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To: [SitingBoard Filing \(DPU\)](#)
Subject: Stakeholder comments
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To the Energy Facilities Siting Board,

Please accept my comments relating to energy siting regulations and guidelines that are in development.

This is of great concern to me as I have seen the tremendous damage that's already been done in southeastern MA specifically by inappropriate siting of solar projects - clearcutting intact forest land, destroying habitat, ruining open space, etc. never mind destroying the character of our rural communities and small towns. We should not and do not need to cause such damage to get the benefits of solar - or any other form of renewable energy. This is an urgent matter. We care about the environment we live in and deserve better.

Clearly regulation has lagged behind solar development, and although none of this damage should have been allowed, the next best thing is to STOP further damage and be smarter starting NOW.

1) "Small" energy projects and all ESS battery systems shall only be allowed on the built or disturbed environment.

2) The following areas shall be excluded from large and small energy generation and transmission projects:

- Article 97 protected open space (note: If Article 97 land is categorized as an ineligible area, an exception for solar canopies - e.g., solar over a DCR beach parking lot- shall be considered.)
- Wetland resource areas (310 CMR 10.04) and with setbacks of 1,000 feet to identified wetlands resources.
- Properties included in the State Register (950 CMR 71.03), except as authorized by regulatory bodies
- BioMap 2 Critical Natural Landscape, Core Habitat, Important Habitat, or Priority Habitat
- Outstanding Resource Waters, wetlands or rivers
- Flood plains or flood prone areas
- On land that provides public drinking water
- On prime farmland (as defined by the state)

3) Ground-mounted solar projects shall not be allowed on newly deforested land, defined as cleared less than 5 years ago.

4) Marginal farmland shall be minimally impacted with no decrease in agricultural productivity.

5) Language should be included that ensures no negative impacts on:

- Biodiversity including plants and animals listed under the Massachusetts Endangered Species Act

- Protected open space
- Native American cultural areas as determined by Massachusetts' Indigenous people

6) Power of discretion and authority shall be provided to the towns that allows for:

- Locally generated enforceable safety standards for battery storage
- Town-specific capacity and siting goals, with local control of siting
- Authority for municipalities to reject any proposal for minimization and/or mitigation that are deemed a threat to the towns' health safety and welfare, and natural and cultural resource protections, as determined by local boards and commissions.

In support of these comments, I note the following:

1) The MA Audubon/Harvest Forest Study (2023) says we can get the required solar buildout on the built environment.

2) The administration's carbon forestry committee report concludes that we should not be converting forested land for energy production. "Reduce unnecessary forest land conversion via collaboration across state agencies and complementary policies, infrastructure investments, and other actions (e.g., solar facilities, powerlines, highways, housing, or other development).... Forest conversion on any given acre results in more carbon loss than harvesting on average, is more permanent, and also results in the loss of all other forest benefits." (page 48)

3)The Executive Office of Environmental Affairs (EEA)(plus associated agencies) siting report includes suggestions for what lands should be avoided for the energy build out.

Sincerely yours,
Elizabeth Merrick

