

Via Electronic Mail and [Online Portal](#)

March 22, 2021

Honorable Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114
gwsa@mass.gov

Subject: Joint Comments on the 2030 Clean Energy and Climate Plan to Ensure
Inclusion of Climate Justice

Dear Secretary Theoharides, Undersecretary Chang, and the 2030 Clean Energy and Climate Plan Team:

We write on behalf of 26 organizations to thank the Executive Office of Energy and Environmental Affairs for its hard work on the Roadmap Report and 2030 Interim Clean Energy and Climate Plan (“interim CECP”) and to offer the following recommendations to better integrate climate justice into the final plan (“2030 CECP”). EEA has the opportunity and responsibility to integrate more precise language into the 2030 CECP that provides details about actions that will advance climate justice. Climate justice focuses on the root causes of climate change — human-made greenhouse gas emissions (“GHG”) and related pollution — and making systemic changes that are required to address unequal burdens to our communities and realign our energy systems and economy with our natural systems. Unless justice, equity, and worker rights are central components of our equitable climate agenda in the 2030 CECP, the inequality of the carbon-based economy will be replicated in the new pollution-free economy. Below are specific recommendations, organized by chapters of the 2030 CECP.

I. Chapter 1 Overview

A. Add Additional Policies to Commit to Equity and Justice.

In Section 1.3 (Commitment to Equity) of the 2030 CECP, we request that EEA add the following policies:

- **Prioritize and Anchor Equity and Justice** to avoid further harm to populations most vulnerable to and most at risk from climate impacts, pollution, displacement, energy burden and cost while prioritizing climate, environmental, energy, and health benefits to such populations. Establish enforceable protections against disparate impacts. Prioritize analysis of cumulative impacts, while reducing burdens and increasing benefits to environmental justice populations.
- **Support a People-Centered Approach to Policy Making, Program Design, and Implementation**, providing for and ensuring broad-based stakeholder participation, input, and oversight. The interests of and people from populations most vulnerable to effects of climate change and most at risk of pollution,

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

displacement, energy burden, and cost must be represented and influential in this process.

- **Take a Holistic Approach to Achieving Climate Goals/Net Zero by 2050/GWSA Compliance.** Recognize that EEA has an obligation to meet and/or achieve compliance with multiple laws, policies, and Executive Orders 552 and 569. Account for and accurately value co-benefits and health impacts of action, but also costs and risks associated with delay and inaction. Ensure that actions in one area do not conflict with other key goals.

The above additions to Section 1.3 will indicate that all CECP strategies should be centered in equity and justice, and that they be respectfully developed and deployed with the input, feedback, leadership, and engagement of the communities most vulnerable to the effects of climate change and most at risk from pollution, displacement, energy burden, health impacts, and other systemic inequities. Ensure that actions in one area do not conflict with other key goals.

B. Improve Community Engagement

Agencies should routinely engage in robust stakeholder processes to seek public input in advance of decisions. The final CECP should include, within each sector, a directive for agencies to implement a robust public engagement process. We applaud EEA for offering virtual webinars with simultaneous language interpretation and translation of written materials. EEA should use the lessons learned from convening the Roadmap and CECP webinars to ensure future meetings about climate policy also are accessible to residents who speak Spanish, Cantonese, Mandarin, Portuguese, Haitian Creole, Arabic, Amharic, Vietnamese, and additional languages other than English.

In addition to ensuring language access, the 2030 CECP should also include a commitment that community engagement will influence state decision-making. All state advisory committees should include representation from EJ populations. The Environmental Justice Advisory Council, created pursuant to state law, should be routinely convened and invited to participate in decisions about transportation, electricity, buildings, nature-based solutions, development, and housing.

C. Support A Stringent, Science-Based Emissions Target for 2030.

In Section 1.4 (New Goal, 45 percent in 2030), we support a stringent 2030 emissions target that will maximize the Commonwealth's ability to achieve net zero emissions by 2050. The state's GHG reduction limits must be *science-based*, meaning not just meeting the IPCC's 2030 global target of cutting emissions 45-50 percent by 2030, but also cutting *faster* than that global average to take into account our high "historical contributions to emissions," which should be

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

acknowledged explicitly and quantified in the CECP along with a remaining carbon budget.¹ The CECP tables demonstrate that the state can get to an emissions reduction by 2030 of 45-48 percent, which is only 2 percent away from 50 percent.² Massachusetts is required to include goals in the 2030 CECP that “maximize the ability of the [C]ommonwealth to meet the 2050 emissions limit.”³ The Commonwealth could meet the additional 2 percent through a variety of measures.

Further, Section 10 of *An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy* (“Roadmap Bill”) would increase the 2030 emissions target to a 50 percent GHG reduction. We recommend that the final 2030 CECP incorporate any changes to the 2030 emissions limit based on the outcome of the Roadmap Bill and include EEA’s determination of the costs of achieving that target, accounting for the full benefits of improved public health, quality jobs, strong economy, and benefits for environmental justice (“EJ”) populations.

