



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
*County Executive*

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October 16, 2023

Mark Stewart  
Climate Change Program Manager  
Maryland Department of the Environment  
1800 Washington Boulevard  
Baltimore, MD 21230

Re: Comments about Maryland's Climate Pathway Report

Dear Mr. Stewart:

Thank you for the opportunity to comment on the *Maryland's Climate Pathway Report* ("the Report"). Montgomery County appreciates and applauds the work of the Maryland Department of the Environment (MDE) and the team led by the University of Maryland's Center for Global Sustainability to develop this visionary guide to a better future.

The Report provides a clear pathway to achieve Maryland's ambitious and important greenhouse gas (GHG) reduction goals and demonstrates that doing so will bring tremendous benefits to our State. Fully implementing the existing and potential policies contemplated in the Report will require a great deal of thoughtful policy and investment. Navigating these changes will be challenging, but they offer a great opportunity for the State. These policies will create thousands of new jobs and net economic benefits. They will improve public health and quality of life in communities across our State. Along the way, Maryland will demonstrate to the world what it looks like to act on climate change effectively, and equitably.

We recognize the detailed analytical work performed to identify the best pathway to achieve the State's GHG reduction goals and agree with the whole-of-society approach recommended in the Report. Achieving the State's goal to reduce GHG emissions 60% by 2031 will require all of us to play a part.

The Report lays the foundation for a broad set of policies and regulations that need to be rapidly developed and fully implemented to achieve this optimized pathway. It outlines the best opportunities for GHG reduction and identifies a number of areas in which policies and investments will be needed.

As MDE now shifts from the Report to the development of a final plan to meet the State's GHG reduction goals, Montgomery County encourages the inclusion of additional detail to help propel policy adoption forward, including:

- **Policy recommendations** – While the Report identifies certain issues that will require policy consideration, the final plan should go further to recommend more specific policy proposals and other next steps needed to enable full implementation of the identified climate pathway. Specific policy recommendations will help state and local policymakers to begin the next phase of policy adoption in 2024. For example, the final plan should recommend that policies be adopted in 2024 to:
  - ***Invest in clean energy*** – Increase support for the development of offshore wind in already identified areas as well as in-state solar energy projects to help the State meet 100% of its electricity needs with clean energy sources by 2035.
  - ***Reform the RPS*** – Reform Maryland's Renewable Portfolio Standard to require utilities to procure 100% of the electricity they supply to MD customers from clean, renewable, zero net carbon energy sources by 2040. Include guidance to collaborate with other states to reduce the carbon emissions cap under the Regional Greenhouse Gas Initiative (RGGI) to net zero by 2040.
  - ***Adopt all-electric building code requirements*** – Adopt state-level building code requirements that will result in high-performance, all-electric buildings in all new construction and appropriate major renovation projects.
  - ***Reform EmPOWER Maryland*** – Evolve and scale up the EmPOWER Maryland program with support from a more equitable funding source to help buildings achieve all cost-effective behind-the-meter energy and GHG reduction opportunities. Shift the program focus to GHG reduction and incentivize movement from combustion and inefficient electric heating to high-performance heat pumps.
  - ***End gas incentives and the expansion of gas infrastructure*** – Eliminate public financial incentives for the installation of combustion equipment in all new and existing buildings, including through programs regulated by the PSC. Direct the PSC to end the expansion of gas infrastructure, with future expenditures exclusively focused on health and safety improvements of existing lines.
  - ***Transition to more equitable energy revenue strategies*** – Direct the PSC to reform utility rates to more equitably secure revenue needed to support investments in front-of-the-meter and behind-the-meter energy improvements. Commission a study to identify a more equitable revenue strategy to support widespread electrification and deep energy efficiency and demand response building improvements.
  - ***Develop fossil fuel transition plans*** – Direct the PSC to develop a plan for managing the transition away from natural gas, including technical studies, a just transition for Maryland's affected workforce, and reforms to how natural gas infrastructure is paid for to equitably safeguard lower-income residents and small businesses.
  - ***Pilot neighborhood-scale transition to electrification*** – Direct the PSC to engage utilities in piloting neighborhood-scale high efficiency electrification retrofit programs to improve buildings and manage the transition away from gas infrastructure.

- **Require EV charging infrastructure in new large multi-family buildings** – Develop regulations requiring certain percentages of parking spaces in new and significantly renovated large multi-family buildings to include installed EV charging access with additional EV-ready spaces also identified.
- **Contingencies** – The modeling on which the Report is based by necessity included many assumptions about the impact of already adopted and potential future policies, regulations, and incentive programs. Full implementation is assumed for certain policies, such as the Renewable Portfolio Standard, where history suggests that achieving complete success may be challenging. The final plan should include more specific contingency actions (e.g., expansion of building energy efficiency and electrification progress beyond current EmPOWER Maryland performance), as well as a process for evaluating progress and triggering investment in those contingency actions on an appropriate timescale.
- **Equity emphasis** – The final plan should recommend that Justice40 funding principles be integrated throughout the policies and programs called for in the Report, with resources prioritized to support the participation of underserved and overburdened communities. The final plan should also incorporate suggestions solicited from historically overburdened communities on equitable pathways to meet the plan’s goals.
- **Cost estimates and revenue suggestions** – The final plan could provide a more complete understanding of potential implementation costs as well as suggestions regarding appropriate and equitable revenue sources to support implementation.
- **Local government partnership** – Climate change is a priority issue for many local governments in Maryland. The final plan should consider local governments a key partner in implementation, recognize where the State will need to actively engage local government leadership to achieve the climate pathway, and identify resources to support local government leadership.

Montgomery County remains committed to working in partnership with the State to tackle climate change equitably and collaboratively. We appreciate the leadership of the Maryland General Assembly and MDE in leading this planning process, and the opportunity to provide these comments.

Sincerely,



Garrett Fitzgerald  
Section Chief – Climate Programs and State Policy  
Department of Environmental Protection