

December 13, 2019

The Honorable Michael Moore, Chair
Senate Committee on Bonding, Capital Expenditures and State Assets
State House
Boston, MA 02133

RE: Support – H.3997, *An Act relative to GreenWorks*

Dear Chair Moore and Honorable Members of the Senate Committee on Bonding, Capital Expenditures and State Assets,

We are writing to express our strong support for H.3997, *An Act relative to GreenWorks* (hereafter, GreenWorks), offer suggested amendments, and respectfully request a favorable report by the Committee. We greatly appreciate the leadership on climate change policy and funding House Speaker Robert A. DeLeo and Senate President Karen Spilka.

Our organizations are members of the Massachusetts Climate Change Adaptation Coalition, which includes over 50 organizations representing businesses, engineers, architects, planners and conservationists. Since the establishment of the Coalition in 2013, there has been a terrific partnership between the Legislature, the MA Executive Office of Energy and Environmental Affairs (EEA) and the Coalition on climate adaptation and resiliency policy and funding.

We also appreciate the leadership of the Legislature in helping improve and enact Chapter 209 of the Acts of 2018, *An Act promoting Climate Change Adaptation, Environmental and Natural Resource Protection, and Investments in natural Resource Assets and Opportunity*. GreenWorks is a tremendous opportunity to build upon the foundational and nation-leading work of state leaders and advance significant climate adaptation policy and funding.

We respectfully urge the Committee to consider the following principles developed by the Coalition when making decisions regarding GreenWorks:

- **Use the best available science:** Address known risks and vulnerabilities grounded in the best available science and technology; Provide accountability using metrics, outcomes and guidance on most impactful actions; Prioritize nature-based solutions (as defined in the Global Warming Solutions Act), particularly in communities of first need -- that are overburdened and underserved -- and communities that are vulnerable to climate impacts
- **Ensure alignment between mitigation and adaption to best complement each other:** Optimize renewable energy generation while minimizing impacts; Provide co-benefits (eg. critical habitats, public access and ecosystem services, workforce development), such as restoring and conserving natural resources that reduce risks and naturally remove carbon from the air; Align state policies with recommendations of *State Hazard Mitigation and Climate Adaptation Plan*
- **Promote equity and public health, safety, security, and well-being:** Reach out, build dialog, and incorporate input to ensure funding meets the needs of Environmental Justice and vulnerable communities; Provide green jobs and local economic development, including workforce development and certification, living wages, and fair working

standards

- **Increase funding from a range of sources and increase capacity:** Increase the amount of long-term and sustainable funding for all climate change goals; Provide capital and operating funding for programs and staff resources; Build upon current programs and successes; Ensure diversity of state agencies and municipalities in funding sources and responsibilities

We respectfully urge the Committee to consider the following when it prepares a redraft of GreenWorks.

We collaborated with the House of Representatives on the following changes and respectfully request the Senate Committee on Bonding, Capital Expenditures and State Assets retain the following portions of the bill:

- **Directing coordination and collaboration** between GreenWorks and MassWorks and consistency of MassWorks with the Commonwealth’s integrated *State Hazard Mitigation and Climate Adaptation Plan*. This will ensure complementary approaches, avoid duplicative costs, and strengthen the resiliency of communities.
- **Additions to sections on Sustainability Coordinators, Green Resiliency Fund and GreenWorks Infrastructure Program:**
 - Adding “nature-based solutions” projects to eligible project types for funding under the Green Resiliency Fund and the GreenWorks infrastructure program;
 - Adding water infrastructure as an eligible project type for funding under the GreenWorks infrastructure program;
 - Allowing for regional planning agencies and watershed associations who work across communities to serve as fiscal agents for multi-community projects;
 - Enhancing eligibility and preferential scoring for the most vulnerable front-line communities, such as environmental justice and smaller communities; and
 - Prohibiting funds to be used for electricity generation that generates GHGs.

We respectfully offer the following suggested amendments, offered in the order in which they would appear in the GreenWorks bill.

Sustainability Coordinators (9300-8002)

Flexibility on sustainability coordinators/ability to work across programs: We respectfully request that the Committee consider amending current language to enable the coordinators to coordinate municipal work under both GreenWorks and other EEA climate-related programs, such as the Municipal Vulnerability Preparedness (MVP) and Green Communities programs. These programs are closely intertwined, and the sustainability coordinator should ideally be able to work across each of them to maximize efficiency and complementary results. In addition, funding prioritization should be given to municipalities that band together to jointly host sustainability coordinators who can work across many smaller municipalities – a common practice among those communities with minimal funding and capacity.

