

# BERDO REVIEW BOARD MEETING

May 27, 2025



# BERDO REVIEW BOARD



**Jessica Boatright**  
*Board Chair*



**Rashida Boyd**  
*Board Member*



**Gabriela Coletta Zapata**  
*City Councilor*



**Stephen Ellis**  
*Board Member*



**Hessann Farooqi**  
*Board Member*



**Lori Ferriss**  
*Board Member*



**Gail Latimore**  
*Board Member*



**Reginald Stovell Jr.**  
*Board Member*

# City of Boston Staff



**Diana  
Vasquez**

---

*BERDO Review  
Board Manager*



**Dr. Claudia  
Diezmartinez**

---

*Policy and Equity  
Advisor*



**Zengel  
"Ziggy" Chin**

---

*BERDO Review Board  
Assistant*



**Oliver  
Sellers-Garci  
a**

---

*Environment  
Department,  
Commissioner*

# Agenda

*Today's Meeting*



## **Public Hearing**

- 1.** *Hardship Compliance Plan*

## **Public Meeting**

- 2.** *Report and Discussion on BERDO Regulations Update*
- 3.** *Approval of Meeting Minutes*
- 4.** *Administrative Updates*
- 5.** *Adjournment*



The background of the slide is a dark blue wireframe illustration of a cityscape, showing various buildings and structures from an aerial perspective. The lines are light blue and create a sense of depth and architectural complexity.

# Hardship Compliance Plan

*Overview*

# Flexibility Measures



	EMISSIONS REDUCTION REQUIREMENTS 	CAN BE COMBINED WITH 
<b>Building Portfolios</b>	Must comply with the portfolio-level Blended Emissions Standard in every compliance year and achieve net-zero by 2050.	<ul style="list-style-type: none"> <li>• Individual Compliance Schedules; or</li> <li>• Hardship Compliance Plans</li> </ul>
<b>Individual Compliance Schedules</b>	A building must reduce its total emissions by 50% by 2030 and 100% by 2050 from the selected baseline year. Emissions limits must decline linearly or better in five year increments.	<ul style="list-style-type: none"> <li>• Building Portfolios</li> </ul>
<b>Hardship Compliance Plans</b>	Owners must propose an emissions reduction plan that fits the hardship they're facing. This may include asking for a different timeline and/or emissions limits based on their emission reduction plan.	<ul style="list-style-type: none"> <li>• Building Portfolios</li> </ul>

# What is a Hardship Compliance Plan?

## A Hardship Compliance Plan is a flexibility measure that:

- ✓ Can provide relief and flexibility with complying with BERDO emissions limits by providing alternative emissions standards and/or timelines for complying with emissions standards.
- ✓ Is available to owners with buildings that have an “eligible hardship.”
- ✓ Must be approved by the BERDO Review Board, who may set conditions on the approval.

## A Hardship Compliance Plan is not:

- ✗ An exemption to complying with emissions standards.
- ✗ An exemption from annual reporting and third-party verification requirements.

# Types of Hardship Compliance Plans

Two types of HCPs are available:

## SHORT-TERM HCP

- May grant relief for 1 - 3 years.
- May be extended once due to extenuating conditions for up to 12 months.

## LONG-TERM HCP

- May grant relief for 4+ years.
- Review Board shall reassess approved plans every 5 years.

# What Types of Relief are Available?



**Alternative schedules** for complying with emissions limits.



**Alternative Emissions standards** than the default schedule.



**Exemption of specified Energy use(s)**, in whole or in part.



Adjusted compliance obligations **due to third-party barriers or delays** to efficiency or electrification projects.



**Additional compliance mechanisms** that the Review Board determines are consistent with BERDO.



**Other relief the Review Board deems appropriate** on a case-by-case basis.

# What Creates an “Eligible Hardship”?

Step 1. Demonstrate existence of one or more defined **circumstances and characteristics**

REGULATORY OR CONTRACTUAL

FINANCIAL

TECHNICAL OR OPERATIONAL

OTHER



Step 2. Evaluate all available **compliance options**

COMPLIANCE  
MECHANISMS &  
FLEXIBILITY MEASURES



Step 3. Describe how **after completing steps 1 and 2**, you still experience one or more eligible hardship(s)

ELIGIBLE HARDSHIP(S)

# Application and Hearing Process

## Public Hearing

The Review Board will hold a public hearing for all HCP applications.

- *There will be an opportunity for questions from the Board and a public comment period.*

## Board Votes

The Review Board can deny, continue, or approve the Hardship Compliance Plan with standard and/or special conditions.

# Application and Hearing Process



## Standard Conditions for all HCP:

- *For any Building that is required to meet a more stringent or net-zero Emissions standard prior to 2050 pursuant to zoning requirements, an Owner must comply with that Building-specific Emissions standard every year regardless of any relief granted in a HCP.*
- *For long-term HCP, the Review Board shall reassess approved plans every 5 years*
- *The Review Board or its designee may inspect any Building that is subject to a HCP in order to assess compliance with the terms and conditions of said Hardship Compliance Plan.*

# Application and Hearing Process



## Guidelines for Special Conditions:

- Relevant to the distribution of benefits to Environmental Justice Populations and advancing the purpose of BERDO.
- Examples include measures related to e.g., equitable workforce development, housing affordability and stabilization, energy cost- and benefit-sharing, public health, and climate resilience.
- Any proposal for special conditions shall be agreed upon with the applicant and likely be discussed with the applicant ahead of a hearing.

