

March 19, 2024 (*reissued April 5, 2024, with updated bill numbers*)

Hon. Michael Barrett  
Co-Chair, Joint Committee on Telecommunications, Utilities & Energy  
Massachusetts Senate  
24 Beacon St., Room 109-D  
Boston, MA 02133

Hon. Jeffrey Roy  
Co-Chair, Joint Committee on Telecommunications, Utilities & Energy  
Massachusetts House  
24 Beacon St., Room 43  
Boston, MA 02133

**Re: Removing subsidies for woody biomass energy in proposed climate legislation**

Dear Senator Barrett, Representative Roy, and Members of the Joint Committee on Telecommunications, Utilities & Energy:

On behalf of the undersigned organizations, we write to oppose provisions concerning woody biomass energy that were included in a bill that recently emerged from the Joint Committee (the “Committee”) on Telecommunications, Utilities & Energy. As currently drafted, this legislation would expand subsidies for burning trees for energy, undermining the progress made in the climate law passed last session.<sup>1</sup> We reiterate our support for legislation that would instead remove any remaining ratepayer-funded subsidies for new wood-burning facilities. Clean energy dollars should only go to truly non-emitting technologies.

**Oppose Sections 8 and 22 - Woody Biomass Subsidy Expansion - in H.4503**

We oppose Section 8 of H.4503, which would expand ratepayer funding of wood-burning facilities through the Alternative Energy Portfolio Standard (“APS”). Specifically, Section 8 would double the Alternative Energy Credit amount per Btu of thermal energy produced by large wood boilers and furnaces if those facilities install (unspecified) emissions control devices. This provision incentivizes spending clean energy dollars on new, polluting, biomass-burning facilities in the Commonwealth; it is also a handout to existing biomass facilities, which are already required to meet emissions standards established by the Department of Energy Resources (or for larger units, by the Department of Environmental Protection).<sup>2</sup>

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<sup>1</sup> *An Act Driving Clean Energy and Offshore Wind*, Chapter 179 of the Acts of 2022, removed woody biomass from the list of sources eligible for subsidies under the Renewable Energy Portfolio Standard.

<sup>2</sup> See <https://www.mass.gov/info-details/qualifying-woody-biomass-in-the-aps>.

According to the most recent emissions data from the U.S. Environmental Protection Agency, residential and commercial wood heating accounted for 92% of all fine particulate matter (PM<sub>2.5</sub>) emissions from Massachusetts' heating sector, and 31% of the state's total PM<sub>2.5</sub> emissions.<sup>3</sup> PM<sub>2.5</sub> emissions are the leading cause of air pollution-related illness and death in the United States and have particularly acute impacts in environmental justice communities and other at-risk populations. Burning wood-based fuel also releases carbon directly into the atmosphere at an accelerated rate (as compared to leaving waste wood in the ecosystem to gradually decompose under normal forest conditions; of course, allowing trees to grow *removes* carbon from the atmosphere). Ratepayers should not be subsidizing the burning of wood-based fuels at all – even where, as here, the draft legislation claims that the intent is “to improve air quality.”

We also oppose section 22 of H.4503, which would repeal the provision of the Climate Roadmap Law<sup>4</sup> that requires the Administration to undertake a biomass health and climate impacts study. Under the Climate Roadmap Law, as of January 1, 2026, biomass is set to be included in the list of “non-carbon emitting sources” for the new greenhouse gas emissions standard (“GGES”) for municipal lighting plants (“MLPs”); the biomass study was mandated in conjunction with the creation of the MLP GGES and what was described as a “five-year moratorium” on the inclusion of biomass in that standard. While we believe that there is ample credible scientific information already available on the adverse climate, public health, and environmental impacts of woody biomass energy, Massachusetts continues to require its electric ratepayers to fund the burning of woody biomass – through the APS, and (as of 2026) the MLP GGES. So long as subsidies for wood-burning remain on the books, we will continue to advocate for this study.

