



Secretary Rebecca Tepper
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

October 30, 2025

By Electronic Submission to EnergyPermitting@mass.gov

Re: EEA Draft Guidance on Site Suitability Assessments

To Secretary Tepper,

Thank you for the opportunity to provide written comments on the Draft Guidance on *Site Suitability Assessments for Clean Energy Infrastructure* (“Draft Guidance”). The City appreciates the work the Executive Office of Energy and Environmental Affairs (“EEA”) and its agencies have been diligently accomplishing the past year to implement the 2024 Climate Act.¹ This important work will accelerate the pace of siting and permitting critical infrastructure to support a just clean energy transition across the Commonwealth. The City respectfully submits the following comments on the Draft Guidance.

The 2024 Climate Act established new consolidated permitting processes for large and small clean energy infrastructure facilities to expedite permitting while increasing opportunities for community and municipalities to be meaningfully involved in the process. One of the most transformative sections in the 2024 Climate Act directed EEA to “establish and periodically update a methodology for determining the suitability of sites for clean energy generation facilities, clean energy storage facilities, and clean transmission and distribution facilities in newly established public rights of way.”² The Department of Energy Resources (“DOER”) is then directed to establish standards for local governments to apply this guidance during the local government consolidated permitting process.³ The City appreciates that the Legislature recognized the importance of delegating small clean energy infrastructure siting and permitting to local governments, as having the best understanding of local needs and acting as a crucial link between community and development. The Draft Guidance will be used by local governments across the state to inform how municipalities determine to what extent a proposed project site is suitable to host clean energy projects. Therefore, it is critical that the Draft Guidance is clear, reinforces the important role of local governments in the siting process, and is flexible enough to allow local governments to account for differences inherent across municipality types (e.g. urban v. rural typologies).

¹ *An Act Promoting a Clean Energy Grid, Advancing Equity and Protecting Ratepayers* (“2024 Climate Act”), St. 2024, c. 239.

² *Id.* at § 5, codified at G.L. c. 21A, § 30.

³ *Id.* at § 23, codified at G.L. c. 25A, § 21(b).



The City’s chief concern is the absence of local government in the site suitability assessment process. The Legislature, in passing the 2024 Climate Act, recognized the critical role local governments can play in connecting communities and understanding local context to be best suited to determine whether a certain site is appropriate for siting an infrastructure project. Not only do local governments know our communities, but we are also more familiar with the history and vision for our neighborhoods on a block-by-block basis. For example, the City of Boston is currently undertaking a substantial neighborhood planning and rezoning initiative, Squares + Streets, that will both change the built environment on main streets and is simultaneously collecting granular community feedback on issues that affect growth, sustainability, and equity. This information is especially important in urban environments with limited open space that requires very careful long-term planning and resource allocation. In contrast, the Draft Guidance describes a process whereby the applicant estimates a site suitability score, then a third-party Site Suitability Score Reviewer “retained by the Commonwealth” makes a formal score determination, and if the local government wishes to dispute the suitability score, such dispute may only be resolved by the Commonwealth and “shall be final and shall not be subject to appeal.”⁴ Other than disputing the final score, the draft guidance includes a provision for local governments to, upon agreement with the project proponent, adjust the final score for social and environmental benefit criteria.

The 2024 Climate Act reimagined how electric infrastructure is to be sited in the Commonwealth and the Legislature recognized the value in having local governments, that are most familiar with the needs of its community, be responsible for the siting and permitting of small infrastructure. We do not believe it was the intent of the 2024 Climate Law for the Commonwealth agencies to substitute its judgment on any part of a consolidated permit application for that of a local government. When we consider the rich information from planning and community engagement that we will bring to the site evaluation process, we do not see a process described that predictably accounts for our community’s voice.

The City recognizes that many local governments may not have the capacity to conduct site suitability assessments for individual projects; however, the default assessment should not circumvent local processes. The City recommends changing the site suitability score determination process described in Section IV.B to allow local governments to make the final score determination and allow local authorities to opt into using a third party reviewer selected by the Commonwealth if it does not have the capacity to complete the assessment. This approach would be consistent with other provisions governing the local government consolidated permitting process where a local government may request the Director of the Energy Facilities Siting Board to review a consolidated local permit application where a local government lacks the capacity to review an application. This change would better align the Draft Guidance with the intent of the 2024 Climate Law and allow local governments to better facilitate the clean energy transition within communities.

⁴ This is one of many instances in the Draft Guidance where EEA uses “shall,” “will,” “must” or similar. The City recommends EEA clarify the scope and authority of this guidance document.



City of Boston
Environment



City of Boston
Mayor Michelle Wu

Thank you for your consideration of the City's comments on EEA's Draft Guidance. Should you have any questions about these comments, please do not hesitate to contact me at (617) 635-0031 or Oliver.SellersGarcia@boston.gov.

Sincerely,

Oliver Sellers-Garcia
Green New Deal Director, Office of Mayor Michelle Wu
Commissioner of the Environment Department, City of Boston