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January 29, 2014

Michael Judge
Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114

Via Email: DOER.SREC@state.ma.us

Re: Proposed Amendments to 225 CMR 14.00 – Renewable Energy Portfolio Standard – Class I

Dear Mr. Judge:

On behalf of The Parker River Clean Water Association (PRCWA), I submit the following comments on the proposed changes to 225 CMR 14.00, the Renewable Energy Portfolio Standard (RPS) - Class I, establishing a second phase of the RPS Class I Solar Carve-Out. PRCWA supports regulatory revisions to implement the goal of 1600 MW of solar capacity by 2020, but believe further revisions must be considered before final regulations are adopted.

The mission of the Parker River Clean Water Association is the protection and restoration of the Parker River, its watershed and Plum Island Sound. The Parker River is considered a stressed river by the State.

With respect to our mission, PRCWA has very serious concerns regarding the siting of large-scale ground-mounted solar arrays, and other large scale solar projects which attempt to bypass regulations aimed at protecting our wetland and forested natural resources. In particular we are concerned about proposed projects whose primary purpose is clearly not agriculture, but a change of use piggy backed on agricultural exemption loopholes, and sited in sensitive wetland resources. The agricultural exemption regulations were written long before financial incentives for large solar arrays were even a possibility. To subvert the intent of agricultural exemptions for projects which have significant deleterious impacts on the ecological functioning of the wetland was not the intent of these regulations. The consequences of these attempts to bypass wetland regulations will result in the destruction of important wetland and forest functions. We do not believe that such projects should qualify for SREC financial incentives by being rewarded for destroying our natural resources through loopholes.

Further refinements are needed to align the regulations with statements made earlier by the Patrick administration in the document titled, "Ground-Mounted Solar Photovoltaic Systems", December, 2012 by the Massachusetts Department of Energy Resources, the Massachusetts Department of Environmental Protection, and the Massachusetts Clean Energy Center. Quoting page 3, "As the Massachusetts clean energy sector grows, the Patrick-Murray Administration is working to ensure that solar PH and other clean energy technologies are sited in a way that best protects human health and the environment, and minimizes impacts on scenic, natural and historic resources." On page 20 the document states, "MassDEP discourages installation of ground-mounted solar PH systems in wetland areas."

For example, at this present time in the Parker River watershed there is a proposal for the construction within a hayfield, farmed wetland of 99 greenhouses, each 130 x 30 feet with solare panels mounted on the greenhouses, and the excess electricity sold to the Grid. This is a solar farm being piggy backed on the agricultural exemption loophole which will cover just less than 400,000 square feet of BVW wet meadow wetlands!

This area is in one of the largest (if not the largest) documented wet meadow areas in the State. Wet meadows are the scarcest of our wetland types with less than 10,000 acres in the over 5 million acres of land in the State. Mostly the remaining wet meadows are small, fragmented areas as contrasted to this largely intact area. Additionally this wet meadow area is listed in the Mass GIS Scenic landscape layer as "Distinctive", a designation given to less than 4 % of Massachusetts landscapes. It is located in a scenic, historic agricultural landscape largely unchanged in 300 years. Surely the Patrick administration did not have in mind the destruction of areas like this when proposing and financially rewarding solar energy projects.

Please revise the proposed regulations to provide protection for vulnerable natural, scenic, and historic resources such as this example.

Sincerely,

Marlene Schroeder
Vice-president, Parker River Clean Water Association