D. Require Diverse Hiring and Workforce Development Practices Across All Sectors to Achieve Quality Jobs.

The 2030 CECP should add a commitment for agency staff to work with an independent advisory council to oversee job creation. The jobs created through procurement, infrastructure projects, and implementation of climate policies should create a pathway out of poverty, with family-sustaining wages and benefits. The contract opportunities should incentivize domestic and local quality job creation. Funding should be allocated for programs that directly recruit, train, and retain those underrepresented in the workforce, including women, people of color, veterans, formerly incarcerated people, working class immigrants, and people living with disabilities. Training should also be provided for workers who need to learn new skills to support the just transition away from fossil fuels to clean energy.

E. Clarify Throughout the 2030 CECP Need for New Authority and Funding and Set Clear Timelines.

The 2030 CECP should indicate throughout each chapter whether EEA has existing authority or needs new statutory authority to achieve each policy recommendation/strategy action (or commit to a timeline for doing so). The interim CECP contains vague language like “consider” incentives or “explore” policies. The 2030 CECP should include requirements (i.e., regulations; eligibility criteria and/or preferential scoring for grant funding) in the appropriate policy recommendation/strategy action. We encourage EEA to integrate timelines to commence each strategy and establish target dates for policy adoption.

¹ IPCC 2018 Summary for Policymakers at 9, available at: https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf. See sciencebasedtargetsnetwork.org.

² “Range of GHG reductions estimated for the full and timely implementation of strategies and policy actions outlined in the 2030 CECP,” Table 1, page 13.

³ M.G.L. c. 21N, § 3(b).

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

The transition to a clean economy is about capital investment. The only funding sources identified in the CECP are the Transportation and Climate Initiative and the Volkswagen settlement. Additional funding will be essential to the just and equitable transition that we all desire. Low-income residents do not have the discretionary funds or credit to buy new cars, to insulate their homes, or to upgrade heating systems, or are renters with no control over building upgrades. Furthermore, the interim CECP lacks mention of how EEA and its agencies will be funded to carry out their many new tasks. It will take sustained funding to implement the 2030 CECP. We recommend clarifying in each chapter whether the relevant agency can achieve the strategy actions with existing funding and staff or whether it needs additional funding and new sources of revenue and staff.

F. Net-Zero Emissions Considerations and the Role of Bioenergy.

While the 2050 Roadmap acknowledges that net emissions impacts of different bioenergy feedstocks can vary, and appears to call for a carbon accounting approach that can distinguish these impacts, the document does not acknowledge that use of forest biomass is particularly undesirable due to its long carbon payback time. The modeling used in the Roadmap assumes a GHG emissions value of zero for biogenic fuels, including wood wastes. Such an assumption is not compatible with the science on biogenic carbon accounting and is bound to skew modeled results to a more favorable assessment of biogenic fuels than is actually justified. As the inefficiency of bioenergy is a simple function of physical qualities such as fuel energy density and moisture, there is no basis for assuming that these factors will be mitigated by improvements in technology. Massachusetts must not assume that any biogenic feedstocks are “zero emission” or “net zero.”

II. Chapter 2: Transforming our Transportation Systems

The transportation sector is the largest contributor of GHG emissions in the Commonwealth and it is the area in which we must make the most improvement in the next nine years.

A. Add A Specific Strategy to Address Public Transit.

The 2030 CECP has six strategies to reduce transportation sector emissions, yet none of them is focused on investments in public transportation. Pursuant to Executive Orders 579 and 580, the Commission on the Future of Transportation issued its report identifying transportation initiatives to achieve by 2040 that will both reduce GHG emissions and expand access to transportation options. The first recommended strategy in that report concludes that “investing in and expanding public transit service is critical.”⁴ The report further goes on to add that “all buses purchased with state resources should be zero emissions by 2030.”⁵ It would be absurd for

⁴ Commission on the Future of Transportation, *Choices for Stewardship: Recommendations to Meet the Transportation Future: Volume 1*, at 35 (December 2018),

<https://www.mass.gov/doc/choices-for-stewardship-recommendations-to-meet-the-transportation-future-volume-1/download>.

⁵ *Id.* at 54.

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

the 2030 CECP to have an entire section devoted to the transportation sector that omits strategies to: (1) maintain and expand transit; and (2) electrify our buses and trains. We urge EEA to include a seventh transportation strategy that calls attention to investments in our public transit systems so that various reports and decisions from the Baker Administration are in lockstep with one another. Investing in public transportation has many co-benefits for public health beyond reducing congestion and reducing single occupancy vehicle trips.

