



Environment Committee

Committee: Economic Matters

Testimony: HB708 – Comprehensive Climate Solutions

Organization: Takoma Park Mobilization Environment Committee

Submitting: Laurie McGilvray, Co-Chair

Position: Favorable With Amendments

Hearing Date: March 4, 2022

Dear Chair and Committee Members:

Thank you for the opportunity to submit testimony for HB708 – Building Standards and Emissions Reductions– High Performance, State, and Local Government Buildings, State Operations, and Eligible Projects. The Takoma Park Mobilization Environment Committee is a grassroots organization focused on State, County, and City level climate action. We strongly urge you to vote **favorable with amendments** on HB708 and to include the suggested amendments described later in this testimony and attached.

HB708 includes several elements as follows:

- increasing the greenhouse gas reduction target from 40% to 60% by 2032 and developing a plan for net-zero by 2045;
- requiring monitoring and reporting of methane emissions, a more potent greenhouse gas, from landfills;
- requiring the Commission on Climate Change to establish a Just Transition Employment and Retraining Working Group to advise the Commission;
- establishing a Climate Transition and Clean Energy Hub in the Maryland Energy Administration;
- creating a Maryland Climate Justice Corps to undertake clean energy and climate mitigation projects;
- establishing goals for the percentage of state funding for greenhouse gas reduction measures to be used to benefit disproportionately affected communities; and
- increasing the percentage of EmPower funding from 2% to 2.75% by 2028 and changing eligible uses such that by 2024 funds cannot be used for equipment or appliances that use fossil fuels.

These are important provisions, which can be strengthened by several recommended amendments. We also note that HB88 – Public Utilities – Energy Distribution Planning and Required Labor Standards, is a complementary bill which will make the implementation of HB708 and other climate bills more successful through a well-planned transition of Maryland’s energy systems.

Recommended Amendments to Strengthen HB708

We recommend including the following:

1. **Greenhouse Gas Reduction Goals** – change the initial target from 60% by 2032 to 60% by 2030 to align with SB528.
2. **Climate Catalytic Capital Fund** – add a Climate Catalytic Capital Fund in the Maryland Clean Energy Center similar to SB528 to provide funds for implementing climate solutions.
3. **Environmental Justice** - replace the term “disproportionately affected communities” with “overburdened communities,” and add a requirement that 40% of funding for greenhouse gas emissions reduction measures go to “overburdened communities.
4. **Climate Transition and Clean Energy Hub** – move the Climate Transition and Clean Energy Hub from the Maryland Energy Administration (MEA) to the Maryland Clean Energy Center, given that MEA disagreed with recommendations in the Maryland Commission on Climate Change which could affect their implementation of the Hub.
5. **Climate Justice Corps** – strengthened the Climate Justice Corps by amending it to provide good pay, health benefits, and career training similar to other civilian corps programs and to make it more consistent with SB528 as amended.
6. **EmPower** – broaden EmPower to also focus on GHG reduction and align the dates for enhanced EmPower targets with those in SB528.

A more detailed description of our recommended amendments, developed by the Climate Partners, are attached.

With the proposed amendments, HB708 will help the City of Takoma Park and Montgomery County reach their climate goals. Montgomery County has goals to reduce greenhouse gas emissions by 80% by 2027 and 100% by 2035, and the City of Takoma Park passed a resolution with strategies to achieve net zero emissions city-wide by 2035 and to be fossil fuel-free by 2045.

We urge a **FAVORABLE WITH AMENDMENTS** vote on HB708.

Proposed Amendments
Climate Partners Coalition

Goal: We appreciate that the focus of this legislation is to set more aggressive greenhouse gas reduction targets and require more effective measuring of greenhouse gases as well as additional remediation measures. Our amendments are designed to ensure that the bill better advances equity and justice considerations, ensures that the Climate Justice Corps supports our young adults with good wages and benefits, and also aligns the language in this bill to SB0528.

Greenhouse gas reduction goals:

- Page 7, line 5-6 - Overall GHG Goal - 60% by 2032
 - Amendment - 60% by 2030 to line up with Senate (for consistency)

Climate Catalytic Capital Fund

- SB528 creates the Climate Catalytic Capital Fund to promote environmental justice and to leverage increased private capital investment in technology development and deployment. This should be added to HB708 to support the work introduced in the bill.
- Amendment: Add language from SB528 starting on page 5, line 12 until page 7 line 27.
 - Note: amendments to this section of the bill include that the Fund may not be used for a project to install new equipment that uses fossil fuels or upgrades the efficiency of existing equipment that uses fossil fuels
 - The Climate Catalytic Capital Fund should have a requirement that at least 40% of funding for greenhouse gas emissions reduction measures go to communities that are “overburdened” (as defined below) AND AT LEAST 25% OF THE RESIDENTS QUALIFY AS LOW-INCOME

Environmental Justice:

