maryland families, especially children can grow up in healthier and safer environments.

Thank you for your time and consideration,

Paulina Molina

SB 781 CHERISH DoE - Support-Phil Webster-UULM-MD.

Uploaded by: Phil Webster

Position: FAV



Unitarian Universalist Legislative Ministry of Maryland

Testimony in Support of SB 781 CHERISH Our Communities Act

TO: Chair Feldman and Members of the
Education, Energy and Environment Committee
FROM: Phil Webster, PhD, Lead Advocate for the Climate
Unitarian Universalist Legislative Ministry of Maryland.
DATE: March 3, 2026

The Unitarian Universalist Legislative Ministry of Maryland (UULM-MD) strongly supports **SB 781 - 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)**

The UULM-MD is a faith-based advocacy organization based on Unitarian Universalist (UU) Values, including Interdependence (honoring the interdependent web of all existence) and Justice (where all feel welcome and can thrive). Working to mitigate, adapt to, and build resilience for climate change is central to our beliefs.

The **CHERISH our Communities Act** has been around for more than ten years, in one form or another. Originally introduced in 2014, it is based on a simple premise: *Enough (pollution) Is Enough*. The bill would require adequate environmental impact assessments for new, renewed, and expanded environmental permits to ensure that environmental justice (EJ) communities do not continue to disproportionately bear the harms of environmental and public health hazards.

In 2022, "overburdened" and "underserved" communities were officially defined in Maryland law, targeting areas hit hardest by environmental and economic challenges. Also in 2022, "Justice 40 language" was included in the Joint Chairmen's Report (JCR) from the legislative budget committees to request information from Maryland Department of the Environment (MDE) on recommendations to identify and provide assistance to overburdened communities, legislative & regulatory changes to direct at least 40% of funding from critical programs to community needs. The Maryland EJ Screening tool has been developed to identify census tracts with high Environmental Justice scores.

The **CHERISH Our Communities Act** builds on this foundation by giving the MDE the authority to use the "EJ Score" when evaluating new, renewed, and expanded environmental permits.

We urge a FAVORABLE report on **SB 781**.

Phil Webster, PhD

Lead Advocate for the Climate, UULM-MD

UULM-MD c/o UU Church of Annapolis 333 Dubois Road Annapolis, MD 21401 410-266-8044,

www.uulmmd.org info@uulmmd.org www.facebook.com/uulmmd www.Twitter.com/uulmmd

UULM-MD c/o UU Church of Annapolis 333 Dubois Road Annapolis, MD 21401 410-266-8044,

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SB0781 Written Testimony_ CHERISH Our Communities

Uploaded by: Phylcia Porter

Position: FAV

City of Baltimore

Room 527, City Hall
100 N. Holliday Street, Baltimore, Maryland 21202
Telephone: (410) 396-4822
Email: Phylicia.Porter@baltimorecity.gov



Councilwoman Phylcia R. L. Porter,

District 10

CHAIR: Public Health and Environment

MEMBER:

Labor and Workforce

Public Safety

Transportation and Land Use

February 25, 2026

Bill Title: SB0781 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)

Position: Favorable

To: Chair Feldman, Vice Chair Kagan, Education, Energy, and the Environment Committee

Dear Chair Feldman and Members of the Committee,

I am writing as a Councilwoman, representative, and resident of Baltimore City's Tenth District to express my strong support for SB0781, which establishes critical, targeted environmental health protections for at-risk census tract communities, including those in South Baltimore. According to the Maryland Environmental Justice (EJ) Tool, neighborhoods in my district score well above the 75th percentile statewide. These communities have endured disproportionate environmental burdens and pollution exposure for generations, and this legislation represents an important step toward advancing environmental justice and public health equity.

The CHERISH Our Communities Act uses a location-based environmental justice approach to address the disproportionate environmental and public health harms facing communities like Brooklyn, Curtis Bay, and Hawkins Point, where polluting facilities have historically been concentrated in minority and economically distressed neighborhoods. The bill strengthens Maryland's environmental laws by requiring facilities in at-risk census tracts to submit reports detailing existing environmental and public health burdens ensuring that cumulative pollution impacts are fully considered and that residents' experiences are meaningfully included in the permitting process.

As a public health scientist and local elected official, I know the severe health challenges and harms that my communities face daily. The state must create a transparent and accountable process that empowers communities to meaningfully engage in decisions about pollution, public health, and land use in our neighborhoods. It is my hope that this testimony reflects my commitment as a legislator to ensuring the well-being of our communities for future generations.

Sincerely,

A handwritten signature in black ink, appearing to read "Phylicia R. L. Porter".

Councilwoman Phylcia Porter, MPH, MSL

Phylicia.Porter@baltimorecity.gov

Chair, Public Health and Environment Committee

Baltimore City Council - District 10

Testimony Supporting SB0781.pdf

Uploaded by: Rachel Casteel

Position: FAV

Testimony Supporting SB0781
Senate Education, Energy, and the Environment Committee
March 3, 2026



Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

As a resident of Wicomico County, and a resident concerned about environmental justice in our rural community, I am writing to express my strong support of SB0781, the CHERISH Our Communities Act applying to MDE-issued permits.

This bill incorporates consideration of cumulative impacts into Maryland's process of issuing permits to pollute, based on laws already passed in New Jersey, Minnesota, and New York. New Jersey's bill has already gone into implementation and won against a legal challenge from polluting industry interests. It is targeted in scope: it will apply to a specific list of types of permits, mostly air pollution permits, water pollution permits for a narrow list of types of industries, and waste disposal permits. **Currently, nearby communities have no opportunity to give public comment on several types of permits to pollute, including more than half of air pollution permits.** The CHERISH Our Communities Act will ensure public participation in the process and fix this longstanding environmental injustice. As a neighbor to concentrated animal feeding operations and the polluting infrastructure associated with them, I understand firsthand what it's like to be unable to walk outside of my home without gagging. Members of my family have asthma, which is exacerbated when stench from this pollution invades our home and property – it's important to me that our voices are heard before *more* polluting industries are sited in our community.

This bill prevents new polluters from being built in environmental justice communities if the Maryland Department of the Environment 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. It also will reduce pollution from existing facilities when their permits are being renewed, if MDE determines that facility is contributing to a disproportionate pollution and health burden on the nearby community.

On behalf of eastern shore communities, I urge you to support SB0781, ensuring public participation in rural communities like mine, and moving forward to protect the health and well-being of Marylanders.

Respectfully submitted,

Rachel Casteel

Sentinels of Eastern Shore Health (SESH)

Maryland LCV_FAV_SB 781 CHERISH Act.pdf

Uploaded by: Rebecca Rehr

Position: FAV



**MARYLAND
LEAGUE OF
CONSERVATION
VOTERS**

**Maryland LCV
Board of Directors**

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Honorable Nancy Kopp
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Honorable Steve Lafferty

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Kim Coble
Executive Director

March 3, 2026

Support: SB 781 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)

Mr. Chair and Members of the Committee:

Maryland LCV is submitting this testimony to strongly support SB 781, The CHERISH Our Communities Act. We thank Senator Brooks for introducing this important bill as well as its companion SB 780, and for his leadership on this issue. The CHERISH Our Communities Act is a top priority bill for Maryland LCV, as well as a priority bill for the environmental community.

Environmental justice is rooted in the principles that all communities deserve a clean and healthy environment, and those most affected have a voice in the decisions shaping their future. These principles are reflected in SB 781, which builds on years of community-driven efforts to assess the cumulative impacts of pollution. This bill addresses gaps in the Maryland Department of the Environment's (MDE) permitting authority to protect the health and well-being of communities.

SB 781 seeks protections for overburdened and underserved communities, authorizing additional scrutiny for certain permits when they are proposed in these communities, as well as the authority for the agency to use environmental justice and cumulative impacts information to make a decision about a permit. It also adds public participation on several permit types that currently do not include robust community notice or outreach.

SB 781 takes the commonsense step of requiring an applicant to submit a Baseline Understanding of Risk, Disparities, and Environmental Needs (BURDEN) Report for certain polluting facilities proposed in at-risk areas, defined in the bill language. The results of the BURDEN Report would factor into the permit decision. At-risk census tracts are among the most polluted and underserved in the state, making it critical that permits in these communities undergo additional screening. This approach ensures that the health and well-being of residents are prioritized and that the state fulfills its commitment to environmental justice.

The coalition supporting this bill has worked diligently with MDE for many months to come to an agreement on bill language that makes significant progress improving community health and public participation in permitting, while cognizant of the fiscal constraints Maryland faces this year. We are supportive of the sponsor package of amendments being presented at the hearing.

The first cumulative impacts bill was proposed in Maryland in 2014. Since that time, Maryland has made some progress, including the development of the state's EJ mapping tool, now MDEnviroScreen, and requiring that some environmental justice information be included in certain types of permit applications. But we have fallen behind other states including New Jersey, New York, Connecticut, and Minnesota in implementing comprehensive and meaningful cumulative impacts laws.

We want to bring your attention to 17 pieces of testimony from Environmental Justice and Action Promotores of Maryland LCV's Chispa Maryland program in support of this bill. They're joining many other Chispa community members in advocating for the CHERISH Act. Chispa's Promotores are community volunteers who work tirelessly alongside families in their communities to advance environmental justice. They advocate for healthy communities and a clean environment where their families can thrive and their children can reach their full potential.

Maryland LCV strongly urges a favorable report on this important bill, and its companion that addresses permits at the PSC.

SB0781 CHERISH Act Favorable Kranz 3-3-26.pdf

Uploaded by: Rhonda Kranz

Position: FAV

Testimony on: SB0781– 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)

Committee: Education, Energy, and the Environment

Submitting: Rhonda Kranz

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair Feldman and Committee Members:

Thank you for allowing my written testimony in support of SB0781, the CHERISH our Communities Act - Environmental Permits. This is an issue of great importance to me. As a Marylander and concerned citizen, I am troubled by the lack of protections against the continued siting of polluting facilities near our already overburdened and underserved communities. The current permitting processes does not provide protection for local residents who are forced to endure this discriminatory practice.

SB0781 takes an important step in addressing this problem by adding requirements in the Maryland Department of the Environment (MDE) permitting system to better protect communities that already face heavy pollution burdens. It will provide an opportunity for nearby communities to express their concerns about planned or renewal of facilities in their communities in a public process to be consider in decisions on permits to pollute.

SB0781 would: apply only to parts of the state that are burdened by disproportionate pollution; incorporate consideration of cumulative impacts into Maryland’s process of issuing permits to pollute, based on laws already passed in New Jersey, Minnesota, and New York; apply to a specific list of types of permits, mostly air pollution permits, water pollution permits for a narrow list of types of industries, and waste disposal permits; will not impact most businesses, and will not impact housing or other construction (unless it is the construction of a facility that would pollute), and ensure public participation in the process and fix this longstanding environmental injustice.

It is important that this bill addresses environmental justice and health issues. Over the last sixty years a disproportionate number of Maryland’s power plants have been cited in communities of color. Pollutants from these plants include mercury and neurotoxins and are especially harmful to children. The communities also suffer from the noise, traffic, and water contamination, and social upheaval that accompany these facilities. SB0781 would prevent new polluters from being built in environmental justice communities if the MDE determines, through a public process and public input, that allowing it to be built would contribute to a disproportionate pollution and health burden on the nearby community.

We have seen the impacts of disproportionate pollution in Curtis Bay, South Baltimore, and Brandywine and dozens of other communities in Maryland. Environmental justice must be front and center as Maryland continues to develop. SB0781 will be required MDE to take environmental justice scores and cumulative pollution burdens into account when making

permitting decisions. For these reasons, I urge the committee to issue a FAVORABLE report for SB0781.

Testimony in support of SB0781 - CHERISH Our Commu

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0781_RichardKaplowitz_FAV

03/03/2026

Richard Keith Kaplowitz

Frederick, MD 21703

TESTIMONY ON SB#0781- POSITION: FAVORABLE

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)

TO: Chair Guzzone, Vice Chair Rosapepe, and members of the Budget and Taxation Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#0781, **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)**

This bill is submitted to create environmental justice for all communities in Maryland. The American Public Health Association defines environmental justice as: ¹

Environmental justice is the idea that all people and communities have the right to live and thrive in safe, healthy environments with equal environmental protection and meaningful involvement in these actions.

The Environmental Law Clinic of the University of Maryland Francis King Carey School of Law report *Environmental Justice in Maryland* ² documents the:

- Environmental Justice Background
- Maryland's Environmental Justice Efforts
- Environmental Justice Issues in Maryland
- Recommendations

We know of countless examples of the lack of environmental justice in South Baltimore (Curtis Bay/Fairfield) and in Brandywine (Prince George's County) among other communities that are specifically affecting minority populations. This bill enforces an analysis of environmental and public health burdens be included in the application and a determination if approval should be given or withheld by the Department of the Environment based on that reported information.

This bill will center environmental justice in decisions on any application by requiring an application for the issuance or renewal of a covered individual environmental permit for a site or facility located within an at-risk census tract after a certain date to include in the permit application a report describing the environmental and public health burdens in the at-risk census tract; requiring the Department of the Environment to issue a determination as to whether approving a covered individual environmental permit will cause or contribute to adverse environmental or public health stressors; etc.

I respectfully urge this committee to return a favorable report on SB#0781, CHERISH Our Communities Act

¹ [https://www.apha.org/topics-and-issues/environmental-health/environmental-justice#:~:text=Environmental%20justice%20is%20a%20public,%2D%20Spanish%2C%202023%20\(PDF\)](https://www.apha.org/topics-and-issues/environmental-health/environmental-justice#:~:text=Environmental%20justice%20is%20a%20public,%2D%20Spanish%2C%202023%20(PDF))

² <https://www.bdlaw.com/content/uploads/2019/04/fulltext.pdf>

SB 781_Maryland Catholics for Our Common Home_FAV.

Uploaded by: Robert Simon

Position: FAV



Hearing before the Senate Education, Energy, and the Environment Committee
Maryland General Assembly
March 3, 2026

**Statement of Support (FAVORABLE)
of Maryland Catholics for Our Common Home for
SB 781, 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)**

Maryland Catholics for Our Common Home (MCCH) is a lay-led organization of Catholics from parishes in the three Catholic dioceses in Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington. It engages in education about, and advocacy based upon, the teachings of the Catholic Church relating to care for creation and respect for all life. MCCH is a grassroots voice for the understanding of Catholic social teaching held by a wide array of Maryland Catholics. In the 2025 Legislative Session, over 700 Maryland Catholics from 45 different Catholic parishes and religious communities across the State joined together through MCCH to support several key environmental bills under consideration by the General Assembly. MCCH is independent, though, and should be distinguished as an organization from the Maryland Catholic Conference, which represents the public policy positions of the bishops who lead these three dioceses.

Because we are attuned both to the cry of a distressed Earth and the cry of the poor who suffer first and foremost from environmental pollution, including a warming planet, **MCCH would like to express our strong support for Senate Bill 781, 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).**

From our faith perspective this is an important bill (as is its companion, SB 780, also being heard at this hearing).

In his 2015 encyclical, entitled *Laudato Si': On Care for Our Common Home*,¹ Pope Francis called for a comprehensive response to protecting God's creation—one that addresses, simultaneously, two related crises: (1) the widespread despoliation of our environment (our air, water, and soils that sustain all life) by human activities; and (2) the disproportionate impact on the poor of environmental and climate collapse.

¹ The English text of the encyclical, to which the paragraph numbers in the parentheses on the next page refer, can be found at: https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html.

Pope Leo XIV highlighted the duty of Catholics to act on the second of these crises—the lack of environmental justice—in his message last year for the World Day of Prayer for the Care of Creation,² stating:

Environmental justice—implicitly proclaimed by the prophets—can no longer be regarded as an abstract concept or a distant goal. It is an urgent need that involves much more than simply protecting the environment. For it is a matter of justice—social, economic and human. For believers it is also a duty born of faith, since the universe reflects the face of Jesus Christ, in whom all things were created and redeemed. In a world where the most vulnerable of our brothers and sisters are the first to suffer the devastating effects of climate change, deforestation and pollution, care for creation becomes an expression of our faith and humanity.

The CHERISH Our Communities Act addresses both environmental protection and environmental justice in an integrated, but targeted, fashion. It centers its attention and action on a specific set of permits, mostly air pollution permits, water pollution permits for a narrow list of types of industries, and waste disposal permits. It focuses on those communities in Maryland that are already burdened by disproportionate pollution. Currently, these communities have no opportunity to provide public comment on several types of permits to pollute that are being issued to neighboring facilities, including more than half of all types of air pollution permits. The CHERISH Our Communities Act will ensure public participation in the process and fix this longstanding environmental injustice.

The CHERISH Our Communities Act will prevent a new polluting facility from being built in an environmental justice community if the Maryland Department of the Environment (MDE) determines, through a deliberative public process with public input, that allowing the facility to be built would contribute to a disproportionate pollution and health burden on the nearby community. The bill will also require a reduction in pollution from existing facilities when their permits are renewed, if the MDE determines that facility is contributing to a disproportionate pollution and health burden on the nearby community.

The limited and targeted approach in this bill (i.e., it will not affect most businesses and will not affect housing or other construction, unless the construction is of a facility that would pollute) is an effective remedy for a historical pattern of unfairly siting polluting facilities in minority, economically distressed, or rural communities through decision-making processes that have not been transparent or inclusive.

To our mind, both bills carrying the short title of the “CHERISH Our Communities Act” speak to the essence of how we treat and value one another—as human beings and as members of communities—with the respect and dignity that each deserves. Pope Francis wrote in *Laudato Si’* that “everything is connected” and “concern for the environment thus needs to be joined in a sincere love for our fellow human beings and an unwavering commitment to resolving the problems of society. A sense of deep communion with the rest of nature cannot be real if our hearts lack tenderness, compassion, and concern for our fellow human beings” (no. 91).

For these reasons we strongly urge your support for this bill. Thank you for your consideration of our views and our respectful request for a **favorable** report on Senate Bill 781, the CHERISH Our Communities Act.

² The English text of the “Message of His Holiness Pope Leo XIV for the 10th World Day of Prayer for the Care of Creation 2025” can be found at: <https://www.vatican.va/content/leo-xiv/en/messages/creation/documents/20250630-messaggio-giornata-curacreato.html>.

SB781_Roberto Lopez_FAV_CHERISH ACT.pdf

Uploaded by: Roberto Lopez

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Roberto Lopez

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Roberto Lopez, I am 17 years old, and I am an 11th grade student at Fairmont Heights School. I live in the Hyattsville Area, in District 47. I am a part of the Youth Leadership Academy with CHISPA Maryland. I am writing to express my strong support for SB781 - CHERISH Our Communities Act because this legislation is critical to protecting the health and well-being of families like mine and communities across Maryland.

I am grateful for the opportunity to write in support of the CHERISH Our Communities Act. This legislation offers an opportunity to improve quality of life for many people. As a student, I understand how important clean air is. When air quality is poor and pollution is high, people are more likely to get sick and develop serious health problems.

Communities that are already overburdened by pollution should not continue to face additional harm from polluting industries. Stronger permitting standards can help protect these neighborhoods by ensuring pollution is carefully reviewed and by preventing further damage to public health. These protections are especially important for children, families, and pregnant individuals who are more vulnerable to environmental harm.

Now is the time to act. During this legislative session, you have the opportunity to make a real difference by supporting policies that create healthier living conditions for Maryland residents.

I respectfully urge you to support SB 781 so that all Maryland families, especially children, can grow up in safer and healthier environments.

Thank you for your time and consideration.

Sincerely,

Roberto Lopez

GHHI 0781 Testimony - Signed.pdf

Uploaded by: Ruth Ann Norton

Position: FAV



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F: 410-534-6475
www.ghhi.org

February 27th, 2026

Senator Brian J. Feldman,
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
11 Bladen Street Annapolis, MD 21401

Re: FAVORABLE – SB0781 – Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (Cumulative Harms for Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act)

Dear Chairman Feldman and members of the committee,

On behalf of the Green & Healthy Homes Initiative (GHHI), I submit for the record our comments on Senate Bill 781. GHHI is a 501(c)(3) national nonprofit organization headquartered in Baltimore, Maryland. Our mission is to address the social determinants of health, opportunity and racial and health equity through the creation of healthy, safe and climate resilient homes.

GHHI is the nation's lead authority on the benefits of a whole-house approach that aligns, braids and coordinates energy efficiency, health and safety to create an integrated home repair and retrofit delivery model to improve health, economic and social outcomes in line with the state's climate goals. GHHI's work has been recognized through national best practice awards from the US Environmental Protection Agency (EPA) and HUD and the GHHI model has been supported by the US Department of Energy (DOE) and the US Department of Housing and Urban Development (HUD) as well as numerous states, cities and counties throughout the US. By delivering a standard of excellence, GHHI's work aims to eradicate the negative impact of historic disinvestment, the legacy of ill-conceived and unjust housing by creating holistically healthy housing for children, seniors and families in Maryland's low wealth communities.

As president and chief executive officer of GHHI, I direct GHHI's national strategy as well as serve as a member of the EPA Children's Health Protection Advisory Committee (CHPAC), the National Council of State Housing Agencies' National Advisory Group, the American Public Health Association (APHA) Environmental Leadership Network, and chair the board of Healthy Climate Maryland coalition, among others.

GHHI supports passage of the CHERISH Our Communities Act because it strengthens Maryland's environmental protection framework by requiring cumulative impact analysis and ensuring that communities already facing disproportionate pollution burdens are not subjected to additional harm without meaningful safeguards.

GHHI Written Testimony – SB0781 – CHERISH Our Communities Act

February 27, 2026

Page 2

Cumulative Pollution Impacts on Housing and Community Health

SB781 strengthens Maryland’s environmental justice framework by ensuring that the Maryland Department of the Environment can incorporate Existing Burden Report findings into permitting decisions when certain facilities are proposed in communities with an Environmental Justice score of 75 or higher. These are the same communities GHHI serves every day. They are neighborhoods where residents already contend with aging housing stock, high energy burdens, and elevated exposure to environmental hazards. When permitting decisions fail to account for cumulative impacts, additional pollution does not occur in a vacuum. It compounds existing risks and directly affects the health and stability of families living in those homes.

