



**Progress Report**  
Regional Greenhouse Gas Initiative



**Giving Wisely**  
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**Five Questions For...**  
Christophe Courchesne



**Around CLF**

# CONSERVATION **MATTERS**

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COVER STORY

## **EVERYBODY'S MOVEMENT:**

ENVIRONMENTAL JUSTICE ACROSS NEW ENGLAND



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# EVERYBODY'S MOVEMENT:

## Environmental justice across New England

**“We strive to foster healthy, vibrant communities for all. That means addressing problems that have not been priorities for traditional environmentalists, such as securing zoning changes to permit more urban agriculture, and ensuring access to affordable housing located near transit.”**

— Melissa Hoffer, VP and Director, Healthy Communities and Environmental Justice

**E**ast Boston, a neighborhood surrounded by Route 1, I-90 and the airport, has been known more for its tankers than terns, more for its pollution than for its piping plovers. One of Boston's most ethnically diverse neighborhoods, East Boston is also one with limited access to its extensive waterfront, and one with a large number of hazardous waste sites. Thanks to organizations like Chelsea Creek Action Group (CCAG), that has begun to change. In 1998, under pressure from the community, the Hess Corporation removed ten petroleum tanks from the banks of the Chelsea Creek – tanks that had been leaking into the soil and water for some time – leaving an open space in a community that once had one of the lowest rates of green space per capita in the region. However, the community continues to preserve the green space despite a lack of commitment by public officials.

“When you look at it, the land looks very natural,” said John Walkey, an East Boston resident who used to work for NOAA, a multi-service non-profit community development corporation serving East Boston. “It's been filling in with cattails, and there are a lot of birds in the area. But if you dig down you will find still more contaminants under there.”

The activities in East Boston are one example of the environmental justice



Chelsea Creek in East Boston was known more for its tankers than terns, but that's beginning to change.  
Photo credit: Barbara Mazarella

(EJ) movement, an outgrowth of the civil rights and environmental movements. In September of 1982, dump trucks carrying 6,000 truckloads of soil laced with toxic PCBs hired by the state government rolled into Warren County, North Carolina – a rural, poor, mostly black town. Warren County residents organized to stop the dumping, at times sitting down in the road to bar the trucks' passage, marking one of the first times environmental protection and freedom from disproportionate exposure to toxins was framed as a civil right.

Since then, the movement's objectives, as described by Robert “Bob” Bullard, known as the father of EJ – to “incorporate other social movements that seek to eliminate harmful practices...in housing, land use, industrial planning, health care, and sanitation services” – have been codified in state and federal laws. However, the existing laws leave much to be desired and many of the original, systemic inequalities remain. Remedying those inequalities is a key focus of CLF's mission: to protect New England's environment for the benefit of all people.

## WATER: MYSTIC & CHARLES RIVER

The laws that govern our nation's waterways are designed to eliminate pollution in all waterways. Yet, one need look no further than the Boston area's Charles and Mystic rivers to find that significant disparities remain. The Charles – synonymous to many with Harvard and MIT – has been greatly improved. Only a few miles away, Chelsea Creek, Malden, Mystic, and Island End Rivers – home to industrial sites and, not coincidentally, more than eight of the 20 most environmentally overburdened communities in Massachusetts – remains heavily polluted, as Walkey's story attests. Great work is being done on these rivers, and yet many challenges remain.

Confronting EJ issues, local grassroots organizations often form partnerships to augment their community's first-hand knowledge of problems with specific expertise and additional influence to help solve them. CLF serves that role;



Chelsea Creek Action Group Youth Crew at the Condor Street Urban Wild.

Photo Credit: Andrew DeBaun, NOAA

the work we've done we've done together with strong local partners.

## ENERGY & AIR

East Springfield, MA, like East Boston, is an environmental justice community that already bears a disproportionate burden of air pollution. Springfield now faces a proposed biomass fueled power plant that will further contaminate the air. In addition to advocating against the construction of the Springfield plant, CLF is working to shut down the Salem Harbor and Mt. Tom power plants, both located in towns with existing EJ communities. EJ communities like these often face a confluence of environmental stressors that are compounded by a lack of economic, legal, or political clout with which to hold polluters accountable. This basic fact – that many of the most polluted areas are also disproportionately low income communities and communities of color – is true across the United States, not just New England.