The background of the slide is a dark blue wireframe illustration of a city skyline, viewed from an elevated perspective. The buildings are represented by white and light blue outlines, creating a complex geometric pattern. A semi-transparent dark blue horizontal band runs across the middle of the image, serving as a backdrop for the text.

# New England Aquarium Corp

*Hardship Compliance Plan*



# BERDO Review Board Hearing

May 27, 2025



**New England  
Aquarium**

*Protecting the blue planet*

# WHO WE ARE



**1969**  
Opening Day  
welcomes  
12,000 visitors



**1998**  
West Wing, gift  
shop and Café  
are added



**2001**  
IMAX Simons  
Theatre is  
added



**2009**  
New Balance  
Foundation  
Marine  
Mammal  
Center opens



**2010**  
Marine Animal  
Rescue in  
Quincy opens



**2011**  
Trust Family  
Shark & Ray  
Touch Tank  
opens

**2013**  
Giant Ocean  
Tank re-opens  
after  
renovations



**2016**  
Anderson  
Cabot Center  
for Ocean Life  
launches



**2018**  
Vikki Spruill  
named President  
& CEO



**2020**  
COVID-19  
Pandemic  
forces closure



**2023**  
Campus  
Master  
Planning  
kicks off



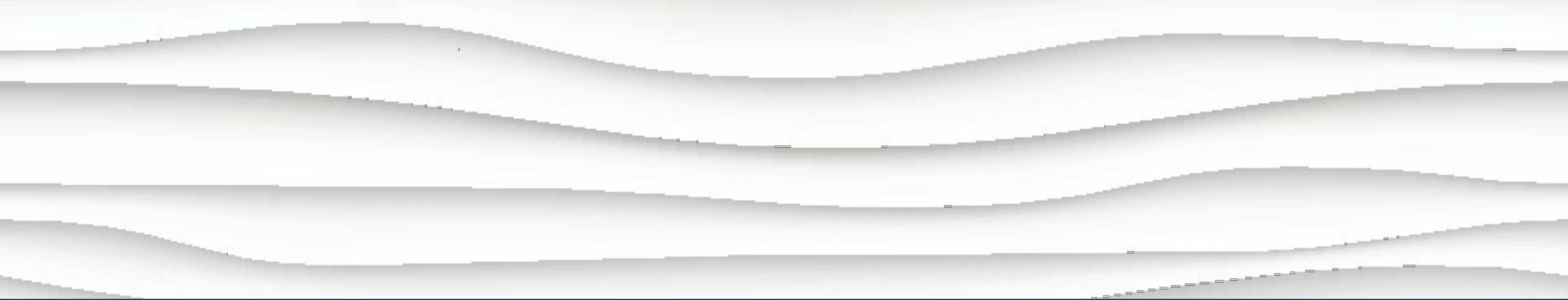


## **OUR MISSION**

The New England Aquarium is a catalyst for global change through public engagement, commitment to marine animal conservation, leadership in education, innovative scientific research, and effective advocacy for vital and vibrant oceans.



*Protecting the blue planet*



**OUR VISION**  
A vibrant and vital ocean for future generations

# OUR VALUES

**We live blue.**

**We lead with science.**

**We innovate.**

**We balance.**

**We commit to diversity, equity, and inclusion plus.**

**We work at the speed of trust.**



*Protecting the blue planet*

## **OUR PILLARS**

**We use science to protect animals and the ocean.**

**We help others use the ocean responsibly.**

**We inspire people to love, respect, and act for the ocean.**

**We help create engaged, resilient communities.**



**New England  
Aquarium**

*Protecting the blue planet*



**The New England Aquarium is who we are.  
Conservation is what we do.**



# CONSERVATION LEADERSHIP

## International and National

- International Union for Conservation of Nature
- Association of Zoos and Aquariums
- Aquarium Conservation Partnership
- American Alliance of Museums

