# **🚧 DRAFT 🚧**

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# BERDO Implementation Plan

[EXECUTIVE OVERVIEW [1](#executive-overview)](#executive-overview)

[Purpose [1](#purpose)](#purpose)

[Three Implementation Options [2](#three-implementation-options)](#three-implementation-options)

[PHASED IMPLEMENTATION STRATEGY [2](#phased-implementation-strategy)](#phased-implementation-strategy)

[Phase 1: Foundation (2026-2028) [3](#phase-1-foundation-2026-2028)](#phase-1-foundation-2026-2028)

[Phase 2: Residential Expansion (2029-2031) [3](#phase-2-residential-expansion-2029-2031)](#phase-2-residential-expansion-2029-2031)

[Phase 3: Comprehensive Coverage (2032-2035) [4](#phase-3-comprehensive-coverage-2032-2035)](#phase-3-comprehensive-coverage-2032-2035)

[Phase 4: Full Implementation (2036-2040) [4](#phase-4-full-implementation-2036-2040)](#phase-4-full-implementation-2036-2040)

[RESOURCES NEEDED [4](#resources-needed)](#resources-needed)

[Staffing Requirements [5](#staffing-requirements)](#staffing-requirements)

[WARRANT ARTICLE STRUCTURE RECOMMENDATIONS [6](#warrant-article-structure-recommendations)](#X7841bae81a6497c12264df0b7c402c5ade8bcbf)

[STAKEHOLDER ENGAGEMENT PLAN [8](#stakeholder-engagement-plan)](#stakeholder-engagement-plan)

[MARKETING MATERIAL [10](#marketing-material)](#marketing-material)

[1. Persuasive / Political Version (for Town Meeting Members & Policy Stakeholders) [10](#persuasive-political-version-for-town-meeting-members-policy-stakeholders)](#X3a1806150d387b41d821795fb341c80e81c5526)

[2. Public-Friendly Flyer (for Residents & Building Owners) [11](#public-friendly-flyer-for-residents-building-owners)](#X7661658cadbc92cc7a33fedd04de5b7100a5c23)

# EXECUTIVE OVERVIEW

# Purpose

Develop a warrant article to establish a Building Energy Reporting and Disclosure Ordinance (BERDO) in Brookline, targeting net-zero carbon emissions by 2040 in alignment with WA37 (approved May 2021).

Key Statistics

* **43%** of Brookline's GHG emissions come from onsite fossil fuel combustion in buildings
* **45%** from residential buildings (homes, condos, apartments)
* **19%** from non-residential buildings
* **Massachusetts context**: Boston, Cambridge, Lexington, and Newton have enacted BERDO laws

# Three Implementation Options

Option 1: Low Impact (Conservative Start)

* **Scope**: Non-residential buildings ≥20,000 SF only
* **Climate Impact**: 12% reduction in total Brookline GHG emissions
* **Buildings Affected**: ~2% of Brookline buildings
* **Political Feasibility**: High
* **Administrative Burden**: Low

Option 2: Medium Impact (MA LBER Alignment)

* **Scope**: All buildings subject to MA LBER (≥20,000 SF, commercial and residential)
* **Climate Impact**: 19% reduction in total Brookline GHG emissions
* **Buildings Affected**: ~5% of Brookline buildings
* **Political Feasibility**: Moderate
* **Administrative Burden**: Moderate

Option 3: High Impact (Comprehensive)

* **Scope**: All buildings including 1-3 family homes
* **Climate Impact**: 43% reduction in total Brookline GHG emissions
* **Buildings Affected**: ~97% of Brookline buildings
* **Political Feasibility**: Low initially
* **Administrative Burden**: High

# PHASED IMPLEMENTATION STRATEGY

Recommended Approach: Progressive Phasing

Start with Option 1 and expand over time to minimize opposition while building momentum.

