



Testimony submitted to the Joint Committee on Environment, Natural Resources and Agriculture  
In support of  
**H.761/S.464 An Act relative to environmental justice and toxics reduction in the Commonwealth**  
By Launa Zimmaro, LWVMA Climate Change and Energy Specialist  
June 4, 2019

The League of Women Voters of Massachusetts supports H.761/S.464 on moral and constitutional grounds.

Article 97 of the Constitution of the Commonwealth provides that the "people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose." This article, passed by voters, has been on the books since 1972, and is there for a reason—the state's affirmation of a right to what has come to be known as environmental justice.

A [2018 report](#) from the Environmental Protection Agency<sup>1</sup> makes it abundantly clear that the health and well-being of those living in "environmental justice communities"—communities which have borne the brunt of pollution and environmental degradation—have not been protected by our state Constitution. This report by five EPA scientists, published in the American Journal of Public Health, found statistically significant disparities in health impacts from particulate matter and other forms of environmental pollution that correlated with color and poverty levels. As summarized in The Hill<sup>2</sup>: "African-Americans faced the highest impact, with the community facing a **54 percent higher health burden compared to the overall population**, the study found. **Non-white communities overall had a 28 percent higher health burden and those living under the poverty line had a 35 percent higher burden.** The report cited **historical racism and economic inequality as major factors for the disparity due to the locations of facilities emitting particulate pollution**, and used that knowledge as the basis for the study."

This disparity is unjust, it is unfair and it is uneconomical. Society bears the cost of the health care, lost productivity of a work force hit hard by this circumstance, and losses in the educational experiences of children, who are particularly vulnerable, who live in these communities.

Environmental justice means the equal protection and meaningful involvement of **all** people—not just *some* of the people—with respect to the development, implementation, and enforcement of environmental laws. Environmentally vulnerable communities represent a segment of society that has had little to no say in the

---

<sup>1</sup> Disparities in Distribution of Particulate Matter Emission Sources by Race and Poverty Status: EPA, February 2018. Published in American Journal of Public Health, April, 2018: <https://ajph.aphapublications.org/doi/abs/10.2105/AJPH.2017.304297>. Accessed May 28, 2019.

<sup>2</sup> EPA scientists find black communities disproportionately hit by pollution: Miranda Green, The Hill. February 23, 2018: <https://thehill.com/policy/energy-environment/375289-epa-scientists-find-emissions-greater-impact-low-income-communities>.



relentless push for development at their expense for the benefit of others.

The League of Women Voters of Massachusetts urges your support and passage of H.761/S.464 because this bill will clarify and establish the values embodied in Executive Order 522 and the state's Environmental Justice policy, issued in 2002 and updated in 2017, as law and give **all** people in the Commonwealth equal protections and access to clean air, clean water and a healthy environment.

Thank you for your consideration.