## State

- ResilientCoasts External Task Force
- Rose Kennedy Greenway Conservancy Board



New England  
Aquarium

*Protecting the blue planet*

# CIVIC LEADERSHIP

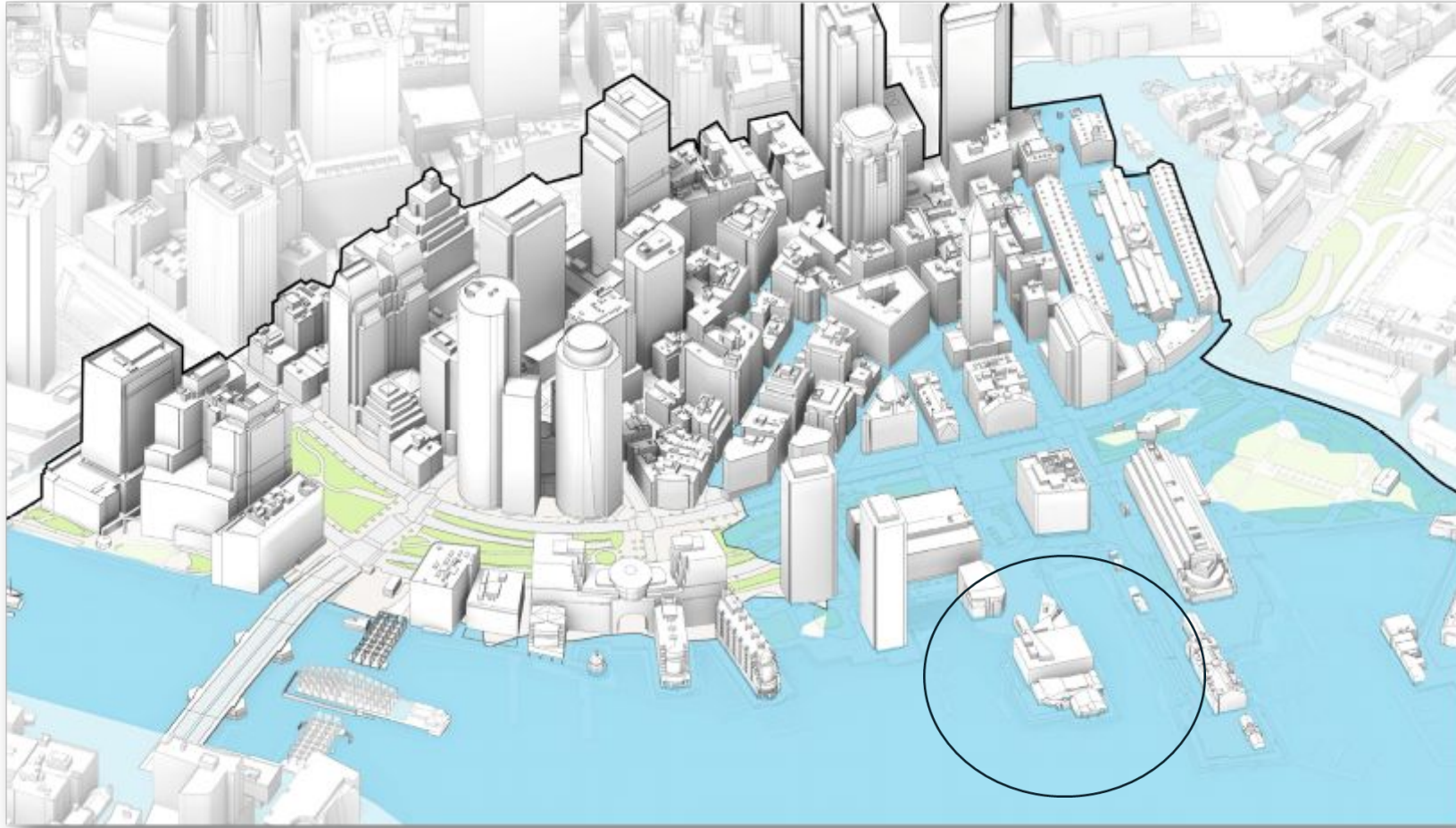
## City

- Green Ribbon Commission
- A Better City
- Wharf District Council
- Boston Municipal Research Bureau Board of Directors
- Greater Boston Chamber of Commerce
- Greater Boston Chamber of Commerce Foundation Board
- M&T Bank



*Protecting the blue planet*

# PROTECTING THE DOWNTOWN WATERFRONT



*Image courtesy of the Wharf District Council*

# ECONOMIC IMPACT: CITY AND STATE

The New England Aquarium contributes nearly **\$270,000,000** to the Boston and Massachusetts economies.

Here's how that impact can be attributed:

- **Direct Spending:** Aquarium spending on employee wages, vendor payments, and direct payments to government.
- **Induced Spending:** Contributions to the economy as a result of visitors drawn to the region because of the Aquarium.



*Prepared in conjunction with Tufts Consulting Collective.*

# ECONOMIC IMPACT: CENTRAL WHARF



- New England Aquarium Whale Watch operated by Boston Harbor City Cruises
- Boston Duck Tours
- Ben & Jerry's
- South Dock (ferries, water taxis)
- Harborwalk

# SUSTAINABILITY PLANNING

**Priority:** Create and communicate a comprehensive organizational sustainability plan that aligns with our *live blue* value.

**Opportunity:** Take a holistic approach to ensuring the Aquarium is adhering to sustainable practices and, in some cases, serving as a leader among our counterparts, partners, and/or neighbors.

- Waste Food/Materials
- Energy/Water
- Animal Collection/Feed
- Funding/Finance
- Education/Communication

# WHY ARE WE ASKING FOR RELIEF?

- Not a traditional place of assembly
  - Energy Use Intensity = 232.1 kBtu/sf
- Building and space constraints
- Current unavailability of Green Steam
  - Plan to purchase 15% next year with the expectation of purchasing 100% by 2035
- Significantly higher compliance costs
  - \$1.1mm electric boiler expense (not able to bring these online until 2030)
  - \$400k per year increase in utility costs

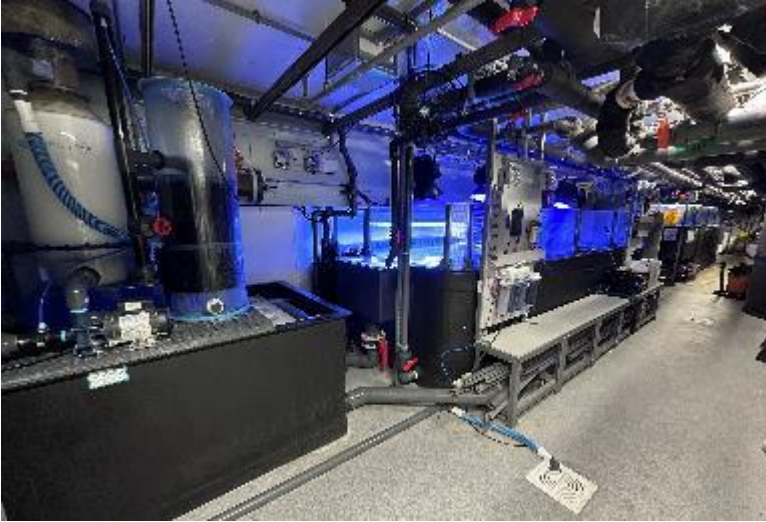


# HOW ARE WE DIFFERENT?

The Aquarium is home to nearly **10,000 species** of aquatic animals and **50 exhibits**.