## Phase 1: Foundation (2026-2028)

**Warrant Article Focus**: Establish BERDO framework for non-residential buildings ≥20,000 SF

Key Components:

* Energy reporting requirements aligned with MA LBER
* Creation of BERDO Review Board
* Establishment of administrative structure
* Voluntary participation incentives for residential buildings
* Creation of Equitable Emissions Investment Fund

Timeline:

* Spring 2026: Pass warrant article
* Summer 2026: Establish Review Board and hire staff
* Fall 2026: Develop reporting systems
* 2027: First reporting period (baseline year)
* 2028: First compliance assessments

## Phase 2: Residential Expansion (2029-2031)

**Amendment via Future Warrant Article**: Add large residential buildings

Key Components:

* Include apartment buildings and condominiums ≥20,000 SF
* Implement Alternative Compliance Payment system ($234/MT CO2e)
* Develop equity provisions for affordable housing
* Create End of Useful Life Escrow Account option

Timeline:

* Spring 2029: Pass amendment to include large residential
* 2030: First reporting for large residential
* 2031: Begin compliance enforcement

## Phase 3: Comprehensive Coverage (2032-2035)

**Amendment via Future Warrant Article**: Phased inclusion of smaller buildings

Key Components:

* Gradual inclusion by decreasing square footage thresholds
* Special provisions for 1-3 family homes
* Enhanced financial assistance programs
* Streamlined reporting for small properties

Timeline:

* 2032: Buildings ≥15,000 SF
* 2033: Buildings ≥10,000 SF
* 2034: Buildings ≥5,000 SF
* 2035: All buildings (with hardship exemptions)

## Phase 4: Full Implementation (2036-2040)

**Focus**: Achievement of net-zero goals

Key Components:

* Mandatory compliance for all covered buildings
* Escalating emissions standards
* Full Alternative Compliance Payment enforcement
* Comprehensive support programs

# RESOURCES NEEDED

## Staffing Requirements

Year 1 (2026-2027)

* 1.0 FTE BERDO Program Manager
* 0.5 FTE Data Analyst
* 0.5 FTE Community Outreach Coordinator
* **Estimated Cost**: $200,000/year

Years 2-3 (2028-2029)

* 2.0 FTE Program Staff
* 1.0 FTE Technical Assistance Coordinator
* 0.5 FTE Equity Program Manager
* **Estimated Cost**: $350,000/year

Full Implementation (2030+)

* 4-5 FTE total staff
* **Estimated Cost**: $500,000/year
* **Note**: Costs may be offset by Alternative Compliance Payments

Financial ResourcesInitial Investment (2026-2027)

* Program setup: $150,000
* IT systems and reporting platform: $100,000
* Community engagement: $50,000
* **Total**: $300,000

Ongoing Annual Costs

* Staff salaries: $200,000-500,000
* Technical assistance programs: $100,000
* Administrative costs: $50,000
* **Potential Revenue**: $2-5 million/year from Alternative Compliance Payments

Technical Resources

* Energy reporting platform (possibly shared with other municipalities)
* Integration with MA LBER systems
* GHG emissions calculation tools
* Building owner support portal
* Case management system for exemptions/appeals

Community Resources

* **Partnerships Needed**:
  + Mass Save program coordination
  + Local HVAC contractors training program
  + Financial institutions for green financing
  + Community organizations for equity outreach
* **Support Programs**:
  + Technical assistance for building assessments
  + Contractor certification program
  + Financing options development
  + Multilingual outreach materials

# WARRANT ARTICLE STRUCTURE RECOMMENDATIONS

Article Components for Phase 1 (2026)

Section 1: Purpose and Authority

* Reference to WA37 and 2040 net-zero goal
* Climate emergency declaration context
* Home rule petition if needed

Section 2: Definitions

* Covered buildings (initially non-residential ≥20,000 SF)
* Emissions standards
* Reporting requirements
* Compliance pathways

Section 3: Reporting Requirements

* Annual energy use reporting
* GHG emissions calculations
* Alignment with MA LBER
* Public disclosure provisions

Section 4: Governance

* BERDO Review Board composition (7-9 members)
* Appeals process
* Hardship exemptions
* Enforcement mechanisms

Section 5: Compliance Options

* Primary compliance (emissions reduction)
* Alternative Compliance Payments
* End of Useful Life provisions
* Credit for renewable energy

Section 6: Equity Provisions

* Environmental Justice considerations
* Equitable Emissions Investment Fund
* Support for disadvantaged building owners
* Anti-displacement measures

Section 7: Implementation Timeline

* Effective dates
* Reporting deadlines
* Compliance phase-in schedule
* Review and amendment provisions

Built-in Expansion Mechanisms

Include provisions that allow Town Meeting to expand coverage via future amendments without rewriting the entire ordinance:

* Adjustable building size thresholds
* Expandable building type definitions
* Scalable emissions standards
* Flexible compliance timelines

