

From: [Janet Sinclair](#)
To: [SitingBoard Filing \(DPU\)](#)
Subject: Please accept my 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:

1) "Small" energy projects and all ESS battery systems shall only be allowed on the built or disturbed environment. This is consistent with the [Harvard Forest / MA Audubon report](#) that has evaluated how much solar can be sited in 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). Prime farmland will be less productive under solar panels. We need food as well as solar energy.

3) Ground-mounted solar projects shall not be allowed on newly deforested land, defined as cleared less than 5 years ago. This is consistent with a recommendation from the [Healey Administration Carbon Forestry Committee](#) that shows that forests should remain as forests for the purpose of climate change mitigation.

4) Marginal farmland shall be minimally impacted with little to no decrease in agricultural productivity, which is achievable on lands are less productive than our

prime farmlands.

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. Towns are the best source to evaluate their own capacity to protect health, safety and welfare.
- Town-specific capacity and siting goals, with local control of siting. Towns should be allowed to solicit projects rather than being subject to the needs and plans of developers.
- 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. The vague ideas that have been presented so far related to avoid, minimize and mitigate appear to be generated first by developers, including self-assessments for what needs to be avoided, minimized and mitigated. I am concerned about who will be the judge of all of this. It should not be left to the discretion of developers and far away state agencies. The towns are generally interested in solar energy, but towns are also our first line of defense when it comes to environmental protection at the local level. Towns should have some level of veto power over developers' plans.

Sincerely yours,

Janet Sinclair

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