## A DIVERSE LANDSCAPE

For decades, CLF has worked with a broad coalition of concerned residents, public health groups and environmental organizations to provide fair, inclusive solutions to New England's EJ problems. As is true with all environmental advocacy, what we accomplish now will shape the world in which future generations live. To protect New England's environment for the benefit of all New Englanders, CLF will need to continue to engage more people from more walks of life. Says program director Melissa Hoffer, "We strive to foster healthy, vibrant communities for all. That means addressing problems that have not been priorities for traditional environmentalists, such as securing zoning changes to permit more urban agriculture, and ensuring access to affordable housing located near transit."

## CAN'T GET THERE FROM HERE



Dr. Robert Bullard

Photo courtesy of Texas Southern University

As Bob Bullard says, "all transit is not created equal." Affordable transit is a pillar of environmental justice, both as a means of preventing people from being excluded from social, cultural, and economic opportunities, but also as a means of reducing environmental burdens.

In Massachusetts, CLF works with Transportation for Massachusetts (T4MA), and in Rhode Island we work with the Coalition for Transportation Choices (CTC) – both diverse coalitions advocating for less polluting, lower carbon, reliable and affordable transportation systems. We're fighting hard in Massachusetts to oppose unfair fare increases and services cuts, and calling on the state to find long term funding solutions to MassDOT's mounting financial problems. All of our states face deep budget cuts. The federal government is slashing the transportation budget. The transportation sector remains the fastest growing source of greenhouse gas emissions in New England. Meanwhile, people have limited choices about how to get around, and rely primarily on their cars as a consequence. We need nothing less than a paradigm shift in the way New England states plan and invest in transportation infrastructure, and CLF is there, helping to build a better transportation future for all.

# REGIONAL GREENHOUSE GAS INITIATIVE (RGGI) RESULTS ARE IN: More Effective, Faster & Cheaper Than Predicted



Photo credit: Seabamirum flickr

**“In its first three years, RGGI succeeded at reducing emissions while achieving far more reductions at a lower cost than ever predicted. A market-based policy that decreases emissions, expands energy efficiency, and reduces fossil fuel use benefits the environment and economy alike.”**

— N. Jonathan Peress, VP & Director, Clean Energy & Climate Change

## BACKGROUND

In 2009 the Regional Greenhouse Gas Initiative (RGGI), the country's first market-based program to reduce global warming pollution from power plants, began full operation by ten Northeastern and Mid-Atlantic states after over five years of hard work by the states, industry and advocates like CLF. RGGI's goal was to reduce those emissions by 10% by 2018. On December 31, 2011, the program ended its first three year compliance period. Member states are now preparing for phase II.

## THE RESULTS

Because emissions were reduced far more effectively than envisioned, the first compliance period ended with a surplus of allowances that permit the release of global warming pollution. While there are many factors leading to decreased emissions, the bottom line is that cleaner power sources and energy efficiency captured the market share of the older power plants on which New England has historically relied. CLF believes that the signal RGGI sent to the energy markets is one of the reasons for this pollution reduction.

We also know from past experience that economic incentive programs accelerate the timetable for reducing emissions and achieve reductions at lower cost – often times far lower than initially projected.

## ECONOMIC BENEFITS

Under the RGGI program, emissions allowances are auctioned, and the auction revenues are invested in energy efficiency and clean energy programs that increase jobs and add economic value in the participating states. A recent study shows that the program added \$1.6 billion in net benefits to the RGGI region economy, with \$888 million in New England alone. It saved electricity customers \$1.3 billion on their energy bills region-wide through investment in energy efficiency and created 16,000 Job Years during the first 3 years of the program. Meanwhile, the costs were minimal, creating a modest 0.7% electricity price increase on customer bills across the region.

## CLF IN ACTION

CLF has been deeply involved with the RGGI program from its inception. As the member states undertake a review of how the program is working, CLF is working

to ensure RGGI's long-term effectiveness through a thorough, empirical evaluation of the program's performance. CLF is using this member review process as an opportunity to unlock critical insights, update the program with the direction of the electricity market, and advance the transformation of energy supply from aging fossil fuel power plants to new more efficient and lower cost energy sources. The ongoing program review is critical to ensure that the program's objectives are connected with its outcomes.

## NEXT STEPS

As RGGI begins the second compliance period, CLF attorneys are helping inform the future direction of the program based on our extensive knowledge of environmental regulatory policy and the design of the New England electricity market. CLF has submitted comments to the states with suggestions for refining the program. CLF is participating in public forums addressing issues like the effects of new renewable energy facilities on emissions, maintaining efficient allowance markets and the region-wide emissions budget. As the RGGI program continues to evolve, it provides a real-world example of how good environmental policy is also good economic policy.