We further recommend adding a climate justice component to the public transit strategy. To promote more equity in the transit systems and increase access to public transit for environmental justice (“EJ”) populations, the Massachusetts Bay Transportation Authority (“MBTA”) and Regional Transit Authorities (“RTAs”) should adopt low-income fares and consider free fares. Access to transit is a lifeline to many who have no other means of transportation to reach destinations, such as jobs, schools, grocery stores and healthcare facilities, safely and reliably.

B. Add Requirement to Strategy T1 That the Administration Will Commit Much Higher Investments in Overburdened and Underserved Communities.

Strategy T1 is focused on the Transportation and Climate Initiative Program (“TCI-P”). TCI-P needs to redress longstanding impacts of the transportation sector for EJ populations, which have been disproportionately impacted by pollution from transportation. This is specifically evident in the diesel pollution by transit buses in urban environments. Specifically, 2030 CECP should include the commitment for the Administration to develop a detailed public plan for a public engagement/decision-making process to determine how to spend TCI-P revenue, including specifying investment targets in walking, transit, and biking infrastructure. In addition, the 2030 CECP should note plans to increase the investments of TCI-P revenue in EJ communities from 35 percent to at least 70 percent and commit to appointing the equity advisory board by summer 2021.

We further recommend adding a climate justice component to Strategy T1. The 2030 CECP should commit to launching air quality monitoring programs in EJ populations that are the most overburdened by air pollution from the transportation sector in the Commonwealth by 2022. To fully account for health impacts/co-benefits of proposed policies, the Commonwealth needs to expand the air monitoring network, actively analyze air monitoring data, and consistently review environmental and energy policies to assess what is working and what needs to be tweaked to achieve air quality improvement. This will require monitoring for black carbon, ultrafine particulate matter, and nitrogen oxides, since these pollutants are commonly associated with transportation fuels. Strategy T1 should also include a commitment for the Baker Administration to incorporate the needs and experiences of overburdened and underserved communities into the TCI-P policy-making process.

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

C. Add Requirement in T1 for the Commonwealth to Reduce Air Pollution in Hotspots.

In Massachusetts, expanded air monitoring for fine particulate matter (PM_{2.5}) and ultrafine PM is necessary for the state to determine baseline conditions and track improved air quality trends. A Harvard study found that an increase in long-term air pollution exposure (1 µg/m³) leads to a COVID-19 death rate that is eight percent above the risk borne by residents of communities without such exposure.⁶ The Commonwealth lacks sufficient baseline data to even begin to address this inequity and prevent further harm.

We recommend that the 2030 CECP require working with a broad stakeholder group that includes representatives of environmental justice organizations, academic institutions, and labor, to determine air pollution hotspots throughout the Commonwealth. Once those hotspots are determined, the Commonwealth should update its Air Quality Monitoring Network and Annual Plan to expand its monitoring network. To do so, the Massachusetts Department of Environmental Protection should establish baseline air quality conditions in 2021 and set annual targets to reduce the average air pollution for ultrafine particulates, black carbon, and nitrogen oxides in those locations. Data from the air monitors should be publicly accessible and provide near-time information. By 2022, the Commonwealth should set enforceable annual air pollution improvement targets to ensure that air pollution hotspots have significantly improved air quality by 2032. We support using funding allocated for clean transportation to support the costs associated with improving air quality in pollution hotspots. For example, funds from the Regional Greenhouse Gas Initiative, already allocated for clean transportation purposes through the MOR-EV program, could be used to expand the Commonwealth's air quality monitoring network along with other funding sources, such as TCI-P

D. Add Specificity to Strategy T1 That Addresses Biofuels.

While we support a Low Carbon Fuel Standard ("LCFS"), the 2030 CECP should specify which fuels qualify. For example, how will the Commonwealth determine which biofuels meet the LCFS? The Roadmap Report inaccurately assumes that biofuels are zero emission. If biofuels will be incorporated into the LCFS, then the 2030 CECP must acknowledge the need to maximize safety associated with the transportation of biofuels. The transportation of biofuels could occur by truck or rail, which would result in increased local air pollutants from tailpipes in communities along truck routes and near fuel blending facilities. At present, those facilities are disproportionately located in EJ populations. Moreover, biofuels, such as ethanol, are highly flammable, especially when transported in large quantities. The CECP needs to outline a plan that avoids negative impacts associated with the transportation of biofuels and eliminate potential burdens on EJ populations.

⁶ Wu, X., Nethery, R. C., Sabath, M. B., Braun, D. and Dominici, F., 2020. Air pollution and COVID-19 mortality in the United States: Strengths and limitations of an ecological regression analysis. *Science advances*, 6, p.eabd4049, <https://projects.iq.harvard.edu/covid-pm>.

