



For a thriving New England

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July 23, 2018

The Honorable Karen E. Spilka, Chair
Senate Committee on Ways and Means
Massachusetts State House
24 Beacon St, Room 212
Boston, MA 02133

The Honorable Joan B. Lovely, Vice Chair
Senate Committee on Ways and Means
Massachusetts State House
24 Beacon St, Room 212
Boston, MA 02133

The Honorable Jeffrey Sánchez, Chair
House Committee on Ways and Means
Massachusetts State House
24 Beacon St., Room 243
Boston, MA 02133

The Honorable Stephen Kulik, Vice Chair
House Committee on Ways and Means
Massachusetts State House
24 Beacon St., Room 243
Boston, MA 02133

Subject: S.426/H.2913, an Act relative to environmental justice
and toxics reduction in the Commonwealth

Dear Chairman Spilka, Chairman Sanchez, Vice-Chair Lovely, and Vice-Chair Kulik,

On behalf of the Conservation Law Foundation (CLF) and the undersigned organizations, we write in support of S.426/H.2913, an Act relative to environmental justice and toxics reduction in the Commonwealth (the Environmental Justice Bill).

Article 97 of the Massachusetts Constitution guarantees all people a right to a healthy and sustainable environment. For generations, that constitutional promise has been merely a suggestion for communities of color, low income and immigrant and refugee communities. Years of data collection and organizing demonstrate that communities of color, in particular, bear the majority of environmental harms and receive significantly fewer environmental benefits—leading to negative health outcomes and financial risk.

Civil rights law is grounded in the notion that we explicitly protect those who need protection. Otherwise, the burden remains on the most vulnerable to fight for their lives with the fewest resources. Effective environmental justice law must acknowledge existing discriminatory structures and provide the tools needed to dismantle them. The Environmental Justice Bill does just that, creating enforceable protections that reflect the reality of disparities in equal access to health, environmental protection, and democratic governance.

Twenty-four states have passed at least one environmental justice statute. Massachusetts has an executive order and policies that go ignored. Why are we behind the curve?

Every other United States state or territory with an environmental justice bill or policy explicitly references protected classes. We cannot let Massachusetts be the first and only state in the U.S. to define environmental justice without reference to race, national origin, language access, and income. To do so, strips away explicit protections for our most vulnerable communities.

Massachusetts needs a bill that empowers communities to advocate for themselves. An environmental justice bill that removes reference to protected classes takes power away from those communities and allows government agencies to hand pick who qualifies for protection and who does not.

The 190th General Court is poised to act on clean energy and climate mitigation, adaptation, and resiliency. We ask for your leadership to take correspondingly strong steps to leave behind our legacies of inequity as we work to enhance the health, safety, and security of the Commonwealth.

Sincerely,

Bradley M. Campbell
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Conservation Law Foundation

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Staff Attorney
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Executive Director
Arise for Social Justice

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Executive Director
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President
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No Canton Gas Pipeline: Toward an Equitable, Sustainable Future

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Cc: The Honorable Sonia Chang-Diaz
The Honorable Sal N. DiDomenico
The Honorable Michael J. Barrett
The Honorable William N. Brownsberger
The Honorable James B. Eldridge
The Honorable Patricia D. Jehlen
The Honorable John F. Keenan
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The Honorable Kathleen O'Connor Ives
The Honorable Michael F. Rush
The Honorable James T. Welch

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The Honorable Richard J. Ross
The Honorable Donald F. Humason, Jr.
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The Honorable Robert M. Koczera
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The Honorable Sean Garballey
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The Honorable David M. Rogers
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The Honorable Daniel Cullinane
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The Honorable Gerard Cassidy
The Honorable Todd M. Smola
The Honorable Angelo L. D'Emilia
The Honorable Donald R. Berthiaume, Jr.
The Honorable Nicholas A. Boldyga
The Honorable Kate D. Campanale
The Honorable Shawn Dooley
The Honorable Timothy R. Whelan
The Honorable Donald H. Wong