
TESTIMONY IN SUPPORT OF HOUSE BILL 1287
Certificate of Public Convenience and Necessity BURDEN Analysis
(CHERISH our Communities Act)
Environment and Transportation Committee
March 13, 2026

Social Work Advocates for Social Change strongly supports HB 1287, which will require entities seeking to construct generating stations (excluding solar, wind, and geothermal) within 1.5 miles of environmentally overburdened census tracts to apply for a Certificate of Public Convenience and Necessity (CPCN). Such applications must include a report of the Baseline Understanding of Risks, Disparities, and Environmental Needs (i.e., BURDEN report). The bill also alters the existing notice requirements related to CPCN applications for fossil fuel energy generators. **This bill will empower the Public Service Commission (PSC) to assess, approve or deny applications based on the harms that proposed projects may inflict on nearby communities.**

HB 1287 will help protect vulnerable Marylanders in communities already experiencing compounded health inequities because of industrial development by codifying environmental justice in Maryland’s infrastructure decision-making process. The existing Certificate of Public Convenience and Necessity process evaluates environmental effects, but it does not mandate an assessment of whether a new facility would compound existing pollution burdens and health disparities within a defined area. Without this requirement, projects may be approved even when they intensify inequities. As a result, industrial and fossil fuel facilities are often concentrated in communities that already experience elevated asthma rates and proximity to multiple pollution sources.¹ In Baltimore, for example, neighborhoods near heavy industrial activity experience significantly higher asthma and respiratory illness hospitalization rates than other areas of the city.² Better standards for CPCN applications, as outlined in HB 1287, can curb the pattern of compounding health inequities in marginalized communities and improve the quality of life for many of Maryland’s residents.

The Maryland Environmental Justice Tool was developed to measure pollution burden, environmental effects, and population vulnerability across census tracts.³ These frameworks recognize that some communities face disproportionate environmental risks. Without legislation like HB 1287, however, these analytical tools can’t do more than describe the issue: a cumulative concentration of environmental hazards, including industrial pollution, traffic emissions, extreme heat exposure, and legacy contamination in marginalized neighborhoods. **Maryland needs legislation that does more than identify the problem. HB 1287 closes this gap by requiring applicants to analyze cumulative Environmental Justice (EJ) Scores before approval is granted, thereby aligning regulatory practice with Maryland’s stated environmental justice commitments.**

HB 1287 would help Maryland live up to its commitment to equal environmental protection. Environmental Article §1-701 affirms Maryland’s commitment to providing equal protection from environmental and public health hazards regardless of race, income, culture, or social status.⁴ Yet climate and pollution harms are unevenly distributed along socioeconomic and racial lines, with extreme heat exposure and air pollution burdens concentrated in historically marginalized communities.^{5,6} Maryland’s heat-related illness surveillance reports document rising emergency room visits during heat waves, particularly among older adults and low-income residents.⁷ These data confirm that environmental and public health burdens are not evenly distributed across the state. Clearly, more is needed to meet Maryland’s commitment to equal protection under law.

Marylanders expect their government to uphold its own commitments to environmental justice, and they expect corporations seeking to do business here to meet that same standard. HB 1287 will empower the PSC to hold energy developers accountable by ensuring that no new facility is approved without a full accounting of the burdens it would impose on already-overburdened communities. Marylanders want legislation that takes these harms seriously. In fact, according to a representative sample, **most Marylanders report that their opinions of their legislators would improve if they supported stronger environmental protections for communities disproportionately impacted by pollution and industrial development.**⁸

Ensuring that infrastructure decisions account for the full burden already borne by overburdened communities is not only a matter of sound policy, it is a matter of basic equity, public health, and existing commitments to equal protection under law. For these reasons, **Social Work Advocates for Social Change urges a favorable report on HB 1287.**

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

¹ Maryland Department of the Environment. *Maryland Environmental Justice Tool*.

<https://mde.maryland.gov/programs/air/EnvironmentalJustice>

² Kelly, L. & Burkhart, K. (2017). *Asthma and Air Pollution in Baltimore City*. Environmental Integrity Project.

<https://environmentalintegrity.org/wp-content/uploads/2017/12/Baltimore-Asthma.pdf>

³ Maryland Department of the Environment. *EJ Screening and Mapping Tool Documentation*.

⁴ Maryland Code, Environment Article §1-701 (Environmental Justice).

⁵ Coelho et al. (2025). *Global socioeconomic disparities in exposure to extreme heat*.

<https://doi.org/10.1007/s10584-025-04075-3>

⁶ Bloomberg School of Public Health (2025). *Air Pollution in Baltimore’s Curtis Bay Community Linked to Nearby Coal Terminal Activity*. <https://hub.jhu.edu/2025/07/21/baltimore-curtis-bay-air-pollution-coal-terminal/>

⁷ Maryland Department of Health. (2025). *Heat-Related Illness Surveillance Summary Report*.

⁸ Gonzales Poll. (2024). Infrastructure investments. <https://ccanactionfund.org/media/Gonzales-Poll-CCAN-Infrastructure-Investments.pdf>