### **Support S.2136/H.3210 and S.2137/H.3211 - End all Rate-Payer Subsidies for Polluting Biomass**

Governor Healey pledged to “end subsidies for forest bioenergy for electricity and commercial-scale heat.” As noted, Section 8 of H.4503 would move us further away from this goal, and we strongly oppose its inclusion in any legislation. Instead, we urge the inclusion of the policies set forth in **S.2136 /H.3210** (Gomez, Ramos, et al., *An Act to remove woody biomass from the greenhouse gas emissions standard for municipal lighting plants*) and **S.2137/H.3211** (Gomez, Ramos, et al., *An Act limiting the eligibility of woody biomass as an alternative energy supply*). These Gomez/Ramos bills remain in your Committee awaiting favorable action.

**S.2136/H.3210** would remove biomass from the new MLP GGES’ “non-carbon emitting sources” list altogether, to be consistent with the General Court’s evolved understanding that incentivizing wood burning for power makes it harder for the Commonwealth to achieve our

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<sup>3</sup> US EPA, “National Emissions Inventory,” (2020) (available at <https://www.epa.gov/air-emissions-inventories/2020-national-emissions-inventory-nei-data>).

<sup>4</sup> See Section 102 of Chapter 8 of the Acts of 2021 (the “Climate Roadmap Law”).

climate mandates. Biomass is, of course, not a “non-carbon emitting source”; burning wood releases more carbon into the air than the dirtiest fossil fuels.<sup>5</sup> Moreover, lifecycle analyses show that even when wood “residues” are burned (as opposed to trees logged for fuel), wood heating is a net source of carbon emissions in the atmosphere for decades – well past the timeframe for meaningful climate action.<sup>6</sup> Including wood in the MLP GGES would funnel money to a polluting industry by subsidizing utility-scale economically unviable wood-burning power plants throughout New England<sup>7</sup> – plants whose smokestack CO<sub>2</sub> emissions are worse than coal per unit of energy generated.<sup>8</sup> Power purchase agreements require significantly long lead times to negotiate, so it would be prudent for the Legislature to remove the MLP loophole now, thus ensuring a level playing field and regulatory certainty for all ISO New England participants. .

**S.2137/H.3211**, which we also support, would make large and intermediate-sized heating units that use wood-based fuel (such as wood boilers and furnaces) ineligible for subsidies through Massachusetts’ Alternative Energy Portfolio Standard (APS). The APS regulations that Governor Baker’s administration adopted in 2017 include weak emissions standards and forest protection guidelines for qualifying biomass heating systems. With this change, the APS “renewable thermal” subsidy will help incentivize truly clean technologies – such as heat pumps, solar hot water, and geothermal systems – without incentivizing more commercial-scale wood burning facilities. (Units defined by regulation as “small” and all units that are already participating in the APS program would not be affected by the bill as filed.)

Please do not include the proposals in sections 8 or 22 of H.4503 in any legislation going forward. Instead, we urge the Legislature to please incorporate the policies of S.2136 /H.3210 and S.2137/H.3211 into the Committee’s climate legislation.

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<sup>5</sup> Walker, T., *et al.* (Jan. 2013). *Carbon Accounting for Woody Biomass from Massachusetts (USA) Managed Forests: A Framework for Determining the Temporal Impacts of Wood Biomass Energy on Atmospheric Greenhouse Gas Levels*. *Journal of Sustainable Forestry* 32(1-2):130-158 (available at 10.1080/10549811.2011.652019)

<sup>6</sup> Laganier, J., *et al.* *Range and Uncertainties in Estimating Delays in Greenhouse Gas Mitigation Potential of Forest Bioenergy Sourced from Canadian Forests*, Feb. 2017, *GCB Bioenergy* (2017)9, 358–369, (available <https://onlinelibrary.wiley.com/doi/epdf/10.1111/gcbb.12327>); Booth, M.S., *Not Carbon Neutral: Assessing the Net Emissions Impact of Residues Burning for Energy*, Feb. 2018, *Environmental Research Letters* (available at <https://iopscience.iop.org/article/10.1088/1748-9326/aaac88>).

<sup>7</sup> Booth, M. S. (2017). *Maine Bioenergy at the Crossroads: Costs of a Failing Industry*, Partnership for Policy Integrity (available at <http://www.pfpi.net/wp-content/uploads/2017/04/PFPI-Maine-Biomass-Report-4-18-17.pdf>).

