

Via Electronic Mail: EnergyPermitting@mass.gov

October 31, 2025

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

Comments of New Energy Equity on the draft Guidance on Site Suitability Assessments

Dear Secretary Tepper,

On behalf of New Energy Equity, a distributed and community solar company working directly with Massachusetts communities, I am pleased to submit comments to the Executive Office of Energy and Environmental Affairs (“EEA”) guidance regarding the Site Suitability Assessments for Clean Energy Infrastructure (“the EEA guidance or the Guidance”) released on September 12, 2025.

New Energy Equity is a national solar development and finance company with more than 25 years of completing and managing solar projects, with a market focus in community solar. Our company is committed to developing clean and affordable energy resources in the Commonwealth and making continued investments in infrastructure, workforce, and economy.

Massachusetts has had tremendous success with the deployment of distributed energy resources. But we still need to deploy more than 20 GW of solar by 2050 to meet our climate mandates. The 2024 Climate Act recognized that sensible permitting reforms would be required to facilitate this development and I greatly appreciate the enormous effort of EEA in crafting its implementation. However, I have serious concerns that this proposed guidance will not streamline clean energy permitting and instead introduces significant red tape that will complicate the permitting process for my team.

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.

I am concerned that 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.

Additionally, 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.

Finally, I'm concerned that the EEA guidance does not clearly articulate the circumstances where a municipality may require a mitigation measure, potentially creating significant confusion and delays.

These are just a few examples of the current lack of workability my company sees in this draft guidance; I support the more detailed comments provided by the Clean Energy Groups.

In light of the importance in getting permitting reform right, I respectfully request that EEA delay the issuance of finalized guidance until data sets are easily available for stakeholders to test them and provide additional feedback. We remain committed to working collaboratively with EEA to achieve our shared climate goals while ensuring a workable permitting framework.

Thank you for your time, for the opportunity to give public feedback, and for your work in continuing to improve Massachusetts' clean energy landscape.

Sincerely,

Brandon Henke-Fiedler, Community Solar Market & Policy Analyst

New Energy Equity

bfiedler@newenergyequity.com