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

E. Require Public Fleet Electrification Targets for Medium- and Heavy-Duty Vehicles in Strategy T2.

Electrifying our public transit systems and school buses will result in improved air quality and will reduce the burdens associated with air pollution hotspots. We recommend that the 2030 CECP include:

- Implementing the MBTA Bus Transformation Office approved by the Fiscal and Management Control Board recommendations from November 2019 by prioritizing new electric bus procurements on routes serving EJ populations. The MBTA must begin immediate planning and design work for 100 percent electric bus facilities to meet the goal of having a 100 percent electric bus fleet by 2030. Similarly, the Regional Transit Authorities should electrify their fleets by 2035.
- Implementing the MBTA Rail Vision approved by the Fiscal and Management Control Board in November 2019 with priority electrification for the Fairmount Line, Newburyport/Rockport Line through Lynn, and Providence/Stoughton Line by 2024. Plan to electrify the remainder of the commuter rail system by 2035.
- The 2030 CECP must set targets to electrify state and municipal fleets by 2035: Fleets owned, leased, or operated by the Commonwealth or municipalities should transition to zero-emission vehicles with priority in locations that are air pollution hotspots in EJ populations.

F. Ensure that Strategy T3 Commits to Issuing Incentives at the Point of Sale.

The interim CECP notes that the Department of Energy Resources (“DOER”) “will explore providing MOR-EV rebates at point of sale in 2021” and “investigate the development of a low and moderate income (“LMI”) consumer program for ZEVs.”⁷ We recommend that the language be revised to commit to these actions so that it reads: “the Department of Energy Resources will provide MOR-EV rebates at point of sale in 2021” and will “develop an LMI consumer program for ZEVs by 2022.” To incentivize EV adoption for larger fleets including municipalities and the Commonwealth, Massachusetts should establish a group purchasing program to lower costs for state/municipal ZEV procurements by the end of 2021.

G. Strengthen Strategy T6 by Stabilizing Light-Duty Vehicle Miles Traveled and Promote Alternative Transportation Modes.

While rapid electrification of the transportation sector is essential, without long-term investments in a robust and reliable public transit system and changes in our land use policy to support more dense, affordable, mixed-use development near transit, this transportation decarbonization strategy is incomplete. By depending almost exclusively on electrification and telecommuting, this approach runs the risk of perpetuating the inequities evident in our transportation system today.

⁷ Interim CECP at 22.

Joint Comments on the 2030 Clean Energy and Climate Plan to Ensure Inclusion of Climate Justice

As noted in the interim CECP, “the increase in VMT and vehicle size has largely offset the emissions benefit from more stringent federal fuel efficiency standards.”⁸ To mitigate the increase in emissions associated with rising VMT, the interim CECP relies heavily on vehicle electrification. This misses an opportunity to address the problem at its source and to achieve the multitude of co-benefits associated with reducing VMT through enabling more compact growth near transit. These include:

- Alleviate traffic congestion and promote job access: Massachusetts has been home to some of the nation’s worst traffic congestion. Furthermore, reducing VMT through investments in public transit will help improve access to jobs and services for residents without a personal vehicle.
- Improve public health outcomes: In addition to the economic benefits, there are several public health advantages to getting more people out of cars and onto public transit, walking, and biking. Auto travel causes 360 deaths annually in Massachusetts due to crashes.
- Reduce building energy demand: Multifamily housing has a more efficient building envelope and shared systems which enable more cost-effective implementation of high efficiency systems during construction.

Furthermore, smart growth ensures more land is available for preservation and carbon sequestration and alleviates pressure on the grid to accommodate the influx of electric vehicles. Importantly, land use strategies are much more cost-effective than the proposed investment in EV subsidies. They can also be designed equitably so that low-income residents are benefitted and not harmed by changes in land use, pricing, and transit service. State programs supporting development and infrastructure should be fully aligned with smart growth strategies. These strategies fall into a “no-regrets” zone in which there are few reasons the state would regret acting on them.

These strategies are only an effective pathway forward if we have long-term investments in a robust, reliable, and affordable public transportation system. The interim CECP greatly underestimates the important role public transit plays in advancing an equitable decarbonization strategy. We strongly urge the EEA to elevate the need to invest in a robust, reliable, and affordable public transportation system in the 2030 CECP. The primary way to achieve this outcome is to move more trips from single-occupant vehicles to public transit.

III. Chapter 3: Transforming our Buildings

- A. Cap on heating fuel emissions must be implemented in 2023, in conjunction with other measures toward deep energy retrofits, weatherization, and electrification for existing buildings accompanied by funding, financing, and technical support for low- and moderate-income people and EJ populations.

⁸ Interim CECP at 25.

