



**Committee:** Economic Matters  
**Testimony on:** HB1085 - RPS-Qualifying Biomass & Thermal Biomass  
**Organization:** MLC Climate Justice Wing  
**Submitting:** Diana Younts, Co-chair  
**Position:** Oppose  
**Hearing Date:** March 4, 2022

Dear Mr. Chairman and Committee Members,

Thank you for allowing our testimony in strongly opposing HB1085 and we request an unfavorable report.. The MLC Climate Justice Wing is a statewide coalition of over 50 grassroots and grasstops groups advocating for climate and climate justice legislation.

As Maryland attempts to remove dirty fuels from its renewable portfolio standards (this committee took the lead in removing black liquor from the RPS), this bill takes us in the opposite direction and would increase the amount of dirty, greenhouse gas producing fuels in Maryland’s “clean” renewable portfolio standards.

HB1085 modifies the provisions of Maryland’s Renewable Portfolio Standard to provide Tier 1 status to qualifying biomass burned as a sole feedstock to produce thermal energy. Currently, the RPS law only provides Tier 1 status to thermal energy generators that primarily combust animal manure. Qualifying biomass may be combusted only as a secondary component of the feedstock.

This bill was introduced last year as HB682. This Committee referred the bill for study rather than take immediate action. The Maryland Commission on Climate Change (MCCC) established a Mitigation Working Group to study the issue and to make recommendations. That report is expected to be completed in Fall, 2023. The Committee should respect this mandate to the MCCC and this committee at a minimum should take no action until the report has been published and fully digested.

Moreover, last year’s bill had been referred for study in part because its definitional terms were vague and it was unclear the scope of the impact of that bill. In HB1085, instead of seeking to limit the scope of qualifying biomass, it makes clear that qualifying biomass would include “all raw products” produced from a forest – including whole trees – and could vastly accelerate the deforestation of Maryland through opening the door to abusive forestry practices..

Further, this bill circumvents Maryland’s progress towards alternative uses of animal manure and food waste. Incineration of biomass for heat production also produces greenhouse gases into the air and to the deposition of nitrogen oxide into the Bay when it rains. The diversion of animal litter and food waste to a cheaper, more polluting process would *increase* our greenhouse gas emissions and would undermine truly renewable sources like wind, solar and geothermal in the renewable energy portfolio.

The RPS is among our state’s most important programs for substantially reducing our greenhouse gas emissions. The RPS’ increased importance under the 2019 Clean Energy Jobs Act means it should be focused on incentivizing new, renewable energy facilities which will support Maryland’s efforts to mitigate

climate change. Expanding the RPS to incentive burning trees, as this bill would do, is wrong. It would lead to the release of a significant amount of CO2 and other pollutants..

For these reasons, we urge you to vote UNFAVORABLE for HB1085.

**MLC Climate Justice Wing:**

Assateague Coastal Trust  
Maryland Legislative Coalition  
MD Campaign for Environmental Human Rights  
Chesapeake Climate Action Network  
WISE  
Frack Free Frostburg  
Mountain Maryland Movement

Howard County Indivisible  
Howard County Sierra Club  
Columbia Association Climate change and sustainability advisory committee  
HoCo Climate Action  
CHEER  
Climate XChange - Maryland  
Mid-Atlantic Field Representative/  
National Parks Conservation Association  
350 Montgomery County  
Glen Echo Heights Mobilization  
The Climate Mobilization Montgomery County  
Montgomery County Faith Alliance for Climate Solutions  
Montgomery Countryside Alliance  
Takoma Park Mobilization Environment Committee  
Audubon Naturalist Society  
Cedar Lane Unitarian Universalist Church  
Environmental Justice Ministry  
Coalition For Smarter Growth  
DoTheMostGood Montgomery County  
MCPS Clean Energy Campaign  
MoCo DCC  
Potomac Conservancy

Casa de Maryland  
Nuclear Information & Resource Service  
Clean Air Prince Georges  
Laurel Resist  
Greenbelt Climate Action Network  
Maryland League of Conservation Voters  
Unitarian Universalist Legislative Ministry of Maryland  
Concerned Citizens Against Industrial Cafos  
Wicomico NAACP  
Chesapeake Physicians for Social Responsibility  
Chispa MD  
Climate Law & Policy Project  
Maryland Poor Peoples Campaign  
Labor for Sustainability  
The Nature Conservancy  
Clean Air Prince Georges  
350 Baltimore  
Maryland Environmental Health Network  
Climate Stewards of Greater Annapolis  
Talbot Rising  
Adat Shalom Climate Action  
Chesapeake Earth Holders  
Climate Parents of Prince Georges  
Echotopia  
Maryland NAACP State Conference, Environmental Justice Committee