



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

HB 1268

March 13, 2026

TO: Members of the Environment and Transportation Committee

FROM: Nina Themelis, Director, Mayor's Office of Government Relations

RE: 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)

POSITION: FAVORABLE WITH AMENDMENTS

Chair Korman, Vice Chair Guyton, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (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) **with amendments**.

HB 1268 establishes new environmental justice requirements for the issuance and renewal of certain 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 also expands public participation requirements, increases enforcement penalties for violations in at-risk census tracts, and directs the Department of the Environment to adopt regulations to implement these provisions.

The BCA recognizes the ongoing impacts of environmental injustices faced by many of our residents and remains committed to planning, implementing, and supporting programs and policies that reduce and remediate those harms. We therefore support the intent of the environmental justice protections outlined in HB 1268 and share the goal of ensuring that communities already experiencing disproportionate environmental burdens receive stronger protections.

As originally drafted, however, the bill created significant compliance challenges for Baltimore City. Under the State's environmental justice scoring methodology, 100 percent of Baltimore City qualifies as an "at-risk" census tract (75+ EJ Score). Given that the State's own metric has identified Baltimore City as uniquely burdened, imposing additional, City- specific constraints on its ability to build infrastructure and deliver critical public services felt inequitable.

The amendments now under discussion with the Maryland Association of Counties (MACo), namely, to

exempt all county or municipally owned or operated buildings, infrastructure, and limit CHERISH reporting to landfills and incinerators, meaningfully address these concerns. **Because the City is designated as an EJ community under a statewide comparative framework, we also request that the State consider developing a more nuanced model using Baltimore City-specific data.** If infrastructure must be located within the City to serve the public good, this approach would support more environmentally informed siting decisions. Using in-City comparative data would allow us to assess environmental burdens across Baltimore communities and site infrastructure in ways that minimize cumulative environmental and health impacts.

With these amendments, HB 1268 more effectively targets cumulative pollution concerns while recognizing the operational realities faced by local governments responsible for delivering essential services to residents. This balanced approach allows the State to strengthen environmental justice protections while ensuring that local jurisdictions are able to continue advancing climate, waste reduction, and public health goals.

The Baltimore City Administration appreciates the collaboration between the bill sponsors and stakeholders to address these concerns and ensure the legislation is workable in practice.

For these reasons, the Baltimore City Administration respectfully requests a **favorable report so long as the MACo amendments are adopted** on HB 1268.