

Rebecca Tepper, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, 9th Floor
Boston, MA 02114

October 31, 2025

Re: Comments on Draft Guidance on Site Suitability Assessments

Dear Secretary Tepper,

ECA Solar appreciates the opportunity to submit comments on the proposed Draft Guidance on Site Suitability Assessments ('Guidance') released on September 12, 2025, and thank you for your consideration. The efforts of the Executive Office of Energy and Environmental Affairs in issuing this Guidance, along with the promulgation of new siting regulations by the Department of Energy Resources in 225 CMR 29 represents an opportunity to streamline the permitting process of critical new energy infrastructure that the Commonwealth of Massachusetts will need in the coming years. Unfortunately, the proposed site suitability criteria represent further layers of bureaucratic red tape that will slow down, and prevent, the necessary development we need. Furthermore, data resources and mapping tools must be rigorously tested before they are finalized. We strongly encourage EEA to postpone issuing final Guidance until these concerns are addressed.

Independently owned and operated for over 11 years, ECA Solar develops community-scale solar projects that provide significant benefits to the local economy, community, and environment. With our full-service platform, we de-risk every project through comprehensive due diligence and streamlined operations. As a trusted and reliable partner, we partner with landowners to create a solution that protects their land and secures their financial future. Investors trust us to secure land, permits, utility approvals, while keeping a pulse on the changing regulatory environment. With our decades of experience, a strong reputation, and proven industry leadership, we enable clean energy for the communities of tomorrow.

ECA solar strongly supports the position of the Clean Energy Groups in their comments on the Guidance. The Commonwealth needs to increase generation and grid resiliency, and while site suitability scores can be a helpful tool in reviewing projects, they should not determine whether or not a project is permitted, and should not be used by municipalities to halt or stop the progress of local projects.

Developers working in the Commonwealth already face extensive challenges in finding land suitable for solar development. Interconnection capacity is extremely limited. Where capacity can be found, available land is significantly constrained by physical limitations like parcel size, slope, wetlands, etc. The reality is that only a small number of opportunities exist around substations with interconnection capacity.

This guidance will further reduce those opportunities by introducing new burdens for developers and giving municipalities new tools to deny projects. For example, regarding the use of the methodology for consolidated local permitting, it is unclear if projects that score greater than a "4" for any single criteria may be denied a permit—effectively creating a pass/fail threshold not contemplated in the Climate Act.

The data sources used to calculate the Site Suitability Score are new, untested, and in some cases, unfinished—making it difficult to confidently estimate scores to evaluate the impacts of this guidance on our current development portfolio. Additionally, there is no written protocol for tracking changes to third-party datasets, making it unclear how a project that qualifies under one dataset but not a subsequent dataset will be treated.

There are inconsistencies and ambiguities within the categories that create confusion, are overly burdensome, and do not support the streamlined permitting process envisioned by the 2024 Climate Act. For example, the emphasis on flooding impacts in the Climate Change Resilience category seems misguided as solar projects are routinely designed to significantly mitigate flood risks under existing stormwater regulations.

The Carbon Storage and Sequestration Metric does not align with the recent SMART mitigation methodology, and restricts development even further. The Social and Environmental Burdens category presumes solar and energy storage development creates burdens in Environmental Justice communities, without accounting for reduced pollution from displaced fossil fuel power plants or additional local tax revenues. Meanwhile, the Social and Environmental Benefits category does not introduce standard criteria for a project to demonstrate it actually provides a benefit, which it does.

As further articulated in the Clean Energy Groups comments, there remain a number of concerns with the data used to develop site suitability scores, and the application of those scores in the permitting process. ECA Solar applauds the Healey-Driscoll Administration in reaffirming its commitment to building out a clean, resilient grid with sufficient power to meet our growing electric demand. But the proposed framework will only further delay progress at a time when we have a short window of opportunity to build projects that will still be able to utilize the Investment Tax Credit. We strongly urge EEA to re-evaluate this guidance in the interest of streamlining the process, and supporting clean energy growth.

Thank you for your time and consideration of these comments.

Sincerely,

Kaitlin Kelly O'Neill
Director of Policy