

March 19, 2024

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.¹ 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.3216

We oppose Section 8 of H.3216, 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).²

¹ *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.

² 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_{2.5}) emissions from Massachusetts' heating sector, and 31% of the state's total PM_{2.5} emissions.³ PM_{2.5} 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.3216, which would repeal the provision of the Climate Roadmap Law⁴ 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.3210 - 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.3216 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

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

⁴ 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.⁵ 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.⁶ 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 England⁷ – plants whose smokestack CO₂ emissions are worse than coal per unit of energy generated.⁸ 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.3216 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.

⁵ 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)

⁶ 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>).

⁷ 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>).

⁸ 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,

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