



**SYNOPSIS**

**Committee: Public Safety and Government Operations**

**City Council Resolution: 23-0385**

---

**Study and Report – Baltimore City Climate Resilience Authority**

---

**Sponsor: Mark Conway**  
**Introduced: May 15, 2023**

**Purpose:** FOR the purpose of requiring the Director of Finance, the City Solicitor, the Director of Transportation, the Director of Public Works, the Director of Planning, and the Director of Sustainability to submit a report detailing how Baltimore City may establish a local climate resilience authority originally authorized by Chapter 236 of the Acts of 2020, now codified as Title 22 {"Resilience Infrastructure"} of the State Local Government Article.

**Effective:** The day enacted

---

**AGENCY REPORTS**

City Solicitor	Favorable
Department of Finance	Does not Oppose
Department of Public Works	Favorable with Amendments
Department of Planning	Favorable with Amendments
Office of Sustainability	Favorable with Amendments
Environmental Control Board	Favorable
Department of Transportation	No Objection

**Analysis**

***Current Law***

**State Law**

Climate Resilience Authorities (CRAs) are described in Title 22 of the State Local Government Article of the Maryland State Code.

- Defined as “...an authority incorporated by one or more local governments in accordance with this title whose purpose is to undertake or support resilience infrastructure projects.”

- Resilience infrastructure is defined as “... infrastructure that mitigates the effects of climate change.” This can include:
  - Flood-barriers.
  - Green spaces.
  - Building elevation.
  - Stormwater infrastructure.
- State law has approved CRAs to:
  - Be formed by local governments.
  - Can also be done in conjunction with other local governments.
  - The authorizing government sets out the structure, staffing, and budget it allocates to the CRA.
  - The authorizing government can also limit CRA’s power as described by state law.
- State Law empowers CRAs to:
  - Acquire (except via eminent domain) property for resilience projects.
  - Establish, construct, operate, update, and regulate existing resilience infrastructure the incorporating local government owns.
  - Have employees and consultants necessary.
  - Use other governmental services.
  - Act as necessary to carry out the powers granted to it by law.
- Funding for CRAs is derived from:
  - Fees for service
  - Monies allocated by local & state authorities as well as those allocated by other government entities and private organizations.
  - Issuing of bonds (subject to local government approval)

### City Law

Presently the City Code does not identify a single agency or position responsible for developing or implementing climate-resilient infrastructure. There are some parts of the code that work with environmental matters including regulations around buildings and processes to hold accountable those who break environmental laws. There are also agencies such as the Office of Sustainability<sup>1</sup>, that work on climate advocacy and environmental justice in City agencies and programs and help the city to plan for climate change.

---

<sup>1</sup> The Baltimore City Office of Sustainability is a division of the Department of Planning created by City Code Article 1 Subtitle 34.

Article 1 of the City Code (Mayor, City Council, & Municipal Agencies) provides for an Environmental Control Board which conducts hearings on environmental citations, Such as violations of floodplain management, pollution of reservoirs or tributaries, or the violations of plastic bag reduction ordinance.

Article 7 of the City Code (Natural Resources) deals with a number of environmental regulations some of which are designed to mitigate climate change-related issues. For instance, the Article requires the city to set up a floodplain district and notes that new or substantially modified homes in this district must have their lowest levels elevated to the flood protection elevation.

The Baltimore Office of Sustainability does have a sustainability plan which notes resilience as something Baltimore must do in order to respond to the environmental dangers posed by climate change. The plan notes that resilience is particularly important for lower-income residents who will feel these effects the most and have the most difficulty recovering from a disaster. Five targets are noted in the sustainability plan:

- Community preparedness.
  - Includes updating building regulations, capital improvement processes.
  - Develop post-disaster recovery plans, and systems to mitigate disasters and speed recovery.
  - Increase community awareness of climate change and resilience systems such as resiliency hubs.
- Energy
  - Increase funding and awareness for renewable energy and energy efficiency. This will include tax incentives for solar and geothermal energy.
  - Decarbonize by promoting renewable energy and electric vehicles.
  - Help increase energy efficiency and take measures to combat urban-specific issues like heat islands by planting more trees in the city.
- Greenhouse gas emissions
  - Proposes Baltimore to update its Climate Action Plan using an equity lens and set ambitious reduction targets.
  - Proposes to reduce emissions in the city by helping to transition to efficient appliances such as LED lights.
- Clean air
  - Encourage pollution controls and new permit applications for air pollution sources.
  - Work with other governmental entities to reduce emissions from transportation, particularly freight vehicles.

- Food systems
  - Over 23% of Baltimore residents live in areas without access to affordable, nutritious, food according to a 2018 report.
  - Reduce food insecurity by prioritizing policies and research that allow for equitable access to food systems such as the Milan Urban Food Pact, and the Healthy Food Environment Strategy. As well as programs like SNAP & WIC.
  - Add food to the disaster preparedness program and make households more resilient in the event of emergencies.
  - Since June 2022 the Baltimore City Food Policy and Planning Division distributed nearly 1.2 million pounds of fresh produce and over 8 million servings of fruit and vegetables. This has helped with over 11 million in ARPA funds.

The Baltimore Office of Sustainability has a Climate Action Plan (CAP). The plan – created in 2012- focuses on reducing greenhouse gas emissions. The 2019 Sustainability Plan updated the goals of the CAP - namely the City committed to achieving the goals laid out by the Paris Agreement (a 30% reduction in greenhouse emissions relative to 2007 by 2025). Currently, there is an ongoing process to update the 2012 CAP. There are several climate mitigation strategies in the 2012 CAP such as increasing the number of trees in the city, conducting outreach for solar power, transitioning to more efficient lighting, and encouraging the use of mass transit and bikes in the city. It also sets out means to monitor program success. The City exceeded a goal of reducing Greenhouse Gas Emissions by 20% by 2020 but this is due in part to the pandemic which reduced energy use and traffic.

The Baltimore Office of Sustainability also has the Baltimore Disaster and Preparedness Planning Project (DP3). This plan includes hazard mitigation and climate adaptation. The most recent version was created in 2018 and an update is being prepared for 2023. The 2021 progress report notes that the City is highly susceptible to a number of climate-related threats and recommends the following actions<sup>2</sup>:

- Pursue grants to acquire flood-prone properties, when and where feasible.
- Pursue grants to elevate flood-prone properties, when and where feasible.
- Pursue grants and technical assistance to conduct hydrology and hydraulic studies on flood-prone areas within the City, to include Maidens Choice Branch, when and where feasible.

---

<sup>2</sup> These are additional actions recommended in the 2021 status report. Other goals from 2018 (the last report update) are listed in the DP3 are noted with their progress in the report.

- Evaluate potential for completion of Maidens Choice stream restoration project (U.S. Army Corps of Engineers, Baltimore District identified project).
- Pursue grants for flood control measures to alleviate flooding in the most flood-prone areas when and where feasible.
- Pursue grants for floodplain storage and diversion projects to alleviate flooding in the most flood-prone areas, when and where feasible.
- Pursue grants for dry floodproofing of commercial and historic structures in the most flood-prone areas, when and where feasible.
- Develop training and guidance documents for Resiliency Hub leaders that detail the scope of services (include checklist and instructions for opening, running, and closing).
- Increase the number of Resiliency Hubs.
- Initiate community resiliency planning, outreach, and support.
- Increase the amount of land permanently secured for food production, from community gardens and market gardens to commercial urban agriculture.
- Implement the Plan for Food Access During Incidents and Disasters.
- Increase food system resilience over the long term.
- When and where feasible, pursue grants to complete any project eligible under FEMA's Hazard Mitigation Unified Guidance and its addendum that will contribute to the reduction of hazardous conditions in the City.

### Maryland Municipalities with CRAs

Several municipalities in Maryland have established CRAs recently.