# HOW ARE WE DIFFERENT?



We operate:

- 200+ Life Support Systems
  - Pumps
  - Filters
- High Pressure Steam System
- Chilled Water Systems
- Air Handling Unit
  - 24,600lb
  - 70,000acfm
- Lighting Systems
- Water Quality Control Systems

# PROPOSED INDIVIDUAL COMPLIANCE SCHEDULE VS THE PUBLIC ASSEMBLY SCHEDULE

Alternative Emissions Reduction Schedule (kg CO <sub>2</sub> e/sq ft/year)		
	Public Assembly Schedule	Alternative Schedule
2025-2029	7.8	14.8
2030-2034	4.6	10.2
2035-2039	3.3	4.6
2040-2044	2.1	2.1
2045-2049	1.1	1.1
2050	0	0

We are proposing an alternative emissions schedule that is more aligned with results of a study conducted by Verdis Group through participants of the Aquarium Conservation Partnership.

# AQUARIUM CONSERVATION PARTNERSHIP



Aquarium Conservation  
Partnership

Working together to increase our conservation impact

The **Aquarium Conservation Partnership (ACP)** is a coalition of 35 aquariums working together to increase our conservation impact.

ACP Pledge: Carbon Net Zero GHG Emissions by 2040



*Protecting the blue planet*

# BENCHMARKING PARTICIPANTS



\* Emissions measured for the whole zoo but the aquarium is not submetered. Will be included in future benchmarks.



Protecting the blue planet

# PATHWAYS TO NET ZERO

Strategy	Alt. Pathway 1: Green Steam	Alt. Pathway 2: Full Electrification
Implement identified energy efficiency measures	x	x
On-site renewable energy generation		
Low carbon fuels – electric kitchen equipment	x	x
Low carbon fuels – purchase green steam	x	
Low carbon fuels – Install electric boilers		x
Green power procurements or RECs	x	x

# PATHWAY TO NET ZERO

Measure Category	Year of Implementation	Annual Estimated energy savings (mmBtu)	Estimated CO2e savings (MT)*
ECM#1 – Installation of air-curtains at the entrance	2025	67,614	3
ECM#2 – Installation of VFD controls on AHU supply and return fan motors	2025	278,450	20
ECM#3 - Installation of VFD controls on chilled water pumps and condenser water pumps	2025	53,128	4
ECM#4 - Installation of VFD controls on process pumps without VFDs	2025	1,649,346	119
ECM#5 – Replace York water-cooled chiller with new VFD screw chiller	2026	545,020	39
ECM#6 - Electrification of kitchen equipment	2030	140,898	6
ECM#7 - Replace Multistack chiller condenser fans with ECM motors	2030	32,394	2
<b>Total</b>		<b>2,766,850</b>	<b>193</b>

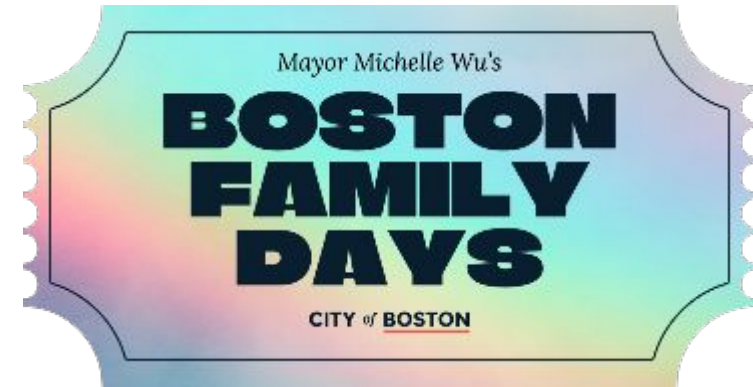
# PATHWAY TO NET ZERO

The effect purchasing Green Steam will have on our kgCO<sub>2</sub>e/sf

Year	Alt. Compliance Limit (kgCO <sub>2</sub> e/sf)	% Green Steam Purchased	Resulting Decarb Model Intensity (kgCO <sub>2</sub> e/sf)
2025	14.8	15	13.7
2030	10.2	66	10.2
2035	7.3	100	3.8*
2040	4.6	100	0.0*
2045	2.4	100	0.0*
2050	0	100	0.0*

# ENVIRONMENTAL JUSTICE

- Boston Family Days
- Coalition for a Resilient and Inclusive Waterfront
- Continue Educational Outreach
- Partner with Boston's PowerCorps Program through the A Better City
- Allow public access to our tent (when it is not in use for private events)
- Consider flood risk when/if replacing or installing mechanical systems in our building
- Collaborate with the City to close the 2030 flood pathway that impacts Central Wharf





**New England  
Aquarium**

*Protecting the blue planet*

The background of the slide is a dark blue wireframe illustration of a city skyline, viewed from an elevated perspective. The buildings are represented by white and light blue lines, creating a complex, geometric pattern. A semi-transparent dark blue horizontal band runs across the middle of the image, serving as a backdrop for the text.

# Staff Comments

*Environment Department shares staff comments*

# Staff Comments

## **STAFF COMMENTS:**

- The application was originally submitted in July, 2024. Staff reviewed and deemed the initial submission as incomplete. Since then, staff has worked with the New England Aquarium to modify their application to answer questions and informational gaps. This submission is the third iteration and was deemed complete by staff.
  - Staff has also had Steven Winter Associates review application and prepare a short memo for the Board. This memo is available to you in your Board folder.

