



March 11th, 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 HB1268– 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 applications do not even include a public participation

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

² Wheeler, T. B. (2024, June 17). Baltimore incinerator draws fire for air pollution. *Bay Journal*.

https://www.bayjournal.com/news/pollution/baltimore-incinerator-draws-fire-for-air-pollution/article_57463c0a-2c59-11ef-ac01-d377557b6a8_1.html



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.

HB 1268 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 HB 1268 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 HB 1268 – The CHERISH Our Communities Act.

Respectfully Submitted

Signed by:

Ruth Ann Norton

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Chair of Healthy Climate Maryland Coalition

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

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

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



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