<sup>8</sup> Booth, M.S. (2014). *Trees, Trash, and Toxics: How Biomass Energy Has Become the New Coal*, PFPI (available at <https://www.pfpi.net/wp-content/uploads/2014/04/PFPI-Biomass-is-the-New-Coal-April-2-2014.pdf>).

Signed,

Rusty Polsgrove  
Environmental Justice Organizer  
Arise for Social Justice  
Springfield, MA

Anne O'Connor, Co-Chair  
Bee Friendly Williamstown  
Williamstown, MA

Jane Winn, Executive Director  
Berkshire Environmental Action Team  
(BEAT)  
Pittsfield, MA

Sharon Shepela, Member  
Bolton Local  
Bolton, MA

Fran Ludwig, Co-Chair  
Boston Catholic Climate Movement  
Lexington, MA

Lucas Duval  
Air Quality Monitoring Project Manager  
Breathe Easy Berkshires  
Pittsfield, MA

Sallye Bleiberg, Chair  
Brookhaven Residents' Climate Change  
Committee  
Lexington, MA

Candejah Pink, Vice President  
Chess Angels Promotions  
Springfield, MA

Ann Darling  
Board of Directors  
Citizens Awareness Network  
Easthampton, MA

Jane Dye, Committee Chair  
Citizens for Holden's Energy Future  
(CHEF)  
Holden, MA

Jerry Halberstadt, Coordinator  
Clean Power Coalition  
Peabody, MA

Susan Theberge  
Co-Founder and Steering Committee  
Member  
Climate Action Now Western Mass  
Florence, MA

Regina LaRocque, Leader  
Climate Code Blue  
Somerville, MA

Janet Sinclair, Co-Founder  
Concerned Citizens of Franklin County  
Greenfield, MA

Phil Thayer, Legislative Liaison  
ConcordCAN  
Concord, MA

Johannes Epke, Staff Attorney  
Conservation Law Foundation  
Boston, MA

Russ Vernon-Jones, Coordinator  
Earth Ministry Team, First Church Amherst,  
UCC  
Amherst, MA

Rick Lent, Leadership Team Member  
Elders Climate Action – MA Chapter  
Stow, MA

Anthony Jagodnik, Energy Coach  
Energy Efficient Bolton  
Bolton, MA

Kate O'Connor, Coordinator  
Extinction Rebellion Western Mass  
Northampton, MA

Nisha Swinton, Senior Organizer  
Food & Water Watch  
Washington, DC

Bob Armstrong, Co-Chair  
Franklin County CPR Climate Task Force  
Greenfield, MA

Vicky Jenkins, Chair  
Gill Energy Commission  
Gill, MA

Anna Linakis, Executive Director  
Greater Boston Physicians for Social  
Responsibility  
Brookline, MA

Marcia Cooper, President  
Green Newton  
Newton, MA

Ellen Moyer, Owner  
Greenenvironment, LLC  
Southampton, MA

Kathryn Eiseman, President  
Hilltown Vision  
Cummington, MA

Elliott Place  
HNZ Coordinating Group Member  
Hingham Net Zero  
Hingham, MA

Cindy Rowe  
President and CEO  
Jewish Alliance for Law and Social Action  
Boston, MA

Lynn Nadeau, Legs and Regs Committee  
Jewish Climate Action Network  
Boston Area, MA

Jennifer Mamola  
Advocacy and Policy Director  
John Muir Project of Earth Island Institute  
Big Bear, CA

Carolyn Lee  
Natural Resources Legislative Specialist  
League of Women Voters of Massachusetts  
Sudbury, MA

Phil Thayer, Board Member  
Massachusetts Climate Action Network  
(MCAN)  
Concord, MA

Chris Matera, Founder  
Massachusetts Forest Watch  
Northampton, MA

Cindy Davidson, Executive Director  
Massachusetts Interfaith Power & Light,  
Inc.  
Newton, MA

Rev. Jeff Barz-Snell  
Steering Committee Leader  
MetroWest Climate Solutions  
Weston, MA