## **STAFF RECOMMENDATIONS:**

- Staff recommends approving with standard conditions and recommended special conditions (next slide).

# Staff Recommended Special Conditions

## Reporting Updates

- 1. Once a Year:** NEAq shall submit a brief written update by March 1 of each year regarding emissions reduction efforts for this building. Items to be included:
  - Updates on the planning and implementation of energy efficiency projects, renewable energy generation or procurement projects, and any other emissions reduction efforts related to BERDO compliance, such as exploring heat pump technology, geothermal, etc.
  - Investments made for BERDO compliance and funding or financing options being pursued to implement compliance efforts.
  - Updates on the implementation of equitable workforce development commitments.
  - Updates on the implementation of climate resilience commitments.
  - The first written update shall be submitted by March 1, 2026.
- 2. Every Five Years:** As part of the reassessment of the Hardship Compliance Plan every five years, NEAq shall provide an update regarding progress on the implementation of the stated commitments in each of the following categories:
  - Emissions reduction
  - Equitable workforce development
  - Climate resilience

## Acting on Stated Commitments

- 3.** For the duration of the Hardship Compliance Plan: NEAq must demonstrate good faith efforts towards the implementation of stated commitments or demonstrate good faith efforts to pursue similar commitments in the following categories:
  - Emissions reduction
  - Equitable workforce development
  - Climate resilience

The background of the slide is a dark blue aerial wireframe map of a city, showing the outlines of buildings, streets, and parks. The lines are white and create a complex, geometric pattern.

# Board Q&A

*Board Members may discuss and ask staff questions*

The background of the slide is a dark blue aerial wireframe map of a city, showing the outlines of buildings, streets, and parks. The lines are white and create a complex, geometric pattern.

# Public Comment Period

*Members of the public may provide public comment*

The background of the slide is a dark blue wireframe illustration of a city skyline, viewed from an elevated perspective. The buildings are represented by white and light blue lines, creating a complex, geometric pattern. A semi-transparent dark blue horizontal band runs across the middle of the image, serving as a backdrop for the text.

# Board Motion & Vote

*New England Aquarium Corporation*



# Public Meeting

The background of the slide is a dark blue aerial wireframe map of a city, showing building footprints, streets, and parks in a light blue/white line-art style.

# Presentation and Discussion

*BERDO Regulations Update - Key Straw Proposals*

# BERDO Regulatory Structure



## EXAMPLES

### ORDINANCE

Local law that established BERDO and the key requirements of the program. Adopted by City Council in 2021.

*Creates Building Portfolios as a flexibility measure to be approved by the Review Board.*

### REGULATIONS

Specific rules to implement and enforce the objectives of the Ordinance. Adopted by the Air Pollution Control Commission.

*Defines application process for Building Portfolios. Establishes EJ requirements for certain Building Portfolios.*

### POLICIES AND PROCEDURES

More detailed guidelines that clarify the Ordinance and regulations and may be updated more frequently to respond to lessons learned during implementation and adapt to changes.

*Clarifies the data sources of EJ maps required by Regulations for certain Building Portfolios.*

### GUIDANCE

How-to guides and manuals directed at building owners to help them navigate BERDO and comply with its requirements.

*EJ Mapping Tool Guide to help building owners create the EJ maps needed for certain Building Portfolio applications.*

# 2025 BERDO Regulations Update Scope



ORDINANCE



REGULATIONS



POLICIES AND  
PROCEDURES



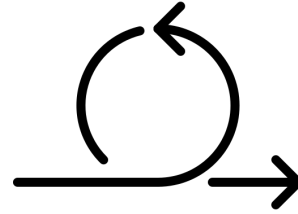
GUIDANCE

We are updating **Regulations** and **Policies and Procedures** related to **flexibility measure applications and third-party verification**. We are clarifying language related to already **existing BERDO procedures** (e.g., reporting of buildings with shared systems, Campus reporting, emissions calculation formulas, etc.)