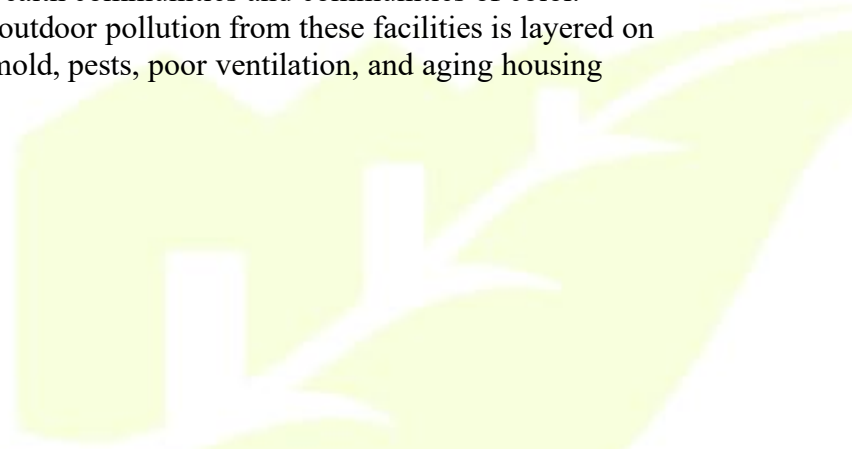
For GHHI, this connection between environmental exposure and healthy living is not theoretical. As an organization working at the intersection of housing, health, and energy, we see how substandard housing conditions and external pollution pressures interact to drive up medical costs, missed school days, lost work hours, and housing instability. Through our whole house approach, we address multiple health and safety risks at once, including indoor air quality, energy inefficiency, structural hazards, and toxic exposures. Studies conducted for the U.S. Department of Housing and Urban Development in Baltimore demonstrate measurable outcomes from this work:

- 66 percent reduction in asthma related hospitalizations
- 30 percent reduction in asthma related emergency room visits
- 62 percent increase in school attendance due to fewer asthma related absences
- 88 percent increase in parental work attendance linked to improved child health
- 99 percent reduction in childhood lead poisoning
- Reductions in household injuries for children and trip and fall injuries for seniors
- Increased mobility and accessibility allowing older adults to age in place safely

The CHERISH Act is the structural solution to this disconnect. GHHI’s work proves that reducing environmental hazards improves health outcomes and lowers public costs. But those gains are fragile if state permitting decisions continue to allow additional pollution in the same communities where we are investing in healthier homes. The CHERISH Act strengthens Maryland’s permitting framework by requiring cumulative impact review and elevating community health considerations before new or expanded facilities are approved.

Pollution Burdens Disproportionately Concentrated in Overburdened Communities

Asthma remains one of the clearest and most preventable indicators of health inequity in Maryland, particularly for children living in communities already burdened by pollution. Respiratory illness does not occur in a vacuum. It is shaped by cumulative exposure to air toxics from nearby incinerators, fossil fuel facilities, landfills, and heavy industrial sites. Many of which are disproportionately located in low-wealth communities and communities of color. Asthma rates and emergency visits rise when outdoor pollution from these facilities is layered on top of indoor environmental hazards such as mold, pests, poor ventilation, and aging housing stock.



GHHI Written Testimony – SB0781 – CHERISH Our Communities Act

February 27, 2026

Page 3

Each year, Maryland sees more than 20,000 asthma-related emergency department visits and nearly 2,000 asthma-related hospitalizations.¹ Black children experience asthma-related emergency visits at rates several times higher than White children, reflecting persistent racial disparities in exposure and health outcomes. The economic impact is substantial, with tens of millions of dollars spent annually on asthma-related emergency care and hospitalizations in Maryland alone.² Nationally, asthma remains one of the leading chronic conditions affecting children and contributes to millions of missed school and workdays each year. These data demonstrate that asthma is not simply a medical condition, it is closely tied to environmental exposure, housing quality, and long-standing inequities that shape community health.

Summary

Senate Bill 781 is about making sure Maryland’s environmental policies reflect what communities are already experiencing on the ground. GHHI sees every day how pollution, aging housing, and economic strain overlap in the same neighborhoods. We also see that when environmental risks are reduced, health outcomes improve, families miss fewer days of school and work, and public costs decline. Those gains should not be undermined by permitting decisions that ignore existing pollution burdens.

The CHERISH Act ensures that cumulative impacts are considered before additional facilities are approved in already overburdened communities. It brings transparency, accountability, and a public health lens into the permitting process. By doing so, it helps protect the progress Maryland is making in housing, health, and environmental justice. GHHI respectfully urges the General Assembly to pass Senate Bill 781.

Respectfully Submitted

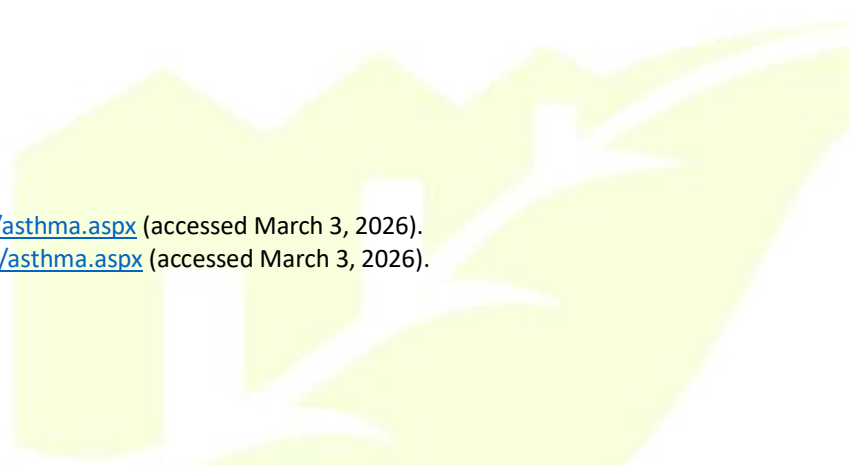
Signed by:

6171FEFD32CD49A...

Ruth Ann Norton
President and CEO
Green & Healthy Homes Initiative

¹ <https://health.maryland.gov/phpa/OEHFP/EH/pages/asthma.aspx> (accessed March 3, 2026).

² <https://health.maryland.gov/phpa/OEHFP/EH/pages/asthma.aspx> (accessed March 3, 2026).



SB Cherrish Sliviak Ruth.pdf

Uploaded by: Ruth Sliviak

Position: FAV

Ruth Sliviak

Ruth@ics-insurance.com

Senate Bills 0780 and 0781 – SUPPORT

Certificate of Public Convenience and Necessity - BURDEN Analysis (SB 0780)

**And Environmental Permits - Requirements for Burden Analysis, Issuance and
Renewal, and Public Participation (Cumulative Harms for Environmental Restoration
for Improving Shared Health (SB 0781)**

(CHERISH Our Communities Act)

Senate Education, Energy, and Environment Committee

Dear Chair Feldman and Members of the Committee,

My name is Ruth Sliviak and I have been a resident of Anne Arundel for over 12 years. We built our dream home on Rock Creek. Our home property backs up to Weinberg Park. We enjoy seeing all the wildlife and beautiful water views but not the black soot that seems to stick to all outdoor surfaces or the air quality at times because of what is being expelled into the air from the various industrial areas that are within a few miles of our home via air.

I have major concerns about all of the industrial polluters that are currently operating in our area and the legacy pollution that has contaminated our waterways, the air that we breathe and the ground that we build and live on. The exterior of our home, patio's, decks and windows develop a black substance that is very difficult to remove and having resided in the Maryland area our entire life we have never seen this anywhere else. The stacks at Brandon Shores emit black smoke and this past summer there was a sticky black residue with particles that adhered to surfaces all over the area. We have never received final communication about what that substance might have been let alone the dangers of breathing it. We have Grace Chemical, Glidden Paint, Brandon Shores Coal burning Generating Station and Medical Wastes incinerators just to name a few of the active polluters in the area. The legacy chemicals that have been illegally dumped in our water ways and land continue to pollute our area. We can't keep on piling on the pollutants and endangering our health as well as the environment. There needs to be regulatory controls on the amounts and kinds of pollution that can be generated in overburdened areas of our state.

We need to have the very best available technology to make sure the current polluters are protecting us to the best of their ability and not just in the best interest of the bottom line.

When we built our home there were all sorts of requirements with regard to our septic system, it had to be monitored and the BAT (Best available Technology) which of course came at a cost that we were “happy” to pay to protect our ground and water ways. It certainly seems fair that the large profitable organizations should have the same strict requirements let alone limit more being put into our area.

I support this bill so that not only my health and safety are protected but the health and safety of my children, grandchildren and generations to follow. We need to make sure our community is a safe and healthy place to live, work and recreate. We invested in our home and the thought of our property value being negatively impacted because of the polluters is infuriating.

Senate Bills SB 0780 and SB 0781 proposed in this legislative session will create the necessary regulatory infrastructure to implement a measured and cost-effective approach to correcting the burden of cumulative pollution in Maryland’s most overburdened communities and it will give overburdened communities a voice in the process.

I strongly support SB 0780 and SB 0781.

Sincerely,

Ruth Sliviak

Rock Creek

Pasadena, MD 21122

Ruth@ics-insurance.com

SB781_Sandra Martinez_FAV_CHERISH.pdf

Uploaded by: Sandra Martinez

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Sandra Martinez

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Members of the Committee,

My name is Sandra Martinez. I am a mother of four, and one of my children lives with respiratory issues and asthma. For the past two years, my family and I have lived in Baltimore City's District 46, where we have experienced firsthand the harmful effects of pollution in our community.

Every day, industrial activity and heavy transportation bring dust and pollution into our neighborhoods. We are forced to breathe air that negatively impacts our health and see pollution settle on our homes, cars, and streets. My daughter, who has special needs and asthma, struggles even more because of poor air quality. No parent should have to watch their child suffer simply because of where they live.

Communities like mine have been overlooked for too long when it comes to environmental protections. Families in frontline neighborhoods continue to carry a heavier burden of pollution and health impacts, yet our voices are often not included in decisions that affect our lives. The CHERISH Our Communities Act is an important step toward ensuring that cumulative pollution impacts are considered and that communities like mine receive the protection and attention we deserve.

I respectfully urge you to vote in favor of SB781 so that families like mine can live in healthier neighborhoods where our children can breathe clean air and thrive.

Thank you for your time and consideration.

Sincerely,
Sandra Martinez

CHERISH_Maryland_2026 SB0781_MDE.pdf

Uploaded by: Sarah Bucic

Position: FAV



Alliance of Nurses for
Healthy Environments

ALLIANCE OF NURSES FOR HEALTHY ENVIRONMENTS

BRINGING SCIENCE AND PASSION TO THE ENVIRONMENTAL HEALTH MOVEMENT

February 27, 2026

Senate Education, Energy, and the Environment Committee

Re: Letter of Support for CHERISH our Communities Act: from Cumulative Harms to Environmental Restoration for Improving Shared Health (SB0781)

Dear Chair Feldman and Members of the Committee,

The Alliance of Nurses for Healthy Environments (ANHE) appreciates the opportunity to provide comments in strong support of SB0781, the CHERISH Our Communities Act applying to MDE-issued permits.

The Alliance of Nurses for Healthy Environments (ANHE) is the leading global nursing organization focused on the intersection of human health and planetary health. With over 10,000 members nationwide and over 550 nurse members in Maryland, ANHE supports a cumulative impact analysis and approach. Using a cumulative impacts framework¹ makes regulating over 80,000 chemicals possible, and can potentially reduce disparities² in environmental exposure which is especially important for Black, Brown, and low-income communities who are exposed to higher levels of pollution.

As nurses and healthcare providers, we know that nobody is exposed to one pollutant at a time. Peoples' actual lived experience includes exposure to multiple pollutants, from multiple sources, interacting with other stressors throughout one's life. Environmental exposures continue to occur at every level

¹ Ellickson, K. (February 13, 2023). *When it comes to the cumulative impacts of pollution, the science is in.* Union of Concerned Scientists. <https://blog.ucsusa.org/kellickson/when-it-comes-to-the-cumulative-impacts-of-pollution-the-science-is-in/>

² National Environmental Justice Advisory Council (NEJAC). (October 4, 2024). *Reducing cumulative and disproportionate impacts and burdens in environmental justice communities.* <https://www.epa.gov/system/files/documents/2024-11/nejac-recommendations-for-reducing-cumulative-and-disproportionate-impacts-and-burdens-in-environmental-justice-communities.pdf>



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ALLIANCE OF NURSES FOR HEALTHY ENVIRONMENTS

BRINGING SCIENCE AND PASSION TO THE ENVIRONMENTAL HEALTH MOVEMENT

of human development and can have a single effect or cumulative effects across the lifespan.

ANHE applauds steps taken in recent years at the federal level on cumulative impacts.^{3,4,5,6} However, Maryland can take further action. SB0781 incorporates consideration of cumulative impacts into Maryland's process of issuing permits to pollute, based on laws already passed in New Jersey, Minnesota, and New York. New Jersey's bill⁷ has already gone into implementation and won against a legal challenge from polluting industry interests. States like New Jersey and Massachusetts,⁸ and local governments have been leading the way⁹ in cumulative impacts policies and method developments.

Maryland lags behind other states that have passed laws requiring assessment of the cumulative impacts of multiple polluters on the same community. As nurses, we are led by our professional obligations¹⁰ which make addressing health, environment and safety a professional focus. In Maryland, many communities face a barrage of pollution sources. In South Baltimore alone, residents are surrounded by nearly 100 EPA-regulated polluting facilities, including:

- A massive trash incinerator, the nation's largest medical waste

³ Biden, Joseph R., (January 20, 2021). *Executive Order 13985, Advancing racial equity and support for underserved communities throughout the federal government.* <https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01753.pdf>

⁴ U.S. EPA. (April 2022). *Executive Order 13985 Equity Action Plan.* https://www.epa.gov/system/files/documents/2022-04/epa_equityactionplan_april2022_508.pdf

⁵ U.S. EPA, (February 14, 2024). *Equity Action Plan.* <https://www.epa.gov/system/files/documents/2024-02/epa-2023-equity-action-plan.pdf>

⁶ U.S. EPA. (2022). *Cumulative impacts research: Recommendations for EPA's Office of Research and Development.* https://cfpub.epa.gov/si/sj_public_record_report.cfm?dirEntryId=357832&Lab=ORD&simplesearch=0&showcriteria=2&sortBy=pubDate&searchall=357832&timstype=&datebeginpublishedpresented=05/17/2021

⁷ New Jersey Administrative Code (N.J.A.C.) N.J.A.C. 7:1C Environmental justice. https://dep.nj.gov/wp-content/uploads/rules/rules/njac7_1c.pdf

⁸ MassDEP. (March 29, 2024). *Cumulative impact analysis in air quality permitting.* <https://www.mass.gov/info-details/cumulative-impact-analysis-in-air-quality-permitting#regulations>

⁹ Tishman Center. (Sept 28, 2022). *Understanding the evolution of 'cumulative impacts' definitions and policies in the U.S.*

<https://www.tishmancenter.org/blog/new-research-understanding-the-evolution-of-cumulative-impacts-definitions-and-policies-in-the-us>

¹⁰ American Nurses Association. (2020). *Nursing: Scope and Standards of Practice (4th ed.)*. Standard 18: Environmental Health. ANA.





ALLIANCE OF NURSES FOR HEALTHY ENVIRONMENTS

BRINGING SCIENCE AND PASSION TO THE ENVIRONMENTAL HEALTH MOVEMENT

incinerator, and multiple landfills.

- A wastewater treatment plant and an animal rendering plant.
- An open-air coal terminal, a coal ash landfill, and oil and gas tanks.
- Asphalt production plants, chemical manufacturing, and heavy truck routes surround the community's rec center.

Pollution from all of these facilities combine with each other and compound with other inequalities to produce more and worse health impacts. In South Baltimore, failure to act has even led to the involuntary displacement of entire communities. ANHE supports the work of local advocacy groups such as the South Baltimore Community Land Trust and their efforts to create healthier environments.

Careful consideration has been given to SB0781 as it is targeted in geography and it applies only to parts of the state that are burdened by disproportionate pollution. The bill is also targeted in scope, meaning it will apply to a specific list of types of permits, mostly air pollution permits, water pollution permits for a narrow list of types of industries, and waste disposal permits. SB0781 will not impact most businesses, and will not impact housing or other construction, unless it is the construction of a facility that would pollute.

Currently, nearby communities have no opportunity to give public comment on several types of permits to pollute, including more than half of air pollution permits. The CHERISH Our Communities Act will ensure public participation in the process and fix this longstanding environmental injustice.

SB 0781 prevents new polluters from being built in environmental justice communities. If the Maryland Department of the Environment determines,





Alliance of Nurses for
Healthy Environments

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BRINGING SCIENCE AND PASSION TO THE ENVIRONMENTAL HEALTH MOVEMENT

through a deliberative public process with public input, that allowing a facility to be built would contribute to a disproportionate pollution and health burden on the nearby community. The bill will also reduce pollution from existing facilities when their permits are being renewed if MDE determines that facility is contributing to a disproportionate pollution and health burden on the nearby community.

Communities, which have been long overburdened with pollution and inadequate regulatory practices, need to have their concerns addressed and problems solved. We believe SB0781 is a significant step towards this goal and urge you to support SB0781.

Sincerely,

A handwritten signature in black ink that reads "Katie Huffling".

Katie Huffling, DNP, RN, CNM, FAAN

Executive Director

Alliance of Nurses for Healthy Environments



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P.O. Box 25 Mount Rainier,
MD 20712



info@envirn.org

SBCLT ORG Testimony in Support of SB0781 & SB0780

Uploaded by: Shashawnda Campbell

Position: FAV

Testimony in Support of SB0781 & SB0780

Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

The South Baltimore Community Land Trust (SBCLT), We write in strong support of SB0781 and SB0780, the CHERISH Our Communities Act.

SBCLT is a community-based organization rooted in South Baltimore. We work to preserve affordable housing, prevent displacement, and build community control of land in neighborhoods that have long been overburdened by industrial pollution and environmental injustice. Our community sits on the front lines — surrounded by heavy industry, waste facilities, diesel truck traffic, and polluting infrastructure that has shaped the health and life expectancy of our residents for generations. We have over 70 permitted stationary polluting facilities alone in Brooklyn, Curtis Bay, and Hawkin's Point alone.

We are not only a frontline community impacted by these decisions; we also helped draft the CHERISH Our Communities Act to ensure that it meaningfully addresses the real-life conditions our residents face. Our involvement in shaping this legislation stems directly from our mission and on the ground expertise, ensuring that the bill reflects the lived experience, public health realities, and structural inequities present in communities like ours.

South Baltimore is not just a place on a map, it is home to families, elders, and children who have lived with the cumulative impacts of air pollution, contaminated soil, and industrial hazards. Many of our residents suffer from asthma, respiratory illness, and other chronic health conditions linked to environmental exposure. We have seen schools forced into lock down due to pollution events and neighborhoods placed at risk because polluting facilities were permitted without meaningful community input. We have also witnessed the complete displacement of neighboring communities such as Fairfield, Wagner's Point, and Hawkins Point — communities that were effectively erased as residential areas after decades of industrial encroachment and environmental harm. Their disappearance is a stark reminder that when cumulative impacts are ignored, the result is not only poor health outcomes but the loss of entire neighborhoods.

For too long, environmental justice communities like ours have been treated as sacrifice zones, places where the state allows additional pollution because industry already exists there. The CHERISH Our Communities Act is a critical step toward ending that pattern.

SB0781 would incorporate cumulative impacts into Maryland's permitting decisions for facilities regulated by the Maryland Department of the Environment. Currently, the state reviews permits one at a time, without fully accounting for the total pollution burden a community is already carrying. That approach ignores lived reality. In South Baltimore, pollution does not arrive one permit at a time — it accumulates.

This bill is thoughtfully designed. It is geographically targeted to communities already burdened by disproportionate pollution. It is limited in scope, applying primarily to specific air, water, and waste permits. It does not impact housing or ordinary construction. Instead, it focuses on the types of industrial activities that drive environmental injustice.

Just as importantly, SB0781 ensures public participation. Right now, nearby communities have no opportunity to comment on many types of air pollution permits. That exclusion is itself an injustice. CHERISH restores a basic democratic principle: the people most affected by pollution deserve a meaningful voice in the decision-making process.

SB0780 extends these same protections to Certificates of Public Convenience and Necessity for polluting energy generation. South Baltimore has historically borne the burden of fossil fuel infrastructure and energy-related pollution. No community that is already overburdened should be required to host additional polluting energy facilities to meet external energy demands.

Both bills allow state agencies to deny permits if a proposed facility would contribute to a disproportionate pollution and health burden. They also create a pathway to reduce pollution when existing facilities seek permit renewals. This is not radical policy — similar cumulative impact laws have already been enacted in New Jersey, Minnesota, and New York. Maryland should not lag behind in protecting its most vulnerable residents.

As a community land trust, our mission is to create stable, healthy neighborhoods where families can thrive. Housing justice and environmental justice are inseparable. Affordable homes do not protect families if the air they breathe harms their children. Stabilizing communities requires addressing the structural inequities that have concentrated pollution in Black, Brown, and working-class neighborhoods like South Baltimore.

We urge this Committee to stand with frontline communities and advance SB0781 and SB0780. The CHERISH Our Communities Act affirms that no Marylander should be forced to carry a disproportionate share of the state's pollution burden simply because of where they live.

Thank you for your consideration and your commitment to environmental justice.

Sincerely,
South Baltimore Community Land Trust

Shashawnda Campbell Testimony.pdf

Uploaded by: Shashawnda Campbell

Position: FAV

Personal Testimony in Support of SB0781 & SB0780
Position: SUPPORT

Dear Chair Feldman and Members of the Committee,

My name is Shashawnda Campbell, and I am a lifelong resident of Baltimore and co-founder of the South Baltimore Community Land Trust (SBCLT). I am testifying today in strong support of SB0781 and SB0780, the CHERISH Our Communities Act, because I know firsthand what it means to live in a frontline community and to fight for the health and safety of your neighbors in the absence of meaningful policy protections.