Joint Comments on the 2030 Clean Energy and Climate Plan to Ensure Inclusion of Climate Justice

As the majority of the 2.5 million buildings in Massachusetts will still be standing in 2050, the need to decarbonize existing buildings is paramount. The proposed heating fuel emissions cap (“the cap”) is the most critical solution proposed in the interim CECP to tackle this subsector. We agree with EEA that the cap is essential to reaching the 9.4 MMTCO₂e reduction in emissions from buildings by 2030, the largest cut by sector in the CECP. Concurrently with the cap, EEA must take aggressive action with other policies to ensure that the cap drives carbon reductions, primarily through electrification and a swift phase-out of fossil fuel combustion in buildings, rather than through a focus on biofuel blending. DOER must not delay in convening the Commission on Clean Heat and the Task Force on Clean Heat, and must endow these bodies with a strong mandate to advance complementary policies that are needed to decarbonize existing buildings, including development of a statewide building performance standard and benchmarking and disclosure requirements. These should not just be performance-based, but also prescriptive when appropriate to move the market, such as through the use of turnover cycles as mandatory conversion points. The cap must be in effect by 2023, with declining cap levels over time.

Of equal importance to the cap mechanism is the need to ensure that this program is science-based and advances equity and climate justice. EEA must ensure that revenue from the cap is used toward a just transition for low-and-moderate income people, EJ populations, and renters, through subsidies, incentives, rebates, and technical assistance in making their homes weatherized and more energy efficient and converting their heating and cooling to non-fossil fuel systems.

B. Improve Strategy B1 to Make New Net Zero Opt-In Code Available and Update Existing Stretch Code in 2022.

We applaud EEA for committing to a new high-performance stretch code option with passive-house level efficiency for Green Communities by 2022. Yet, the 288 Massachusetts communities currently on the stretch energy code also need the existing stretch code to be updated to be much more energy efficient (i.e., higher performance). This update should be in addition to a new net zero code pathway that cities and towns can opt into now that would enable new construction to be built not just to high levels of energy efficiency but more fully to net zero. The new opt-in net zero code for all new construction should integrate passive-house level energy efficiency, accelerate the shift to electrification, and optimize renewable energy, and should be available – in addition to the stretch code update – in 2022.

We also commend EEA on the proposal to integrate the new opt-in code into the base code by January 1, 2028. This timeline, as captured in the image below, is critical not only for new construction but should also include high-performance requirements for rehabs. To enable the transition to 2028 and ease more of the Commonwealth onto a high-performance net zero code in advance of that date, we recommend that by 2025, the existing stretch code be consolidated with the net zero opt-in code. By 2028, the stretch code would then become the base building code. Such codes are necessary to reach high levels of energy efficiency, electrify buildings, and maximize renewable energy, either onsite as practical or offsite, and to meet the needs of cities and towns – as well as the state – in both the near- and longer-term. Robust stakeholder

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

engagement, including extensive outreach to EJ populations from the start, must accompany all of these code development processes.



C. Focus Mass Save/Energy Efficiency Programs on Pre-Electrification, Weatherization, and Electrification and Diversify and Develop Workforce in Strategy B2.

The CECP relies heavily on heat pumps to reach its goals, requiring at least 100,000 per year on average in residential dwellings plus a large amount in commercial space. We support these quantities, as necessary, to meet the 2030 limit. Yet the current Three-Year Energy Efficiency Plan for 2019-2021 targets roughly 15,000 heat pump installations per year. Many uncertainties exist within the interim CECP, regarding how the 100,000 annually will be attained, whether the cap on heating fuel emissions will be sufficient, and whether the plan to end all Mass Save fossil fuel heating system incentives by the end of 2024 will enable us, along with higher incentives, to shift consumers to heat pumps. EEA and DOER must demonstrate how they will achieve the annual level of heat pumps needed, including the necessary funding, financing, training, incentives, and mandates. The 2030 CECP should be clear, begin early, and transparently chart out benchmarks and milestones for success.

We urge training, education, and funding to enable whole-home conversions that do not retain back-up systems, and we urge EEA to factor realistic retention levels into their calculations. Significant funds must be devoted to deep energy retrofit programs, which will help to rightsize heat pumps and renewable systems to achieve optimal performance. Massively scaled-up workforce development funding and training will be key. Transitioning the buildings sector requires training laborers in climate-smart building technologies, especially related to HVAC, onsite solar, heat pumps, deep energy retrofits, and building operations. The expansion of a largely static industry offers new opportunities for thousands of long-term, sustainable, good paying jobs installing and maintaining new technologies. Further, the 2030 CECP should commit to resources for training workers in the fossil fuel industry to be ready for employment opportunities and benefit from decarbonization.

Joint Comments on the 2030 Clean Energy and Climate Plan to Ensure Inclusion of Climate Justice

During the pandemic, Mass Save offered 100-percent incentives for weatherization, an offer that thankfully continues for moderate-income customers and renters. In addition to retaining this offer in future plans, we recommend that Mass Save additionally offer a 100-percent weatherization incentive for buildings that agree to also electrify their space heating equipment, as this could help to drive adoption. Moreover, we urge the full funding and data availability needed for pre-weatherization and pre-electrification barrier mitigation, particularly for LMI and EJ customers.

