



Testimony of Sarah Woodbury, Director of Advocacy, Defend Our Health
IN SUPPORT of LD 1621 "An Act Regarding Environmental Justice"
Before the Environment and Natural Resources Committee
April 24, 2023

Senator Brenner, Representative Gramlich and members of the Environment and Natural Resources Committee. My name is Sarah Woodbury, and I am the director of advocacy for Defend Our Health. Defend Our Health's mission is to make sure that everyone has equal access to safe food and drinking water, healthy homes and products that are toxic-free and climate friendly. Please accept this testimony in support of 1621 "An Act Regarding Environmental Justice"

During the 130th legislature, the legislature tasked the Governor's Office of Policy, Innovation and the Future (GOPIF) with advancing recommendations on incorporating equity considerations into the decision-making process of the various agencies. That resulted in a report with recommendations and legislation to move that process forward. While the bill passed last session, it did not get funded and died on the appropriations table. This bill is a continuation of that work and enacts a provision that requires fair and equitable access to Department of Environmental Protection decision-making processes for environmental justice populations and frontline communities. The bill provides appropriations for various positions in the department and for facilitator services, travel expenses, facility rentals and meeting expenses.

While we all will experience impact from climate change, those impacts pose the greatest threats to communities that are already marginalized, overburdened, or underserved. A 2021 study by the U.S. Environmental Protection Agency (EPA) found that "most severe harms from climate change fall disproportionately upon underserved communities who are least able to prepare for, and recover from, heat waves, poor air quality, flooding, and other impacts. EPA's analysis indicates that "racial and ethnic minority communities are particularly vulnerable to the greatest impacts of climate change"¹. It is important that Maine do everything it can to make sure these vulnerable populations are given the necessary tools to combat the effects of climate change.

This legislation advances definitions of environmental justice, fair treatment, and frontline communities developed by the U.S. Environmental Protection Agency. In general, these are appropriate definitions. However, when it comes to "frontline communities" we would urge an

¹ EPA Press Office. (2021, September 2). EPA Report Shows Disproportionate Impacts of Climate Change on Socially Vulnerable Populations in the United States. EPA. Retrieved March 13, 2022, from <https://www.epa.gov/newsreleases/epa-report-shows-disproportionate-impacts-climate-change-socially-vulnerable>.



expanded definition. As written, it only applies to communities impacted first by climate change. As these requirements will apply broadly to all DEP decision making, in those contexts, frontline community should also mean those that experience the impact of pollution first and to a greater degree, not just climate change. The term “frontline community” has been broadly used within the environmental justice community and in environmental justice literature to reference communities disproportionately impacted by exposure to other pollution and toxics. Low-income communities, communities of color, and tribal communities are more likely to be impacted by exposure to toxic chemicals and there is evidence to suggest that manufacturing toxic chemicals such as PFAS can contribute to climate change² and that climate change can also increase the dangers of toxic chemicals³.

LD 1621 will provide long-overdue protections to Maine’s most marginalized communities who will most feel the impacts of climate change. It will make sure that those voices will be included in all steps of the policy-making process. And it will ensure that these communities are given the resources necessary to help survive the impacts of climate change. This bill is a step in the right direction. However, it could be stronger. Therefore, we at Defend urge the committee to vote “ought to pass as amended” with an expanded definition of “frontline community” on LD 1621.

² Shreder, E., & Kemler, B. (2021, September). Path of toxic pollution. Toxic Free Future. Retrieved March 13, 2022, from <https://48h57c2l31ua3c3fmq1ne58b-wpengine.netdna-ssl.com/wp-content/uploads/2021/09/Report- Daikin-Path-of-Toxic-Pollution.pdf>

³ Lovett, R. A warming Earth could mean stronger toxins. *Nature* (2010). <https://doi.org/10.1038/news.2010.593>