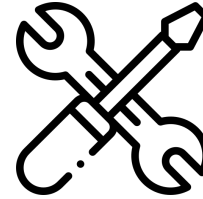
**OTHER SUBSTANTIAL CHANGES TO THE REGULATIONS ARE NOT BEING CONSIDERED**

# Why?

## EQUITABLE IMPLEMENTATION



ITERATIVE  
LEARNING



RECTIFY  
UNFORESEEN  
BURDENS AND  
CHALLENGES



RESPONSIVE TO  
COMMUNITY  
NEEDS

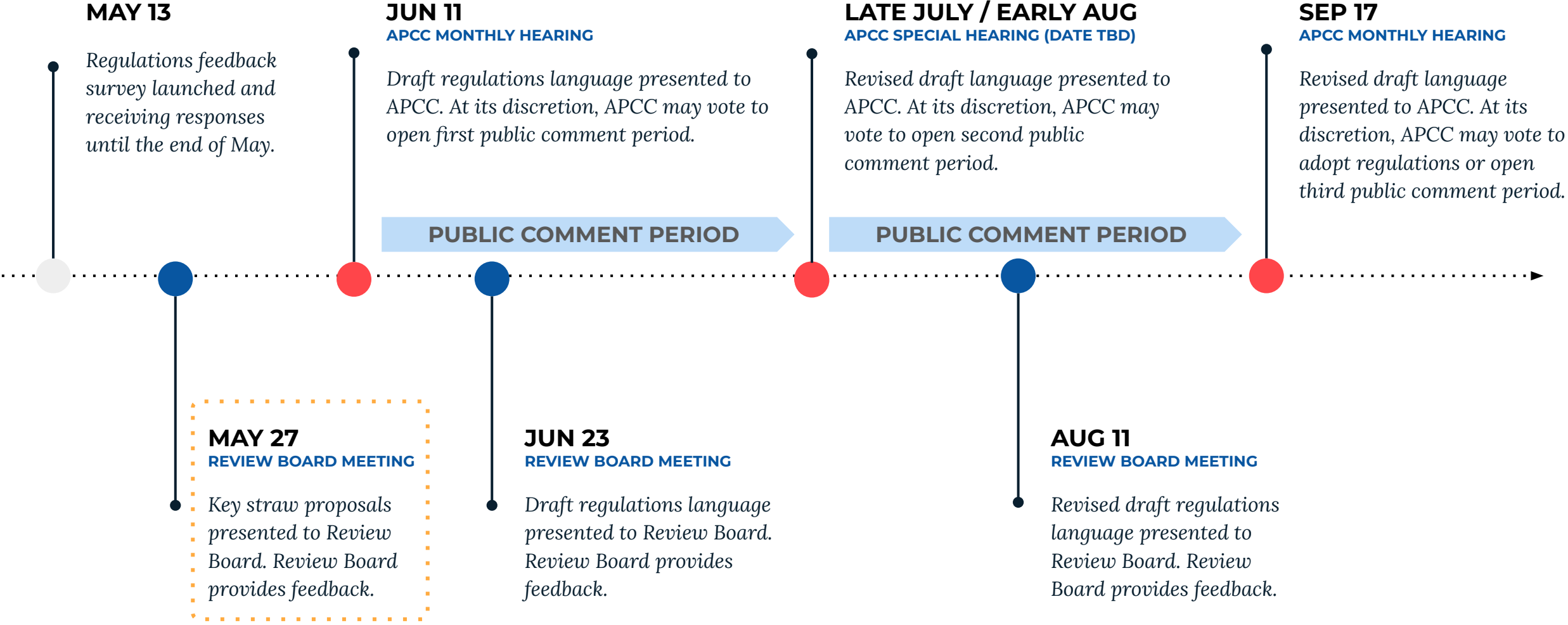
We are seeking to respond to challenges and lessons learned we have identified through:

1. Help desk and day-to-day implementation of BERDO
2. BERDO Review Board meetings and processes
3. Virtual Building Consultations
4. In-Person BERDO Workshops



# 2025 BERDO Regulations Update Tentative Timeline

Timeline subject to change at the discretion of the Air Pollution Control Commission (APCC)



# Key Straw Proposals

*Straw proposals subject to change*

The Environment Department is proposing six key changes in the 2025 BERDO Regulations Update:

- 1. Streamlining requirements for third-party verification**
- 2. Modifying application deadlines for flexibility measures**
- 3. Enabling building owners to extend voting timelines for flexibility measures**
- 4. Removing requirement to record decisions related to flexibility measures in the Registry of Deeds for most flexibility measures**
- 5. Enabling the Review Board to grant exemptions on solar requirements without a Hardship Compliance Plan**
- 6. Delineating roles between the APCC, Review Board, and Environment Department**

Additional clarifying draft language related to existing BERDO procedures (e.g., reporting of buildings with shared systems, emissions calculation formulas, etc.) will be presented to APCC in June.



# 1. Streamlining requirements for third-party verification

*Straw proposals subject to change*

CURRENT REQUIREMENTS	PROPOSED CHANGES
<p>All building owners are required to provide third-party verification of their reported data for the five calendar years prior in 2026, and every Verification Year thereafter.</p>	<p><b>For 2025 Buildings (35+ units; 35,000+ sq. ft.):</b></p> <ul style="list-style-type: none"><li>• <b>In 2026, Owners shall provide a third-party verification of their 2025 calendar year data.</b></li><li>• For every Verification Year thereafter, Owners shall provide a third-party verification for the five calendar years prior.</li></ul> <p><b>For 2030 Buildings (15 - 34 units; 20,000 - 34,999 sq. ft.):</b></p> <ul style="list-style-type: none"><li>• <b>Owners are not required to provide third-party verification in 2026.</b></li><li>• <b>In 2031, Owners shall provide a third-party verification of their 2030 calendar year data.</b></li><li>• For every Verification Year thereafter, Owners shall provide a third-party verification for the five calendar years prior.</li></ul>

Note: All Buildings would still be required to provide third-party verification for the first year of reporting.

## 2. Modifying application deadlines for flexibility measures

*Straw proposals subject to change*

	CURRENT REQUIREMENTS	PROPOSED CHANGES
<b>BUILDING PORTFOLIOS</b>	<p><b>September 1</b> of the <b>previous</b> year</p> <p><i>(e.g. to use a Building Portfolio in 2025, apply by Sep 1 2024)</i></p>	<p><b>September 1</b> of the <b>same</b> year, <b>provided that the Review Board may extend this deadline for a given year at its discretion</b></p> <p><i>(e.g. to use a Building Portfolio in 2025, apply by Sep 1 2025)</i></p>
<b>INDIVIDUAL COMPLIANCE SCHEDULES (ICS)</b>	<p><b>September 1</b> of the <b>previous</b> year</p> <p><i>(e.g. to use an ICS in 2025, apply by Sep 1 2024)</i></p>	<p><b>September 1</b> of the <b>same</b> year, <b>provided that the Review Board may extend this deadline for a given year at its discretion</b></p> <p><i>(e.g. to use an ICS in 2025, apply by Sep 1 2025)</i></p>
<b>SHORT-TERM HARDSHIP COMPLIANCE PLANS (HCP)</b>	<p><b>October 1</b> of the previous year (or during the same year only for unexpected circumstances)</p> <p><i>(e.g. to use a short-term HCP in 2025, apply by Oct 1 2024)</i></p>	<p><b>October 1</b> of the <b>same</b> year (or after the deadline for unexpected circumstances), <b>provided that the Review Board may extend this deadline for a given year at its discretion</b></p> <p><i>(e.g. to use a short-term HCP in 2025, apply by Oct 1 2025)</i></p>
<b>LONG-TERM HARDSHIP COMPLIANCE PLANS (HCP)</b>	<p><b>April 1</b> of the <b>previous</b> year</p> <p><i>(e.g. to use a long-term HCP in 2025, apply by Apr 1 2024)</i></p>	<p><b>July 1</b> of the <b>same</b> year, <b>provided that the Review Board may extend this deadline for a given year at its discretion</b></p> <p><i>(e.g. to use a long-term HCP in 2025, apply by July 1 2025)</i></p>