Mass Save should set annual targets for enrollment of low- and moderate-income ratepayers, renters, and schools predominantly serving Black and Brown students. To meet emissions reduction targets, it is essential to enroll low- and moderate-income homeowners and renters who currently do not participate in energy efficiency programs by making the program economically feasible for all participants. The Commonwealth should consider carrots and sticks. We should align incentives between landlords and renters, such as by developing “green leases” that share the costs and benefits of efficiency upgrades. The Commonwealth should target outreach to EJ populations where there is low uptake of energy efficiency benefits to inform residents about the economic benefits of weatherization and the availability of income-adjusted programs.

D. Calibrate the Appropriate Use of Fuel Blending as a Strategy in B3.

The Building Sector Technical Report states that for our 2050 requirements “[T]he findings of the Energy Pathways Report indicate that widespread adoption of electrification and increased efficiency measures together is likely to be a lower cost decarbonization strategy than an approach that continues to rely on pipeline gas.” For 2030, however, the interim CECP proposes a primary focus on a “Decarbonized Fuel Blending Strategy.” Fuel blending may be attractive as a short-term means to emissions cuts (depending on the true emissions profile of the biofuel), but a primary focus on fuel blending rather than fuel switching will have disproportionate long term impacts on low- and moderate-income customers and renters, who are less able to respond to changing markets and switch fuel technologies. These customers would be most impacted by industry disruption in the fuel oil delivery and most impacted in rising costs in gas delivery.

For this reason, the Commonwealth must ensure that any use of fuel blending to reduce gas and fuel oil emissions in the short term is not a “dead end” in our pathway to net zero. We must avoid misdirection of time and resources to technology that cannot scale to a long term solution, as such regrettable substitutions could impede our capacity to meet our long term emissions mandates. For gas in particular, fuel blending must not be a rationale to invest in the state’s existing distribution infrastructure beyond what is necessary for short term safety. Rather, the state must plan for a dramatic reduction in the demand for oil and gas and design an orderly and just transition away from these fuels both for residents and the workers in these industries. The Decarbonized Fuel Blending strategy is inconsistent with our climate justice values as well as the trajectory best needed to meet our 2030 and 2050 commitments.

IV. Chapter 4: Transforming our Energy Supply

Out of all sectors, electricity has to lead decarbonization efforts because it is the platform for other sectors to decarbonize. Clean energy targets should be set so that, in combination with

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

goals for other sectors (transportation, buildings, etc.), the overall reduction in greenhouse gas emissions for 2030 is at least 50 percent.

A. Integrate Community Engagement and Air Pollution Reduction into Strategy E1.

As the Commonwealth works to execute procurements, develop standards, and promulgate regulations to increase clean energy sources, it must ensure that there is robust public engagement to refine the details. To center frontline communities and climate justice, the CECP needs to put more emphasis on reducing air pollution and targeting health impact benefits of clean energy, as featured in the Economic and Health Report.

B. Integrate a Process to Ensure Appropriate Siting of Energy Infrastructure in Strategy E2.

Future electric and gas distribution system infrastructure should not be sited in EJ populations, except after cumulative impact reviews for projects proposed in EJ populations that include consideration of potential public health impacts and long-term harms, as well as meaningful community engagement processes wherein community concerns and ideas inform and influence decision-making starting at the initiation of the project proposal process.

When looking at the role of solar and other onshore resources to meet our goals, we need a geospatial plan for where solar will go, what is feasible on specific sites, and plans to eliminate barriers to building on brownfields and impervious surfaces. After creating this plan, the Commonwealth should then limit renewables siting on greenfields to ensure least harm to such green spaces. The Commonwealth should develop a strong incentive to put solar where it can benefit the grid and has community support while avoiding siting where it is not needed. For community solar projects, there is concern that the way some projects are structured is driven by developer financing needs rather than good planning around land use and community input. To ensure that renewables siting has the greatest benefit, we recommend adding the following points to Strategy E2:

- Integrate strategies that result in building solar facilities near load.
- When siting solar on agricultural land, preserve the opportunity for food production and other agricultural dual-use options.
- Any new incentives for solar projects must prioritize opportunities for ownership of renewable energy assets in EJ populations. Increase low income and EJ access to solar and harmonize with land use considerations.
- Support expansion of microgrids and renewable energy cooperatives: The Commonwealth should support EJ populations in accessing the benefits of renewable energy generation, including through microgrids and solar co-operatives.

