

# Climate Solutions Now Act (CSNA) Implementation FAQ

Source: Maryland Department of Legislative Services

## ***What buildings fall under the CSNA?***

Under CSNA and the implementing regulations proposed by MDE, the new building energy performance standards (BEPS) generally apply to all commercial and multifamily residential buildings with a gross floor area of 35,000 square feet or more, excluding the parking garage area.

These standards do not apply to certain historic properties, public and nonpublic k-12 school buildings, manufacturing buildings, agricultural buildings, or buildings owned by the federal government. There are **no** exceptions for buildings owned by the State or local governments.

MDE has compiled a preliminary list of potentially covered buildings, which is available on its website:

<https://mde.maryland.gov/programs/air/ClimateChange/Pages/BEPS.aspx>.

## ***What is the timeline for meeting the requirements under the CSNA?***

Requirements for covered buildings are phased in over time as follows:

2025 – Owners of covered building will be required to report energy data to MDE through the Environmental Protection Agency ENERGY STAR Portfolio Manager tool (this is sometimes referred to as “benchmarking”)

2030 – Covered buildings will be required to meet the first level of interim standards (reduced direct emissions, based on building type)

2035 – Covered buildings will be required to meet the second level of interim standards (further reduced direct emissions, based on building type)

2040 – Covered buildings will be required to meet final standards (net-zero direct emissions)

Note that the interim standards do not require buildings to fully electrify. Instead, buildings must meet standards for direct emissions based on averages for that specific building type. Very efficient buildings may already meet these standards. Other buildings may be able to meet them by implementing energy efficiency measures, such as weatherization improvements. The proposed standards appear in COMAR 26.08.03.02 (the table on page 14 of this document: <https://mgaleg.maryland.gov/pubs/committee/AELR/24-080P-Regulation.pdf>).

## ***When will penalty fees be assessed for buildings not in compliance with the CSNA?***

Beginning in 2031, the owner of a covered building that does not meet applicable net direct emissions standards must pay an alternative compliance fee for any greenhouse gases emitted in excess of the standards. The fee starts at \$234 per metric ton of excess emissions in 2031 and gradually rises to \$270 per metric ton of excess emissions in 2040. It increases by \$4 each year thereafter. All amounts are in 2020 dollars, adjusted for inflation.

## ***Where do I go for more information on the CSNA implementation?***

MDE is the implementing agency for the BEPS provisions of CSNA. Their website includes additional information on the requirements and contact information for the department’s Building Decarbonization

Team: <https://mde.maryland.gov/programs/air/ClimateChange/Pages/BEPS.aspx>