When I was in high school at Benjamin Franklin High School, I learned that an incinerator was planned to be built less than a mile from our school. I was shocked and outraged to discover that there was no policy in place to protect students, families, and the broader community from this facility. This incinerator would have released twice the pollution of the BRESKO incinerator, which is already the number one air polluter in Baltimore- in neighborhoods that had already carried the cumulative burden of decades of industrial activity, diesel traffic, and heavy infrastructure. I was young, but I understood the stakes: the air we breathe, the safety of our lives as children, and the very survival of our community were at risk. I, along with neighbors and classmates, had to fight to prevent it from being built. We shouldn't have had to do that, especially knowing that our neighborhoods already host over 70 permitted industrial facilities. No one should have been allowed to add more pollution on top of that.

This fight was not just about a single facility. It was about the reality that South Baltimore has long been treated as a dumping ground for pollution — a frontline community where the state allowed cumulative harms to build up over decades without considering health, environmental justice, or community voices. We have seen full neighboring communities such as Fairfield, Wagner's Point, and Hawkins Point completely displaced because of environmental harms. This is not theoretical — this is lived experience, and it has shaped who I am and the work I do today.

Since then, I have dedicated my life to protecting our community from the very harms that once threatened my school and my neighbors. Co-founding SBCLT allowed me to continue this fight on a broader scale: preserving affordable housing, preventing displacement, and ensuring that residents of South Baltimore have a real voice in decisions that affect our environment, health, and neighborhoods. Our mission is rooted in lived experience — we have seen the consequences of unchecked industrial expansion and cumulative pollution firsthand, and we know that the current system fails communities like ours.

The CHERISH Our Communities Act is a pivotal opportunity to do better. When you know better, you do better — and we know the harms of creating environmental justice communities period but it is even more harmful without accounting for cumulative impacts. Passing this legislation would prevent more neighborhoods from being forced to bear layers of pollution, health risks, and displacement pressures. It would ensure that future permitting decisions consider real-life

community conditions, health burdens, and the voices of those most impacted. This is not just a policy change; it is a moral imperative.

SB0781 and SB0780 are about more than rules and regulations. They are about fairness, accountability, and protecting communities that have been historically overburdened by pollution. For communities like South Baltimore, passing this bill would mark a turning point — a commitment that Maryland will no longer allow frontline communities to carry disproportionate environmental harms simply because of where they live.

I urge the Committee to give SB0781 and SB0780 a favorable report. It is time to act, to prevent further harm, and to honor the health, safety, and dignity of Maryland's frontline communities.

Thank you for your time and consideration.

Sincerely,
Shashawnda Campbell
Co-Founder, South Baltimore Community Land Trust

SB0781_CHERISH_FAV_ClimateCC.pdf

Uploaded by: Sonia Demiray

Position: FAV



SB 0781 - SUPPORT

Sonia Demiray
Climate Communications Coalition
sonia@demirayink.com
202-744-2948

SB 0781

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)

Education, Energy, and the Environment

March 3, 2026

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee:

The Climate Communications Coalition is a Maryland-based grassroots climate and environmental justice non-profit, a member of the Mid-Atlantic Justice Coalition, and of the Maryland Climate Justice Wing, among others. The Climate Communications Coalition strongly supports SB 0781.

The CHERISH Act gives communities that have been overburdened by pollution a much-needed voice and safeguard against further injustice. Impacts from pollution cause cancer, respiratory and heart diseases, shorten lifespans, and can dramatically reduce quality of life.

The CHERISH Act will provide communities with an opportunity to comment when a new source of pollution applies to be located in their midst, and it empowers the Maryland Department of the Environment (MDE) to protect environmental justice communities based on specific geographic locations. The CHERISH principles will be applied mostly to air pollution permits, water pollution permits for a narrow list of types of industries, and waste disposal permits, for new highly polluting facilities and the renewal of some existing facilities.

The CHERISH Act protects Maryland communities and the environment by incorporating cumulative impacts into the MDE and Public Service Commission permitting processes – a guardrail that has successfully been implemented in other states including New Jersey, Minnesota, and New York.

The Climate Communications Coalition respectfully requests a favorable report on SB 0781.

###

CEHPAC_Senate Bill 781_ House Bill 1268_LetterofSu

Uploaded by: Subha Chandar

Position: FAV



CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

February 26, 2026

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment
Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

The Honorable Marc Korman
Chair, Environment and Transportation Committee
Taylor House Office Building, Room 251
Annapolis, MD 21401-1912

RE: **SUPPORT Senate Bill 781/ House Bill 1268** 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)

Dear Chair Feldman and Chair Korman:

The Maryland Children's Environmental Health and Protection Advisory Council (CEHPAC) respectfully submits this letter of **SUPPORT for Senate Bill 781 and House Bill 1268 - 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)**. This bill requires an application for the issuance or renewal of a covered individual environmental permit for a site or facility located within an at-risk census tract to include a report describing the environmental and public health burdens. This report must describe the existing environmental and public health issues in the area and how the facility contributes to the burden including specific data on pollution, traffic, and potential exposures to pollution and contaminants.

The Maryland Department of the Environment is required to issue a determination as to whether approving a covered individual environmental permit will cause or contribute to adverse environmental or public health stressors. Permits which would cause or contribute to stressors may be denied if the applicant cannot provide a compelling public interest or if reasonable alternatives exist. The bill also enhances public participation in the permitting process, increasing penalties for violations in at-risk areas, and mandates that a portion of settlement funds from enforced actions be used for community benefit.

Established by the General Assembly, the purpose of CEHPAC is to identify environmental hazards that may affect children's health and recommend solutions to those hazards. CEHPAC supports the proposed legislation to the extent that it promotes positive health and environmental outcomes that in turn will include children. Children experience a disproportionate risk and greater risk than adults for exposure to and possible illness from environmental hazards. CEHPAC supports decreasing cumulative harms that impact the health of children in overburdened and underserved communities, moving towards:

- The lowest possible toxicity or hazard profile.
- The most favorable environmental profile (least possible persistence and/or environmental impact).
- The least total effect of multiple adverse experiences in their lives.

The CHERISH Act will also address the disproportionate environmental and public health harms that environmental justice communities in Maryland face from pollution generating facilities. For centuries, these facilities have been disproportionately and deliberately sited in marginalized and economically distressed communities in Maryland. Low-wealth, Black, and other communities of color in Maryland face greater cancer risks and exposure to air toxics due to higher pollution burden. Currently, many environmental permit applications do not include a public engagement process or take into consideration the cumulative impacts posed by multiple and historic sources of pollution. The CHERISH Act prioritizes Maryland residents' well-being, especially of our most vulnerable, and ensures that decision-making processes are transparent and inclusive.

CEHPAC seeks to ensure that the rules, regulations, and standards of the State protect children from environmental hazards and enable children in Maryland to grow up in a safe and healthy environment. CEHPAC urges the Committee to issue a favorable report on this bill. CEHPAC looks forward to working with the General Assembly on this, and thanks you for your leadership on this issue.

Sincerely,

A handwritten signature in black ink, reading "Megan Weil Latshaw", enclosed in a thin black rectangular border.

Megan Weil Latshaw, PhD MHS
Commission Member
Children's Environmental Health and Protection Advisory Council

Cc: CEHPAC Members

SB_780_781_2026_testimony.pdf

Uploaded by: Susan Greene

Position: FAV

Susan Greene, stgreene59@gmail.com

Senate Bills 0780 and 0781 – SUPPORT

Certificate of Public Convenience and Necessity - BURDEN Analysis (SB 0780)

and

**Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and
Public Participation (Cumulative Harms for Environmental Restoration for Improving
Shared Health (SB 0781)**

(CHERISH Our Communities Act)

Senate Education, Energy, and Environment Committee

Dear Chair Feldman and Members of the Committee,

My name is Susan Greene. My husband, Dan and I live in the waterfront community of Nabbs and Stoney Creek in Northern Anne Arundel County. We moved to Maryland from New Hampshire four years ago and have grown to love the natural beauty, the abundant seafood, and the joy of living in the Stoney Creek area. I am the mother of three adult children and a grandmother. I believe that one of the most important things that we can do for our children and grandchildren is to leave them a healthy, thriving environment.

Although there are many issues that need to be addressed by the legislature, there can be no more important issue than the health of our planet and our community. One step in caring for our planet and community is to support the CHERISH Our Communities Act. The CHERISH Act identifies pollution-overburdened communities (including Nabbs Creek / Stoney Creek / Patapsco River communities), sets out limits and pollution limits for power plants, and require reporting and community engagement for limiting pollution in our communities.

The CHERISH Act will protect our communities, our children, and our natural environment from the worst forms of pollution. It would reduce the health impacts of many forms of pollution

Senate Bills SB 0780 and SB 0781 proposed in this legislative session will create the necessary regulatory infrastructure to implement a measured and cost-effective approach to correcting the burden of cumulative pollution in Maryland's most overburdened communities and it will give overburdened communities a voice in the process.

I strongly support SB 0780 and SB 0781 and I ask you to support the CHERISH Act also.

Sincerely,

Susan Greene

7623 Turnbrook Drive

Pasadena, MD 21060

Stgreene59@gmail.com

Testimony in Strong Support of SB0781 – The CHERIS

Uploaded by: Tiffany Thompson

Position: FAV



Testimony in Strong Support of SB0781 – The CHERISH Our Communities Act
Senate Education, Energy, and the Environment Committee
March 3, 2026

Position: STRONG SUPPORT

Dear Chair Feldman and Members of the Committee,

*On behalf of the **Community of Curtis Bay Association (CCBA)**, we write in the strongest possible support of SB0781, the CHERISH Our Communities Act.*

*Curtis Bay is an environmental justice community in South Baltimore that has lived for generations on the front lines of concentrated industrial pollution. Within and surrounding our neighborhood are coal export terminals, chemical storage, hazardous waste operations, landfills, and one of the nation's largest medical waste incinerators. Just a couple miles from homes and our local high school sits the **WIN Waste Innovations (formerly BRESCO)** incinerator, which burns approximately 2,250 tons of trash per day while transporting 130,000 tons of toxic ash residuals annually to the Quarantine Road Landfill in Curtis Bay.*

Our community understands cumulative impacts not as an academic theory, but as lived experience.

Our children have attended school under coal dust blowing from uncovered coal piles. Families live with chronic respiratory illness, asthma, and fear of the next explosion, leak, or smoke event. Residents have spent decades fighting permit after permit issued in isolation — each one evaluated as if it were the only source of pollution in our community.

That is the core injustice this bill corrects.

Why CHERISH Is Necessary

*Under Maryland's current permitting system, the Maryland Department of the Environment evaluates permits one at a time, without meaningfully accounting for the existing pollution burden already borne by surrounding residents. Even more troubling, nearby communities often have **no opportunity to comment on many types of air pollution permits**. This exclusion from decision-making has deepened mistrust and allowed pollution to accumulate in working-class communities like ours.*

The CHERISH Act would:

- *Incorporate cumulative impact analysis into MDE-issued permits.*
- *Apply only in communities that are already disproportionately burdened by pollution.*
- *Target a specific list of high-impact permits — primarily air pollution permits, certain water discharge permits, and waste permits.*
- *Ensure meaningful public participation in permitting decisions.*



- *Prevent new polluters from being sited in overburdened communities if they would worsen disproportionate health harms.*
- *Require pollution reductions from existing facilities at permit renewal if disproportionate impacts are found.*

This is not a blanket ban on development. It does not impact housing or ordinary small businesses. It is a narrowly tailored, evidence-based reform focused on preventing additional harm in the communities already carrying the heaviest load.

Other States Have Proven This Works

*Maryland is not alone. States including **New Jersey, New York, and Minnesota** have already enacted cumulative impacts laws. New Jersey's law is already being implemented and has successfully withstood legal challenge from industry opponents.*

Maryland now has the opportunity to join these states and become a national leader in environmental justice implementation.

Community-Led Reform

We are especially proud that the first draft of this legislation was written by South Baltimore residents, based on lived experience and informed by successful models across the country. Community members who have spent decades reviewing permits, attending hearings, documenting violations, and advocating for enforcement helped shape this bill from the ground up.

That is what democracy should look like.

For too long, frontline communities have been forced to fight permit by permit, stack by stack, facility by facility. CHERISH finally addresses the reality that pollution is cumulative — and so are its health consequences.

A Matter of Health and Equity

This legislation is fundamentally about protecting health.

It is about preventing another generation of children from growing up under the shadow of industrial stacks.

It is about correcting a system that has allowed disproportionate pollution to concentrate in low-income communities and communities of color.

It is about ensuring that the Maryland Department of the Environment has both the authority and the obligation to consider the full picture before allowing additional harm.

Curtis Bay residents are not asking for special treatment. We are asking for fair treatment.



We respectfully urge the Committee to give SB0781 a favorable report and move Maryland toward a more just, transparent, and health-protective permitting system.

Thank you for your consideration.

Sincerely,
Community of Curtis Bay Association (CCBA)

www.ilovecurtisbay.com

SB 781

Uploaded by: Ufuoma O. Agarin

Position: FAV



LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

The Maryland House of Delegates, 6 Bladen Street, Room 300, Annapolis, Maryland 21401
410-841-3185 • 800-492-7122 Ext. 3185 • Black.Caucus@house.state.md.us

March 3, 2026

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Chair Brian J. Feldman

Education, Energy and the Environment Committee

2 West Miller Senate Office Building

Annapolis, Maryland 21401

Dear Chair Fieldman and Members of the Committee,

The Legislative Black Caucus of Maryland offers its strong and favorable support for Senate Bill 781 - 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). The bill requires companies that want to build certain power plants in vulnerable areas to submit a special report, which is a BURDEN report that identifies the current environmental and public health problems in that community. The Public Service Commission must review this information and decide whether approving the power plant would make pollution or health problems worse. If the project causes any additional harmful environmental impacts, it must deny the application in certain situations. The Senate bill protects communities that are experiencing environmental and health challenges from taking on additional harm from new power plants. **This bill is a 2026 legislative priority for the Black Caucus.**

Black and brown industrial communities have carried the burden of the fossil fuel energy system and are easily targeted for polluting facilities such as industrial sites, mining operations, and hazardous waste landfills. The Legislative Black Caucus of Maryland believes that SB 781 incorporates consideration of cumulative impacts into the Maryland process of issuing permits to pollute based on laws that have been passed in New Jersey, Minnesota, and New York.

SB 781 will prevent new polluting facilities from being built in environmental justice communities and ensure public participation in the process, address this longstanding environmental injustice and reduce pollution from existing facilities when their permits are being renewed.

For these reasons, the Legislative Black Caucus of Maryland strongly supports Senate Bill 781.

Legislative Black Caucus of Maryland

SB0781 CPSR Cherish Act Testimony.pdf

Uploaded by: Ursula Gately

Position: FAV



Committee: Education, Energy, and the Environment Committee

Testimony on: SB0781 – 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)

Position: Favorable

Hearing Date: March 3, 2026

Submitted on behalf of Chesapeake Physicians for Social Responsibility (CPSR). CPSR is a statewide evidence-based organization of over 900 physicians and other health professionals and supporters that addresses existential public health threats: nuclear weapons, the climate crisis, and the issues of pollution and toxic effects on health, as seen through the intersectional lens of environmental, racial, and social justice.

CPSR strongly supports the CHERISH Act (SB0781). As written, this legislation would authorize the Maryland Department of the Environment (MDE) and Public Service Commission of Maryland (PSC) to incorporate a community’s environmental justice score and cumulative pollution burden into decisions regarding environmental permits. At present, MDE and PSC evaluate permit applications largely in isolation, without formal authority to consider cumulative impacts or environmental justice scoring in their final determinations. The CHERISH Act would correct this structural gap.

Under SB0781, if a proposed project would increase pollution in an already overburdened community, MDE and PSC would be required to impose meaningful conditions or secure a community benefits agreement before issuing a permit. Other states, including New York¹ and New Jersey², have enacted similar cumulative impact legislation, recognizing that environmental burdens are not evenly distributed.

As medical trainees and physicians caring for patients across Baltimore City, we see firsthand the consequences of cumulative pollution exposure. Communities located near facilities such as the WIN Waste incinerator, the Curtis Bay medical waste incinerator, and the CSX coal export terminal face disproportionate exposure to pollutants, including particulate matter (PM2.5) and nitrogen oxides (NOx). These pollutants are strongly associated with asthma, chronic obstructive pulmonary disease, cardiovascular disease, cancer risk, and premature mortality.

A 2025 analysis of Baltimore incinerators estimated that in 2024 alone, the combined health damages attributable to the WIN Waste and Curtis Bay medical waste incinerators totaled approximately \$97 million.³ These facilities are located in majority-Black and low-income neighborhoods that already experience structural barriers to healthcare access.

Asthma illustrates the cumulative toll. According to The Abell Foundation, approximately 20% of children in Baltimore City have asthma- more than double the national prevalence of 9%.⁵ Baltimore City's asthma hospitalization rate is nearly three times the national average and more than twice the Maryland average.⁶ Children hospitalized or treated in the emergency department for asthma are disproportionately Black and from lower-income households.⁵

Without a cumulative impact review, additional pollution sources risk compounding these disparities. Curtis Bay is one community that showcases why cumulative burden analysis is necessary. This community is surrounded by numerous industrial facilities, including an open-air coal export terminal, medical and municipal waste incinerators, a wastewater treatment plant, truck corridors, and other infrastructure. A detailed environmental justice analysis found that Curtis Bay ranks in the 99th percentile nationally for proximity to facilities with elevated risk of explosions, leaks, or hazardous material releases.⁴

In 2021, a coal dust explosion occurred at the CSX terminal, leaving coal residue on nearby homes and schools.⁷ In 2017, a major residential fire displaced nearly two dozen residents.⁸ The area also receives some of the lowest water quality scores in the Baltimore region, largely due to chronic sewage overflows.⁹

These environmental and infrastructural stressors do not occur in isolation. They layer upon one another, increasing respiratory risk, cardiovascular disease burden, and overall community vulnerability. The CHERISH Act would provide MDE with the authority to account for these existing cumulative risks before approving new or renewed permits.

The CHERISH Act advances fairness, transparency, and public health. It strengthens Maryland's permitting process by ensuring that cumulative harms are evaluated before additional burdens are imposed on already vulnerable communities. It does not halt economic development. Rather, it ensures that development proceeds responsibly, with meaningful community participation and appropriate safeguards.

Maryland has the opportunity to lead by prioritizing health equity in environmental decision-making. CPSR respectfully urges a favorable report on SB0781.

Sincerely,
Chesapeake Physicians for Social Responsibility
P.O. Box 10445
Baltimore, Maryland 21209-0445
410-615-0717

Ursula Gately, MS2
Johns Hopkins University School of Medicine
ugately1@jhmi.edu

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SB781_Veronica Gasca_Fav_Cherish act.pdf

Uploaded by: Veronica Gasca

Position: FAV

February 27, 2026

Testimony on: SB781 – CHERISH Our Communities Act

Submitting: Veronica Gasca

Position: Favorable

Hearing Date: March 3, 2026

Dear Chair and Committee Members,

My name is Veronica Gasca, and I have been a proud resident of Baltimore City's District 6 for the past nine years. I am a mother of two children, and while I am grateful that my children do not currently suffer from asthma or respiratory illness, this issue is deeply personal to me.

My nephew suffers from asthma, and I have witnessed firsthand the fear, stress, and pain that asthma attacks cause—not only for him, but for my sister as a mother. Watching a child struggle to breathe is something no family should have to experience. Unfortunately, in many Baltimore neighborhoods, especially communities like ours, asthma and other respiratory illnesses are far too common due to long-standing exposure to poor air quality and pollution.

For too long, our communities have carried the burden of cumulative environmental impacts. We live near busy highways, industrial sites, and other sources of pollution that affect the air we breathe every day. Families in our neighborhoods should not have to choose between staying in their homes and protecting their health. Clean air is not a luxury—it is a basic right.

This issue is even more urgent for me because my sister is currently pregnant. As we prepare to welcome a new baby into our family, I worry about the health risks that pollution poses to pregnant women and newborns. Every child deserves to be born into a healthy environment, free from preventable respiratory illnesses and long-term health problems.

The CHERISH Our Communities Act will help address the cumulative impacts that have harmed neighborhoods like mine for decades. It will ensure that the state takes into account the total environmental and health burdens communities face before allowing new pollution sources. This is a common-sense, preventative approach that prioritizes health, equity, and fairness.

I respectfully urge you to give SB781 a favorable report. Our families deserve clean air, healthy pregnancies, and a future where our children can grow up without fear of preventable illness.

Thank you for your time and consideration.

Sincerely,

Veronica Gasca

SB0781_IndivisibleHoCo_FAV_Smith.pdf

Uploaded by: Virginia Smith

Position: FAV



SB0781

Environmental Permits - Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (CHERISH Our Communities Act)

Testimony before Senate Education, Energy, and Environment

Hearing March 3, 2026

Position: Favorable

Dear Chair Feldman and Co-Chair Kagan, and members of the committee, my name is Virginia Smith, and I represent the 1700+ members of Indivisible Howard County. Indivisible Howard County is an active member of the Maryland Legislative Coalition (with 30,000+ members). We are providing written testimony today **in support of SB0781**, which would require a report on the environmental and public health burdens in an at-risk census tract for any new environmental permit or renewal. It also requires the Department of the Environment (DOE) to consider these reports before approving the permit. We thank Senator Brooks for introducing this bill.

As a young child, I had many asthma attacks that sent me to the hospital, so I know how terrifying it can feel to think you may pass out because you cannot take one more breath. While my asthma was hereditary, it breaks my heart to know that there are children and adults in communities throughout Maryland who have an increased risk of many diseases, like asthma and cancer, simply because they live in an area where facilities are continually opened and adding to pollution production because the State does not currently assess the overall amount of pollution that a community will have when reviewing permits. In fact, in South Baltimore alone, four pollutants from two waste incinerators cause \$97 million worth of health damages every year.

SB0781, in conjunction with SB0780, will begin to address this problem, by requiring any applicant for a new or renewed environmental permit in at risk areas to submit a report describing the public health and environmental burdens for that area, including any new or increased pollutants that will be added to the environment from the current applicant. It also defines when the DOE will need to deny these permits if it will contribute or cause adverse stressors or indicators in the at-risk area.

Thank you for your consideration of this important legislation.

We respectfully urge a favorable report.