C. Support for Strategy E3 to Adjust Clean Energy Standard (“CES”).

The CES should be increased to at least 60 percent by 2030 to capture the GHG emissions reduction value of our clean energy procurements. Without this increase, approved clean energy procurements from Hydro Quebec, Vineyard Wind, and Mayflower Wind will flood the REC

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

market and render the CES and RPS ineffective. EEA should carefully calibrate the CES to ensure that the clean energy credit value purchased under other clean energy incentive programs is retained in our GHG emissions accounting profile.

D. Revise Strategy E3 to Remove Woody Biomass and Municipal Solid Waste Combustion as Forms of Clean Energy.

We recommend that EEA and its agencies act immediately by regulation and/or proposed legislation to remove woody biomass and municipal solid waste combustion from eligibility under all clean energy incentive programs, including the Renewable Portfolio Standard, Alternative Portfolio Standard, Clean Energy Standard, and Clean Peak Standard. Further, the 2030 CECP should include a commitment to conduct a strategic review of the impact of clean energy incentive programs on the Commonwealth's ability to meet the 2050 net zero requirement to guide further adjustments to program eligibility. Eligibility for these programs does not include a rigorous examination of the emissions profile of the included technologies, and in some cases the scientific understanding of their emissions profiles and public health impact has evolved significantly since the technology first became eligible. Massachusetts cannot meet its 2050 requirements if we continue to incentivize highly polluting technologies like woody biomass and municipal waste combustion as carbon neutral or zero carbon. Non-emitting resources are essential to achieving the net zero requirement, thus with an eye towards improving air quality and public health, Massachusetts must begin to phase out emitting resources in the near term.

E. Close Existing Facilities and Prohibit the Development of New High Heat Waste Facilities in Strategy E3 and Strategy N2; Add Zero Waste Policies.

High heat facilities in the Commonwealth, including its seven municipal waste combustors are toxic, harmful, and unnecessary. The use of pyrolysis, gasification, and incineration represent false solutions to the plastic waste reduction crisis because they do not fit into the "circular economy" of plastic waste.⁹ Rather than produce new plastic, these processes produce either fuel that is combusted off-site or air emissions.⁸ Thus, additional fossil fuels are needed to manufacture virgin plastics.¹⁰

We recommend that the 2030 CECP prohibit the development of new high heat facilities and establish target deadlines to close certain solid waste facilities, such as incinerators and other facilities that create a public health burden, especially for EJ populations and other vulnerable communities. Further, the 2030 CECP should include the following laws and policies that incentivize waste reduction and divert waste from high heat facilities and landfills:

- Municipal unit-based pricing policies, such as Pay-As-You-Throw.

⁹ See https://www.no-burn.org/wp-content/uploads/CR-Technical-Assessment_June-2020.pdf at 11.

¹⁰ See https://www.no-burn.org/wp-content/uploads/CR-Technical-Assessment_June-2020.pdf at 8.

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

- Container deposit return laws that pay redemption fees to consumers and cover a broad variety of covered containers divert more materials and lead to more recycling that produces better quality materials than curbside recycling programs, all at no expense to taxpayers.
- Producer responsibility for packaging policies which, if properly designed, can spur reduction, recycling, and redesign of material so they are reusable or more recyclable.
- Regulatory amendments to phase out incinerators.
- Regulatory amendments that would strengthen existing commercial food waste bans and create residential food waste bans.
- Increase enforcement of waste bans.

F. Set a Deadline to Achieve Clean Energy Project Deployment By 2030 in E5.

In addition to the six gigawatts of renewable energy that EEA will pursue between 2030 and 2040, Massachusetts' offshore wind procurements should total a minimum amount of clean energy deployment by 2030. We recommend that Strategy E5 set a target of at least six megawatts by 2030.

V. Chapter 6: Protecting Our Natural and Working Lands

Reducing fossil fuel emissions is the most important thing we can do to fight climate change, but it is also important to preserve natural and working lands (“NWL”) and increase their capacity to sequester and store carbon. NWL provide important climate resilience benefits such as cooling and shade, flood protection, and air and water filtration, as well as other benefits, such as production of food and fiber, wildlife habitat, and human recreation, scenery and quality of life. The Commonwealth should accurately and effectively value NWL as a part of our climate change strategy using best management practices aligned with international standards of carbon accounting and inventories, including conducting an inventory, establishing a baseline, and setting a numeric goal.

We recommend that the Commonwealth consider the existing research to cover the aspects of carbon flux that the technical evaluation did not already evaluate. Although the interim CECP states that additional analysis will be commissioned, we recommend that the 2030 CECP be specific about what aspects of NWL will be covered, when it will be done, how the analysis will inform strategies and action. Further, the 2030 CECP should drive more significant investment and more tangible policies among strategies to achieve lofty goals and policies.