- Charles County – established in 2021
  - Advised by Joanne Throwe.
  - Has faced issues with not owning systems it needs to improve for resiliency – such as drainage systems owned by third parties.
- Anne Arundel and the City of Annapolis – established in 2021.
  - Advised by Throwe Environmental.
  - Working on the redevelopment of City Dock – estimated in 2021 to be a 56-million-dollar project.
- Baltimore County – established in 2023.
  - Currently in the planning stage.
  - Spending 250,000 on consultant – Throwe Environmental to help set up Authority.
  - Consultant is reviewing:
    - Where climate threats exist in the county.
    - County budget.
    - Decision-making processes.

## **Bill Summary**

This bill would require the Director of Finance, the City Solicitor, the Director of Transportation, the Director of Public Works, the Director of Planning, and the Director of Sustainability to submit a report detailing how the City may establish a Climate Resilience Authority (CRA) which has been authorized by state law.

Relevant City authorities will submit the report 180 days after the enactment of this ordinance. The report will include the following:

- A review of the state legislation enabling CRAs
- A review of relevant City law
- A review of local CRAs in Maryland
- A structure for a CRA for Baltimore City
- A review of potential avenues for partnership with external organizations and other local jurisdictions.
- A structural review of existing and prospective CRAs in Maryland.
- A discussion of potential revenue sources for the CRA in Baltimore.
- A review of potential climate mitigation strategies for Baltimore and proposed processes to:
  - Continually assessing the vulnerability of local infrastructure and environment to the impacts of climate change.
  - Determine initiatives that protect the city's local infrastructure and environment.
  - Select projects to mitigate the effects of climate change.
  - Design and implement projects selected by a local climate resilience authority.

Once the report had been submitted the City Council will hold a hearing where the Director of Finance, the City Solicitor, the Director of Transportation, the Director of Public Works, the Director of Planning, and the Director of Sustainability shall present the findings and the recommendations of the report.

## **Agency Reports**

### **The Department of Planning**

The Department of Planning supports this bill with amendments. The department is deferring to the Office of Sustainability for their approval and amendments so that the bill aligns with current sustainability efforts in the City.

### **The Department of Transportation**

The Department has no objection to the bill and feels that its complete streets mission is aligned with resilience efforts and supports sustainable and resilient multimodal transportation.

City Solicitor

Approves the bill for form and sufficiency.

The Department of Public Works

Supports the bill with amendments to 1.) expand the scope of the report and provide additional time to include assessment of Climate Resilience Authorities from across the country. 2.) Focus the study on funding mechanisms and gaps in data.

Office of Sustainability

Supports the bill with amendments to 1.) Factor in the current efforts across the city to proactively achieve climate resilience. This will include efforts such as Disaster Preparedness and Planning Project (DP3), Climate Action Plan, and the Nuisance Flood Plan (NFP). 2.) Increase the time of the study from 180 days to one year.

Environmental Control Board

Supports the Bill. Recommends that BMORE Beautiful liaisons can testify to community concerns.

The Department of Finance

Has no objection to the bill.

---

**ADDITIONAL INFORMATION**

**Fiscal Note:** None

**Information Source(s):**

- Bill 23-0385 1<sup>st</sup> Reader
  - [Maryland State Law](#)
  - [WYPR “Baltimore County lays out plan — and at least \\$2 million — for climate change fight in 2023”](#)
  - [Washington Post “Maryland counties confront climate change, costly projects”](#)
  - [Anne Arundel & City of Annapolis CRA site](#)
  - [Charles County CRA Site](#)
  - [2012 Baltimore City Climate Action Plan](#)
  - [2019 Baltimore City Sustainability Plan](#)
  - [2022 Baltimore City Sustainability Report](#)
  - [2021 Disaster Preparedness Planning Project Progress Report](#)
- 

Analysis by: Tony Leva  
Analysis Date: June 27, 2023

Direct Inquiries to 410-396-1091