Virginia Smith
Columbia 21044
District 12A

SB781 CHERISH Favorable Written 2026.pdf

Uploaded by: Walter Tucker

Position: FAV



TESTIMONY IN SUPPORT OF

CHERISH Act

FAVORABLE

TO: Senator Brian Feldman, Chair; Senator Cheryl Kagan, Vice Chair and members of the Education, Energy, and the Environment Committee

FROM: Rev. Chip Tucker, member of the Maryland Episcopal Public Policy Network (MEPPN)

DATE: March 3, 2026

The Episcopal Church affirms that no community, especially communities living in poverty, should bear the heaviest burden of environmental pollution or degradation. For too long, certain Maryland neighborhoods—often low-income communities and communities of color—have carried a disproportionate share of pollution, illness, and environmental risk. These are places where asthma rates are higher, where hazardous facilities cluster, and where families live with the cumulative weight of stressors that would never be tolerated elsewhere. SB 781 finally acknowledges that reality and responds with tools equal to the challenge.

This bill does something both simple and transformative: it requires the Department of the Environment to look at the *whole picture* when evaluating permits in at-risk census tracts. Not just one element - but the cumulative burden borne by real people. It ensures that new or expanded pollution cannot be approved if it worsens already inequitable conditions unless there is truly compelling public interest. And it strengthens public participation so that residents most affected have a meaningful voice in decisions that shape their health.

As people of faith, we believe this bill reflects our shared moral responsibility. It aligns with the conviction that every Marylander deserves clean air, safe water, and a healthy environment, regardless of ZIP code.

The Maryland Episcopal Public Policy Network (MEPPN) is a ministry of The Episcopal Diocese of Maryland, The Episcopal Diocese of Washington, and The Delaware-Maryland Synod ELCA



SB 781 does not halt economic activity. It simply ensures that growth does not come at the expense of those who have already borne more than their share. It brings transparency, accountability, and fairness to a permitting system that has too often overlooked cumulative harm.

For the sake of public health, environmental justice, and the dignity of every community in our state, **the Maryland Episcopal Public Policy Network (MEPPN) requests a FAVORABLE report.**

SB 781 MES SUPPORT WITH AMENDMENTS.pdf

Uploaded by: Jeff Tosi

Position: FWA



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

Charles Glass, Ph.D., P.E. EXECUTIVE DIRECTOR

March 3, 2026

The Honorable Brian Feldman, Chair
Senate Committee on Education, Energy, and the Environment
2 West Miller Senate Office Building
Annapolis, Maryland 21401

Re: Senate Bill 781 – 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)

Dear Chair Feldman and Distinguished Members of the Committee,

The Maryland Environmental Service (MES) supports SB 781, with amendments. This bill represents a fundamental shift in Maryland's permitting structure – this would move Maryland away from the current model that uses technical criteria as a basis for issuance, to a more discretionary, broader compelling public interest, impact-balancing model that is grounded more in environmental justice and cumulative harm.

While MES supports the intent of the bill – to strengthen consideration of cumulative environmental and public health impacts in permitting decisions, particularly for communities that have historically borne a disproportionate share of environmental burdens – we nevertheless strongly recommend amendments to strengthen and tighten this new permitting regime.

MES operates many different environmental facilities and projects across the state, several of which will be impacted by this bill. In fact, Maryland law already requires counties to engage in comprehensive, long-range planning for solid waste and water/sewer infrastructure. Counties must adopt and maintain state-approved, countywide master plans for solid waste and water/sewerage systems. Fundamentally, we recommend that MDE be granted broader discretion over the permitting approval process. The bill, as introduced, will *require* MDE to deny a permit if MDE determines that the permit will cause or contribute to adverse environmental or public health stressors or indicators in the at-risk census tract, unless the applicant can demonstrate the activity will provide a compelling public interest in the at-risk census tract in which the activity takes place.

The legal standard “compelling public interest” sets an extremely high bar that may result in existing wastewater and solid waste facilities being denied permit renewal in the future. For example, MES operates wastewater treatment facilities on behalf of its client, the Department of Public Safety and Correctional Services, at correctional institutions in Hagerstown, Jessup, and in Somerset County. Each of these facilities serves the inmate and staff population, not the potential at-risk population. Therefore, at renewal, the bill language might require MDE to deny a permit and there is no possibility for the applicant to demonstrate a compelling public interest for the at-risk census tract population.

Midshore Regional Landfill Agreement. MES operates a unique multi-county partnership for solid waste services called Midshore Regional Landfill Agreement (hereinafter "Midshore").

Originally an 80-year agreement between Talbot, Caroline, Kent and Queen Anne's counties, each county hosts a landfill for a 20-year period. Costs to construct, operate, and decommission landfills are extraordinarily expensive, but this regional agreement (1) spreads the cost out over a long period of time, (2) allows for economies of scale, (3) reduces the impacts on the counties. Talbot's "turn" was completed on December 31, 2010. In 2025, it was determined that Caroline County's landfill had not met capacity and the agreement was extended to a total of 92 years. Both Queen Anne's and Kent Counties will need to select sites and permit new landfills. We are very concerned that these requirements could harm and put the agreement in jeopardy.

We request that these types of multi-county agreements be excluded from the bill's provisions.

MES is committed to working with the bill sponsor, MDE, and stakeholders on this and we look forward to contributing to Maryland being a leader in tackling this very important environmental problem.

Contact: Jeff Tosi, Director of Strategy and Government Affairs
Phone/Email: 410-729-8504 (w) | jtosi@menv.com

SB0781-EEE_MACo_OPP.pdf

Uploaded by: Dominic Butchko

Position: UNF



Senate Bill 781

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)

MACo Position: **OPPOSE**

To: Education, Energy, and the Environment
Committee

Date: March 3, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** SB 781. The bill establishes new, more stringent regulatory standards for county infrastructure that receive certain state permits.

Maryland is facing a significant housing shortage. In recent sessions, the General Assembly has advanced a broad slate of housing legislation, and in 2026, both the Governor and presiding officers have signaled housing affordability as a top priority. As drafted, SB 781 would move in the opposite direction by adding new constraints that could make it more difficult and more expensive for counties to deliver the public facilities needed to support growth.

SB 781 is broad in application and would impose additional requirements on a wide range of public infrastructure. Practically, this could drive up project costs for facilities development, operation, and expansion, all at a time when infrastructure capacity is already a central challenge for growing communities. Without accompanying resources to meet these heightened standards, the bill could drastically impact public service affordability and realistically diminish the number of projects counties can advance that communities need.

Counties share the State's goal of planning for climate risk and ensuring all Marylanders can enjoy a healthy environment. However, as drafted, SB 781 would undermine counties' ability to deliver timely and cost-effective infrastructure that supports housing affordability and broader community needs. Accordingly, MACo urges the Committee to issue an **UNFAVORABLE** report for SB 781.

SB0781_UNF_NWRA_Env. Permits - Req. Burden Analyysi

Uploaded by: Drew Vetter

Position: UNF

Collect
Recycle
Innovate



**National Waste
& Recycling Association**SM

Senate Education, Energy, and the Environment Committee
March 3, 2026

Senate Bill 781 – *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)*

POSITION: OPPOSE

The Maryland chapter of the National Waste and Recycling Association (NWRA-MD) is a trade association representing the private solid waste industry in the State of Maryland. Its membership includes hauling and collection companies, processing and recycling facilities, transfer stations, and disposal facilities. NWRA-MD and its members **oppose** Senate Bill 781.

NWRA-MD appreciates the goal of this legislation, which is to bring increased scrutiny to the environmental and public health impacts of certain types of projects in high-risk areas. Senate Bill 781 includes permits issued for refuse disposal systems. NWRA-MD opposes this bill for three primary reasons: 1) The bill is unnecessarily duplicative because the Maryland Department of the Environment's (MDE) current permitting authority already requires the Department to consider environmental and public health risks; 2) The BURDEN report that must be completed by permit applicants is unreasonably onerous and beyond the scope of what an applicant can be expected to provide, and 3) the additional discretion provided to MDE to deny, alter, or impose conditions on new or renewal permits could result in disruptions to essential public services.

1. The bill is unnecessarily duplicative because MDE's current permitting authority already requires the Department to consider environmental and public health risks.

We are concerned because facilities, such as landfills and transfer stations, provide an essential public service by partnering with local jurisdictions to manage waste streams. While it is not anticipated that any new landfills will be built in Maryland, new transfer stations are occasionally built. As refuse disposal permits must be renewed every five years, the renewal permits for each of these facilities would be subject to the new requirements of the bill. We note that the MDE already has the authority to consider a proposed facility's environmental impact under its existing permit review authority. Under COMAR Title 24, Subtitle 4, MDE is required to consider the environmental impacts of a permit, including nuisances, air pollution, environmental impacts, and whether the permit will create other hazards to public health, safety, or comfort. Additionally, our industry is required to comply with MDE's Environmental Justice Screening Tool to develop an Environmental Justice Score.

Public participation in the current permit process is also required under existing law. Title 1, Subtitle 6 of the Environment Article establishes public notice and hearing requirements for permits to install, materially alter, and materially extend landfill systems, incinerators, and rubble landfills.

2. The BURDEN report that must be completed by permit applicants is unreasonably onerous and beyond the scope of what an applicant can be expected to provide.

The proposed legislation makes permit applicants responsible for providing a significant amount of information beyond existing permit requirements that permit applicants are not equipped to provide. Among other things, the bill requires permit applicants to:

- Describe the existing environmental and public health burden for the at-risk census tract where the permit is located, and a description of the potential or current contributions to the existing environmental and public health burden by the site or facility.
- Provide an evaluation of existing environmental and public health stressors and indicators borne by the at-risk census tract or areas within a 1.5-mile radius of the site or facility.
- Provide a comprehensive list of each existing pollution source, or category of sources, that is impacting the at-risk census tract or tracts within a 1.5-mile radius of the site or facility

Requiring the permit applicant to evaluate not just the proposed site or facility, but also the entire census tract where it is located and a 1.5-mile radius around the facility, is an unreasonable requirement to impose on permit applicants. An owner or operator of a landfill or transfer station does not possess the technical expertise to evaluate all environmental or public health risks across an entire census tract or 1.5-mile radius around the facility. Compliance with these provisions would substantially delay the permit application timeline and increase compliance costs for facilities and their clients, who are primarily local jurisdictions. To complete the required BURDEN report, owners or operators would likely be forced to hire third-party environmental consultants. We believe that MDE is better suited to evaluate the context of a given permit application within a particular census tract or geographic area. Adding time and compliance costs to the permit process would increase costs for our local government clients, ultimately borne by taxpayers.

3. The additional discretion provided to MDE to deny or impose conditions on new or renewal permits could result in disruptions to essential public services.

The bill, as drafted, gives MDE broad discretion to deny a permit or impose additional permit conditions. Again, we highlight that MDE's existing permit requirements allow for consideration of environmental and public health impacts. We are particularly concerned about providing additional discretion to deny or impose conditions on renewal permits. These existing facilities reflect millions of dollars in investment in facilities that serve local jurisdictions, providing the essential public function of proper waste disposal. Imposing additional conditions on these operations creates uncertainty around the continued performance of a public function and could result in increased costs, which again, will ultimately be borne by the public.

Our industry is committed to increasing recycling rates, diverting waste from the waste stream, and being good environmental stewards. Our facilities have a long-standing existing working relationship with MDE. We do not object to measures that will bring additional clarity or transparency to the existing permit process. However, the obligations imposed by this bill are duplicative, unreasonably onerous and costly to comply with, and could result in disruption to essential public services. We would be happy to engage in conversations with the bill sponsors, advocates, and MDE about improvements to the facility permit process, but do not believe this bill represents the best solution. For these reasons, we respectfully request an unfavorable report on this legislation.

For more information:

Andrew G. Vetter
J. Steven Wise
Christine K. Krone
410-244-7000

SB 781- CHERISH Our Communities Act - Oppose.pdf

Uploaded by: Grayson Middleton

Position: UNF



Educate. Advocate. Innovate.

Date: February 27, 2026
To: Members of the Senate Committee on Education, Energy, and the Environment
From: Grayson Middleton, Government Affairs Manager
Re: SB 781 – CHERISH Our Communities Act – **Oppose**

Delmarva Chicken Association (DCA) is the trade association representing the meat-chicken growers, companies, and allied business members on the Eastern Shore of Maryland, Delaware, and the Eastern Shore of Virginia. Collectively, we contribute more than \$5.4 billion to Maryland's economy and pay more than \$254 million in state and local taxes. Due to unique, ongoing issues related to the renewal process of the CAFO general discharge permit, we are compelled to oppose SB 781 as written. However, we have started a dialogue with sponsors and advocates, and we are eager to find a solution that would work for all stakeholders.

The principles of environmental justice are supported by DCA and our 2026 legislative policy book. However, given the current circumstances, our association and the wider agricultural community have serious concerns about the unintended consequences of the inclusion of CAFO general permits in this legislation.

As the members are aware, the CAFO general permit has been expired since July 2025. This has led to severe economic disruptions on the Eastern Shore that have affected not only poultry farmers but builders, grain farmers, livestock farmers, and the banking sector. A conservative estimate of the stalled building costs alone is around \$35 million. This negative economic impact does not account for the incalculable losses of on-farm income, real estate transfers, banking fees, equipment and feed sales, and resulting government revenue.

Because any substantial edits must be approved by the EPA, we are fearful that changes to the permit could result in a significantly longer delay in this process that is already egregiously behind schedule. We simply cannot afford this. For that reason, we would like to work with the sponsors to find a path forward that provides assurances to the advocates while also preventing further economic harm to our agricultural producers.

Should you have any additional questions, please feel free to contact me at middleton@dcachicken.com or 410-490-3329.

Sincerely,

Grayson Middleton

Government Affairs Manager

SB 781_MDCC_CHERISH Our Communities Act_UNFAV (1).

Uploaded by: Hannah Allen

Position: UNF



Senate Bill 781

Date: March 3, 2026

Committee: Education, Energy, and the Environment

Position: Unfavorable

Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic growth for Maryland businesses, employees, and families.

Senate Bill 781 (SB 781) introduces an additional environmental review requirements for certain permits issued by the Maryland Department of the Environment (MDE). The bill applies to permits associated with facilities located in or near environmental justice areas and other specified sources, including power plants and concentrated animal feeding operations. SB 781 requires MDE to consider whether a permitted activity may contribute to increased environmental or public health burdens and authorizes the Department to deny permits based on those findings. The bill also introduces enhanced enforcement provisions, including increased penalties for covered facilities, and contemplates additional analysis of cumulative impacts associated with permitted activities. SB 781 applies to both permit renewals and new permits.

We recognize and support the importance of addressing environmental justice concerns and ensuring that all Maryland communities are protected from disproportionate environmental and public health burdens. However, as drafted, Senate Bill 781 raises significant concerns regarding permitting certainty, regulatory clarity, and the already lengthy timelines associated with Maryland Department of the Environment permitting processes. Maryland's environmental permitting system already involves extensive technical review and multiple procedural requirements, and businesses frequently experience lengthy timelines for permit processes. Adding additional cumulative burden analyses and expanded procedural requirements mandates without clearly defined standards or timelines will likely further lengthen permit timelines and increase administrative backlogs.

The bill establishes a cumulative burden review framework without clearly defining key terms or providing objective, measurable standards to guide decision-making. The absence of a definition for "compelling public interest," along with unclear methodology, thresholds, and mitigation standards for cumulative impact analyses, creates significant uncertainty. Without clearly defined scope, data sources, and technical criteria, reviews risk becoming subjective, inconsistently applied, and a source of additional delay. There are also concerns about whether MDE has the

resources to conduct such analyses across a broad range of permit types in a timely manner. As drafted, the bill grants broad discretionary authority, making outcomes difficult to predict, increasing the likelihood of litigation and appeals, and potentially creating uncertainty for long-established facilities across large portions of the state.

Senate Bill 781 also represents a significant shift from a compliance-based permitting framework to a broader discretionary denial standard based on cumulative community impact. Facilities that meet all applicable environmental laws and regulatory requirements could nonetheless face denial if a compelling public interest is not demonstrated. Such a shift creates legal and financial uncertainty for existing operations that have long complied with Maryland's environmental standards. Many of these facilities are located in historically industrial areas and are critical to energy supply, manufacturing, transportation, and logistics networks across the State. Increased permitting risk may deter modernization projects and infrastructure upgrades that would otherwise reduce emissions and improve environmental performance.

Finally, the Chamber has concerns with the bill's penalty provisions, including a proposed 75% penalty escalator for covered facilities. While enforcement tools are important, this escalation appears excessive, particularly given the uncertainty surrounding the bill's scope and definitions.


While the Chamber appreciates the intent behind SB 781, we are concerned that the bill, as drafted, would further strain Maryland's permitting system, inhibit economic development, and discourage investment without providing sufficient clarity or guardrails for implementation. Should this legislation move forward, significant amendments will be necessary to better define key terms, clarify applicability, establish reasonable timelines, and ensure alignment with existing permitting frameworks.

For these reasons, the Chamber respectfully requests an **unfavorable report** on **SB 781**.

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Uploaded by: Karyn Sonu or Kamita Gray

Position: UNF



Environment, Social
Governance

E•S•G

PERMITTING REQUIREMENTS

**LEGISLATION SESSION
JANUARY 2026**

**EDUCATION, ENERGY,
AND THE ENVIRONMENT
COMMITTEE**

**SB00781/HB1268
CHERISH ACT**

ENVIROMENTAL RESIDUALS

Heavy Industrial Facilities Effects on Human Health



Review Authors

Brandywine TB Southern Region Neighborhood Coalition

ECCB Administrative Chair – ECCB Community Citizens Board, Neighborhood Leadership Council (NLC)

2Bridge CDCx

The Undersigned Affiliate Organization in Support



South County Economic Development Association (SCEDA)

Mr. P. Lee Harvey, President

Caroline Wills Anderson, Esq.



HB1268 / SB0781 CHERISH ACT

EDUCATION, ENERGY, AND THE ENVIRONMENT

03rd and 10th MARCH 2026 Hearings

- FOR:** Maryland Legislative Committees
- FROM:** Brandywine TB Southern Region Neighborhood Coalition (BTB Coalition)
- POSITION:** UNFAVORABLE without substantial Amendments

Thank you for the opportunity to submit this analysis of HB1268 | SB0781 (CHERISH Act) on behalf of the BTB Coalition, a community development nonprofit and neighborhood coalition representing more than 10,000 Maryland residents, including those directly impacted by decades of concentrated industrial burden. As the originating Title VI community whose 2016 civil-rights complaint initiated Maryland’s environmental justice compliance framework, we submit this testimony not only as policy commentary, but as a matter of civil-rights continuity.

This analysis evaluates the 2026 CHERISH framework as drafted, identifies structural risks associated with percentile-based regulatory triggers, and proposes specific statutory safeguards to ensure durable protection for historically overburdened communities. Our intent is not to weaken the bill, but to strengthen it — by aligning its implementation mechanisms with Title VI compliance standards and lived industrial realities.

We remain prepared to collaborate constructively on targeted amendments, including:

- Independent review of Environmental Justice scoring methodology;
- A dual-trigger structure recognizing documented industrial density;
- Transparent reclassification procedures;
- Title VI compliance certification prior to implementation;
- Community-governance mechanisms that ensure documented resident participation in decision-making.

For continued dialogue, please contact the Executive Community Citizens Board (ECCB) through the Neighborhood Leadership Council at btb.eccb@gmail.com.

We appreciate the Legislature’s commitment to environmental justice and urge adoption of durable guardrails to ensure that protections remain grounded in lived burden rather than fluctuating statistical thresholds

Respectfully submitted,


Kamita Gray
 Community Law/Policy Architect & Legislative Consultant
 Founder – 2Bridge CDCX: Equitable Finance eXchange Arm
 President – BTB Coalition
 Parliamentarian | Board of Directors – South County Economic Development Association (SCEDA)
 ECCB Directorial Chair – ECCB Community Citizens Board, Neighborhood Leadership Council (NLC)

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

HB1268 / SB0781 CHERISH ACT

EDUCATION, ENERGY, AND THE ENVIRONMENT

03rd and 10th MARCH 2026 Hearings

SENATE EXECUTIVE SUMMARY

CHERISH ACT 2026 – STRUCTURAL SHIFT & GUARDRAIL AMENDMENTS

POSITION: Unfavorable Without Substantial Amendments

This testimony identifies a structural shift in the 2026 CHERISH Act that ties enhanced permitting protection to percentile rankings within the Maryland Environmental Justice Screening Tool. Because percentile classification now functions as a regulatory trigger, model recalibration can reduce safeguards absent environmental improvement.

Brandywine — the originating 2016 Title VI community — continues to experience concentrated industrial burden despite a reduced EJ percentile ranking. If protection depends on fluctuating statistical thresholds, Maryland risks creating unequal regulatory protection and foreseeable Title VI disparate-impact exposure.

We respectfully request adoption of five targeted amendments:

1. Independent third-party audit of EJ scoring methodology.
2. Dual-trigger structure recognizing documented industrial density independent of percentile rank.
3. Community petition mechanism for reclassification review.
4. Public notice and legislative oversight before EJ recalibration.
5. Formal Title VI compliance certification prior to implementation.

This submission includes detailed analysis and amendment-ready language. Durable environmental justice requires durable design.

The 2019 Informal Resolution Agreement arising from the 2016 Title VI complaint required structured engagement with directly impacted residents; implementation of a classification-based regulatory framework should reflect that obligation.

Brandywine — the community whose 2016 Title VI complaint initiated Maryland’s environmental justice compliance framework — continues to experience concentrated fossil fuel generation, coal ash contamination, and industrial clustering. Yet our EJ percentile ranking has decreased.

Pollution did not decline. Industrial density did not disappear. Only the percentile classification changed due to methodological recalibration within the screening tool. Only the statistical ranking shifted under the current scoring methodology and the percentile designation changed — demonstrating how regulatory protection can fluctuate without environmental improvement.

If regulatory safeguards are tied solely to percentile thresholds, then model recalibration can reduce protections absent environmental improvement. That creates foreseeable disparate-impact exposure under Title VI of the Civil Rights Act.

Additionally, the 2019 Informal Resolution Agreement resulting from our Title VI complaint required direct engagement with impacted residents in environmental decision-making. When legislation rooted in that civil-rights history is developed without documented drafting participation from the originating community, governance integrity becomes a compliance issue — not simply a procedural concern.

This submission includes detailed analysis and amendment-ready language. Durable environmental justice requires durable design.

