



THE GENERAL COURT OF MASSACHUSETTS  
STATE HOUSE, BOSTON 02133-1053

May 26, 2020

Patrick C. Woodcock, Commissioner  
Massachusetts Department of Energy Resources  
100 Cambridge Street, Suite 1020  
Boston, MA 02114

Dear Commissioner Woodcock:

We write with comments relative to the Commonwealth's Solar Massachusetts Renewable Target (SMART) program and 225 CMR 20.00 emergency regulations.

First, we would like to thank the Department of Energy Resources (DOER) for its work promoting renewable energy throughout the Commonwealth. As legislators representing Barnstable, Bristol, and Plymouth Counties we ask for your attention to two key aspects of the proposed changes to the SMART regulations that we believe will negatively affect solar development throughout our region and other areas of the Commonwealth, especially those with large agricultural footprints:

- 1) **Land Use:** The new provisions in the SMART regulations will greatly reduce solar development in our region, specifically ground-mounted projects. We view solar as imperative toward reaching greenhouse gas emissions standards and also as an important economic development driver and a job creator for our constituents. Further, it is our understanding that while the proposed regulations would prohibit the use of certain properties for ground-mounted solar, they would allow for other development such as residential housing and commercial development. We think it is unwise to reduce the scale of rural and agricultural land available for solar development to this extent and request that the Department re-evaluate this provision.

Specifically, our Cranberry industry may need to utilize options such as ground-mounted solar to maintain their agricultural business. Farmers, including cranberry growers, of the Commonwealth are incredible stewards of our environment; they understand the balance of renewable energy and the maintenance of our wilderness. This regulation, however, effectively forces growers to choose between covering their cranberry bogs with ground mounted solar panels and give up millions of dollars in investment and thousands of man hours in creating the fragile bogs for growing or failing as a business. The cranberry industry is already at the tipping point and the unintended consequences of the proposed regulations would eliminate a potential lifeline for many the cranberry harvesters in Massachusetts, while also negatively impacting many other agricultural businesses.

- 2) **Safe Harbor/Grandfathering:** Projects that have invested millions of dollars in development costs should not be negatively impacted due to new regulations, especially with delays and uncertainty created by COVID-19. We need to protect projects and money invested in the Commonwealth and assure that those projects that have followed the rules to date and invested considerable resources are able to be realized without changing the rules mid-project. At this time, it has been reported that nearly 70 local solar projects totaling 475MW are at risk of being halted as a result of the proposed regulations. These projects,

- 3) if allowed to proceed, will create clean energy jobs, opportunities for rural farmers and landowners, and generate millions of dollars in economic investment.

With the economic toll COVID-19 is having on our economy, the Commonwealth cannot afford such limits on programs that put people to work, generate tax revenue, and create a win-win-win for consumers, the grid, and the environment. The current health crisis has been detrimental to the solar industry with recent reports suggesting that we have lost over 4,000 jobs here in Massachusetts alone. We cannot help but think that if the issues noted above are not addressed, even more harm will come to the industry.

The solar industry in Massachusetts has emerged as a national leader; however, we are concerned that the land use changes and failure to grandfather existing projects in the emergency regulations will actually represent a major step backwards, which would be very unfortunate. Solar power is a cornerstone resource toward achieving our greenhouse gas reduction goals and emboldens sustainable economic development in the Commonwealth, therefore we would like to set regulations that encourage the industry.

We appreciate your consideration of our comments and look forward to working with you on the successful expansion of SMART.

Sincerely,



Anthony F.D. Cabral  
State Representative  
13th Bristol District



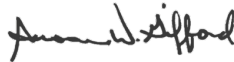
Claire Cronin  
State Representative  
11th Plymouth District



Dylan Fernandes  
State Representative  
Barnstable, Dukes and  
Nantucket Districts



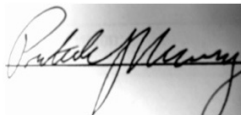
Carole Fiola  
State Representative  
6th Bristol District



Susan Gifford  
State Representative  
5th Bristol District



Patricia Haddad  
State Representative  
5th Bristol District



Patrick Kearney  
State Representative  
4th Plymouth District



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