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**To:** [County.Council@montgomerycountymd.gov](mailto:County.Council@montgomerycountymd.gov)  
**Subject:** Written Testimony on Bill 16-21, Building and Energy Use Benchmarking and Performance Standard Amendments  
**Date:** Thursday, July 15, 2021 9:28:36 PM

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Dear Council President Hucker and Councilmembers,

The Climate Mobilization, Montgomery County Chapter is pleased to submit the following testimony on Bill 16-21, Building and Energy Use Benchmarking and Performance Standards Amendments.

TCM MoCo supports passage of Bill 16-21 subject to satisfactorily addressing the three concerns outlined in this letter. Addressing these concerns would help ensure that the county can meet its 2027 target of an 80% reduction in greenhouse gas (GHG) emissions in a socially and racially equitable manner.

First, we urge the Council to prepare or ask the county executive to prepare a climate impact analysis that describes how this bill will help meet the climate and other goals enumerated in the Emergency Climate Mobilization Resolution.

Secondly, it appears that the timetable in the legislation is much too slow to decarbonize the existing building stock consistent with the 80% GHG reduction in 2027 and elimination by 2035.

A rough estimate suggests only about 40% of the existing commercial and multifamily building square footage would be covered by the 2026 interim standards date. Leaving about 60% not covered all but guarantees that the 80% reduction in GHG's cannot be met by 2027. In addition, a significant portion of the remaining building square footage would not be required to meet the final standards until after the 2035 deadline for total emissions reduction or are not covered at all. And we see no discussion in the CAP for any legislation or executive action that would address this.

Therefore, we recommend that the County Executive accelerate the compliance timetable so that it is consistent with the emission goals in the resolution. Alternatively, the council could drop the timetable from the legislation and require that the County devise a timetable consistent with meeting emission reduction targets as part of the BEPS regulations.

Third, we are concerned about the racial and social equity implications of this legislation. Having a legally binding requirement that all multi-family buildings above 25,000 square feet meet BEPS regulations will inevitably place a significant burden on the many thousands of renters and condominium owners with moderate income and/or people of color while not covering single-family homes that generate significant and, for the most part, higher levels of GHG's and whose owners are disproportionately white and affluent.

This will only exacerbate racial and social inequities and is contrary to the intent of the Racial Equity and Social Justice Act.

We look forward to working with the council in addressing these concerns as it adopts BEPS legislation commensurate with the goals of the emergency Climate Emergency Mobilization Resolution and the Racial Equity and Social Justice Act.

Sincerely,

The TCM MoCo Steering Committee