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3-PAGE EXECUTIVE BRIEFING

RESHAPING THE CHERISH ACT: CIVIL-RIGHTS DURABLE DESIGN

THE STRUCTURAL SHIFT

The 2026 CHERISH Act represents a fundamental shift in Maryland’s environmental justice framework.

Unlike prior versions, the bill now conditions enhanced permitting scrutiny and potential denial authority on percentile rankings within the Maryland Environmental Justice Screening Tool. This transforms the screening model from an advisory planning instrument into a regulatory gatekeeper.

Under the 2026 framework:

- Percentile rank determines whether enhanced review applies.
- Classification status controls enforcement escalation.
- Permit denial authority is tied to an “at-risk census tract” designation.

When a statistical ranking becomes the legal trigger for protection, the stability and accuracy of that model become civil-rights issues.

Environmental justice protections cannot fluctuate with methodological recalibration.

II. THE RISK

Brandywine — the majority-Black community whose 2016 Title VI complaint initiated Maryland’s environmental justice compliance framework — illustrates the structural concern.

Brandywine continues to experience:

- Concentrated fossil fuel generation
- Coal ash contamination
- Industrial clustering
- Ongoing permitting pressure

Yet its EJ percentile classification has decreased.

Pollution did not decline.
Industrial density did not disappear.
Only the percentile moved.

If regulatory safeguards depend on percentile classification, then model recalibration can reduce protections without corresponding environmental relief.

Title VI of the Civil Rights Act prohibits policies that produce discriminatory effects. When legal protections are triggered by fluctuating statistical thresholds, disparate-impact exposure becomes foreseeable.

This is not theoretical. It is structural.

III. COMPARATIVE CONTEXT

Other states structured environmental justice protections with durable safeguards:

- **New Jersey** pairs permit denial authority with statutory definitions and mandatory public hearings.
- **Massachusetts** hard-codes enhanced participation requirements.
- **California** uses screening tools primarily for planning and investment allocation.
- **New York** embeds equity standards in statewide decision-making.

Maryland’s 2026 framework uniquely ties permit consequences directly to a moving percentile threshold — without guardrails to prevent protection loss due to methodological change.

IV. THE SOLUTION: DURABLE DESIGN

The CHERISH Act can be strengthened — not weakened — through targeted safeguards:

1. Independent third-party audit of the EJ scoring methodology before it functions as a regulatory trigger.
2. Dual-trigger structure recognizing documented industrial density and legacy burden independent of percentile rank.
3. Community reclassification petition mechanism with mandatory hearing and written findings.
4. Transparency and legislative oversight before EJ model recalibration.
5. Formal Title VI compliance certification prior to implementation.

These amendments ensure:

- Protections remain grounded in lived conditions.
- Statistical recalibration cannot eliminate safeguards.
- Federal compliance risk is mitigated.
- Legislative intent is preserved.

BOTTOM LINE

The 2026 CHERISH Act moves Maryland from symbolic environmental justice to enforceable classification-based regulation.

When classification determines protection, classification stability becomes a civil-rights matter.

Durable environmental justice requires durable design.

CHERISH ACT SYNOPSIS

The 2026 CHERISH Act represents a significant structural shift in Maryland’s environmental justice framework. Unlike prior versions, the bill now conditions enhanced permitting scrutiny and potential denial authority on percentile rankings within the Maryland Environmental Justice Screening Tool. This transforms the screening model from an advisory planning instrument into a regulatory gatekeeper. When percentile classification becomes the trigger for legal protection, the stability, transparency, and civil-rights implications of that model become central to the statute’s integrity.

Brandywine — the community whose 2016 Title VI complaint-initiated Maryland’s modern environmental justice compliance framework — illustrates the structural risk. Despite continued industrial burden, fossil fuel generation, and documented contamination concerns, Brandywine’s percentile classification has decreased. If regulatory safeguards are tied solely to percentile ranking, protections may diminish due to methodological recalibration rather than actual environmental improvement. That creates foreseeable disparate-impact exposure under Title VI of the Civil Rights Act, which prohibits policies that result in discriminatory effects.

Other states have structured environmental justice laws with durable guardrails. New Jersey pairs permit denial authority with statutory definitions and mandatory public hearings. Massachusetts hard-codes enhanced participation requirements. California uses screening tools primarily for planning and investment allocation. New York embeds equity standards into statewide decision-making. Maryland’s 2026 approach uniquely ties permit consequences directly to a moving percentile threshold, without sufficient safeguards against classification instability.

The solution is not to weaken the bill, but to strengthen it. Incorporating independent methodology review, a dual-trigger structure recognizing industrial density and legacy burden, a community reclassification petition process, transparency before model recalibration, and formal Title VI compliance certification would ensure that environmental justice protections remain grounded in lived conditions rather than fluctuating statistical thresholds. Durable environmental justice requires durable design.

2-PAGE BRIEFING FOR MEMBERS OF THE LEGISLATIVE BLACK CAUCUS OF MARYLAND

Environmental Justice, Representation, and Civil-Rights Integrity

I. THE CIVIL-RIGHTS FOUNDATION

Maryland’s environmental justice framework began with the 2016 Title VI complaint filed by the Brandywine community. That action resulted in a 2019 Informal Resolution Agreement requiring direct engagement with impacted residents in environmental decision-making.

Environmental justice in Maryland is therefore rooted in federal civil-rights compliance — not branding.

II. REPRESENTATION AND THE CHERISH ACT

The CHERISH Act has been publicly described by Maryland LCV as a “community-driven” or “community collective” effort.

However:

- Brandywine — the originating Title VI community — was not included in drafting the legislation.
- The BTB Coalition and ECCB were not part of the strategic bill-development table.
- No documented governance authority was extended to the originating community.

A formal written request for clarification was made on November 4, 2025

The response provided testimony but did not address drafting authority or community governance questions

This is not a rhetorical dispute. It is a question of authorship and accountability.

When legislation is framed as “community-driven,” yet the originating Title VI community was not involved in shaping it, credibility and compliance concerns arise.

III. THE 2026 STRUCTURAL RISK

The 2026 CHERISH framework ties enhanced permitting protections to percentile rankings within the Maryland EJ Screening Tool.

Brandywine’s percentile classification has been reduced despite continued industrial burden. If regulatory safeguards depend on percentile thresholds that can shift without environmental improvement, protections for majority-Black communities may weaken.

Title VI prohibits policies that produce discriminatory effects.

The Black Caucus must ensure that environmental justice legislation:

- Anchors protection in lived burden
 - Includes impacted communities in authorship
 - Prevents classification-driven inequity
-

IV. SAFEGUARDS NECESSARY FOR CIVIL-RIGHTS INTEGRITY

To align the bill with its 2016 Title VI foundation:

1. Independent audit of the EJ screening methodology
 2. Community petition mechanism for reclassification review
 3. Industrial-density override trigger
 4. Public notice before percentile recalibration
 5. Formal Title VI compliance certification
-

V. THE LEADERSHIP DECISION

1. Environmental justice legislation must reflect the same civil-rights rigor that defines the Caucus' historic leadership.
 2. The question is not whether CHERISH is well-intentioned.
 3. The question is whether its authorship, classification triggers, and implementation safeguards protect Black communities in fact — not just in language.
 4. Durable protection requires governance integrity.
-

VI. EXECUTIVE SYNOPSIS FOR MEMBERS OF THE LEGISLATIVE BLACK CAUCUS OF MARYLAND

The 2026 CHERISH Act represents more than an environmental policy update — it establishes a regulatory classification system that determines which communities receive heightened permitting protection and which do not. By tying enhanced scrutiny and denial authority to percentile rankings within the Maryland Environmental Justice Screening Tool, the bill makes statistical classification the gateway to civil-rights-level safeguards. When protection depends on a percentile threshold that can shift without corresponding environmental improvement, the stability of those protections becomes a matter of equity and accountability.

Brandywine — the majority-Black community whose 2016 Title VI complaint-initiated Maryland's environmental justice compliance framework — demonstrates the structural concern. Despite continued industrial clustering, fossil fuel generation, and documented contamination issues, Brandywine's percentile ranking has been reduced. Pollution did not decline. Industrial density did not disappear. Only the statistical ranking changed. If regulatory safeguards are conditioned on percentile classification, communities may lose protection due to model recalibration rather than lived improvement. Under Title VI of the Civil Rights Act, policies that produce discriminatory effects — even without intent — create federal compliance exposure.

The Legislative Black Caucus has historically safeguarded voting rights, housing equity, education access, and anti-redlining protections. Environmental justice is a continuation of that civil-rights lineage. When legislation framed as community-driven is developed without documented drafting participation from the originating Title VI community, and when regulatory protection hinges on fluctuating statistical thresholds, questions of governance integrity arise. Representation must be demonstrable. Protection must be durable.

The path forward is clear: strengthen the bill to ensure civil-rights durability. Independent review of the EJ methodology, a dual-trigger structure recognizing documented industrial density, a community petition mechanism for reclassification, transparent oversight of percentile recalibration, and formal Title VI compliance certification would ensure that protections for Black and overburdened communities cannot be reduced by statistical adjustment alone. Environmental justice must deliver structural security — not conditional protection.

The Caucus is uniquely positioned to ensure that this legislation does not inadvertently codify a system in which protection for Black communities becomes contingent upon algorithmic ranking rather than documented burden. If percentile recalibration can reduce safeguards without measurable environmental relief, the Legislature risks institutionalizing instability in communities that have historically borne disproportionate harm. That outcome would not reflect the intent of environmental justice policy, nor the civil-rights leadership the Caucus has consistently demonstrated across generations.

Strengthening the CHERISH framework now prevents future oversight hearings, federal scrutiny, and public controversy later. Guardrails are not obstacles — they are protections for both communities and the Legislature. By embedding durable safeguards and clear accountability measures into the statute, the Black Caucus can ensure that environmental justice remains aligned with its foundational purpose: equal protection, meaningful participation, and structural fairness for Maryland's Black and historically overburdened communities.

FORMAL LEGISLATIVE RECORD LETTER

Re: Clarification of “Community-Driven” Representation of the CHERISH Act

To Members of the Maryland General Assembly:

This correspondence is submitted for the legislative record to clarify representations made by the Maryland League of Conservation Voters (LCV) describing the CHERISH Act as a “community-driven” or “community collective” initiative.

Brandywine, Maryland is the community whose 2016 Title VI civil-rights complaint initiated Maryland’s modern environmental justice compliance framework. That complaint resulted in a 2019 Informal Resolution Agreement (IRA) requiring direct engagement with affected residents in environmental permitting and governance matters.

On November 4, 2025, the Brandywine | TB Southern Region Neighborhood Coalition (BTB Coalition) formally requested clarification from Maryland LCV regarding:

1. Who convened and controlled the drafting table for the CHERISH Act;
2. Which directly impacted communities participated in shaping the bill language;
3. Who authorized the use of “community-driven” framing; and
4. Whether originating Title VI communities held decision-making authority.

The response received from Maryland LCV did not address those governance questions. Instead, LCV provided a copy of its written testimony and stated it was responding only on behalf of its organization

No documentation was provided demonstrating that Brandywine — the originating Title VI community — participated in drafting, co-authoring, or approving the legislative language.

Being asked to review completed language does not constitute shared authorship.

Being cited in narrative materials does not constitute governance authority.

When legislation is publicly characterized as “community-driven,” yet the originating Title VI community was not at the drafting table, that representation is inaccurate and potentially misleading to legislators.

Because the 2026 CHERISH framework ties regulatory protections to percentile-based classification, authorship and governance integrity are not procedural details — they are civil-rights compliance issues under Title VI.

This letter is submitted to ensure the legislative record accurately reflects that Brandywine and the BTB Coalition did not participate in drafting or authorizing the CHERISH Act as a community-led initiative.

Email Referenced Next Page

NOVEMBER 5, 2025 EMAIL

Gmail - Re: Response to Nov 4 email

<https://mail.google.com/mail/u/2/?ik=4f611dec3f&view=pt&search...>



BTB ECCB <btb.eccb@gmail.com>

Re: Response to Nov 4 email

1 message

BTB ECCB <btb.eccb@gmail.com>
To: Kim Coble <kcoble@mdlcv.org>
Cc: BTB ECCB <btb.eccb@gmail.com>

Wed, Nov 5, 2025 at 11:58 AM

Kim Coble

Thank you for your response.

We want to clarify that our November 4 correspondence did not request Maryland LCV's testimony. Our inquiry concerned **representation and authority** because Maryland LCV, CEEJH, and related partners have publicly framed the CHERISH effort as "*community-led*" and "*collaboratively developed*." This includes materials circulated in coordination with MDE and the Moore Administration.

However, as you are aware, **the 2019 Informal Resolution Agreement (IRA) between MDE and the Brandywine community requires direct engagement and decision-making with affected residents—not consultation mediated through intermediary organizations.** That is a standing obligation, not a discretionary courtesy.

Accordingly, we documented four questions:

1. Who convened and controlled the strategic table for CHERISH?
2. What criteria determined who was included and who was excluded?
3. Who authorized Maryland LCV and its partners to put forward CHERISH as the statewide "environmental justice" position?
4. How will directly impacted communities hold **decision-making authority** going forward—not advisory or symbolic roles?

Your response did not address these items.

We are noting for the record that **Maryland LCV—while publicly positioned as part of a "community-collaborated" EJ effort and holding direct access to MDE and Governor Moore—has declined to clarify where community authority exists within the framework required under the IRA.**

We are not requesting further clarification.
This documentation will be entered into our ongoing compliance record.

Respectfully,
Karyn Sonu
Managerial Chair, Executive Community Citizens Board (ECCB)

On Wed, Nov 5, 2025 at 10:51 AM Kim Coble <kcoble@mdlcv.org> wrote:

Dear Ms. Sonu,

Thank you for your November 4th email to Kristen Harbeson.

I am sending this response on behalf of Maryland LCV only. We do not represent affiliated organizations. A copy of our written testimony on the 2025 CHERISH Act (SB 978/ HB 1484) is attached.

Sincerely,

Kim Coble

Kim Coble
Executive Director
Maryland League of Conservation Voters
30 West Street, Suite C
Annapolis, MD 20401
kcoble@mdlcv.org
C: 410-507-3521

ACCOUNTABILITY STATEMENT

Re: Intermediary Representation and “Community-Driven” Framing of the CHERISH Act in the Context of Ongoing Title VI Compliance

Maryland LCV, along with affiliated advocacy and academic partners including the Center for Community Engagement, Environmental Justice, and Health (CEEJH) and its MATCH Initiative, has publicly characterized the CHERISH Act as a “community-driven” or “community collective” effort.

That characterization is not accurate with respect to Brandywine and the BTB Coalition — the originating Title VI community in Maryland’s environmental justice framework.

Maryland’s modern environmental justice compliance structure began with a 2016 Title VI civil-rights complaint filed by the Brandywine community. That complaint resulted in a 2019 Informal Resolution Agreement (IRA) requiring direct engagement with affected residents in environmental decision-making and governance.

Against that backdrop, on November 4, 2025, the BTB Coalition formally requested clarification from Maryland LCV regarding:

- Who convened and controlled the drafting table for the CHERISH Act;
- Which directly impacted communities participated in shaping legislative language;
- Who authorized the use of “community-driven” or “community-led” framing; and Whether originating Title VI communities held decision-making authority.

That inquiry is documented in our November 4 correspondence.

The response from Maryland LCV did not address these governance questions. Instead, LCV provided its written testimony and stated it was responding only on behalf of its organization.

Separately, when clarification was requested from CEEJH regarding its role and the use of community-derived data, the response redirected communication to legal counsel in light of pending Title VI matters.

At no point did Maryland LCV, CEEJH, or affiliated partners provide documentation demonstrating:

- A drafting session that included Brandywine;
- A governance structure granting drafting authority to the originating Title VI community;
- Written authorization to present the CHERISH Act as reflecting Brandywine’s endorsement;
- Or evidence that the Executive Community Citizens Board (ECCB), affirmed under the 2019 IRA, was engaged as the designated community governance body.
- Being referenced in policy narratives is not co-authorship.
- Being cited in advocacy materials is not governance participation.
- Receiving completed language for review is not shared decision-making authority.

This is not a rhetorical disagreement. It is a structural governance issue.

When intermediary organizations — whether advocacy groups, academic centers, or lobbying entities — publicly frame legislation as “community-driven” without direct drafting participation by the originating Title VI community, that representation risks mischaracterizing authorship and displacing community authority.

This concern is heightened by the fact that active Title VI investigations involving MDE and MNCPPC remain ongoing. In that context, the integrity of community representation is not a matter of branding — it is a matter of federal civil-rights compliance.

If legislation rooted in a 2016 Title VI complaint is developed through intermediary networks without the originating community at the drafting table, and then publicly presented as “community-led,” legitimate compliance and governance concerns arise.

The question remains straightforward:

If the CHERISH Act was community-driven, which directly impacted Title VI communities held drafting authority, and where is that authority documented?

Accountability requires transparency in authorship, representation, and governance — particularly when civil-rights obligations are implicated.

Community cannot be claimed in absence of shared authority.

INTRODUCTION

OPENING – FROM POLICY DEBATE TO CIVIL RIGHTS CLASSIFICATION

Maryland stands at a defining moment in environmental justice policy. The 2026 CHERISH Act moves beyond advisory cumulative impact language and now creates a **regulatory classification system** that determines which communities receive heightened permitting protection and which do not.

THAT SHIFT RAISES A CRITICAL QUESTION:

What happens when protection depends on an algorithm that has already failed to accurately classify overburdened communities like Brandywine? Warranting an EPA Title VI docketed Formal Compliant currently under Jurisdictional Review by the agency.

This is no longer simply a policy discussion. It is a civil-rights issue.

Title VI of the Civil Rights Act of 1964 prohibits recipients of federal funding from implementing policies that result in discriminatory effects. When environmental protections are triggered by percentile rankings within a screening model — and those rankings shift without a corresponding change in actual burden — the State risks codifying unequal protection.

Brandywine’s lived reality has not improved. The industrial footprint has not diminished. Yet the percentile ranking assigned to our community has been reduced. If regulatory safeguards are tied to that ranking, then protection becomes unstable — and inequity becomes structural.

A civil-rights framework cannot depend on a moving statistical threshold.

COMPARISON: 2025 BILL VS 2026 BILL

Category	2025 CHERISH (SB0978/HB1484)	2026 CHERISH (SB0781/HB1268)
EJ Trigger	Advisory cumulative impact review	Mandatory burden report + percentile threshold
Permit Denial	Weak or advisory language	Mandatory denial unless compelling public interest
Classification	Overburdened concept broad	Defined “at-risk census tract” + 1.5 mile radius
Enforcement	Limited expansion	75% penalty increase in at-risk tracts
Judicial Record	Standard permit record	Burden analysis integrated into judicial review record
Structural Risk	Symbolic	Codifies regulatory protection based on EJ scoring model

KEY SHIFT:

2025 debated process fairness.

2026 creates a regulatory classification regime tied to EJ scoring.

That is a fundamental legal shift.

BRANDYWINE MISCLASSIFICATION SECTION

Brandywine: A Case Study in Statistical Reclassification Without Environmental Relief

Brandywine has endured:

- 15+ heavy industrial facilities
- Two of the largest fossil fuel power plants in the United States
- Coal ash groundwater contamination
- A DRMO Superfund site
- Ongoing industrial expansion

Yet Maryland's Environmental Justice Screening Tool has reduced Brandywine's percentile classification despite continued burden.

- Pollution did not decrease.
- Industrial clustering did not disappear.
- Groundwater contamination did not resolve.
- Only the percentile moved.

Under the 2026 bill, that movement determines whether enhanced permit scrutiny applies. If protection depends on a percentile ranking that does not reflect lived conditions, then the statute creates unequal regulatory protection.

This exposes Maryland to Title VI disparate-impact claims because communities may lose safeguards not due to improved conditions — but due to methodological recalibration.

BILL REVISION DEMANDS (2026-SPECIFIC)

Independent EJ Tool Audit

Mandate third-party review of scoring methodology before it can be used as a regulatory trigger.

Community Verification Clause

Allow communities to petition for reclassification based on documented cumulative burden.

Burden Override Safeguard

Permit scrutiny must trigger based on documented industrial concentration — not percentile alone.

Transparent Model Revision Notice

Require public notice and legislative oversight before EJ percentile methodology changes.

Title VI Compliance Certification

Require MDE to certify that implementation does not produce discriminatory effects.

Resident Co-Authorship Requirement

Mandate documented resident drafting participation for EJ legislation.

SIDE-BY-SIDE REVISIONS

2025 Language Tone:

“This bill fails to meaningfully limit pollution and represents symbolic action.”

2026 Redraft:

“This bill creates a regulatory protection system tied to EJ percentile classification. When classification changes without environmental relief, communities lose safeguards. A civil-rights statute cannot rely on a statistical threshold that is vulnerable to methodological recalibration.”

2025 Language Tone:

“Maryland’s EJ tool is deficient.”

2026 Redraft:

“Maryland’s EJ tool now functions as a legal trigger for permit denial and enforcement escalation. Any inaccuracies in that model translate directly into unequal regulatory protection.”

LEGISLATOR - SUMMARY VERSION

Legislator Brief – CHERISH Act 2026

Core Concern:

The 2026 bill ties enhanced environmental protections to percentile rankings in the Maryland EJ Screening Tool.

Risk:

Brandywine’s percentile ranking has decreased despite continued industrial burden.

Implication:

If regulatory protection depends on percentile classification, communities can lose safeguards due to model adjustments rather than real-world improvement.

Title VI Exposure:

Federal civil-rights law prohibits policies that produce discriminatory effects. A fluctuating classification model used as a legal trigger creates exposure risk.

Requested Safeguards:

1. Independent EJ tool audit
2. Community reclassification petition process
3. Industrial burden override trigger
4. Transparent model revision procedures
5. Title VI compliance certification

Bottom Line:

Environmental justice legislation must ensure stable protection grounded in lived conditions — not statistical thresholds vulnerable to recalibration.

TECHNICAL APPENDIX

ENVIRONMENTAL JUSTICE (EJ) SCORING METHODOLOGY – STRUCTURAL RISK ANALYSIS

I. Overview

The 2026 CHERISH Act establishes regulatory consequences triggered by classification as an “at-risk census tract,” which is defined in part by percentile thresholds within the Maryland Environmental Justice (EJ) Screening Tool. Because permitting scrutiny, denial authority, and enhanced enforcement depend on this classification, the EJ scoring model becomes a **regulatory gatekeeper**.

