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Committee: Finance
Testimony on: Clean and Renewable Energy Standard (CARES)
Position: Oppose
Hearing Date: February 11, 2020

The Maryland Sierra Club urges an unfavorable report on this legislation.

We appreciate both the Governor and the General Assembly endorsing the goal of 100% clean electricity by way of the Governor's introduction of this legislation and the General Assembly's passage last year of the Clean Energy Jobs Act. Looking forward, however, while it is notable that the Governor has joined in supporting moving the state to 100% clean electricity, the current bill will not set the state on that path and, instead, would point the state in the wrong direction on key issues.

The numerous flaws with this bill include, but are not limited to, the following.

- **The legislation, which states that Maryland will achieve 100% clean electricity, fails to set a specific date or plan for the cessation of burning coal in Maryland and asserts that other fossil fuels (i.e. gas) are “clean” or “renewable.”** Currently, the electricity sector is second largest emitter of greenhouse gases in Maryland. The state's six coal plants contribute over three-quarters of the climate pollution from in-state electricity generators, though they provide less than one-seventh of the state's electricity.¹ The simple fact is that Maryland cannot achieve 100% clean electricity while continuing to burn coal for power, and thus it is imperative that the General Assembly adopt a specific plan to end burning coal in Maryland for power and support affected fossil fuel workers and communities.
- **The legislation alleges that a fossil fuel, specifically fracked gas, is “clean” or “renewable,” and provides market-based, financial incentives for the expanded use of this fossil fuel.** There are no clean fossil fuels. The extraction, distribution, and burning of fossil fuels, including gas, is not clean, and their expanded use in climate-action and 100% clean electricity standards is patently counter-productive. Burning fossil fuels is the source of, not the solution to, the climate crisis. The Governor's proposal to allow the subsidization of gas-fired power plants and Combined Heat and Power, which is overwhelmingly reliant on fracked gas, could result in additional methane pollution. Methane is leaked into the atmosphere throughout the gas distribution system and is a dangerous climate pollutant with a warming potential 86 times greater than carbon dioxide. Burning more methane will continue to heat the planet, and piping more gas into Maryland also will harm the climate since it unavoidably would lead to additional leakage of methane.
- **The bill would open Tier 1 of the RPS to existing, large (greater than 30 megawatt) hydropower facilities, crowding out the potential growth of offshore wind projects under the Clean Energy Jobs Act.** Opening Tier 1 to large hydroelectric facilities will divert a significant amount of resources that should be going to clean renewable energy (including offshore wind projects, as well as onshore wind in the PJM-plus grid area, for which there have

¹ This is based on 2017 data from the U.S. Energy Information Administration and Maryland's 2017 Greenhouse Gas Emissions Inventory.

Founded in 1892, the Sierra Club is America's oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has approximately 800,000 members.

been unused RECs in recent years). While existing hydroelectric facilities do not emit pollution from smokestacks, subsidizing them will not help meet Maryland's Greenhouse Gas Reduction Act targets since they are existing resources, meaning they do not (and could not) result in any reduction in the existing amount of climate pollution. Available Tier 1 subsidies should focus on putting new clean electrons on the grid.

- **The plan to reach 100% clean electricity is, in significant part, premised on unproven and potentially dangerous energy sources.** Accordingly, their utility in advancing Maryland to the 100% goal is highly speculative. This includes reliance on the idea of modular nuclear reactors, and the idea of utility scale gas plants with effective carbon capture. Such technologies have not proven feasible at utility scale and, if they were, would be extremely expensive, making them a burden on Maryland ratepayers. This would be a huge waste of ratepayer resources that should be utilized to purchase increasingly available and affordable clean renewable energy. Moreover, the Sierra Club is opposed to building new nuclear plants because of the nuclear waste and other environmental concerns that attend to them, and gas plants even with carbon capture would result in the significant environmental harms associated with fracking and gas leakage during transport.
- **Although the bill contemplates steps to be taken through 2040 to achieve 100% clean energy, it makes no provision to increase the solar and offshore wind carve-outs beyond the 2030 levels set by the Clean Energy Jobs Act.** The state will not achieve 100% clean energy without increasing our reliance on wind power and solar power.

Lastly, we welcome the bill's endorsement of removing black liquor and incineration from the RPS. The Sierra Club has historically advocated for the removal of combustion-based technologies from RPS program-eligibility, and we strongly favor the Committee acting to "clean up" the RPS. However, this should be accomplished this session through the stand-alone bills which have been introduced.

For these reasons, we urge an unfavorable report on this bill.

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