



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
*County Executive*

MEMORANDUM

February 3, 2022

TO: Gabe Albornoz, President  
Montgomery County Council

FROM: Marc Elrich, County Executive

SUBJECT: Climate Legislation

I want to thank the Council for passing Bill 44-21, which mandates the appropriation of 10% of the Fuel Energy Tax revenues to the Montgomery County Green Bank each year. I look forward to signing the Bill.

As you know, I am a strong supporter of the Green Bank. They play an important role in helping the County meet our aggressive climate goals. The ability of the Green Bank to leverage public funds by attracting capital from commercial lenders for energy efficiency and renewable energy project makes the Green Bank a wise investment.

Bill 44-21 will only work if it is paired with a regulatory requirement, such as the Building Energy Performance Standards (BEPS) contained in Bill 16-21, which was introduced May 4, 2021. I call on the Council to take action on this critical legislation.

I'm proud to share that my administration's work on Bill 16-21 has been noticed by others, including the White House. Last week the County joined state and local governments around the country in the National Building Performance Standards Coalition. The Coalition is a collaboration launched by the White House Council on Environmental Quality.

The City and County of Denver modeled their BEPS legislation after Bill 16-21, introduced it in July 2021, and passed it in November 2021. Denver can now claim to be the first county in the nation to utilize approaches contained in Bill 16-21, which I sent to the Council last May.

The T&E Committee must end its delay of this critical legislation so that the Council can schedule a vote before its one-year anniversary. The Committee has erroneously delayed action, citing the completion of a technical report commissioned to inform regulations that come after the Bill. The Council will have the ability to approve the regulations. Any additional delay by the Committee on the legislation delays urgent action to meet our climate goals.

The C-PACE legislation (Bill 46-21) I proposed is another piece of legislation that Council is being slow to act on. I transmitted Bill 46-21 to the County Council in October 2021, and it has yet to have a T&E committee worksession scheduled.

Administered by the Montgomery County Green Bank, C-PACE is a critical initiative to help building owners make their buildings more energy efficient, reduce operating costs, and reduce greenhouse gas emissions. The amendments proposed in Bill 46-21 expand the access and scope of this existing financial tool in our toolbelt to achieve our climate goals and improve the resiliency of properties in the county.

I am pleased that the Green Building Codes regulation was approved by the Council in September 2021, but note it took six months to do so.

I hope the Council will expedite these critical climate initiatives. We cannot afford more delay.