



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1064

TAMI L. GOUVEIA
STATE REPRESENTATIVE
14TH MIDDLESEX DISTRICT
ACTON, CARLISLE, CONCORD & CHELMSFORD

Committees:
Children, Families, & Persons with Disabilities
Consumer Protection & Professional Licensure
Municipalities & Regional Government
Export Development

STATE HOUSE, ROOM 146B
TEL. (617) 722-2011
Tami.Gouveia@MAhouse.gov

March 21, 2022

Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114
Attention: Nina Mascarenhas

Dear Commissioner Woodcock, Director McCarey, Mssrs. Finlayson and Osmond, et al:

I hope this letter finds you well. I am writing to express my concerns related to the recent straw proposal DOER put forth for the 2022 stretch code updates. As one of the legislators closely involved in the drafting of the net zero building code provisions included in the Next Generation Roadmap bill, I am worried about the lack of clarity and urgency expressed in this proposal.

When my colleagues and I wrote this bill, we envisioned a Building Energy Code that would lead us to buildings that are highly efficient, contain all-electric appliances, and are powered by renewable energy. We also included provisions to ensure that frontline environmental justice communities are at the center of our decision-making and set the foundation for a new, green construction workforce. The current Straw Proposal does not meet these goals. I have outlined my major concerns below:

- **The Specialized Opt-In Net Zero Stretch Code Strawman provides for the use of fossil fuels in new construction.** We know that fossil fuel-powered buildings must become a part of our past, not our future. Buildings that do not use fossil fuels are less expensive over the long term and are healthier for residents and the communities where they are situated. New construction is the easiest sector to convert to renewables and prevent the need for more expensive and disruptive retrofits. Allowing the continued use of fossil fuels in new construction limits the state's opportunity to develop a robust green construction sector and the associated green workforce. Current and future generations will be burdened with the cost of maintaining energy systems (such as the delivery of natural gas) that will not play a role in our future sources of energy. These systems will become obsolete and therefore more costly in the long run. By extending the use of fossil fuels to 2050, we cripple our ability to champion fossil fuel-free buildings now. *I request that the proposal include a quicker timeline for the complete phasing out of fossil fuels in new construction (i.e. a true net zero stretch code).*

- **The proposal does not consider major retrofits.** Nearly 75% of our existing buildings will continue to operate in the 2050s, making the retrofitting of current structures critical to the greening of Massachusetts' buildings. As described in the proposal, existing buildings are three times less efficient than new ones. We must address this issue now if we are out to meet our state's stated climate goals. Many cities have already established building standards for existing structures, including public buildings. Schools, hospitals, and congregate living facilities house our most vulnerable populations, making their swift transition away from fossil fuels critical. *I request that the proposal include a mechanism to establish guidelines for fossil fuel-free retrofits.*
- **The current proposal does not adequately consider environmental justice and low-income communities.** Frontline communities have suffered disproportionately from the impacts of burning fossil fuels. These impacts include a higher incidence of health issues (such as asthma and cancer), increased risk of safety issues (such as gas leaks), and a higher financial burden. Not only do working families spend a higher proportion of their monthly income on energy, but their energy costs are also higher due to living in draftier buildings with inadequate insulation, inadequate ventilation, and other environmental hazards. *I request that the proposal include special consideration to a stretch code that prioritizes the needs of frontline environmental justice communities.*

In coordination with the MA Net Zero Buildings Coalition, the American Institute of Architects (Massachusetts Chapter), Massachusetts Climate Action Network (MCAN), and a host of other advocacy organizations, building professionals, elected officials, and concerned residents, I ask that you implement an effective stretch code update along with a true net-zero opt-in code that will allow our municipalities to lead the way to a zero carbon future.

Thank you for your consideration of these requests and this letter.

Respectfully,

A handwritten signature in black ink that reads "Tami L. Gouveia". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Tami Gouveia, DrPH
State Representative
14th Middlesex
Massachusetts House of Representatives