# 3. Enabling building owners to extend voting timelines for flexibility measures

*Straw proposals subject to change*

	CURRENT REQUIREMENTS	PROPOSED CHANGES
BUILDING PORTFOLIOS	Requirement to <b>vote</b> on an application within 45, 60, or 90 Days from the Environment Department’s finding of completeness.	Requirement to <b>vote</b> on an application within 45, 60, or 90 Days from the Environment Department’s finding of completeness, <b>or a later date upon request by the Owner.</b>
ICS	Requirement to <b>vote</b> on an application within 90 Days from the Environment Department’s finding of completeness.	Requirement to <b>vote</b> on an application within 90 Days from the Environment Department’s finding of completeness, <b>or a later date upon request by the Owner.</b>
SHORT-TERM & LONG-TERM HCP	Requirement to <b>hold hearing</b> on an application within 45 Days from the Environment Department’s finding of completeness.	Requirement to <b>hold hearing</b> on an application within 45 Days from the Environment Department’s finding of completeness, <b>or a later date upon request by the Owner.</b>

# 4. Removing requirement to record decisions in the Registry of Deeds for most flexibility measures

*Straw proposals subject to change*

	CURRENT REQUIREMENTS	PROPOSED CHANGES
<b>BUILDING PORTFOLIOS</b>	Required to record decisions related to approval, special conditions, modifications, and terminations.	<b>No recording required.</b>
<b>ICS</b>	Required to record decisions related to approval, special conditions, modifications, and terminations.	<b>No recording required.</b>
<b>SHORT-TERM HCP</b>	Required to record decisions related to approval, special conditions, modifications, and terminations.	<b>No recording required.</b>
<b>LONG-TERM HCP</b>	Required to record decisions related to approval, special conditions, modifications, and terminations.	Recording required for decisions related to approval, special conditions, modifications, and terminations. <b>The requirement does not apply to Deed Restricted Residential Buildings and City Buildings.</b>



# 5. Enabling the Review Board to grant exemptions on solar requirements without a Hardship Compliance Plan

*Straw proposals subject to change*

CURRENT REQUIREMENTS	PROPOSED CHANGES
<p>Building owners can use solar energy or net metering credits <b>without</b> MA Class I REC retirement if:</p> <ul style="list-style-type: none"><li>• Solar is located in Boston; OR</li><li>• Solar is located in Eversource Eastern MA territory; the system began operation before 2024; AND the Building began receiving electricity or net metering credits before 2024.</li></ul> <p>Building owners may apply for a Hardship Compliance Plan and request the Review Board’s approval to use solar systems that do not meet these requirements as an alternative compliance mechanism.</p>	<p><b>Based on extenuating circumstances, Owners may request the Review Board to approve the use of electricity or associated generation credits without corresponding REC retirement from non-emitting electricity generating systems that do not meet these requirements.</b></p>

## 6. Delineating roles between the APCC, Review Board, and Environment Department

*Straw proposals subject to change*

Historically, Policies and Procedures have been presented alongside Regulations and adopted by the APCC at the same time. **We are proposing that, following the 2025 Regulations Update, Policies and Procedures should be adopted by the Review Board moving forward.**

Regulations often make reference to “guidance” adopted by the APCC. However, guidance is generally developed by the Environment Department on behalf of the APCC. **We are proposing to clarify that guidance is created by the Environment Department.**