When a statistical screening model functions as a legal trigger, its methodology must withstand civil-rights scrutiny.

II. Structural Components of the EJ Score

The Maryland EJ Tool aggregates multiple indicators, typically including:

- Environmental exposures (air pollutants, proximity to facilities, waste sites)
- Public health metrics
- Socioeconomic indicators
- Climate vulnerability factors

Each indicator is converted into a percentile ranking relative to other census tracts statewide. The combined percentile determines whether a tract meets the “at-risk” threshold.

Under the 2026 bill, ≥75th percentile (or proximity triggers ≥95th percentile in certain categories) can activate regulatory consequences.

III. Methodological Vulnerabilities

Percentile Compression

If environmental burden increases statewide, percentile thresholds can shift even when local conditions remain unchanged.

Result:

A community may drop below a threshold without environmental improvement.
This creates classification instability unrelated to lived burden.

Indicator Weighting Changes

Adjustments to weighting of environmental vs. socioeconomic indicators can materially alter classification.

Example risk:

Reducing weight assigned to industrial proximity while increasing weight for statewide health trends could reduce percentile score in heavily industrialized but sparsely populated tracts.

Geographic Averaging & Census Boundaries

Census tract boundaries can dilute localized industrial clustering if residential and industrial zones are averaged.

Effect:

High-impact industrial corridors may be statistically softened.

Proximity Radius Limitations

The 2026 bill uses a 1.5-mile buffer for “at-risk” expansion.

Scientific literature often supports 2–3 mile impact radii for particulate matter, heavy metals, and groundwater contamination.

If impact radius is underestimated, affected communities may fall outside protection triggers.

Data Lag & Update Timing

EJ tools rely on historical datasets.

If industrial permits are approved between update cycles, new burden may not reflect in percentile calculations for years.

Protection may therefore lag behind exposure.

IV. Brandywine Case Study – Classification Instability

Brandywine continues to experience:

- Concentrated fossil fuel generation
- Coal ash contamination
- Industrial landfill proximity
- Active permitting expansion

Despite continued burden, the percentile classification has been reduced.

No documented environmental remediation correlates with this reduction.

This divergence between lived burden and percentile ranking indicates model recalibration rather than environmental improvement.

When regulatory protection depends on that ranking, misclassification produces unequal safeguards.

V. Civil Rights Implication

Because:

1. The EJ score determines permit scrutiny and denial authority,
2. The EJ tool is used by a federally funded agency (MDE),
3. Reclassification can reduce regulatory protection without environmental change,

The model’s application may produce discriminatory effects in violation of Title VI if it results in diminished protection for historically overburdened communities.

VI. Recommended Safeguards

- Independent third-party audit of EJ scoring methodology
- Public notice before percentile threshold adjustments
- Community petition mechanism for reclassification review
- Industrial-density override trigger independent of percentile score
- Annual Title VI impact assessment on EJ classification outcomes

COMPARISON: MARYLAND 2026 VS OTHER STATES

New Jersey (strongest “permit denial + cumulative impacts” model)

What NJ did

- Requires an **Environmental Justice Impact Statement** and a **public hearing in the overburdened community**, with notice requirements and transcripts.
- Explicitly authorizes the agency to **deny permits** for new/expanded facilities in overburdened communities if cumulative stressors would cause **disproportionate impacts**.
- Defines “overburdened community” using **demographic and income criteria** (census block groups).

Why NJ matters for your testimony

NJ couples denial authority with **hard procedural safeguards** and an **explicit definition** of protected communities.

Massachusetts (procedural equity model inside environmental review)

What MA did

- In MEPA, if a project affects an **Environmental Justice Population**, the Secretary must require **additional participation measures** (translation, accessible meeting locations, local document repositories, multi-language notices).

Why MA matters

MA hard-wires **meaningful involvement** into the environmental review process. It’s less about denial and more about **procedural fairness you can audit**.

California (screening tool + investment targeting + land-use planning requirements)

What CA did

- Uses **CalEnviroScreen** (OEHHA/CalEPA) to identify disadvantaged communities for programs like **SB 535**, targeting funds to communities with highest burden.
- Requires local governments (SB 1000) to adopt an **Environmental Justice element** in General Plans and identify disadvantaged communities—explicitly tied to CalEPA identification (CalEnviroScreen) and income criteria.
- CalEnviroScreen is regularly updated (e.g., draft CalEnviroScreen 5.0 in 2026), reinforcing the point that these tools **move** over time.

Why CA matters

California treats the screening tool as a **planning + investment lens**, not the sole gatekeeper for whether communities get protection. It also openly acknowledges tool updates.

New York (equity mandate + “don’t disproportionately burden” standard)

What NY did

- CLCPA requires state entities to deliver **at least 35% (goal 40%)** of climate benefits to **Disadvantaged Communities**, with criteria developed by the Climate Justice Working Group.
- NY’s implementation emphasizes that state decision-making should **not disproportionately burden** disadvantaged communities.

Why NY matters

NY ties EJ to **statewide decision standards + benefit flows** and builds governance around who defines DACs.

THE MARYLAND 2026 PROBLEM AND KEY COMPARATIVE POINTS

Maryland's 2026 structure ties regulatory protections to **EJ percentile classification**—meaning **whether you're "at-risk" depends on the model ranking**, which can shift over time.

That is the exact weak point you keep hammering:

“Other states built EJ protections with either a stable statutory definition (NJ/MA), procedural safeguards (MA/NJ), or tool-as-planning/benefits (CA/NY). Maryland is using a moving percentile score as a trigger for real permit consequences—without adequate guardrails.”

And **Brandywine** is your proof case:

“Our lived burden didn't improve. But the EJ percentile ranking was reduced. If protections are triggered by percentile rank, Maryland can remove safeguards without reducing harm—creating Title VI disparate-impact exposure.”

-
1. ***“New Jersey pairs cumulative-impact permit denial with mandatory community hearings and a defined overburdened community standard.”***
 2. ***“Massachusetts hard-codes meaningful public involvement requirements for EJ populations—translation, access, and document repositories.”***
 3. ***“California uses CalEnviroScreen primarily for identifying disadvantaged communities for investment and planning obligations, while openly updating the tool—showing why Maryland must not tie civil-rights protections to a moving percentile without safeguards.”***

OTHER STATES COMPARISON INSERT

ENVIRONMENTAL JUSTICE FRAMEWORKS: STRUCTURAL SAFEGUARDS VS. PERCENTILE GATEKEEPING

CORE QUESTION FOR MARYLAND LEGISLATORS

When environmental justice protections are triggered by a percentile ranking, what safeguards ensure that communities do not lose protection due to statistical recalibration rather than real environmental relief?

Brandywine’s lived burden has not decreased. Yet its EJ percentile classification has shifted. If regulatory protection depends on that percentile, Maryland risks creating unequal safeguards.

Other states structured their laws differently.

STATE-BY-STATE STRUCTURAL COMPARISON

State	How Communities Are Defined	Permit Authority	Procedural Safeguards	Key Protection Structure
New Jersey	“Overburdened Community” defined by income, race, and language thresholds (statutory)	Explicit permit denial authority if disproportionate cumulative impacts are found	Mandatory EJ Impact Statement + public hearing in affected community	Stable statutory definition + denial power
Massachusetts	“Environmental Justice Population” defined in regulation	No automatic denial trigger	Enhanced participation requirements (translation, accessible meetings, local repositories)	Strong procedural equity safeguards
California	Disadvantaged Communities identified using CalEnviroScreen	Primarily tied to funding allocation and planning mandates	General Plan EJ Element required; investment targeting (SB 535)	Screening tool used for planning & investment, not sole permit trigger
New York	Disadvantaged Communities defined through Climate Justice Working Group criteria	State decisions must avoid disproportionate burdens	Benefit mandates (≥35% investments to DACs)	Equity mandate embedded in statewide decision standard
Maryland (2026)	“At-risk census tract” defined by ≥75th percentile EJ score + proximity triggers	Permit denial unless “compelling public interest” shown	Burden report required; percentile-based trigger	Regulatory protection tied to EJ percentile ranking

STRUCTURAL DIFFERENCE

Other states either:

- Use stable statutory definitions (NJ)
- Emphasize procedural fairness safeguards (MA)
- Tie EJ tools to funding and planning (CA)
- Embed equity mandates in decision standards (NY)

Maryland's 2026 framework uniquely:

- Makes percentile ranking a regulatory trigger
- Conditions permit scrutiny on EJ score thresholds
- Expands enforcement penalties within those tracts

When percentile rankings shift, protections may shift — even if industrial burden does not.

BRANDYWINE AS A CASE STUDY

Brandywine remains burdened by:

- Concentrated fossil fuel generation
- Coal ash contamination
- Industrial landfill proximity
- Ongoing industrial permitting

Yet its EJ percentile ranking has been reduced despite no documented environmental remediation.

Under the 2026 framework, that ranking determines whether enhanced protections apply.

This creates civil-rights exposure under Title VI if communities lose safeguards due to model recalibration rather than improved environmental conditions.

LEGISLATIVE SAFEGUARDS NEEDED

To align Maryland with best practices:

1. Independent audit of EJ scoring methodology
 2. Community petition mechanism for reclassification review
 3. Industrial-density override trigger independent of percentile ranking
 4. Public notice and legislative oversight before EJ score recalibration
 5. Title VI compliance certification prior to implementation
-

BOTTOM LINE

Environmental justice protections must be grounded in lived conditions, not moving statistical thresholds.

Maryland can lead — but only if its framework ensures that classification changes do not produce unequal protection.

THE DIFFERENCE

A powerful testimony identifies risk.
A testimony that reshapes the bill identifies:

- foreseeable federal exposure
- enforceable consequences
- structural flaws
- corrective language
- statewide implications

The following sections convert your analysis into that leverage.

I. FEDERAL COMPLIANCE CONSEQUENCES

The 2026 CHERISH framework conditions regulatory protection on percentile-based classification within the Maryland Environmental Justice Screening Tool.

Because the Maryland Department of the Environment (MDE) receives federal funding, implementation of a regulatory structure that produces diminished protection for historically overburdened communities may implicate Title VI of the Civil Rights Act of 1964.

If classification recalibration results in reduced permitting safeguards without corresponding environmental relief, Maryland risks:

- Formal investigation by EPA Office of Civil Rights (OCR)
- Required corrective action plans
- Federal oversight agreements
- Conditioning of federal environmental funding
- Public reporting requirements and compliance monitoring

Title VI enforcement does not require discriminatory intent.
Disparate impact alone is sufficient.

This risk is foreseeable when percentile reclassification directly determines regulatory protection.

Legislation must therefore incorporate safeguards before the classification system becomes operative.

II. ENFORCEMENT PATHWAYS UNDER TITLE VI

If the 2026 framework produces unequal regulatory protection, enforcement mechanisms include:

1. Administrative Complaint
Affected communities may file a Title VI complaint with EPA OCR alleging discriminatory effect in permitting practices.
2. Compliance Review
EPA may independently initiate a compliance review of MDE permitting decisions under 40 C.F.R. Part 7.

3. Voluntary Resolution Agreement
The State may be required to enter into a corrective agreement mandating changes to classification methodology or permitting procedures.
4. Fund Termination Proceedings
In extreme cases, federal funding may be suspended or conditioned.
5. Judicial Review Record Expansion
Because the 2026 bill integrates burden analysis into the permit record, flawed classification methodology may become litigable evidence in judicial review proceedings.

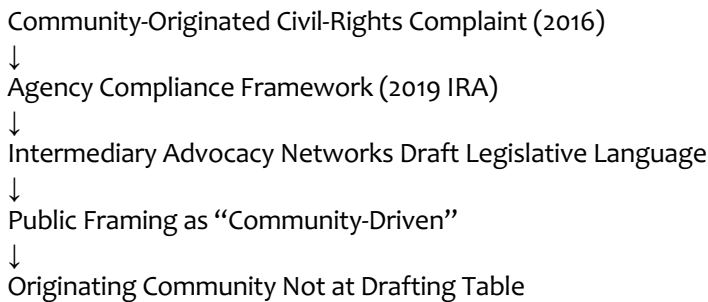
The question is not whether enforcement is likely — but whether the statutory structure makes enforcement plausible.

As currently structured, it does.

III. GOVERNANCE DISPLACEMENT PATTERN (STRUCTURAL ANALYSIS)

The governance concern is not personal. It is structural.

Observed pattern:



THIS CREATES GOVERNANCE DISPLACEMENT:

- Narrative authority shifts to intermediaries
- Drafting authority centralizes outside impacted residents
- Technical data ownership moves to academic institutions
- Legislative endorsement language may imply community support without formal authorization

When legislation rooted in Title VI compliance is developed through intermediary networks without documented resident governance participation, authorship integrity becomes a civil-rights issue.

Representation must be demonstrable, not assumed.

IV. DUAL-TRIGGER SAFEGUARD MODEL (CORRECTIVE PATHWAY)

To prevent percentile instability from determining protection, Maryland should adopt a dual-trigger structure:

Trigger A: Percentile-Based Classification ≥75th percentile activates enhanced review.

AND/OR

Trigger B: Industrial Density / Legacy Burden Override

Enhanced review automatically applies if:

- Documented concentration of heavy industrial facilities exceeds defined threshold
- Presence of coal ash disposal sites, Superfund sites, or fossil fuel generation facilities
- Documented Title VI complaint history related to environmental permitting

This ensures:

- Statistical recalibration cannot eliminate protection
- Historically burdened communities retain safeguards
- Lived industrial density is recognized independent of percentile shifts

Protection should not be lost due to model adjustment.

V. STATEWIDE PRECEDENT RISK

Brandywine is not the only community affected by percentile-based classification.

If the originating Title VI community can experience reduced EJ ranking without environmental improvement, then:

- Any majority-Black community
- Any rural industrial corridor
- Any working-class census tract
- Any community near power generation or waste infrastructure

May experience similar reclassification instability.

Once percentile ranking becomes a legal trigger, model recalibration becomes a statewide equity determinant.

The Legislature must consider:

Is Maryland comfortable allowing civil-rights-level environmental protection to fluctuate with statistical methodology updates?

If not, structural guardrails are required.

FINAL POSITIONING STATEMENT

Environmental justice legislation should deliver durable protection.

Durable protection requires:

- Stable classification standards
- Auditable methodology
- Direct community governance participation
- Clear federal compliance safeguards

Without these elements, the statute risks creating precisely the inequities it seeks to prevent.

AMENDMENT-READY STATUTORY LANGUAGE

(Draft insertions for HB1268 / SB0781 framework)

§ _____. Environmental Justice Classification Safeguards

(a) Independent Methodology Review

(1) Prior to use of the Maryland Environmental Justice Screening Tool as a regulatory trigger for permit review, denial, or enhanced enforcement, the Department shall commission an independent third-party audit of the scoring methodology.

(2) The audit shall evaluate:

- (i) Indicator weighting;
- (ii) Percentile calculation methodology;
- (iii) Geographic averaging impacts;
- (iv) Radius assumptions;
- (v) Data lag effects;
- (vi) Disparate-impact risk under Title VI of the Civil Rights Act of 1964.

(3) The audit report shall be submitted to the General Assembly and made publicly available.

(4) The Screening Tool may not function as a mandatory regulatory trigger until the audit is complete and publicly released.

(b) Dual-Trigger Protection Structure

Enhanced permit review shall apply if:

(1) A census tract meets or exceeds the 75th percentile in the Environmental Justice Screening Tool;

OR

(2) The proposed project is located within:

- (i) 2 miles of a census tract containing three or more heavy industrial facilities;
- (ii) 2 miles of a coal ash disposal site, Superfund site, or fossil fuel generation facility;
- (iii) A community that has been subject to a documented Title VI environmental complaint within the past 15 years.

Percentile classification alone shall not eliminate protection under subsection (2).

(c) Reclassification Petition Mechanism

(1) A community organization representing residents within a census tract may petition for review of EJ classification if documented cumulative burden exceeds percentile ranking.

(2) The Department shall:

- (i) Conduct a public hearing in the affected community;
 - (ii) Issue written findings within 90 days;
 - (iii) Maintain enhanced review status pending determination.
-

(d) Percentile Recalibration Transparency

(1) The Department shall provide 120 days' public notice prior to any revision of EJ scoring methodology affecting percentile classification.

(2) No regulatory protection shall be reduced solely due to methodological recalibration unless environmental burden indicators demonstrate measurable improvement.

(e) Title VI Compliance Certification

(1) Prior to implementation, the Department shall certify that the application of EJ classification thresholds does not produce discriminatory effects under Title VI.

(2) Certification shall include a disparate-impact analysis comparing affected communities by race, income, and industrial density.

That's amendment-ready. Clean. Enforceable. Auditable.

OPPOSITION- REBUTTAL

The likely counterarguments.

Likely Opposition Claim #1:

“The EJ tool is scientifically validated.”

Rebuttal:

Scientific validation does not eliminate percentile compression risk or weighting-shift instability. When a screening model becomes a legal trigger, its use must withstand civil-rights scrutiny independent of academic validation.

Likely Opposition Claim #2:

“This bill strengthens protections.”

Rebuttal:

Strengthened denial authority tied to a fluctuating percentile threshold may unintentionally reduce protection for communities whose ranking shifts absent environmental relief. Guardrails strengthen — not weaken — the bill.

Likely Opposition Claim #3:

“This was community-driven.”

Rebuttal:

Community-driven requires documented drafting participation and governance authority by directly impacted communities. Consultation after language is drafted is not shared authorship.

Likely Opposition Claim #4:

“No Title VI violation has been found.”

Rebuttal:

Title VI risk analysis is preventive. The Legislature’s responsibility is to design structures that avoid foreseeable disparate impact — not to wait for federal enforcement.

Likely Opposition Claim #5:

“This slows implementation.”

Rebuttal:

Independent audit and transparency provisions protect the bill from federal compliance risk, litigation exposure, and political reversal. Guardrails accelerate durable implementation.

2026-02-27 MAMSA Ltr OPP SB 781.pdf

Uploaded by: Lisa Ochsenhirt

Position: UNF



February 27, 2026

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Re: OPPOSE-- SB 781 (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))

Dear Chair Feldman:

On behalf of the Maryland Municipal Stormwater Association (MAMSA), I am writing to **OPPOSE SB 781**, which would apply extensive and burdensome requirements on certain entities applying for a permit from the Maryland Department of the Environment (MDE).

MAMSA is an association of the State's local governments and leading stormwater consultant firms who work for clean water and safe infrastructure based on sound science and good public policy.

Although MAMSA supports some aspects of the bill - for example, the requirement for increased outreach and notice to overburdened communities and public hearings and public comment opportunities relating to the reissuance of covered general permits (p. 16, l. 4-6) - MAMSA's concerns with other aspects of SB 781 are so significant that we are compelled to oppose the bill.

Many of MAMSA's members have locally owned facilities covered by the industrial stormwater general permit targeted by the bill.

MAMSA objects to the bill for the following reasons:

(1) Having Coverage Under MDE's Industrial Stormwater General Permit Does Not Mean There Is an Increased Potential for Adverse Community Environmental and Public Health Impacts. (p. 3, l. 16-17)

SB 781's underlying premise is that there may be environmental and public health burdens imposed on at-risk communities associated with facilities covered by MDE's 20-SW-A (General Permit for Discharges from Stormwater Associated with Industrial Activities).

In fact, many of the county and municipally owned facilities covered by 20-SW-A provide significant societal benefits with no increased risk to the environment or public health. Wastewater treatment plants provide a critical public health benefit by treating residential, commercial, institutional, and industrial waste. Local and highway passenger transportation facilities provide local citizens with bus services and other passenger travel. Water transportation facilities provide local citizens with water taxis. Air transportation facilities provide airport and terminal services. Department of public works and highway maintenance facilities provide essential maintenance for snowplows and trash trucks. School bus maintenance facilities ensure the safety of our students on local buses.

MAMSA does not see the connection between these beneficial facilities and an increased risk to at-risk communities.

(2) The Bill is Unnecessary; MDE Already Reviews Impacts Associated with Facilities Covered by the Industrial Stormwater General Permit and Sewage Sludge Storage and Distribution Facilities.

Current State law directs MDE to consider public and environmental health before it issues an NPDES permit, like 20-SW-A (Md. Code ENV §9-302(b), (c)(1)).

MDE takes this responsibility very seriously. 20-SW-A includes extensive requirements for a covered facility including Chesapeake Bay restoration requirements for certain facilities, requirements for on-site control measures to minimize pollutant discharges, good housekeeping, maintenance of industrial equipment and systems, spill prevention and response procedures, erosion and sediment controls, salt storage, and employee training. Permittees must develop and update a document called a stormwater pollution prevention plan (SWPPP) to address these requirements.

(3) The 1.5 Mile Radius Makes No Sense in Many Situations (p. 2, l. 15 – 30)

The definition of at-risk census tract includes a geographic area within a 1.5-mile radius of a census tract with an EJ score at or above the 75% statewide, a census tract with six or more identified health indicators, or a census tract with proximity to specific facilities. MAMSA is perplexed by the reasoning behind extending the requirements to properties 1.5 miles outside of an EJ area (in many cases, a community 1.5 miles outside of an EJ area would not itself be an EJ community). If the bill moves forward, requirements should be limited to a review of the EJ census-tract itself.

In addition, many permit applicants are in rural areas. There could be facilities in rural parts of the state that are within 1.5 miles of an at-risk community. Those communities could have a small number of residents. It makes no sense to require the extensive level of study required by this bill for 10 people.

(4) Increasing Penalty Amounts by 75% is Punitive (p. 18, l. 13 – 16)

SB 781 increases penalties for violations within an at-risk census tract by 75%. MDE already has significant authority to assess civil penalties. There is no justification for increasing those already high penalties by 75% simply because the action occurred in an at-risk census tract.

(5) Requiring Online Information on Enforcement Raises Privacy and Fairness Questions (p. 18, 17-21)

SB 781 mandates that MDE make information on enforcement actions against a permitted facility available on-line. MAMSA submits that publicly identifying a potential violation, which has not yet been investigated and/or adjudicated, could cause a permittee unwarranted and unfair reputational damage.

In addition, MAMSA would be surprised if MDE would want to publicly identify its investigations until they are completed.

