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*June 1, 2020*

## Comments of Berkshire Environmental Action Team and No Fracked Gas in Mass Regarding **SMART EMERGENCY RULEMAKING**

Please accept the following comments to DOER from No Fracked Gas in Mass & the Berkshire Environmental Action Team (BEAT). BEAT works to protect the environment for wildlife in support of the natural world that sustains us all. No Fracked Gas in Mass works to stop the expansion of fossil fuel infrastructure in the Northeast states and to promote energy efficiency and sustainable, renewable sources of energy and local, permanent jobs in a clean energy economy.

Our comments on specific aspects of the proposed changes to SMART:

### **EXPANSION OF PROGRAM CAPACITY**

While we applaud the doubling of the SMART program capacity to 3200 MW, as evidenced by previous roll-outs, this capacity could be filled up quickly, once again shutting many projects out of the market. We need a much more substantive restructuring of the program to meet the goals of the Global Warming Solutions Act. Under the previous Administration, Massachusetts had robust growth in the solar jobs sector. Though the industry has seen some growth again recently, it has still been weak compared to nationwide statistics<sup>1</sup>. We should take advantage of the need to meet our ambitious GWSA mandate and use it to boost our local economy with local clean energy jobs, and access to solar for all, including environmental justice and low income

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<sup>1</sup> "Massachusetts' solar industry added 190 jobs in 2019, an uptick of 1.9% over the previous year, according to the Solar Foundation's annual [Solar Jobs Census](#), released last month. This increase fell below the national rate of 2.3% and well below the surges some states experienced: In New York, solar jobs went up by 10.4% and in Georgia the solar workforce expanded by nearly 30%." Massachusetts solar jobs growing again, but not as quickly as national average, [Sarah Shemkus, Energy News Network, March 11, 2020](#), <https://energynews.us/2020/03/11/northeast/massachusetts-solar-jobs-growing-again-but-not-as-quickly-as-national-average/>

communities.

Capacity should be earmarked for projects serving environmental justice and low-income communities, creating a more even playing field for all members of the Commonwealth to access clean energy, and preventing a stranglehold of large, industrial-scale projects that are most often owned by out-of-state interests. The structure of the program puts a serious damper on small publicly owned and privately owned STGUs, which need to be a stronger part of the backbone of our energy system. Distributed power generation is most economical and efficient when placed closest to the area of demand. Smaller scale projects, located at or near intended end-use locations will allow for less loss from transmission and create a more stable grid.

## **LAND USE**

We strongly support the proposed land-use siting guidelines that will prohibit solar energy development where at least 50 percent of the parcel's land area is designated as Priority Habitat, Core Habitat, or Critical Natural Landscape, and applaud the addition of the webmapping tool to determine which parcels are disqualified. Without these protections, we are seeing critical habitat and carbon sink disappearing in the central and western portions of the state. We also support the suggestion of Mass Power Forward that webmapping should also include the Municipal Vulnerability Program maps, to avoid solar development in areas subject to climate impacts such as hurricane surge zones, habitat migration paths, and future potential flood areas due to sea-level rise.

Priority for STGU development should be use of Category 1, Non-Agricultural sites, especially building-mounted, brownfields, eligible landfills, canopy and public entity sites<sup>2</sup>, leaving Category 1 Agricultural use as distant a second choice. Category 2 land use should be prohibited except in rare exceptional cases where no other options exist. By making sure that Category 1 Non-Agricultural sites are used first, we will be preserving key farmland and habitat that is becoming increasingly essential as we deal with climate change. As evidenced during this COVID-19 pandemic, the role of local and regional food supply becomes crucial when emergencies break down larger national and international supply chains. And as we seek to reduce carbon emissions to net zero or below net zero, as is currently being determined by the EEA's MA

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<sup>2</sup> As defined on page 3 of Guideline Regarding Land Use, Siting, and Project Segmentation, section 3, a, ii <https://www.mass.gov/doc/land-use-and-siting-guideline/download>

Decarbonization Roadmap<sup>3</sup>, we will need to preserve as much undeveloped land as possible to serve as a carbon sink to offset the emissions we cannot avoid.

We support the requests from the Appalachian Club<sup>4</sup> to increase the value of the Greenfields subtractor by five times as much, if not create an outright prohibition on Greenfields projects. Putting up a financial dis-incentive to developing Greenfields sites will be a successful deterrent and help keep our forests and Important Farmland intact. Further incentivizing needs applied to projects that are on rooftops, over parking lots, and on brownfields to move forward. No project should cut down forest to build an industrial solar field. Again, we support the suggestion from Mass Power Forward that the subtractor should be applied to the whole footprint of the development, not just the area consumed by the solar arrays.

### **RESERVATION OF EVERSOURCE CAPACITY BLOCKS**

The merging of Eversource East and Eversource West territories beginning with the ninth Capacity Block<sup>5</sup> should not be allowed. Though a merger of east and west could benefit some municipal projects in western Massachusetts, where capacity is currently tapped out, it can also facilitate large-scale removal of farm and forest land for large corporate utility projects to supply power to the east. This could negate the state's proposed plan to get emissions to net zero by relying on carbon sink to cover for unavoidable emissions. DOER and EEA need to coordinate on climate and energy goals. There also needs to be a remedy for smaller municipal-owned projects, so that projects under 60kW are rated as public and not private as they currently are.

In consulting with long-time local rooftop solar contractors, it has been disconcerting to find that the SMART program review process has been so unresponsive to expert comment over the years that four out of five we've contacted have basically given up on commenting. They, like we, feel they are not being heard. Though some earlier

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<sup>3</sup> Graph "MA Historical & Hypothetical Future GHG Emissions", 2050 Roadmap: Building Solutions to Address Climate Change in the Commonwealth slide deck, Page 13. GWSA Implementation Advisory Committee (IAC), et al. Shows that state decarbonization plan will count on in-state carbon sink to compensate for unavoidable emissions to reach net-zero emissions. <https://www.mass.gov/doc/3272020-slide-deck-from-public-webinar/download>

<sup>4</sup> "Achieving a Balance Between Natural Resource Protection and Solar Energy Development", Appalachian Club website. <https://www.outdoors.org/conservation-action-network/ma-solar>

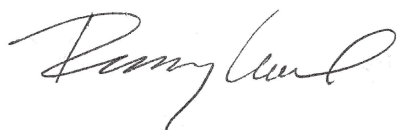
<sup>5</sup> "SOLAR MASSACHUSETTS RENEWABLE TARGET PROGRAM(225 CMR 20.00) GUIDELINE: Statement of Qualification Reservation Period Guideline"  
<https://www.mass.gov/doc/smart-sq-reservation-period-guideline-04152020/download>

suggestions like more developed categorizing land use have been adopted, the overall spirit of many of the comments made during all stages of these reviews have not been embraced. There is still far too much room for industrial-scale solar to scoop up the majority of solar, and virtually no accommodation of facilitating more equitable projects like small municipal solar, community solar and a broadening of rooftop solar to benefit low-income communities, environmental justice communities and communities of color. And as has been the case throughout the current administration, it doesn't go far enough to grow the green economy at a scale and pace needed to properly address the climate crisis we are all facing.

Respectfully submitted,



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