



Maryland's 2011 Greenhouse Gas Emissions Reduction Act of 2009 (GGRA) Draft Plan (Plan)

What is the GGRA?

The Maryland General Assembly passed the Greenhouse Gas Emissions Reduction Act in 2009. Requirements of the GGRA:

- Statewide Greenhouse Gas (GHG) inventory due by end of 2011, which includes business-as-usual (BAU) projections to 2020 and proposed GHG reduction plan;
- GGRA Plan due by December 2012. Includes regulations and other control initiatives (current phase).
- By 2015, MDE provides an independent study of the manufacturing sector and assessment of progress
- In 2016 the legislature reviews the documents above and reviews the 25% by 2020 goal.

What is the GGRA Plan?

The GGRA requires Maryland to “develop and implement a Plan to reduce greenhouse gas (GHG) emissions 25% from a 2006 baseline by 2020. The GGRA Plan must have a positive impact on job creation and contribute to Maryland economic recovery.”¹ The final Plan is due by December 2012. The plan includes 65 control measures to reduce greenhouse gases by 11 state agencies; many of these controls, like the Maryland Clean Cars Program and Regional Greenhouse Gas Initiative (RGGI) were put in place through other initiatives. The plan also includes priorities to restore the Chesapeake Bay, reduce other pollutants that cause health problems, comply with the Clean Air Act, and address energy and national security issues.

The GGRA Plan is the first of a three phase multipollutant planning approach by MDE. Phase II is the development of a State Implementation Plan to meet the ozone standard for the Clean Air Act in 2013 or 2014. Phase III is the State Implementation Plan to meet the revised fine particle standard expected in 2012, required by the Clean Air Act in 2013 or 2014.

The Plan intends to “lead the nation by example”.

What is the projected cost of the GGRA Plan?

Maryland estimates a \$6.1B increase to the state’s gross domestic product (GDP) by 2020 from carrying out the plan using a study conducted by Towson University’s Regional Economic Studies Institute (RESI).

On August 17, the Maryland Association of Counties (MACo) submitted comment on the GGRA Plan. Specific cost issues quoted from MACo’s comments include:

- “The cost of implementing the 65 proposed reduction strategies in Chapter 6 and Appendix C of the Plan is estimated to be \$3 billion. While the potential job and economic benefits of the reduction strategies are discussed, the implementation costs that would be borne by the State, local governments, and other stakeholders are not.
- The Plan should provide greater cost information for each adaptation strategy for the State, local governments, and other key stakeholders.
- Based on the prominence given to the RESI study, further analysis of the potential job and economic development impacts should be undertaken.
- MDE should consider the economic feasibility of any proposed recycling goal increases and identify funding sources necessary to hold counties where recycling is unprofitable harmless.
- County governments should not be subject to a vehicle miles traveled (VMT) target under Land Use – 1 strategy. The Land Use – 1 strategy would require local governments to use their land use planning and zoning authority to “require a significant adjustment of land use patterns away from automobile-oriented development.” Furthermore, “[the Maryland Department of Planning (MDP) and sister agencies will investigate the feasibility in Maryland of implementing California’s Senate Bill 375 bill and will develop sustainability criteria (e.g., a decrease or no net increase in VMTs) that local transportation plans and projects must achieve in order to receive State transportation funds.” (Both quotes from page 253 of the Plan.)
- County governments and metropolitan planning organizations (MPOs) should not be subject to GHG targets under the Land Use – 2 strategy. The Land Use – 2 strategy would establish GHG transportation and land

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use planning goals for local governments and metropolitan planning agencies. While initially voluntary, such goals could easily become mandatory. MDE is in the process of vetting regulations to assign GHG emission targets and reporting requirements for certain MPOs.

- The Plan should more clearly highlight the potential responsibilities that will be placed on county governments under the proposed adaptation strategies. Some of the strategies would clearly require significant county government commitment and resources but lack necessary specificity. Other strategies, however, are so vague that the effect on county governments cannot even be estimated.
- The ongoing process to develop reduction and adaptation strategies should be open and collaborative and proactively include county governments and other key stakeholders. Funding sources should also be identified where the strategies envision new county government spending. Otherwise, the Plan will face the same unresolved challenges as the Chesapeake Bay TMDL process.”

Who is affected by the GGRA Plan?

Certain industries would benefit by the plan, including those who would be “designing and constructing green buildings; retrofitting older buildings with energy efficient appliances and technologies; expanding and maintaining public transit systems; designing, constructing, and operating windmills, biomass generators, and solar collectors; and research and development in a wide array of new practices and technologies.”² Though the costs of such a plan are unclear, its broad reach could impact every citizen and business through costs for gasoline, escalating costs of development, and a substantial number of other cost areas not yet known at this time. See the text box to the right for specific impacts to local government.

What is the status of the GGRA Plan?

Comments concerning the 2011 GGRA Draft Plan are to be submitted to Brian Hug, Deputy Program Manager with the Air Quality Planning Program, (410) 537-3240, by email at bhug@mde.state.md.us. The public comment period for the 2011 Greenhouse Gas Emissions Reduction Act of 2009 (GGRA) Draft Plan ended Friday, August 17, 2012. Frederick County Government asked for an extension to provide public comment on the document, which is 361 pages long with over a thousand pages of appendices. Luke Wisniewski from MDE in a phone conversation with staff suggested that MDE would accept comments by August 24. The Board of County Commissioners submitted comments on August 24. The document is available at:

<http://www.mde.state.md.us/programs/air/climatechange/pages/air/climatechange/index.aspx>.

A Southern Maryland Stakeholder Meeting will be held Wednesday, August 29, 2012, Southern Maryland Association of Realtors Office, 8440 Old Leonardtown Road, Hughesville, MD 20637. 6:00-8:00PM.

The plan has specific requirements for local governments as described in Appendix C. Frederick County Government would likely be directly affected by:

- **Transportation-13: Evaluate the GHG Emissions Impacts from Major New Projects and Plans:** MDOT would require greenhouse gas emissions to be evaluated in environmental studies for large transportation projects, and could require mitigation. This could add significant costs to transportation projects that disproportionately affect rural areas.
- **Recycling-1: Recycling and Source Reduction:** MDE proposes to have the authority to require additional recycling or waste reduction activities by local agencies; however, Frederick County has a very aggressive recycling program in place.
- **Land Use-1: Reducing GHG Emissions from the Transportation Sector through Land Use and Location Efficiency:** MDP would require development projects and regional land use planning to “sharply reduce the rate” of increasing vehicle miles traveled, mitigate increased greenhouse gases, charge a fee for increased VMTs, and develop goals that local transportation plans and projects must achieve in order to receive State transportation funds. MDP also proposes a law to create “emission caps for the transportation sector, implemented through development or adjustment of regional and local land use, transit, and affordable housing plans, and other transportation and land use strategies” parallel to California’s Senate Bill 375. This item would have a major impact on local government planning authority, and would disproportionately affect rural counties.
- **Land Use-2: Transportation GHG Targets for Local Governments and Metropolitan Planning Organizations:** MDP would “establish transportation GHG targets for local governments and metropolitan planning organizations”, require that “75 percent of Maryland’s new development between 2011 and 2020 will be compact development”, and additional requirements in common with Land Use-1 above.
- **Land Use-3: Funding Mechanisms for Smart Growth and Land Use-4: GHG Benefits from Priority Funding Areas and Other Growth Boundaries** share the same issues as Land Use-1 above.