

July 8, 2022

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**Subject: Conservation Law Foundation Priorities for Climate Bill Conference Committee**

Dear Chair Roy, Chair Barrett, Representative Chan, Senator Creem, Representative Jones, and Senator Tarr:

Conservation Law Foundation (CLF) appreciates the opportunity to share our top priorities for the final bill that you will create from H.4524, An Act Advancing Offshore Wind and Clean Energy, and Amendment S.2842. CLF broadly supports the provisions of H.4524 and Amendment S.2842, and we believe the combination of these bills with a few strategic modifications would produce the legislation that Massachusetts needs to retain our mantle of climate leadership for 2022.

**We urge you to reach a final bill this session that prioritizes climate justice and a just transition for our economy to meet the challenges posed by the climate crisis.** This letter highlights biomass, air quality, transportation, and regulation of gas utilities as key provisions to include in a final bill.

➤ **Remove Dirty Biomass From Clean Energy Incentive Programs**

*Retain in full: Sections 7 and 25-30 of Amendment S.2842.*

As Massachusetts strives to meet the ambitious climate targets necessary to prevent the most severe impacts of climate change, creating electricity by burning wood cannot be part of the strategy. Inefficient woody biomass power plants are a false climate solution; new trees may absorb the carbon released by burning a mature one over time, but it takes far too long – almost a century on average – to recapture that carbon. Biomass power plants, like the one currently proposed for construction in Springfield, also exacerbate environmental injustice, releasing as much harmful air pollution as coal power plants in communities often already overburdened by bad air. Regulatory changes proposed by the Department of Energy Resources are flawed, and the legislature would best dispose of this issue by removing inefficient woody biomass from state incentives programs altogether.

➤ **Expand and Improve Air Quality Monitoring and Mitigation**

*Retain and expand: Section 76 of Amendment S.2842, enhanced with a requirement for action by DEP rather than just a report.*

In Massachusetts, expanded air monitoring for ultrafine particulate matter is necessary for the state to determine baseline conditions and track improved air quality trends. On average, residents of color in Massachusetts are exposed to pollution from vehicle emissions that are 26 to 36 percent higher than the rate of exposure to white residents. Studies have shown that even if we implement policies designed to lower emissions from transportation, disparities in air quality in pollution hotspots will continue to persist in 2032. These findings should be a clarion call to decision-makers: Massachusetts must take proactive steps now to mitigate inequities and improve air quality for EJ populations and communities on the frontlines of pollution. However, the Commonwealth currently lacks sufficient baseline data to even begin to address this inequity and prevent further harm.

We support Section 76 of Amendment S.2842, which requires the Massachusetts Department of Environmental Protection (MassDEP) to convene an air quality technical advisory committee and expand air monitoring for ultrafine particles. That section also requires MassDEP to file a report recommending ways to reduce air pollution in pollution corridors and hotspots by 2030. **We, along with our partners from the Massachusetts Environmental Justice Table, urge the conference committee to require MassDEP to require air pollution improvements instead of simply filing a report with recommendations by June 30, 2024.** We further recommend incorporating language from [H.2230/S.1447](#) on improving indoor air quality.

➤ **Set Deadlines for Public Transit Electrification**

*Retain and expand: Section 53 of Amendment S.2842, enhanced with target dates for full MBTA electrification.*

The transportation sector is the largest contributor to GHG emissions in Massachusetts, and per Governor Baker’s Commission on the Future of Transportation, “[w]ithout further action, transportation sector GHG emissions are projected to increase.” The Commission emphasized that “bus service, in particular, needs to be reinvented” and concluded that all buses purchased with state resources should be zero emissions by 2030. The lifecycle costs of electric buses are lower than that of diesel buses due to reduced fuel costs, fewer maintenance costs, and avoided health costs, and they are quieter and produce no tailpipe emissions. Despite these recommendations, progress toward zero-emission fleets has been slow. The deployment of zero-emission buses for our public transit and school bus fleets is necessary to improve our air quality and achieve our climate targets, and these efforts should begin with bus routes that serve and pass through EJ communities.

The Legislature should set public transit electrification targets. **We urge targets for the MBTA to operate a fully electric bus fleet by 2030. In terms of operations, we recommend 40% of all MBTA buses should be electric by 2025; 60% by 2027; 80% by 2028; 90% by 2029.** To ensure achievement of the milestones, MBTA will only procure electric vehicles by December 31, 2023. We further seek prioritized deployment of electric buses on bus routes serving EJ communities—including Chelsea, Everett, Revere, Somerville, Chinatown, Roxbury, Dorchester, Lynn, Mattapan, Fall River, Springfield, Holyoke, Lawrence, and Brockton by 2025. We urge targets for the Regional Transit Authorities (RTAs) to operate fully electric bus fleets by 2035, with a commitment from MassDOT and the Legislature to support the development of comprehensive electric bus plans and charging infrastructure. We also need a fully electric commuter rail system by 2035, with early action on the Fairmount Line, Newburyport/Rockport Line, and Providence Line. These recommendations are consistent with those made by our partners in the Zero-Emission Vehicles Coalition.

➤ **Prevent Expensive Greenwashing by Gas Utilities**

*Additional language: Adopt language from Proposed Amendment 66 to Amendment S.2819.*

The buildings sector represents a major source of greenhouse gas emissions in the Commonwealth, and we must quickly ramp up the transition from combustion-based heating fuels to efficient electrification. The Commonwealth’s gas utilities, however, are attempting to stonewall this necessary transition by deflecting attention from electrification to other



combustion fuels like biomethane, based on inaccurate and outdated assumptions regarding the greenhouse gas emissions that result from the production and combustion of biomethane. CLF respectfully requests that the Conference Committee consider adding the following language, originally proposed as Amendment 66 to Amendment S.2819, that would prevent gas utilities from greenwashing their preferred dirty fuels at major customer expense:

SECTION XX: Section 94A of chapter 164 of the General Laws, as so appearing, is hereby amended by inserting after the words “a contract containing said provision for review”, the following words:-

“provided that the department shall not approve a contract for hydrogen gas, any gas derived from hydrogen or any gas derived from a biogenic source, that is more expensive on a per unit basis than the average Massachusetts citygate price of gas over the previous three years.”

Please don't hesitate to reach out with any questions.

Best,

A handwritten signature in black ink, appearing to read "Caitlin Peale Sloan".

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