Cindy Callaway, Co-Coordinator  
Mothers Out Front Newton  
Newton, MA

Lis McLoughlin, CEO  
NatureCulture  
Northfield, MA

Zulmalee Rivera  
Events Coordinator  
Neighbor to Neighbor  
Springfield, MA

Diane Ring, Co-Founder  
No Ashland Pipeline  
Ashland, MA

Rosemary Wessel  
Program Director  
No Fracked Gas in Mass  
Pittsfield, MA

Jerry Rivers, Environmental Scientist  
North American Climate, Conservation and  
Environment (NACCE)  
Roosevelt, NY

Karen Martin, Chair  
North Parish Climate Justice Group  
North Andover, MA

Holly Richardson, Director  
Out Now  
Springfield, MA

Jay McCaffrey  
New England Legislative Director  
Partnership for Policy Integrity (PFPI)  
Pelham, MA

Ken Kipen, Director  
PATH  
Ashfield, MA

Chris O'Keeffe, Volunteer  
Paulist Center Creation Care Ministry  
Boston, MA

Cathy Kristofferson, Secretary  
Pipe Line Awareness Network for the  
Northeast  
Ashby, MA

Jeanne Krieger, Co-Chair Advocacy  
Committee  
Progressive Democrats of  
Massachusetts(PDM)  
Lexington, MA

Jonathan Cohn, Policy Director  
Progressive Massachusetts  
Boston, MA

James Michel, Co-Founder  
Resist the Pipeline  
Boston, MA

Michael Kellett, Executive Director  
RESTORE: The North Woods  
Lincoln, MA

Zachary Bouricius, Chairman  
RVDSA Ecosocialist Committee  
Montague, MA

Janet Sinclair, Co-Founder  
Save Massachusetts Forests  
Shelburne Falls, MA

Meg Sheehan, Coordinator  
Save the Pine Barrens  
Plymouth, MA

Stephanie Blumenthal, President  
Sheffield Saves  
Sheffield, MA

Jess Nahigian, Political Director  
Sierra Club Massachusetts  
Cambridge, MA

Mireille Bejjani, Co-Executive Director  
Slingshot  
Boston, MA

Tracy Wallace, Vice President  
South Coast Neighbors United  
New Bedford, MA

Naia Tenerowicz, Organizer  
Springfield Climate Justice Coalition  
Springfield, MA

Rose Webster-Smith, Executive Director  
Springfield No One Leaves/Nadie Se Mude  
Springfield, MA

Zack Porter, Executive Director  
Standing Trees  
Montpelier, VT

Michael Cavanaugh, Vice President  
Sustainable Braintree  
Braintree, MA

Kimberly French, Board President  
Sustainable Middleborough  
Middleborough, MA

Paul Lauenstein, Board Member  
Sustainable Sharon Coalition  
Sharon, MA

Phyllis Theermann, President  
Sustainable Wellesley  
Wellesley, MA

Don Ogden  
Co-Founder/Co-Host  
The Enviro Show  
Florence, MA

Janet Cason, President  
350 Central Mass  
Worcester, MA

Carolyn Barthel  
Executive Committee Member  
350 Mass  
Cambridge, MA

Nicholas Warren  
2 Degrees Northampton  
Northampton, MA

Claire Karl Müller  
Movement Building Director  
Unitarian Universalist Mass Action  
Boston, MA

Verne McArthur, Chair, Green Team  
Unitarian Universalist Society of Greater  
Springfield  
Springfield, MA

Laurel Facey, Secretary  
Wendell State Forest Alliance  
Wendell, MA

Susan Kozicz  
Worcester Congregations for Climate and  
Environmental Justice  
Worcester, MA

Lundy Bancroft  
Western Mass Rights of Nature  
Amherst, MA

Cc:

Secretary Rebecca Tepper, Executive Office of Energy and Environmental Affairs  
Climate Chief Melissa Hoffer, Office of Climate Innovation and Resilience  
Commissioner Elizabeth Mahoney, Department of Energy Resources  
Commissioner Bonnie Heiple, Department of Environmental Protection