

# SENATE JOINT RESOLUTION 8

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By: **Senators Lenett and Frosh**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

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## SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Federal Mandates Regarding Environmentally Damaging Corn Ethanol**

3 FOR the purpose of requesting the General Assembly to petition the U.S.  
4 Environmental Protection Agency to grant a certain waiver of the federal  
5 mandate for the consumption of corn-based ethanol on certain grounds;  
6 requesting the General Assembly to urge the United States Congress to amend  
7 the Energy Independence and Security Act of 2007 to ensure that federal law  
8 does not encourage the production of corn-based ethanol; and generally relating  
9 to corn-based ethanol.

10 WHEREAS, The federal renewable fuel standard stimulates much greater  
11 consumption of corn-based ethanol and acres planted in corn, with a target of over 11  
12 billion gallons in 2009, and with annual increases to reach 36 billion gallons in 2022;  
13 and

14 WHEREAS, Although the federal renewable fuel standard requires that ethanol  
15 reduce lifecycle greenhouse gas emissions compared to gasoline, it exempts 13 billion  
16 gallons of corn-based ethanol from this requirement, the effect of which is to double  
17 the market share of corn-based ethanol; and

18 WHEREAS, California is the first state to have required the development of a  
19 low-carbon fuel standard, which will promote only the use of biofuels that reduce  
20 greenhouse gas emissions, and recent studies by the California Air Resources Board  
21 and others demonstrate that corn-based ethanol actually produces more greenhouse  
22 gas emissions than gasoline because it results in grasslands and forests being  
23 converted to agriculture, which destroys carbon sinks and releases significant volumes  
24 of greenhouse gases; and

25 WHEREAS, In January 2009, Maryland joined with 10 other northeastern  
26 states to develop a low-carbon fuel standard, which will promote only the use of  
27 biofuels that reduce greenhouse gas emissions; and



1 WHEREAS, The federal renewable fuel standard increases demand for  
2 corn-based ethanol, and the Chesapeake Bay Commission estimates that an  
3 additional 300,000 acres of corn may be planted in the Chesapeake Bay watershed,  
4 resulting in the release of an additional 5 million pounds of nitrogen into the  
5 Chesapeake Bay each year, which will exacerbate the oxygen-depleted “dead zones”  
6 that are destroying the Chesapeake Bay’s fisheries; and

7 WHEREAS, The increased demand for corn-based ethanol, in part, led to a  
8 \$300 million increase in corn feed costs for the Delmarva poultry industry between  
9 2006 and 2008; and

10 WHEREAS, The World Bank and the United Nations report unprecedented  
11 volatility in food prices in the last year, in part due to increases in ethanol production,  
12 undermining the nutritional security of hundreds of millions of people, complicating  
13 budget planning in both food importing and food exporting countries, and contributing  
14 to severe political instability; and

15 WHEREAS, Environmentally beneficial biofuels such as cellulosic ethanol and  
16 other advanced biofuels will soon reach commercial scale, but they will be forced to  
17 compete for market share with heavily subsidized corn-based ethanol, which causes  
18 environmental damage; and

19 WHEREAS, Legislation has been introduced in Pennsylvania and Virginia  
20 noting the adverse environmental effects of corn-based ethanol and calling on federal  
21 officials to amend mandates for corn-based ethanol; now, therefore, be it

22 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the  
23 General Assembly:

24 (a) Petition the Administrator of the U.S. Environmental Protection Agency  
25 to waive the federal renewable fuel standard as it applies to corn-based ethanol on the  
26 grounds that such a waiver is warranted under the statutory criterion that  
27 maintaining the federal renewable fuel standard would “severely harm the economy or  
28 environment of a State, a region, or the United States”; and

29 (b) Urge the United States Congress to amend federal law to require that all  
30 biofuels eligible for the federal renewable fuel standard must create lower lifecycle  
31 greenhouse gas emissions than gasoline, including the consideration of emissions from  
32 indirect land use changes, and must not have other significant adverse environmental  
33 effects, such as contributing to nutrient pollution of coastal waterways; and be it  
34 further

35 RESOLVED, That a copy of this Resolution be forwarded by the Department of  
36 Legislative Services to the U.S. Environmental Protection Agency  
37 Administrator-designate Lisa Jackson, 1200 Pennsylvania Avenue, N.W.,  
38 Washington, D.C. 20460; President Barack Obama, the White House, Washington,  
39 D.C. 20500; and the Maryland Congressional Delegation: Senators Barbara A.  
40 Mikulski and Benjamin L. Cardin, Senate Office Building, Washington, D.C. 20510;

1 and Representatives Frank M. Kratovil, Jr., C. A. Dutch Ruppertsberger III, John P.  
2 Sarbanes, Donna Edwards, Steny Hamilton Hoyer, Roscoe G. Bartlett, Elijah E.  
3 Cummings, and Christopher Van Hollen, Jr., House Office Building, Washington, D.C.  
4 20515.