**In summary, the proposed changes would clarify that:**

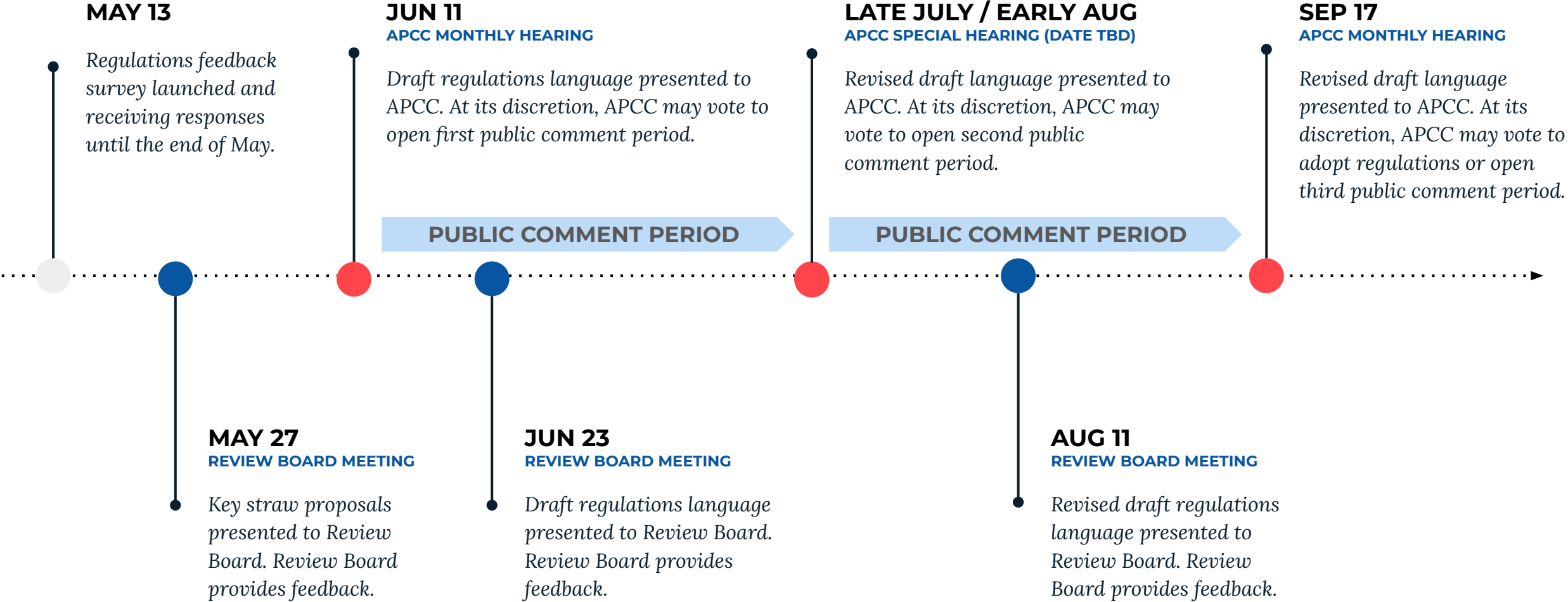
- **Regulations are adopted by the APCC**
- **Policies and Procedures are adopted by the Review Board**
- **Guidance is adopted by the Environment Department**

Additional draft language delineating roles between the APCC and the Review Board will be presented to APCC in June.



# 2025 BERDO Regulations Update Tentative Timeline

Timeline subject to change at the discretion of the Air Pollution Control Commission (APCC)



The background of the slide is a dark blue wireframe illustration of a city skyline, viewed from an elevated perspective. The buildings are represented by white and light blue lines, creating a complex geometric pattern of rectangles and polygons. A semi-transparent dark blue horizontal band runs across the middle of the image, serving as a backdrop for the text.

# Board Q&A

*BERDO Regulations Update*



# Approval of Meeting Minutes

*Board votes on approving previous meeting's minutes*

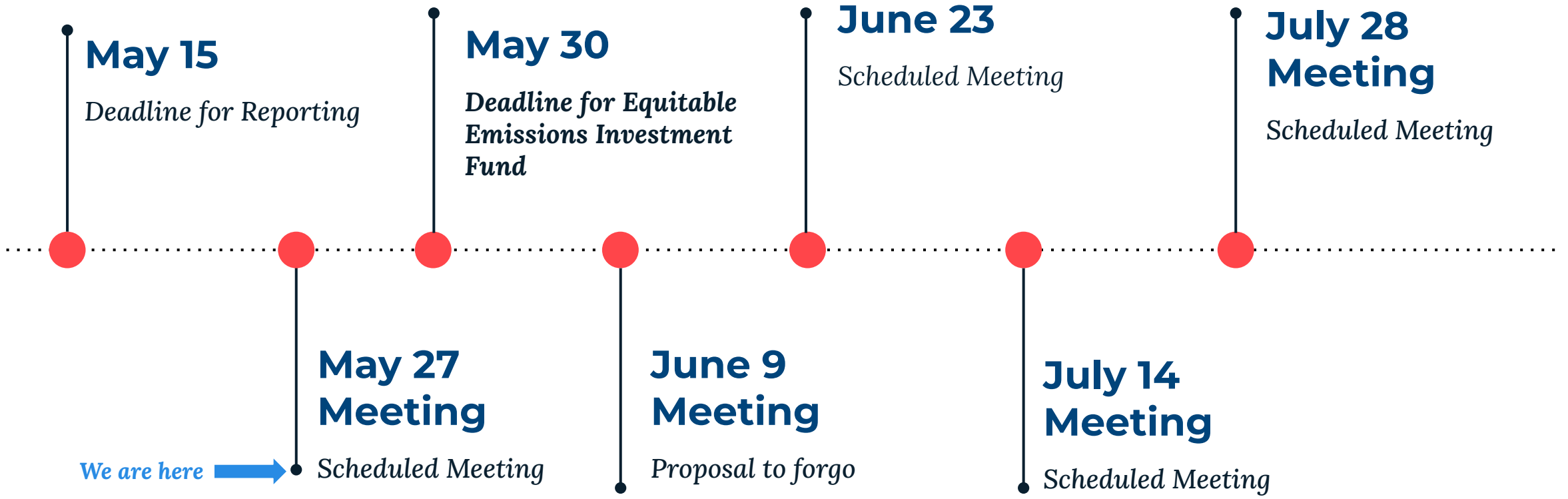
The background of the slide is a dark blue aerial wireframe map of a city, showing the outlines of buildings, streets, and parks. The lines are light blue and create a complex, geometric pattern.

# Administrative Updates

*Staff presents administrative updates*



# Review Board Upcoming Timeline



# Adjourn

Thank you! A recording and slide deck for this meeting will be available at [boston.gov/berdo-review-board](https://boston.gov/berdo-review-board).

