



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

February 10, 2021

The Honorable Paul G. Pinsky, Chair
Education, Health, and Environmental Affairs Committee
Miller Senate Office Building, Suite 2W
Annapolis, Maryland 21401

Re: Senate Bill 518- Environment – Office on Climate Change – Establishment

Dear Chairman Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed Senate Bill 518- *Environment – Office on Climate Change – Establishment*. The Department would like to provide information on the current bill.

Senate Bill 518 would establish the Office on Climate Change (Office) within the Governor's Office. The provisions in this bill would be duplicative of work currently being performed by MDE in coordination with the Governor, the Governor's cabinet agencies, the Chesapeake Bay Subcabinet, and the Maryland Commission on Climate Change (MCCC or the Commission). The specific provisions that would be established under this bill are discussed in detail below.

The bill would require the Office to "coordinate with the Commission on Climate Change to ensure the Commission's recommendations are implemented". MDE Chairs the MCCC and works in partnership with the Commission and other State Agencies to implement the recommendations that the Commission makes for action by State agencies. It is important to note that some recommendations may need legislative action, which would impact the ability of the executive branch of government to ensure, per the bill language, that those recommendations are implemented. Recently, the MCCC unanimously approved a recommendation for Maryland to adopt ambitious greenhouse gas (GHG) reduction goals. The Commission, informed by the latest scientific findings on necessary action by developed nations to limit global temperature increases and by the research and analysis of reduction opportunities by the Commission's Greenhouse Gas Mitigation Working Group (MWG), recommended a 50% reduction of GHG emissions by 2030. The Department released the executive summary of the forthcoming *2030 GGRA Plan* wherein the Department, along with the other Maryland state agencies, advanced a portfolio of measures that will reduce Maryland's 2030 GHG emissions to 48.7% below 2006 levels, very nearly achieving the Commission's recommended 2030 goal.¹ The Department intends to supplement that plan shortly with updated estimates incorporating additional federal policies that will almost certainly bring Maryland's emissions below the 50% goal, once the incoming federal administration provides more detail on its immediate climate policy actions.

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<https://mde.maryland.gov/programs/Air/ClimateChange/Documents/2030%20GGRA%20Plan/2030GGRAPlanExSum01272021.pdf>

Secondly, the bill would require the Office to “ensure that each State agency addresses: (i) ways the agency can mitigate the causes of climate and (ii) the impacts of climate change in the agency’s programs, policies, and financial expenditures.” The requirement for State agencies to perform the above provisions already exists in State law under Environmental Article § 2-1305, which among other provisions, requires each State agency to “review its planning, regulatory, and fiscal programs to identify and recommend actions to more fully integrate the consideration of Maryland’s greenhouse gas reduction goal and the impacts of climate change.” The Department coordinates with other State Agencies to perform these tasks under the current law.

The bill would also require the Office to “(3) initiate and oversee any additional research or investigations the Office determines are necessary to address factors that the office determines are substantial in fighting climate change but are not included in the Commission on Climate Change’s recommendations.” As mentioned above, in addition to the work that MDE does in coordination with the MCCC, MDE’s Climate Change Program develops Maryland’s long term climate plans under the Greenhouse Gas Reduction Act (GGRA). Developing the plans involves comprehensive emissions and economic impact analyses to evaluate the programs and initiatives needed in order to address climate change and meet or exceed the goals in the GGRA. The Climate Change Program also regularly performs additional research and analysis on specific topics.

Next the bill would require the Office to “work with local governments to: (i) develop and implement local climate change plans and (ii) identify resources needed for the implementation of local climate change plans.” Per current Environmental Article § Section 2-1302, one member of the Maryland Association of Counties and one member of the Maryland Municipal League represent local governments on the MCCC. There is currently active coordination between the MCCC, MCCC MWG, MCCC Adaptation and Response Working Group (ARWG) and local governments. As an example, the ARWG works with the Maryland Climate Leadership Academy. The Academy provides training for local government officials and employees on various ways to plan how to adapt to and mitigate the consequences of climate change.

Lastly, the bill would require the Office to “report annually to the Governor and the General Assembly regarding the state’s efforts to mitigate the causes of, prepare for, and adapt to the consequences of climate change.” This is duplicative of the current requirement under § Section 2-1304 for the MCCC to submit an annual report to the “Governor and General Assembly, on the status of the State’s efforts to mitigate the causes of, prepare for, and adapt to the consequences of climate change, including future plans and recommendations for legislation, if any, to be considered by the General Assembly.”

Thank you for your consideration. We will continue to monitor Senate Bill 518 during the Committee’s deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by e-mail at tyler.abbott@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Abbott", with a stylized flourish at the end.

Tyler Abbott

cc: George “Tad” Aburn, Director, Air and Radiation Administration