# STAKEHOLDER ENGAGEMENT PLAN

Phase 1A: Pre-Filing (Fall 2025)

* Form BERDO Working Group
* Create informational documentation for distribution
* Work with local advocacy groups
* Outreach to TMMs, Select Board Members, Town Staff
* Conduct public meeting(s) with:
  + Commercial property owners
  + Residential property managers
  + Environmental groups
  + Equity advocates
  + Business associations

Phase 1B: Development (Winter 2025-26)

* Draft warrant article with legal review
* Public comment period
* Advisory committee reviews
* Refinement based on feedback

Phase 1C: Advocacy (Spring 2026)

* Public education campaign
* Building owner workshops
* Financial impact assessments
* Coalition building

Political

* Start conservatively to build trust
* Show success before expanding
* Emphasize voluntary participation initially
* Highlight peer community examples

Financial

* Minimize initial costs to building owners
* Develop robust assistance programs
* Use ACP revenue for support programs
* Partner with existing efficiency programs

Technical

* Leverage MA LBER infrastructure
* Learn from Newton's implementation
* Provide extensive technical assistance
* Simplify reporting where possible

# MARKETING MATERIAL

## 1. Persuasive / Political Version (for Town Meeting Members & Policy Stakeholders)

**Title:** *BERDO: Building Brookline’s Path to Net Zero*

**Why BERDO?**

* **43% of emissions** in Brookline come from buildings.
* **Peer towns (Boston, Cambridge, Lexington, Newton)** already have BERDOs.
* A phased Brookline BERDO ensures **measurable reductions, local control, and equity protections**.

**Key Benefits**

* **Climate Leadership:** Positions Brookline as a leader in Massachusetts municipal climate policy.
* **Economic Sense:** Alternative Compliance Payments could generate **$2–5M annually** to offset program costs and fund equity programs.
* **Political Strategy:** Start conservatively, prove success, then expand.

**Implementation Strategy**

* **Phase 1 (2026–28):** Cover large non-residential buildings ≥20,000 SF. Establish Review Board, reporting, and compliance systems.
* **Phase 2 (2029–31):** Add large residential buildings. Introduce ACP system and equity fund.
* **Phase 3 (2032–35):** Gradually expand to smaller buildings, with exemptions and assistance.
* **Phase 4 (2036–40):** Full net-zero coverage.

**Governance & Resources**

* **Review Board:** 7–9 members, with equity and environmental expertise.
* **Staffing:** 4–5 FTE at maturity; fully offset by ACP revenue.
* **Flexibility:** Ordinance drafted to allow future expansions via amendments, without rewriting.

**Why Town Meeting Should Support**

* **Low political risk:** Conservative start with high feasibility.
* **High return:** Significant emissions reductions, self-funding mechanism.
* **Equity-first design:** Prevents burden on vulnerable households.

## 2. Public-Friendly Flyer (for Residents & Building Owners)

**Title:** *Cleaner, Healthier, Smarter Buildings for Brookline*  
*What is BERDO and why does it matter for you?*

**What is BERDO?**

BERDO = **Building Energy Reporting and Disclosure Ordinance**.  
It’s a law that helps us **track, report, and reduce energy use in buildings**, making Brookline healthier and more affordable.

**Why Buildings?**

* **43% of our greenhouse gases come from buildings.**
* Homes, apartments, offices—all contribute to climate change.
* Cleaner buildings mean **lower bills, healthier air, and stronger neighborhoods**.

**What Will Happen First?**

* **2026–2028:** Only big commercial buildings (like offices and institutions) need to report energy use.
* **2029–2031:** Large apartment buildings and condos join.
* **2032–2035:** Gradual expansion to more properties with lots of support programs.
* **By 2040:** Every building in Brookline is part of the solution.

**How Will This Help Me?**

* **Lower energy bills** from efficiency upgrades.
* **Cleaner air indoors and outdoors** by reducing fossil fuels.
* **Support for all residents**—equity programs ensure affordability and protect renters.
* **Local jobs and training** in clean energy.

**Who’s Paying?**

* Initial setup is modest ($300k).
* Over time, building owners who don’t meet standards can make an **Alternative Compliance Payment**.
* These payments will fund **millions in local support programs** to help residents and building owners.

**Brookline Joins Our Neighbors**

Boston, Cambridge, Lexington, and Newton already have BERDOs. Brookline should, too. Together, we can lead Massachusetts toward a **healthier, more affordable, net-zero future**.