- Pages 4-6, goals for funding and targeted benefits to “disproportionately affected communities”
 - Amendment - replace “disproportionately affected communities” with “overburdened communities” with the following definition to align with other legislative initiatives and be more specific about impact. Add a requirement that 40% of funding for greenhouse gas emissions reduction measures go to “overburdened communities.”
 - **“OVERBURDENED COMMUNITY”** IS DEFINED AS “AT A MINIMUM, AN OVERBURDENED COMMUNITY, IS A COMMUNITY THAT INCLUDES ANY CENSUS TRACT FOR WHICH 3 OR MORE OF THE BELOW INDICATORS ARE ABOVE THE 75TH PERCENTILE STATEWIDE:
 1. PM 2.5
 2. Ozone
 3. NATA diesel PM
 4. NATA cancer risk
 5. NATA respiratory hazard index
 6. Traffic proximity
 7. Lead paint indicator
 8. Superfund proximity (npl sites)
 9. Risk management plan facilities proximity
 10. Hazardous waste proximity
 11. Wastewater discharge indicator
 12. Proximity to a Confined Animal Feeding Operation (CAFO)

13. % broadband coverage
14. Asthma Emergency Room Discharges
15. Myocardial Infarction Discharges
16. Low Birth Weight Infants
17. Proximity to power plants
18. Proximity to a TRI facility
19. Proximity to a brownfield
20. Proximity to mining operations
21. Proximity to a hazardous waste landfill
22. Proximity to an unincorporated community

AND AT LEAST 25% OF THE RESIDENTS QUALIFY AS LOW-INCOME,
OR THE AREA IS DESIGNATED AS AN OVERBURDENED COMMUNITY BY THE SECRETARY [of MDE]

Petition language for MDE to designate a community as “overburdened”: “IN ORDER TO DESIGNATE AN AREA AS AN OVERBURDENED COMMUNITY THROUGH THE PETITION PROCESS, THE SECRETARY MUST MAKE FINDINGS WITH RESPECT TO WHETHER THE AREA MEETS EACH OF THE FOLLOWING CRITERIA:

- (A) THE ANNUAL MEDIAN HOUSEHOLD INCOME OF THAT AREA EXCEEDS 125 PERCENT OF THE STATEWIDE MEDIAN HOUSEHOLD INCOME;
- (B) A MAJORITY OF PERSONS AGE 25 AND OLDER IN THAT AREA HAVE A COLLEGE EDUCATION;
- (C) THE NEIGHBORHOOD DOES NOT BEAR AN UNFAIR BURDEN OF ENVIRONMENTAL POLLUTION; AND (D) THE NEIGHBORHOOD HAS MORE THAN LIMITED ACCESS TO NATURAL RESOURCES, INCLUDING OPEN SPACES AND WATER RESOURCES, PLAYGROUNDS, AND OTHER CONSTRUCTED OUTDOOR RECREATIONAL FACILITIES AND VENUES. IF ALL OF THE CRITERIA ARE MET, THE SECRETARY MAY NOT DESIGNATE THE AREA AS AN OVERBURDENED COMMUNITY.”

Climate Transition and Clean Energy Hub

- We have concerns about housing the Climate Transition and Clean Energy Hub in the Maryland Energy Administration due to the Administration’s input on the MCCC report and recommendations. We would like to move the administration of the Climate Transition and Clean Energy Hub to the Maryland Clean Energy Center.

Landfills:

- **Pg 6, line 5-23** Amend the deadline for adoption of regulations January 2023 or June 2023.
- Consider appropriations to MDE’s air department to support the landfill methane work

Just Transition Employment Working Group

- Membership of the working group, on pg. 12, lines 10 strike “one representative of the Maryland Chapter of the Sierra club, selected by the Maryland Chapter of the Sierra Club” and replace with “Two representatives of the environmental community”
- On page 14, line 11, strike “counter” and substitute “address”.
- Fenceline communities should be defined (page 14, line 20)

Climate Justice Corps

- Page 20 - align the compensation of Climate Justice Corps participants with other civilian corps to ensure they are paid positions. This will also bring consistency with SB528 as amended.
 - Amendment: On page 20, in line 24, strike “A” and substitute “(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A”; in lines 25 and 26, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 28, insert: “(2) STIPENDS, SCHOLARSHIPS, AND WRAP-AROUND SERVICES SHALL BE PROVIDED TO STIPEND VOLUNTEERS IN ACCORDANCE WITH TITLE 24, SUBTITLE 11 OF THE EDUCATION ARTICLE.”

EmPOWER:

- Page 25, line 14 - broaden EmPower to focus on GHG reduction as well as.
 - Amendment: On page 25, line 15, after “programs” add “**AND GREENHOUSE GAS (GHG) ABATEMENT PROGRAMS**”. On line 16, after “savings” add “**AND EQUIVALENT GHG ABATEMENT.**”
- Page 25 line 36 - align dates for EmPower targets with SB528.
 - Amend to
 - 2.25% PER YEAR IN 2024 AND 2025;
 - 2.5% IN 2026;
 - 2.75% PER YEAR IN 2027 AND THEREAFTER.