## WHERE CLF STANDS

CLF is tackling the reality of climate change by advocating for strong carbon reduction programs. We strongly believe that RGGI, while first and foremost an effort to reduce greenhouse gas emissions, is also a win for the economy, consumers and business, as well as the environment.



## GIVING WISELY

As CLF members, we all care deeply about the work CLF does – some of us so much so that we choose to leave a lasting legacy to the environment by including CLF in our estate plans. Suppose you want to do just that and, at the same time, treat your heirs well. Which assets should go to your heirs and which to CLF? Here's an idea that benefits you, your heirs, and CLF.

It may be tempting to leave your retirement assets (IRA, 401K, Keogh, etc.) to your heirs and leave cash to CLF. After all, pension distributions can potentially provide a lifetime income to your heirs. As thoughtful as this is, it is a poor choice as it leaves your heirs with a substantial built-in tax liability – sometimes as high as 35%. It's much better to leave them most other assets (cash, stocks, real estate, etc.) that come with no built-in tax liability. Your heirs can invest these any way they want, knowing that the tax meter starts at zero.

Leaving your retirement assets to CLF, on the other hand, is a “deal made in heaven.” Since CLF is a non-profit, it doesn't incur the tax liability that your heirs would have. In fact, you could afford to leave more to CLF in retirement assets than you would in cash, and your heirs would be just as well off after taxes! More good news is that you don't have to change your will to do this. Retirement assets are controlled by a beneficiary designation. You just have to name CLF as beneficiary or contingent beneficiary after your spouse.

John Hammond  
Lincoln, MA  
CLF member since 1984  
Trustee since 2009  
Massachusetts State Board since 2002

*Please consult your financial advisor.*

*Photo credit: flickr*

### { BE A SMART PHILANTHROPIST }

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Contact us today to learn more about giving to CLF.

Elizabeth Scott  
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We all want our donations to make the biggest impact possible on the things we care most about. Now CLF has a new tool to help you achieve just that. We are pleased to unveil CLF's new planned giving website: [www.clf.org/plannedgiving](http://www.clf.org/plannedgiving). The new site presents the different ways you can support CLF's important work

and demonstrates the financial and tax implications of each. The site also offers free e-brochures with helpful topics like when is the best time to create a will and the best way to pass on your conservation values. We hope you find this a useful tool when planning your next gift to CLF!

# CHRISTOPHE COURCHESNE

Staff Attorney, CLF NH

Photo credit: Katie Barnes



**New Hampshire is at a crossroads. The effects of choices made on Northern Pass, as well as other issues, will endure for generations. Christophe Courchesne talks about how CLF is tackling these issues to create a more vibrant New Hampshire and New England.**

## 2 What is the most pressing environmental issue facing NH right now?

To pick just one, climate change. The effects are already in evidence from the alpine meadows of the White Mountains to the waters off the Seacoast. But if we can begin to make the necessary, but politically difficult transformations — in our energy and transportation systems, our patterns of land use and development, and lifestyle changes — the benefits will go a long way to fixing other environmental problems in New Hampshire, by cleaning up our air and water, improving public health, and rebuilding local economies.

more and more like the wrong approach — a terrible deal for New Hampshire that would not move New England toward a cleaner energy portfolio.

## 4 What are the connections between CLF's work on Northern Pass and our Coal-free New England campaign?

They go hand in hand. For new imports from Canada to make sense, they must displace dirty power here in New England, and there is no dirtier fuel in our energy mix than coal. Northern Pass's primary developer, Northeast Utilities, operates two coal plants in New Hampshire. CLF is insisting that Northern Pass, if approved, must hasten the retirement of those plants.

## 1 What experiences led you to pursue your career?

I was drawn to political and legal issues from a very young age. Through college and law school, I found that environmental debates posed fascinating, interdisciplinary questions that connected local decisions "on the ground" with national and global challenges. Our literary advocates of local environmental stewardship, among them Wendell Berry and Aldo Leopold, inspired me to devote my professional life to the cause.

## 3 What does the Northern Pass project mean not only for NH but for the region as a whole?

The Northern Pass project — a 180-mile transmission line proposed between the Canadian border and southern New Hampshire — represents a crossroads for the entire region's energy future. We really need a region-wide debate on whether and to what extent we need new imports from Quebec's massive hydroelectric projects. Right now, the project is looking

## 5 You have two young sons. What sort of New England do you want them to grow up in — and how is CLF working to make that happen?