GreenWorks Infrastructure Program

Add a project category for municipal actions related to biosequestration: We suggest that eligible projects be expanded to include conserving, restoring, or enhancing natural resources that can help to achieve the goal of reducing greenhouse gases and carbon pollution in the atmosphere, such as increasing the volume of carbon stored in, and decreasing greenhouse gas emissions from, natural and working lands. (Note: This would support outcomes of a study currently underway at EEA to determine pathways to meet the goals under the *Global Warming Solutions Act*, as well as a similar study called for in H.842, *An Act to Sustain Natural and Working Lands Carbon in Communities* – see more on this bill below.)

Expand eligible infrastructure projects: We respectfully ask that the Committee consider amending the current bill language to:

- **Prioritize ecosystem scale projects** – Climate change happens on large geographic scales, such as watershed-scale, and ignores municipal boundaries; therefore, communities need assistance and incentives to work together on regional levels. For example, state policy should encourage an integrated approach among communities similar to the Resilient Mystic Collaborative, a multi-town partnership that is focused on increasing climate resiliency at a watershed scale. The group is actively working on joint infrastructure solutions to deal with the expected impacts of climate change in those communities, including increased flooding and stormwater pollution.
- **Allow for NGO capital project eligibility** – Eligible infrastructure projects should be expanded to also include those located on nonprofit and private lands (with local input), to encourage public-private partnerships. Nature does not conform to property boundaries; therefore, funds must be flexible enough to be used where they will have the greatest resiliency benefits. For example, a beach nourishment or marsh restoration on the property line of town-owned land that stops abruptly at private conservation land need flexibility to conform with nature instead of municipal boundaries to achieve its resilience purpose. Such language was included in the 2018 Climate and Environment Bond (Chapter 209 of the Acts of 2018) for coastal resiliency and MVP projects in line items 2000-7073 and 2000-7081, respectively. We hope to see funds dedicated specifically for nature-based solutions.

Enhance collaboration: We respectfully request that the Committee enable better partnering between municipalities and NGOs and incentivize regional partnerships in GreenWorks infrastructure program projects. The current bill language allows regional planning agencies (RPAs) and watershed organizations to act as fiscal agents for projects between two or more municipalities. We have two suggestions to further enhance this kind of collaboration:

- In addition to RPAs and watershed groups, we suggest allowing community development corporations, social equity groups, and conservation organizations, including land trusts, to receive direct funding to facilitate and manage regional projects.
- We support the kinds of organizations mentioned above to apply as project coordinators (not just fiscal agents) for joint municipal efforts, as they have expertise working on projects at this scale. Many NGOs leverage private funding to enhance and augment public entity funds, as well as round out staffing when municipalities do not have expertise or capacity.

Finally, we respectfully offer the following new additions to the GreenWorks bill.

New: Municipal Resiliency and Mitigation Funds

We respectfully request that the Committee consider providing incentives and a menu of choices for communities to opt into that allow them to assess fees for resiliency and mitigation. Such programs could include:

- **Green Resiliency Fund** that would allow communities to assess local fees, much like a business improvement district;
- **Mitigation Funds** that would offset the impacts of development on natural resources related to climate change;
- **Carbon-banking** fund to be used exclusively for measures to remedy and offset the generation of greenhouse gases caused by activities that convert forest, wetlands, and agricultural lands for development at a size and scale determined by the secretary. This could include tree-planting and retention, restoring the function to wetlands and sustainably managing forests;
- **Water-Banking** that requires large-scale developments to offset water withdrawals by depositing funds into a dedicated municipal fund used to replace water (such as pervious paving, fixing leaky pipes and more) (see H.1781, *An Act providing for the establishment of sustainable water resource funds*, currently under consideration); and/or
- **Storm-Water Utility** that allows a community to charge a fee based on the amount of impervious cover (roads, driveways, sidewalks and roofs) that prevent water from inflow and infiltrating the ground – and cause flooding and pollution

New: Workforce Development

We respectfully request that the Committee consider adding capital funding for workforce development to the GreenWorks infrastructure program or as a stand-alone new program. Workforce development would provide a smooth path for community professionals charged with implementing GreenWorks programs. Traditional municipal infrastructure managers – energy, water supply, public works and parks – are often not well-trained or educated in the operation and maintenance of newly developed equipment and techniques designed to save energy, water, and scarce municipal funds.

