

Joan W. Pierce
75 Willow Ave.
Quincy, MA 02170

May 21, 2020

Eric Steltzer, Director of Renewable Resources
Mass. Dept. of Energy Resources
100 Cambridge Street
Boston, MA 02114

Re: SMART Emergency Regulations - 225 CMR 20 – public comment

Dear Mr. Steltzer:

Thank you for including in these emergency regulations sections pertaining to Core Habitat, Priority Habitat and other irreplaceable natural resources of the Commonwealth.

I have previously, to no avail, offered comments on section 225 CMR 20.07 10. Confidentiality, a section which has enormous importance in the implementation of the Commonwealth's SMART programs. In spite of previous objections, and questions, this section remains unchanged.

At the public session in Boston on Sept. 9, 2019, I asked DoER staff person, Kaitlin Kelly, to explain the public benefit(s) resulting from such a severe restriction to public access to the application and decision making process. While DoER staff person, Ms. Kelly was extremely knowledgeable about the SMART program and competently answered questions from other attendees, Ms. Kelly was at a loss to explain the purpose behind this confidentiality requirement.

If no justification can be made for prohibiting the public from reviewing applications for SMART incentives, this Confidentiality section of the SMART regulations must be deleted. What are the reasons for such opaqueness into a process for which taxpayers, i.e., ratepayers, are paying the bill and which can result in complete destruction of natural resources?

DEP has a standard policy of allowing the public to view files on any project (except those portions pertaining to litigation or privacy issues). An appointment is all that is necessary at the DEP regional office to view any application for any permit.

I ask again: a) What is the purpose of this 10. Confidentiality section and b) how is the public better served by lack of transparency into the decision making process pertaining to applications for SMART financial incentives?

I sent these same questions in writing during the tutorial session offered on May 13, 2020. Never were these questions even mentioned.

Sincerely,



Joan W. Pierce
Citizen, voter, taxpayer, consumer and ratepayer
Submitted electronically to DOER.SMART@mass.gov