(6) Sending 25% of Fines to At-Risk Communities with No Guardrails Could Encourage Fraud (p. 18, 25-29)

SB 781 states that MDE's goal should be to use at least 25% of any revenue from an enforcement action within an at-risk census tract to assist (undefined) the affected tract.

MAMSA strongly supports guardrails. It is bad public policy to establish a system for contributions to a local

community with no controls in place. There should be basic usage, accounting, and auditing rules in place. If rules are not in place, money can be used on items that are problematic. A good example is in the February 21, 2025, Baltimore Sun (*State accountability on grants, nonprofits has 'fallen through the cracks,' former audit chair says*). The article notes that in 2020, state auditors found that a nonprofit had spent \$750,000 meant to combat opioid addiction on the purchase of a former country club and golf course.

The bill also lacks any detail on how 25% of a large fine would be used if the impacted community is small.

For example, if there are 10 residents near a concentrated animal feeding operation (CAFO), and the CAFO is fined \$4 Million, the community would receive \$1 Million (or \$100,000 per resident) from the enforcement action. Again, there are no details for how this money would be used to "assist" (undefined) these communities.

(7) Limiting MDE's Ability to Issue Future Permits Is Unwise (p. 16, l. 8-20)

SB 781 prohibits MDE from reissuing a future covered individual or general permit with less stringent conditions unless there was a technical or legal error or a less stringent condition is necessary because of events out of a permittee's control.

This is a much more limited subset of the well-known anti-backsliding language in Clean Water Act Section 402. SB 781 leaves out, for example, an exception for information that was not available at the time of permit issuance that, if known, would have justified a less stringent effluent limitation.

MAMSA disagrees that this antibacksliding language is necessary given the federal limitations. In addition, MAMSA submits that MDE should be allowed to change future permits based on the knowledge it gains during permit implementation. If 20-SW-A includes a requirement that MDE discovers is not working well, why would we not want MDE to strike it in a future permit?

(8) Requiring MDE to Report Back on Broadening the Scope of the Bill Is Problematic (p. 20, l. 8 – p. 21, l. 12)

SB 781 directs MDE to report back to the General Assembly on whether to expand the scope of the requirements to include any discharge permit issued under §9-323 of the Environment Article. Expanding these requirements to include municipal separate storm sewer system (MS4) permits would raise many significant issues.

For the reasons above, MAMSA urges the Committee to **Vote NO** on SB 781.

Please feel free to contact me with any questions at Lisa@AquaLaw.com or 804-716-9021.

Sincerely,



Lisa M. Ochsenhirt
MAMSA Deputy General Counsel

cc: Education, Energy, and the Environment Committee Members, SB 781 Sponsor

2026-02-27 MAMWA Letter OPP SB 781.pdf

Uploaded by: Lisa Ochsenhirt

Position: UNF



Maryland Association of Municipal Wastewater Agencies, Inc.

Washington Suburban Sanitary Commission

14501 Sweitzer Lane, 7th Floor

Laurel, MD 20707

Tel: 301-206-7008

MEMBER AGENCIES

February 27, 2026

Allegany County
Anne Arundel County
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Baltimore County
Town of Berlin
Cecil County
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Somerset Co. Sanitary District
St. Mary's Metro. Comm.
Washington County
Worcester County
WSSC Water

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Re: OPPOSE-- SB 781 (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))

Dear Chair Feldman:

On behalf of the Maryland Association of Municipal Wastewater Agencies (MAMWA), I am writing to **OPPOSE SB 781**, which would apply extensive and burdensome requirements on certain entities applying for a permit from the Maryland Department of the Environment (MDE).

MAMWA is a statewide association of local governments and wastewater treatment agencies that serve approximately 95% of the State's sewer population. Although MAMWA supports some aspects of the bill - for example, the requirement for increased outreach and notice to overburdened communities and public hearings and public comment opportunities relating to the reissuance of covered general permits (p. 16, l. 4-6) - MAMWA's concerns with other aspects of SB 781 are so significant that we are compelled to oppose the bill.

Many of MAMWA's members: (i) have locally owned facilities covered by the industrial stormwater general permit targeted by the bill; (ii) work with private entities that provide needed sewage sludge storage when land application is not available or practicable; and/or (iii) work with private entities that serve as sewage sludge distribution facilities. The bill would subject the third parties in (ii) and (iii) to extensive and expensive requirements to develop Baseline Understanding of Risk, Disparities, and Environmental Needs (BURDEN) reports each time they seek MDE approval to install, alter, or extend one of these structures.

MAMWA objects to the bill for the following reasons:

- (1) Having Coverage Under MDE's Industrial Stormwater General Permit or Individual Permit Coverage for Sewage Sludge Storage or Distribution Does Not Mean There Is an Increased Potential for Adverse Community Environmental and Public Health Impacts. (p. 3, l. 16-17, p. 4, l. 5-8)**

CONSULTANT MEMBERS

Black & Veatch
GHD, Inc.
Hazen and Sawyer
HDR Engineering, Inc.
Jacobs
Ramboll Americas
WRA

GENERAL COUNSEL

AquaLaw PLC

SB 781's underlying premise is that there may be environmental and public health burdens imposed on at-risk communities associated with facilities covered by MDE's 20-SW-A (General Permit for Discharges from Stormwater Associated with Industrial Activities) or covered by individual permits associated with sewage sludge storage and distribution facilities.

In fact, many of the county and municipally owned facilities covered by 20-SW-A provide significant societal benefits with no increased risk to the environment or public health. Wastewater treatment plants provide a critical public health benefit by treating residential, commercial, institutional, and industrial waste. Local and highway passenger transportation facilities provide local citizens with bus services and other passenger travel. Water transportation facilities provide local citizens with water taxis. Air transportation facilities provide airport and terminal services. Department of public works and highway maintenance facilities provide essential maintenance for snowplows and trash trucks. School bus maintenance facilities ensure the safety of our students on local buses.

SB 781 also covers individual permits for the storage or distribution of sewage sludge. Sewage sludge storage facilities provide a location for temporary storage of these highly treated materials before they are land applied on farms across the State. Sewage sludge distribution facilities include things like local hardware stores that sell highly treated Class A sewage sludge to individual residential and commercial customers.

MAMWA does not see the connection between these beneficial facilities and an increased risk to at-risk communities.

(2) The Bill is Unnecessary; MDE Already Reviews Impacts Associated with Facilities Covered by the Industrial Stormwater General Permit and Sewage Sludge Storage and Distribution Facilities.

Current State law directs MDE to consider public and environmental health before it issues an NPDES permit, like 20-SW-A (Md. Code ENV §9-302(b), (c)(1)).

In addition, current State law directs MDE to deny a sewage sludge utilization permit, including storage and distribution permits, if MDE finds that the applicant cannot utilize the sewage sludge without "Causing an undue risk to the environment or public health, safety, or welfare;" (Md. Code ENV §9-245(1)(i)).

MDE takes this responsibility very seriously. 20-SW-A includes extensive requirements for a covered facility including Chesapeake Bay restoration requirements for certain facilities, requirements for on-site control measures to minimize pollutant discharges, good housekeeping, maintenance of industrial equipment and systems, spill prevention and response procedures, erosion and sediment controls, salt storage, and employee training. Permittees must develop and update a document called a stormwater pollution prevention plan (SWPPP) to address these requirements.

Similarly, an applicant for an individual sewage sludge storage facility must submit a laundry list of information, all intended to protect the environment and public health. For example, a sewage sludge storage applicant must submit a "detailed operation plan" and extensive information on how it will protect water resources. COMAR 26.04.06.28. MDE may not permit a storage facility unless it finds the facility complies with all zoning and local land use regulations of the host county. MDE may not permit a storage facility unless there is either a minimum 1,000-foot buffer zone between the facility and nearby homes or

adequate odor control. COMAR 26.04.06.27. An applicant for an individual distribution facility faces comparable requirements. COMAR 26.04.06.33 - .36.

(3) The Requirements for a BURDEN Report Are Unfair and Highly Burdensome (p. 11, l. 17 - p. 13, l. 11)

SB 781 requires that an applicant for a covered individual permit provide a BURDEN Report with its application. MAMWA has multiple concerns with the BURDEN Report requirements.

First, the requirement would unfairly impact the first applicant in line. The first applicant near an at-risk census tract would have to do an extensive and expensive analysis of pollution that they are not even responsible for in the community. Later, nearby applicants would be able to use this documentation for free when they apply.

Second, the BURDEN Report requires applicants to study completely unrelated issues. A sewage sludge distribution facility does not create any risk for ambient air impacts. It makes no sense to have an applicant review that issue. The same can be said for traffic volume and contaminated drinking water supplies.

Third, the BURDEN Report would require an applicant to look far beyond the at-risk census tract. The BURDEN Report must include a comprehensive list of each existing pollution source impacting the community. Assuming this includes air pollutants, these pollutants are often carried by wind from far away (including from out-of-state areas). Unless an applicant hires a consultant to model air deposition, it is unclear how it would be able to identify these sources.

Lastly, the BURDEN Report would require an applicant to provide information on undefined “existing environmental and public health stressors.” Smoking, drinking alcohol, and not getting regular exercise are all stressors to public health and it is unreasonable to require applicants for environmental permits to assess them.

(4) The 1.5 Mile Radius Makes No Sense in Many Situations (p. 2, l. 15 – 30)

The definition of at-risk census tract includes a geographic area within a 1.5-mile radius of a census tract with an EJ score at or above the 75% statewide, a census tract with six or more identified health indicators, or a census tract with proximity to specific facilities. MAMWA is perplexed by the reasoning behind extending the requirements to properties 1.5 miles outside of an EJ area (in many cases, a community 1.5 miles outside of an EJ area would not itself be an EJ community). If the bill moves forward, requirements should be limited to a review of the EJ census-tract itself.

In addition, many permit applicants are in rural areas. There could be facilities in rural parts of the state that are within 1.5 miles of an at-risk community. Those communities could have a small number of residents. It makes no sense to require the extensive level of study required by this bill for 10 people.

(5) Increasing Penalty Amounts by 75% is Punitive (p. 18, l. 13 – 16)

SB 781 increases penalties for violations within an at-risk census tract by 75%. MDE already has significant authority to assess civil penalties. There is no justification for increasing those already high penalties by 75% simply because the action occurred in an at-risk census tract.

(6) Requiring Online Information on Enforcement Raises Privacy and Fairness Questions (p. 18, 17-21)

SB 781 mandates that MDE make information on enforcement actions against a permitted facility available on-line. MAMWA submits that publicly identifying a potential violation, which has not yet been investigated and/or adjudicated, could cause a permittee unwarranted and unfair reputational damage.

In addition, MAMWA would be surprised if MDE would want to publicly identify its investigations until they are completed.

(7) Sending 25% of Fines to At-Risk Communities with No Guardrails Could Encourage Fraud (p. 18, 25-29)

SB 781 states that MDE's goal should be to use at least 25% of any revenue from an enforcement action within an at-risk census tract to assist (undefined) the affected tract.

MAMWA strongly supports guardrails. It is bad public policy to establish a system for contributions to a local community with no controls in place. There should be basic usage, accounting, and auditing rules in place. If rules are not in place, money can be used on items that are problematic. A good example is in the February 21, 2025, Baltimore Sun (*State accountability on grants, nonprofits has 'fallen through the cracks,' former audit chair says*). The article notes that in 2020, state auditors found that a nonprofit had spent \$750,000 meant to combat opioid addiction on the purchase of a former country club and golf course.

In our experience, MDE is even reluctant to manage the money for supplemental environmental projects (SEPs). For example, in the recent Back River/Patapsco Consent Decree, MDE directs the money for SEPs to the Chesapeake Bay Trust (CBT), with funding reverting to MDE if it is not used.

The bill also lacks any detail on how 25% of a large fine would be used if the impacted community is small.

For example, if there are 10 residents near a concentrated animal feeding operation (CAFO), and the CAFO is fined \$4 Million, the community would receive \$1 Million (or \$100,000 per resident) from the enforcement action. Again, there are no details for how this money would be used to "assist" (undefined) these communities.

(8) Limiting MDE's Ability to Issue Future Permits Is Unwise (p. 16, l. 8-20)

SB 781 prohibits MDE from reissuing a future covered individual or general permit with less stringent conditions unless there was a technical or legal error or a less stringent condition is necessary because of events out of a permittee's control.

This is a much more limited subset of the well-known anti-backsliding language in Clean Water Act Section 402. SB 781 leaves out, for example, an exception for information that was not available at the time of permit issuance that, if known, would have justified a less stringent effluent limitation.

MAMWA disagrees that this antibacksliding language is necessary given the federal limitations. In addition, MAMWA submits that MDE should be allowed to change future permits based on the knowledge

MAMWA Letter on SB 781

February 27, 2026

Page 5

it gains during permit implementation. If 20-SW-A includes a requirement that MDE discovers is not working well, why would we not want MDE to strike it in a future permit?

(9) Requiring MDE to Report Back on Broadening the Scope of the Bill Is Problematic (p. 20, l. 8 – p. 21, l. 12)

SB 781 directs MDE to report back to the General Assembly on whether to expand the scope of the requirements to include any discharge permit issued under §9-323 of the Environment Article and permits for the utilization of sewage sludge issued under §9-231.4 or 9-238 of the Environmental Article.

Including wastewater treatment plants and other types of sewage sludge permits would raise many of the issues MAMWA commented on in 2025 in response to HB 1484 (attached).

For the reasons above, MAMWA urges the Committee to **Vote NO** on SB 781.

Please feel free to contact me with any questions at Lisa@AquaLaw.com or 804-716-9021.

Sincerely,



Lisa M. Ochsenhirt
MAMWA Deputy General Counsel

cc: Education, Energy, and the Environment Committee Members, SB 781 Sponsor



Maryland Association of Municipal Wastewater Agencies, Inc.

Washington Suburban Sanitary Commission

14501 Sweitzer Lane, 7th Floor

Laurel, MD 20707

Tel: 301-206-7008

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Somerset County Sanitary District

St. Mary's Metro. Comm.

Washington County

WSSC Water

March 7, 2025

The Honorable Marc Korman

Chair, Environment and Transportation Committee

250 Taylor House Office Building

Annapolis, MD 21401

Re: OPPOSE -- HB 1484 (Environmental Permits – Requirements for Public Participation and Impact and Burden Analysis (Cumulative Harms to Environmental Restoration for Improving Shared Health – CHERISH Our Communities Act))

Dear Chair Korman:

On behalf of the Maryland Association of Municipal Wastewater Agencies (MAMWA), I am writing to **OPPOSE HB 1484**, which would apply extensive and burdensome requirements on certain entities applying for a permit from the Maryland Department of the Environment (MDE).

MAMWA is a statewide association of local governments and wastewater treatment agencies that serve approximately 95% of the State's sewered population. Many of MAMWA's members would be directly and negatively impacted by HB 1484. MAMWA objects to the bill for the following reasons:

(1) The Bill is Unnecessary; MDE Already Reviews Impacts Associated with NPDES, Potable Reuse, and Sewage Sludge Permits

Current State law directs MDE to consider public and environmental health before it issues a NPDES permit (Md. Code ENV §9-302(b), (c)(1)), a potable reuse permit (Md. Code §9-303.2), and a sewage sludge utilization permit (COMAR 26.04.06.11).

In addition, for the installation, expansion, or modification of a sewerage system, MDE requires a construction permit which ensures "that infrastructure projects throughout the State are designed on sound engineering principles" and that they will "comply with State design guidelines to protect water quality and public health." For major sewerage systems, permit applications must include complete plans and specifications prepared by, signed by, and sealed by a professional engineer. MDE reviews these documents and regularly requests changes to address any identified concerns. COMAR 26.03.12.04.

(2) The Bill Inappropriately Applies to Renewal Permits

As noted above, HB 1484 would directly impact MAMWA's publicly owned wastewater treatment plants by identifying them as "covered projects" (many wastewater plants have anaerobic digesters (p. 4, l. 26), energy-generating facilities (p. 5, l. 1-2), and/or sludge processing structures (p. 5, l. 22)). These are built-out systems that represent millions of

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Jacobs

Ramboll Americas

WRA

dollars, if not more, of investment by local citizens. In addition, all existing facilities have been through the public permitting process multiple times. If the bill moves forward, renewal permits must be stricken from the text.

(3) MDE Cannot Reasonably Deny a Permit for a Wastewater Treatment Plant (p. 9, l. 9-14)

Permits are required by law. A wastewater treatment plant must have a permit to discharge into a receiving waterbody. Similarly, potable reuse and sewage sludge permits are required by State law. Refusing to issue a wastewater treatment plant a needed permit is not an acceptable outcome from the permitting process.

(4) Having an NPDES, Reuse, or Sewage Sludge Permit Does Not Mean There Is an Increased Potential for Adverse Community Environmental and Public Health Impacts. (p. 3, l. 5-21)

Anaerobic digesters, energy-generating facilities, large wastewater treatment plants, and sludge processing facilities are environmentally beneficial. MAMWA is baffled by why they would be considered covered projects subject to additional requirements when they all have societal benefits. Anaerobic digesters break down waste and create renewable energy; they are far preferable to landfilling residuals, with associated increases in greenhouse gas emissions. Wastewater treatment plants with energy-generating facilities take residuals and create green energy that can be used to meet energy-needs at the plant and/or to provide energy to the transmission grid. Large wastewater treatment plants treat residential, commercial, institutional, and industrial waste and generate highly treated wastewater and biosolids.

Other publicly owned and managed covered projects are similarly beneficial and MAMWA is perplexed why these thoroughly regulated sites are included in this bill.

(5) The Requirements for an Environmental Impact Analysis (EIA) Are Highly Burdensome (p. 3, l. 5-21)

Many small facilities do not have the expertise to develop an EIA. Although a large, new project may be able to complete an EIA, a lot of small facilities would also be impacted by this bill (e.g., a small wastewater treatment plant, scrap metal yard, or sawmill). These small facilities would have to find and hire multiple consultants (environmental and public health experts), likely at a high cost, to complete this analysis, assuming there are an adequate number of technical experts in the marketplace who are able and willing to do this work.

Unfortunately, MAMWA members would be forced to pass along any increased costs associated with an EIA, a Proposed Existing Burden Report (PEBR), and with a cumulative impacts mitigation fund to local wastewater customers. This bill could increase wastewater rates significantly across the State.

On a related note, it is very difficult to assess the full impacts of the bill right now because MDE's Environmental Justice (EJ) screening tool is unavailable. We understand that MDE is currently working to get this tool back on-line and that this is related to the federal Administration pulling its EJ tools from the web. Nonetheless, we cannot currently use the tool.

(6) The PEBR Requirements Are Highly Burdensome (p. 6, l. 28 – p. 8, l. 6)

First, the PEBR would unfairly impact the first applicant in line. The first applicant near an at-risk census tract would have to do an extensive and expensive analysis of pollution that they are not even responsible

for in the community. Later nearby applicants would be able to use this documentation for free when they apply.

Second, the PEER requires applicants to study completely unrelated issues. A wastewater treatment plant does not create any risk for lead exposure. It makes no sense to have a plant review that issue. The same can be said for traffic volume and contaminated drinking water supplies.

Third, the PEER would require an applicant to gather information from private residents. A wastewater treatment plant does not know if there is lead-based paint in individual homes in the census tract. It is unclear, absent local citizens voluntarily providing that information, how a plant could even gather it.

Fourth, the PEER would require an applicant to look far beyond the at-risk census tract. The PEER must include a comprehensive list of each existing pollution source impacting the community. Assuming this includes air pollutants, these pollutants are often carried by wind from far away (including from areas out-of-state). Unless a wastewater treatment plant hires a consultant to model air deposition, it is unclear how it would be able to identify these sources.

Lastly, the PEER would require an applicant to provide information on undefined “existing environmental and public health stressors.” Smoking, drinking alcohol, and not getting regular exercise are all stressors to public health and it is unreasonable to require applicants for environmental permits to assess them.

(7) Requiring Payments into a Cumulative Impacts Mitigation Fund Could Result in Fraud or Poor Use of the Funds (p. 10, l. 1-12)

First, it is bad public policy to establish a fund with no controls in place. There should be basic fund usage, accounting, and auditing rules in place. If rules are not in place, money can be used on items that are problematic. A good example is in the February 21, 2025 Baltimore Sun (*State accountability on grants, nonprofits has ‘fallen through the cracks,’ former audit chair says*). The article notes that in 2020, state auditors found that a nonprofit had spent \$750,000 meant to combat opioid addiction on the purchase of a former country club and golf course.

MDE does not even want to manage the money for supplemental environmental projects (SEPs). For example, in the recent Back River/Patapsco Consent Decree, MDE directs the money for SEPs to the Chesapeake Bay Trust (CBT), with funding reverting to MDE if it is not used. CBT is in a better position than MDE to ensure the funding is properly used.

Second, it is unclear how an agreement could benefit “all residents” in the at-risk census tract. This is too high a bar and would be unnecessary if funds were managed by CBT.

Third, the bill lacks any detail on how much the mitigation fund would be. What are the anticipated amounts a permittee would have to pay? If the impacted community is small, would the mitigation amount be scaled down? These are fundamental questions that are entirely unanswered by the bill.

(8) It May be Excessive to Require That 25% of Revenue from Enforcement to Be Sent Back to Affected Communities (p. 10, l. 19-22)

For example, if there are 10 residents near a concentrated animal feeding operation (CAFO), and the CAFO is fined \$4 Million, the community would receive \$1 Million (or \$100,000 per resident) from the enforcement action. Again, there are no details for how this money would be used to “assist” (undefined) these

MAMWA Letter on HB 1484

March 7, 2025

Page 4

communities (and in fact, the bill does not even require that the funding go to the CAFO impacted community, just to “affected communities.”)

(9) The 1.5 Mile Radius Makes No Sense in Many Situations (p. 6, l. 28 – p. 7, l. 2)

Many permit applicants are in rural areas. There could be CAFOs or landfills in rural parts of the state that are within 1.5 miles of an at-risk community. Those communities could have a small number of residents. It makes no sense to require the extensive level of study required by this bill for 10 people.

MAMWA urges the Committee to **Vote NO** on HB 1484.

Please feel free to contact me with any questions at Lisa@AquaLaw.com or 804-716-9021.