There is a huge opportunity to create new jobs and well as to cultivate new infrastructure professionals, especially from underserved communities. Many certification programs help get workers trained and up to speed to help communities meet their fiscal, energy and natural resources conservation goals. For example:

- **Energy jobs:** Building Operator Certification and Smart Building Technology programs can help current professionals and newly trained workers to operate and maintain increasingly automated and controls driven energy systems (HVAC and lighting) and conservation and efficiency infrastructure.
- **Green infrastructure jobs:** National Green Infrastructure Certification can help traditional public works and water works employees and newly trained workers to manage, operate and maintain green infrastructure (or nature-based solutions), such as rain gardens, bioswales and stormwater wetlands, as well as the technical skills necessary to enter the green workforce

and earn a livable wage.

- **Water jobs:** Municipal drinking water and wastewater systems can often cost a municipality up to 40 percent of its energy costs. Properly trained workers can better operate equipment and systems to help reduce energy usage.

New: Commission/Task Force

We respectfully request that the Committee consider establishing an **EEA Climate Adaptation and Resiliency Advisory Group or Task Force** that would provide EEA advice on funding, implementation, governance, and prioritization of climate adaptation and resiliency. This group should represent infrastructure, building, public health, economic, municipal, natural resources and agriculture, social justice and environment sectors. The stakeholders would also help EEA with metrics and measures, adaptive management, and accountability.

New: Natural Climate Solutions

We respectfully request that the Committee consider attaching the *An Act to Sustain Natural and Working Lands Carbon in Communities* (H.842), as heard on May 14 by the Environment Committee (please note that S.2014 is a mirror image of H.842 and is currently before the TUE Committee). As the impacts of climate change continue to intensify, safeguarding and enhancing the carbon stored in natural and working lands is essential to meet the Commonwealth's greenhouse gas reductions goals under the Global Warming Solutions Act. Natural and working lands are the only tool we have today that works at scale to draw carbon out of the atmosphere and store it. Land based resources turn our carbon pollution into wood, soils, peat and other forms that have use and value.

Having a clear path forward will help develop consensus on an emerging issue and help inform investments by GreenWorks. H.842/S.2014 would authorize EEA to do the following:

- Accurately measure the carbon stored by and released from the land statewide;
- Set a numeric goal for how to reduce carbon emissions from lands (e.g. loss of forests and wetlands) and how to increase the size of the carbon sink on our lands (e.g., improve the management of farm soils and forest lands);
- Create a plan for how to reach that natural carbon goal; and
- Develop the policy and funding changes to realize the goal, including creating a Communities for a Sustainable Climate municipal technical assistance program.

New: Coastal Buy-Back

Research from completed buyout programs across the country shows that these investments pay for themselves in avoided recovery costs from future floods, usually within about 10 years. They also continue to provide savings through cost avoidance in perpetuity, since flood risk, response, and recovery costs are permanently avoided. Buyouts also provide additional public benefits, including physical buffering against future floods, public recreational space, and enhancement of wildlife habitat.

In addition, those who live in harm's way and first responders no longer put their lives at risk from storm floods, surges, and collapsing roads and buildings. Finally, buyout programs can result in restoration of coastal habitat for wildlife and help physically adapt our coastlines to the inevitability of sea-level rise. Such adaptation is an unavoidable task that we can either chose to undertake in an orderly fashion or wait to have imposed on us through emergency response to the next extreme weather disasters we know are coming to our coasts.

A Massachusetts coastal buy-back program has repeatedly been recommended to both the Governor and legislature in several reports from commissions and the 2014 and 2018 Environmental Bonds, as the state needs to proactively plan and invest in communities of high risk, as emergency disaster relief funding after-the-fact is insufficient and may be more costly.

Finally, for the Commonwealth to make progress on adapting to and mitigating the effects of climate change it needs substantial funding. H.3997 is responsive to this urgent need and is a critical next step. For these reasons, we respectfully urge the Committee to report the bill out favorably with our suggested amendments and additions.

Thank you for your time and consideration. Please feel free to ask any questions to Steve Long at slong@tnc.org or 617-532-8367.

Sincerely,

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