A. Amend Strategy L1 to Preserve Trees in Urban Communities and Plant New Trees.

It is critical to increase canopy cover and sequestration in the built environment. In addition to the no net loss policy, the Commonwealth should go beyond providing incentives for protection, management and restoration, such as promulgating regulatory requirements, including through the Massachusetts Environmental Policy Act regulations, to avoid, minimize, and mitigate land

Joint Comments on the 2030 Clean Energy and Climate Plan to Ensure Inclusion of Climate Justice

use conversion, and incorporation of green site design within all projects. We encourage the 2030 CECP to establish annual goals for acreage and investment, improved incentives and regulations especially working with private landowners and municipalities.

It is imperative that Strategy L1 include an explicit directive to preserve healthy, mature trees and naturally vegetated areas, especially but not exclusively in the urban environment. Too often, EJ populations are waging campaigns to preserve mature trees providing many existing public health benefits in the face of development plans to remove such trees in the name of new housing or safer streets. In addition to the Resilient Lands Initiative, we recommend adding a specific action to the CECP that agencies should avoid the removal of healthy, mature trees, and mitigate any loss for transportation, development, or energy infrastructure projects. All projects undertaken by the state or receiving state funding or permits should evaluate impacts of tree removal and the ability to retain existing tree cover and add additional carbon sequestration features.

The Commonwealth needs to establish a bold goal to plant a specific number of urban and suburban trees by a certain date, with a focus on EJ populations, and along rivers, streams and meadows. We further recommend an action that requires the Commonwealth to identify priority locations to convert concrete and asphalt to green spaces in EJ populations and ensure that trees will survive and not violate accessibility laws and regulations. This recommendation is interconnected to the work to repair gas leaks and make sure that new trees are not planted in places that will be killed by gas leaks. Priority locations for tree planting should include public transit bus stops, school bus stops, and school grounds. The action should also include creating a network of shady green spaces in high-density neighborhoods across the Commonwealth using vacant lots, tax title parcels and other areas.

B. Amend Strategy L2 To Allocate Funds and Jobs for Climate Adaptation Projects That Benefit EJ Populations.

The 2030 CECP should allocate a set amount of funds for climate adaptation projects that create public health benefits in EJ populations. The cost benefit formula of adaptation measures should consider public health benefits, reduced heat island impacts, reduced flooding damage, and first prioritization to EJ populations. Current formulas and pending legislation are based on property value instead of minimizing harm from extreme weather events, climate change, air and water quality, etc. This action requires investing in grants to non-profit organizations, cities, and towns to conserve, manage and restore NWL by expanding existing grant programs and creating new ones.

We recommend adding an action to Strategy L2 that requires developers to quantify the heating and cooling implications of their projects. To ensure that transportation, housing, and commercial development do not exacerbate heat and air quality, developers should be required to quantify the effects of new construction and tree and forest removal on urban heat levels and air

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

pollution when applying for MEPA approval. The impact of gas leaks on tree health should also be considered when deciding whether to install or repair natural gas pipes or to replace them with renewable energy sources. The Commonwealth should ensure that tree planting jobs are marketed towards and accessible to EJ populations and should quantify annual forestry jobs filled by members of EJ populations.

VI. Conclusion

Climate justice will only be achieved if EEA enacts policies that bring about concrete improvements in the health and lives of communities in the Commonwealth that continue to be disproportionately impacted by pollution and experience the worst impacts of climate change and COVID-19. The policies must be holistic and be developed and implemented with community participation. Unless climate justice is a central component of the Commonwealth's path to net zero emissions, the inequities of the Commonwealth's past energy policies will be replicated. Moreover, the final CECP should provide additional details to ensure we achieve widespread transportation and building electrification in a way that works for low- and moderate-income families and workers, expand our renewable energy supply, achieve a 50 percent reduction in GHG emissions by 2030, and maximize opportunities for NWL throughout the Commonwealth.

Thank you for your careful consideration of our comments and your current and future work to get us on the path to achieving net zero emissions by 2050 in a way that benefits all Massachusetts residents. Please contact Staci Rubin (Srubin@clf.org) or Eugenia Gibbons (egibbons@hcwh.org) with questions.

Sincerely,

Acadia Center
Acton Climate Coalition (Acton, MA)
Alternatives for Community & Environment
Appalachian Mountain Club
Ceres
Conservation Law Foundation
Clean Water Action
Climate X Change
Coalition for Social Justice
Elders Climate Action - Massachusetts Chapter
Environmental League of Massachusetts
Green Energy Consumers Alliance
GreenRoots, Inc.
Health Care Without Harm
Mass Audubon
Mass Solar
Massachusetts Climate Action Network
Massachusetts Public Health Association
Metropolitan Area Planning Council

Joint Comments on the 2030 Clean Energy and Climate Plan
to Ensure Inclusion of Climate Justice

Mothers Out Front Massachusetts
PipeLine Awareness Network for the Northeast
Partnership for Policy Integrity
Sierra Club Massachusetts
Transportation for Massachusetts
Union of Concerned Scientists
Unitarian Universalist Mass Action