Sincerely,



Lisa M. Ochsenhirt
MAMWA Deputy General Counsel

cc: Environment and Transportation Committee Members, HB 1484 Sponsor

MBIA Letter of Opposition SB 781.pdf

Uploaded by: Lori Graf

Position: UNF

February 27th, 2026

The Honorable Brian J. Feldman
Chair, Senate Education, Energy and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: MBIA Letter of Opposition SB 781 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)

Dear Chair Feldman,

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, appreciates the opportunity to participate in the discussion surrounding **SB 781 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)**.

If enacted, this bill will make it significantly more difficult to invest and redevelop in the very communities it is intended to protect. By increasing penalties and layering additional permitting requirements in designated at-risk census tracts, the bill risks discouraging reinvestment, modernization of existing facilities, and new housing development in those areas.

This bill establishes a new cumulative impact framework for covered individual permits in designated at-risk census tracts. It also requires applicants to prepare burden reports, mandates new determinations by the Department of the Environment (MDE), expands public participation requirements, increases civil penalties, and creates a new “compelling public interest” standard for permit approval when there is a pollution increase. MBIA supports environmental protection and meaningful public engagement but we have concerns with this bill due to the regulatory uncertainty and procedural complexity that will negatively affect housing production, infrastructure development, and economic growth in Maryland.

The required burden report and cumulative impact determination process will create longer permitting timelines. The analysis required under the bill extends traditional environmental review beyond what is normally required and requires applicants to assess broad environmental and public health stressors within a 1.5-mile radius. This level of review will require specialized consultants, technical modeling, and extended agency review time, which will lead to increased costs and delays in housing development projects that Maryland desperately needs.

The bill also requires a new compelling public interest standard for projects that may increase pollution in at-risk areas. This standard is not clearly defined in the bill and creates uncertainty for applicants, lenders, and investors. Even projects that comply with every existing environmental standard could still be denied

based on a subjective determination. This will discourage investment in redevelopment and infill projects that often occur in the very communities the bill seeks to protect. In addition, the bill applies not only to new projects but also to the renewal of existing covered individual permits, including renewals that do not propose an increase in pollution, thereby expanding its impact to currently operating facilities.

The bill's expanded enforcement such as increased civil penalties and mandated consideration of supplemental environmental projects will create an additional financial burden for permit holders operating in designated areas. Increasing penalties in specific geographic areas will discourage reinvestment and redevelopment in communities that would otherwise benefit from economic activity and modernization of facilities.

Maryland is currently facing a severe housing shortage. According to the [report released by Comptroller Brooke Lierman](#), Maryland is short 100,000 housing units and is considered the 6th most regulated state for housing development. If we continue to add more barriers to housing development, Marylanders will continue to leave to neighboring states like Pennsylvania and Virginia. Increasing permitting complexity, extending public comment periods, expanding judicial review records, and layering additional analytical requirements simply makes it more difficult to build more housing and raises development costs. These costs are always passed directly on to homebuyers.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Education, Energy, and the Environment Committee

SB 781_MTBMA_UNF.pdf

Uploaded by: Michael Sakata

Position: UNF



Senator Brian J. Feldman
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

March 3, 2026

RE: SB 781 – UNFAVORABLE – 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)

Dear Chair Feldman and Members of the Committee:

The Maryland Transportation Builders and Materials Association (“MTBMA”) has been and continues to serve as the voice for Maryland’s construction transportation industry since 1932. Our association is comprised of 250 members. MTBMA encourages, develops, and protects the prestige of the transportation construction and materials industry in Maryland by establishing and maintaining respected relationships with federal, state, and local public officials. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry and advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

Senate Bill 780 would reform the environmental permitting process in Maryland for various permits including mining operations and fuel facilities within at-risk census tracts. The bill requires a report on the existing and potential environmental impacts on the site with the permit application, which is used by the Department of Environment in determining whether to issue or renew a permit.

MTBMA respectfully opposes SB 781. While we support the goals of protecting environmental quality and community health, this bill would create significant new risks for Maryland companies seeking to obtain or renew essential environmental permits. SB 781 requires applicants in designated areas to prepare extensive “burden reports” analyzing cumulative environmental and public health impacts using broad, undefined criteria. This represents a substantial expansion of the current permitting framework, adding cost, technical complexity, and regulatory uncertainty to both new applications and routine renewals. Even long-compliant businesses could face unpredictable outcomes due to subjective standards that lack clear thresholds.

The bill also expands public participation and judicial review in ways that could significantly lengthen permit timelines and increase litigation risk. For facilities related to road and bridge infrastructure, environmental permits are critical to daily operations. Delays or denials threaten jobs, capital investment, and long-term business planning. Because Maryland companies compete regionally, adding permitting requirements beyond existing state and federal standards risks discouraging reinvestment and expansion within the State. For these reasons, MTBMA urges an unfavorable report on SB 781.

Thank you,
Michael Sakata
President and CEO
Maryland Transportation Builders and Materials Association

SB781_MAPDA_unf (2026).pdf

Uploaded by: Mike O'Halloran

Position: UNF



TO: Senate Education, Energy, and the Environment Committee

FROM: Mid-Atlantic Petroleum Distributors Association & Mid-Atlantic Propane Gas Association

DATE: March 3, 2026

RE: **OPPOSE SENATE BILL 781** – Environmental Permits – Requirements for Burden Analysis, Issuance and Renewal, and Public Participation

The Mid-Atlantic Petroleum Distributors Association (MAPDA) is a regional trade association representing energy marketers throughout Maryland, Delaware, and the District of Columbia. MAPDA member companies supply motor and heating fuel products sold in the region including gasoline, diesel fuel and heating fuels. MAPDA members also own and operate Maryland, Delaware, and DC's gas stations and convenience stores.

The Mid-Atlantic Propane Gas Association (MAPGA) represents propane marketers, suppliers, distributors, and equipment manufacturers across Maryland. MAPGA members provide clean-burning energy to residential, commercial, agricultural, and industrial customers in the state. Members have more than 243,000 retail accounts, 80,000 primary home heating customers in Maryland, and generate more than \$794 million in economic activity annually.

On behalf of Maryland's energy marketers, which operate bulk fuel terminals and energy logistics facilities across Maryland, MAPDA & MAPGA respectfully submit this testimony in opposition to SB871 and request an unfavorable committee report.

Maryland's energy sector is at a critical juncture. MAPDA & MAPGA members continue to provide a practical and economical energy source for our state's residents and commercial businesses.

We share the goal of protecting public health and ensuring meaningful community engagement in environmental decision-making. Maryland already maintains one of the most rigorous environmental permitting systems in the country, administered by the Maryland Department of the Environment (MDE). However, SB781 would introduce significant regulatory uncertainty, expanded discretionary authority, and substantial permitting delays that could undermine energy reliability and infrastructure investment in our state.

First, SB781 creates a new cumulative "burden" review framework without clearly defined technical standards. The bill requires MDE to evaluate broad environmental and public health indicators in designated "at-risk" census tracts, yet it does not establish objective thresholds or measurable criteria for approval versus denial. This lack of clarity makes it difficult for energy marketers to plan projects,



allocate capital, or determine compliance pathways. Predictable, science-based permitting standards are essential for long-term infrastructure investment.

Second, the bill would disproportionately impact critical energy infrastructure. Bulk fuel terminals are historically located in port and industrial corridors — areas that may qualify as at-risk census tracts under the bill’s definitions. Although SB781 is sector-neutral on its face, its practical effect would concentrate regulatory risk on fuel storage and distribution facilities that are essential to heating supply, aviation fuel, emergency response operations, and regional transportation networks. Increased uncertainty in permitting decisions could discourage modernization projects and delay infrastructure upgrades that often improve environmental performance.

Third, SB781 significantly expands procedural requirements, including extended public comment periods, enhanced reporting obligations, and the potential for additional hearings. While public participation is important, layering additional procedural steps onto existing environmental review processes will likely lengthen permit timelines and increase administrative backlogs. For facilities requiring routine permit renewals, even modest delays can disrupt operations and create avoidable compliance risks.

Fourth, the bill introduces a heightened standard that may allow permit denial based on cumulative community impact unless a “compelling public interest” is demonstrated. This shift from compliance-based review to a broader discretionary standard creates legal and financial uncertainty for existing facilities that have long operated in compliance with state environmental laws. It also increases the likelihood of litigation and administrative appeals, further extending project timelines.

Finally, Maryland’s environmental programs already require detailed analysis of air emissions, water discharges, and hazardous materials management. SB781 risks duplicating or complicating these established regulatory frameworks rather than improving measurable environmental outcomes. A more targeted approach — focused on clear standards, defined methodologies, and reasonable timelines — would better balance environmental protection with infrastructure reliability and economic stability.

For these reasons, we respectfully urge the committee to issue an unfavorable committee report on SB781.

SB0781-EEE-OPP.pdf

Uploaded by: Nina Themelis

Position: UNF



BRANDON M. SCOTT
MAYOR

*Office of
Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB0781

March 3, 2026

TO: Members of the Education, Energy, and the Environment Committee

FROM: Nina Themelis, Director, Mayor's Office of Government Relations

RE: Senate Bill 781 - 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)

POSITION: OPPOSE

Chair Feldman, Vice Chair Kagan, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **opposes** Senate Bill (SB) 781: 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).

SB781 establishes new environmental justice requirements for the issuance and renewal of certain individual and general environmental permits for facilities located in designated at-risk census tracts. Beginning October 1, 2027, the bill requires permit applicants to submit a burden report evaluating existing environmental and public health stressors, cumulative pollution impacts, and potential contributions from the proposed or existing facility. The bill directs the Department of the Environment to deny permits for new or increased pollution sources in at-risk areas unless the applicant demonstrates a compelling public interest and authorizes the Department to impose additional permit conditions to protect public health. SB781 also expands public participation and judicial review requirements, increases enforcement penalties for violations in at-risk census tracts, and requires the adoption of regulations to implement these provisions.

The BCA recognizes the ongoing impacts of the environmental injustices faced by our overburdened residents and is committed to planning, implementing, and supporting programs and measures that reduce and remediate those impacts. As such the BCA supports the intent of the environmental justice ("EJ") protections outlined in SB 781. However, as drafted, the bill cannot be effectively implemented by the City and would inadvertently hinder zero waste, climate, and public health

objectives.

Under the State EJ methodology, 100% of the City qualifies as an “at-risk” census tract (75+ EJ Score) which means every solid waste permit or renewal, including recycling centers and compost facilities, would trigger a cumulative impact burden report. The City would be uniquely impacted as no other jurisdiction in Maryland would experience this universal trigger at the same scale. Producing these burden reports would demand specialized modeling and analysis that exceed existing staff capacity and available funding, making ongoing compliance a significant operational and fiscal challenge.

Additionally, the comparative framework (“beyond what other areas of the State bear”) does not function when an entire jurisdiction is the statistical outlier. It removes comparative analysis and replaces it with automatic disadvantage.

The bill also provides additional requirements for MDE to implement when renewing the General Permit for Discharges from Stormwater Associated with Industrial Activities. This proposed language overlaps with existing regulatory authority. The purpose of the National Pollutant Discharge Elimination System (NPDES) is to protect public health and minimize environmental harm. Section 1-709 instead creates a two-tiered system that uniquely subjects sites within Baltimore City to additional general permit conditions.

Given that the State’s own metric has identified Baltimore City as uniquely burdened, the appropriate response cannot be to impose additional, City- specific constraints on its ability to build infrastructure and deliver critical public services. The BCA welcomes additional discussion on how to ensure that the State’s most vulnerable and disproportionately impacted residents are provided all appropriate protections in a manner that supports environmental justice initiatives, recognizes the outsized impact on the City, and recognizes the required partnership and shared responsibility to remediate these impacts.

For these reasons, we respectfully request an **unfavorable** report on SB781.

SB 781_MAA_UNF.pdf

Uploaded by: Tim Smith

Position: UNF



Senator Brian J. Feldman
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

March 3, 2026

RE: SB 781 – UNFAVORABLE – 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)

Dear Chair Feldman and Members of the Committee:

The Maryland Asphalt Association (MAA) represents approximately 110+ members, including 20 material producers, contractors, engineering firms, and associate members, supporting a 7,000-person workforce. MAA actively collaborates with regulatory agencies to advocate for the asphalt industry, ensuring fair regulations at both the state and federal levels. Additionally, we support adequate funding for Maryland's multimodal transportation system.

Senate Bill 780 would reform the environmental permitting process in Maryland for various permits including mining operations and fuel facilities within at-risk census tracts. The bill requires a report on the existing and potential environmental impacts on the site with the permit application, which is used by the Department of Environment in determining whether to issue or renew a permit.

MAA respectfully opposes SB 781. While we share the goal of protecting environmental quality and community health, SB 781 creates significant new risks for Maryland companies seeking to maintain and renew the environmental permits necessary to continue lawful operations. The bill would require applicants in designated areas to prepare extensive "burden reports" analyzing cumulative environmental and public health impacts using broad and undefined criteria. These requirements represent a fundamental expansion of the permitting process, introducing substantial new costs, technical complexity, and uncertainty for both new permits and renewals. Businesses that have operated in compliance for years could face unpredictable outcomes based on subjective standards that lack clear regulatory thresholds.

Additionally, SB 781 expands public participation and judicial review in a way that may significantly lengthen permit timelines and increase litigation risk. For facilities such as asphalt plants and related infrastructure, environmental permits are essential to daily operations. Delays or denials jeopardize jobs, capital investment, and long-term planning. Maryland companies compete regionally, and layering additional permitting hurdles beyond existing federal and state requirements risks discouraging reinvestment and expansion within our State. For these reasons, the Association urges an unfavorable report on SB 781.

Sincerely,

Tim E. Smith, P.E.
President
Maryland Asphalt Association



SB 781- Environmental Permits - Impact Burden Anal

Uploaded by: Tom Ballentine

Position: UNF



February 27, 2026

The Honorable Brian J. Feldman, Chair
Senate Education, Energy, and the Environment Committee
2 West Senate Office Building
Annapolis, Maryland 21401

Unfavorable: SB 781 – Environmental Permits – Impact Burden Analysis

Dear, Chair Feldman and Committee Members:

On behalf of the NAIOP Maryland Chapters representing seven hundred companies involved in all aspects of commercial, light-industrial, and mixed-use real estate, I am writing to recommend your unfavorable report on SB 781.

Overview of SB 781

SB 781 would restructure how the Maryland Department of Environment reviews applications for new and renewal of environmental permits in locations in or near an “at risk census tract.” The bill would require a Burden Report for permit applications related to specified air emissions and stormwater discharge permit applications located within a 1.5-mile radius from the boundary of an “at risk census tract.” A census tract is considered “at risk” if it scores at or above the 75th percentile in the Maryland EJ Screening Tool, is above the 75th percentile in six specified environmental health indicators or is proximate to one or more specified intensive permitted uses.

MDE must determine whether approving or reauthorizing a permit would create higher cumulative burdens than seen in other parts of the state. If so, MDE must deny the permit unless the applicant proves a “compelling public interest.” For renewal applications, MDE may deny or impose stricter conditions if cumulative burdens are considered too high. Renewal of activities covered under the General Permit for Industrial Stormwater Discharges are subject to additional conditions in at-risk census tracts. The bill broadens public participation, judicial review, and increases civil penalties by 75% in at-risk census tracts.

Rationale for NAIOP’s Position

- The geographic extent of designated growth areas covered by the bill is immense. Census tracts scoring in 75th percentile or higher in the EJ Screening Tool cover significant parts of Priority Funding Areas in Montgomery, Prince George’s, Howard, Anne Arundel, Baltimore, Harford and Cecil Counties as well as most of Baltimore City. These results indicate to us that the EJ Screening Tool should be utilized in conjunction with local land use plans to ensure coordination and reduce inconsistent decision making at the state and local levels.
- The scope of permits covered by the bill is overly broad. The bill contains some language narrowing its scope, including clarification that the bill does not apply to activities covered under the General Permit for Stormwater Discharges Associated with Construction Activity. Despite this important acknowledgement, its provisions still apply to air emissions and industrial stormwater water discharge permits that apply to hundreds of activities that take place in commercial, residential, and institutional buildings without regard to the intensity of the activity. The list of General Permits for Stormwater Discharges Associated with Industrial Activities includes community swimming pools, golf courses, apartment complexes, hotels, commercial printing, food preparation, distilleries, bakeries, refrigerated warehouses, kitchen cabinet makers, auto repair, medical labs, marinas, colleges, universities, among others.

- Applications for these permits will be faced with longer, more complex, and expensive permitting. The bill authorizes MDE to deny permits based on cumulative impacts that are unrelated to the applicant's activities and even if the application would meet permit conditions currently in COMAR. Under the proposed standard of review a permit could be denied even if the activity improves the predevelopment condition.
- There is no methodology to accurately evaluate the environmental or health impacts as required. The bill requires the Department and / or the applicant to assess incremental environmental and public health impacts and compare the results to other areas of the state. There is no accepted approach for MDE and applicants to follow in conducting this impact assessment or for identifying appropriate mitigation measures.
- The conditions that MDE could put on a permit are open ended. Unlike other permits, this process does not include a clear standard of review, a performance requirement or technology-based standard that a permitted activity must meet. As a result, there is no limitation on what conditions MDE may put on a permit or clear standard upon which to approve, deny, or modify a permit.
- Intervention should happen earlier than at permit application. The bill does not address the role of local zoning and comprehensive plans in determining land use in underserved and overburdened communities. The EJ mapping tool does not take all factors into account and should not be relied upon for decision making at the exclusion of other indicators and policy priorities. Evaluating the suitability of zoned land use should be done earlier in the land use planning process than is proposed in SB 978.

For these reasons, NAIOP respectfully requests your unfavorable report on SB 781.

Sincerely,



Tom Ballentine, Vice President for Policy

NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Education, Energy, and the Environment Committee Members
Nick Manis – Manis, Canning Assoc.

MDFB - Oppose - SB 781 - CHERISH Our Communities A

Uploaded by: Tyler Hough

Position: UNF



Maryland Farm Bureau

3358 Davidsonville Road | Davidsonville, MD 21035
410-922-3426 | www.mdfarmbureau.com

March 3, 2026

To: Senate Education, Energy and the Environment Committee

From: Maryland Farm Bureau, Inc.

RE: Opposition to SB781 – CHERISH Our Communities Act

On behalf of the over 7,000 member families of the Maryland Farm Bureau, I submit written testimony in respectful opposition to SB781 – CHERISH Our Communities Act as written.

While Maryland Farm Bureau strongly supports the principles of environmental justice and responsible stewardship, values reflected throughout our policy priorities, we are deeply concerned about the bill's application to agricultural operations, particularly the inclusion of Concentrated Animal Feeding Operation (CAFO) general discharge permits.

As committee members are aware, Maryland's CAFO general permit expired in July 2025, and the failure to renew the permit has resulted in significant disruptions across the agricultural economy. The impacts have extended far beyond poultry growers, affecting grain and livestock farms, agricultural construction and building contractors, feed and equipment suppliers and financial institutions supporting farm businesses.

Current conservative estimates indicate that more than \$35 million in agricultural construction and expansion projects remain stalled. This figure does not capture the additional lost on-farm income, delayed real estate transactions, reduced equipment and feed sales, and diminished state and local revenue, losses that may never be fully quantified.

Because any substantial revisions to the permit must be approved by the U.S. Environmental Protection Agency, adding new statutory requirements at this stage risks extending the permitting delay even further. The agricultural community cannot withstand additional months—or years—of uncertainty. The economic strain already felt across rural Maryland is severe, and further delay would only deepen the harm.

Maryland Farm Bureau appreciates the ongoing dialogue with the bill sponsors and advocates, and we remain committed to working collaboratively on a path forward. We believe it is possible to address stakeholder concerns without exacerbating the already critical situation surrounding the CAFO general permit renewal.

Tyler Hough
Director of Government Relations

Please contact Tyler Hough, though@marylandfb.org, with any questions

2026_03_03 HB 781 CHERISH Act.pdf

Uploaded by: Tiffany Clark

Position: INFO

CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

SHARON S. MERRIWEATHER
Deputy Attorney General

ZENITA WICKHAM HURLEY
Deputy Attorney General



STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
EQUITY, POLICY & ENGAGEMENT

ANTHONY G. BROWN
Attorney General

PETER V. BERNS
General Counsel

CHRISTIAN E. BARRERA
Chief of Staff

March 3, 2026

TO: The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the Environment Committee

FROM: Tiffany Clark
Chief, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 781 – Environmental Permits – Requirements for Burden Analysis, Issuance and Renewal, and Public Participation (CHERISH Our Communities Act) (**Support in Concept**)

The Office of the Attorney General (OAG) writes in support of Senate Bill 781, the CHERISH Our Communities Act. This legislation represents a meaningful advance in Maryland's environmental justice framework, establishing a cumulative burden analysis requirement for permitting decisions affecting overburdened communities, strengthening public participation, and enhancing enforcement in at-risk areas.

These goals are consistent with the OAG's commitment to equal protection and environmental justice, and reflect the comprehensive, data-driven approaches to addressing disproportionate environmental burdens that are the forefront of the environmental justice movement.

Environmental justice communities that have borne the cumulative weight of multiple pollution sources for generations deserve a permitting process that accounts for that reality. SB 781 responds to this need by requiring applicants for covered individual permits to document existing environmental and public health burdens before the Department of the Environment acts, empowering MDE to deny or condition permits that would exacerbate those burdens and creating stronger mechanisms for public participation and judicial review. The bill's enhanced civil penalty provisions and supplemental environmental project requirements are meaningful tools that should strengthen accountability in at-risk areas.

While the OAG supports the bill in concept, we respectfully flag several drafting and implementation concerns for the Committee's consideration. The definition of "at-risk census

tract" as currently drafted may inadvertently exclude the overburdened communities the bill is most intended to protect, as the 1.5-mile buffer zone surrounds but does not expressly include the qualifying census tracts themselves. The geographic areas required across the burden report categories are inconsistent from one category to another, creating administrative uncertainty for both applicants and the Department. Finally, the general permit provisions in § 1-709 as drafted may exceed existing permitting authority by requiring individualized conditions through a general permit framework, raising workability concerns the Committee may wish to examine before the bill advances.

We appreciate the General Assembly's work on this important policy and welcome the opportunity to share our perspective.

cc: The Honorable Benjamin Brooks
Education, Energy, and the Environment Committee Members