I want my sons to know and love their backyard, beautiful wild places, and vibrant cities. It's such a privilege to be here because CLF's advocacy — taking down a coal plant, promoting public transportation, cleaning up a damaged estuary, or fighting for clean, local renewable power — is all about finding solutions that bring us closer to a renewed New England.



Photo credit: istockphoto

# AROUND CLF

## MAINE

- As a result of pressure applied by CLF and others, US EPA agreed to act on water certification standards for Flagstaff Lake after Maine DEP Commissioner Patricia Aho failed to act, resulting in the state losing its ability to have any say in the matter for the next 25 years.
- CLF Maine welcomes Ivy Frignoca as a staff attorney, and Malcolm Burson as a public policy volunteer.

## MASSACHUSETTS

- The Massachusetts Supreme Judicial Court upheld the Massachusetts DPU's approval of a long-term power contract between Cape Wind and electric utility National Grid, affirming the conclusion that Cape Wind's costs are reasonable in light of its many ratepayer benefits.
- CLF, together with HealthLink, brought a definitive end to the aging, inefficient and polluting Salem Harbor Station power plant by securing an enforceable commitment from plant owner Dominion

to completely shut down the 60-year-old coal-fired power plant by 2014.

- CLF Massachusetts welcomes Ben Carmichael as senior communications manager, and Erin Maki as senior staff accountant.

## NEW HAMPSHIRE

- CLF New Hampshire announced the launch of its Great Bay-Piscataqua Waterkeeper program, details of which can be found at: [www.clf.org/greatbaywaterkeeper](http://www.clf.org/greatbaywaterkeeper)
- CLF New Hampshire welcomes Peter Wellenberger as its Great Bay-Piscataqua Waterkeeper.

## RHODE ISLAND

- CLF Rhode Island welcomes Kyle Murray as a volunteer lawyer.

## VERMONT

- Following a lawsuit by CLF, the Vermont Agency of Natural Resources abandoned a rule that would have allowed

ATV clubs to crisscross and fragment Vermont state lands with ATV trails.

- CLF Vermont welcomes Zak Griefen as enforcement litigator.

## VENTURES

- CLF Ventures is consulting to the Rhode Island Food Policy Council to develop a business plan—including financial projections and estimated expenses, potential revenue sources, and guidance on operational efficiency at RIFPC—with the goal of advancing sustainable agriculture and food systems in Rhode Island.

## REGIONAL

- As CLF's Jonathan Peress said in a press statement, the EPA's recent Mercury and Air Toxics Standards (MATS) "amount to one of the most significant public health and environmental measures in years." They are also similar to standards we adopted here in New England years ago.

## FOLLOW CLF ONLINE

Sign up for email alerts @ [clf.org](mailto:clf.org)

In between quarterly issues of *Conservation Matters*, make sure you stay informed of what CLF is doing and how you might be able to get involved. Doing so is easy – just find us at any one of the following websites.

- CLF's blog [clf.org/blog/](http://clf.org/blog/)
- Twitter @theclf
- Facebook [facebook.com/TheCLF](https://www.facebook.com/TheCLF)
- LinkedIn
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# CONSERVATION MATTERS

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## LETTER FROM THE PRESIDENT



Dear CLF Friends,

New England is rocky coasts and country lanes, rolling hills and fall colors, fresh fish and snowy winters. It is also tight-knit

communities, big and small, and many of them are struggling to stay healthy – economically, socially and environmentally.

New England is home to just 5% of the U.S. population, and yet it reflects many of America's national trends: urban cores striving for livability and equity, suburbs choking on growth, governments struggling to provide water, sewer and other basic services. At the same time, we're still grappling with pollution and land-use patterns from our industrial history that affect some communities more than others.

CLF is working to address the systemic inequalities that affect our environment and our communities. This work is especially needed in neighborhoods like those in East

Boston and in East Springfield, MA, where communities suffer from neglect and contamination, lack access to green spaces and waterfronts, and need help holding polluters accountable. Helping these communities thrive – in terms of public health, economic welfare and environmental quality – requires a broader definition of the environment.

Great urban schools? Sound municipal budgets? Efficient workplaces? Transportation options? Safe streets? They're all part of a fully healthy environment – social and natural. Clean air and water without these elements of a healthy community is not a complete environmental solution.

These goals will benefit all of us. Ask yourself: who will benefit from a clean energy system, sound public transit systems and thriving, sustainable cities? All of New England.

Best,  
  
John Kassel

**John Kassel**  
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