

Maddalena, Lesley (ENE)

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To: DOER SMART (ENE)
Cc: CBrown@SEAdvantage.com; tmichelman@seadvantage.com
Subject: SMART Review Comments

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SMART Stakeholder Feedback 2024

Respectfully submitted by
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Question 1. The SMART program currently provides added incentives for certain project types, including building mounted, canopy mounted, landfill, brownfield, agricultural, floating, community solar, and projects serving low income or public entities, projects with energy storage, and axis racking. DOER seeks additional feedback on changes or improvements that will advance achievement of the Commonwealth's 2050 GWSA mandates while balancing land use, equity, and economic considerations.

- a. What project type incentive changes could improve program outcomes?*
- b. Should other project types also be prioritized?*

Despite the stated incentives, there are loopholes in the SMART project eligibility that result in preferred project types - building mounted, canopy mounted, landfill, brownfield development - not being incentivized or adequately built. This needs to change. The Mass Audubon/Harvard Forest from 2023 specifically identifies the Community Solar loophole that allows for building large scale solar in forests. The disincentives (Subtractors) are not sufficient to offset the siting on forest land or agricultural land. Similarly, there are incentives (Adders) that allow for poor development - Agriculture and Community Solar. Battery (Energy) storage is a threat to the environment and should not receive incentivization. Public entity status is a loophole that allows private developers to avoid the usual requirements, including protection of forests and agriculture. This option should be eliminated completely. Dual use agrivoltaics are not proven to work and should not be incentivized.

Question 9. Are there examples of dual use agrivoltaics policies in other jurisdictions that align with Massachusetts' solar and agricultural objectives? Please provide citations and summaries of those policies.

Dual use agrivoltaics are not proven to work and should not be incentivized. If allowed, they should only be allowed in limited instances for grazing. It would be better to collect data through small-scale pilot before allowing full implementation and subsidies for agricultural deployment.

Question 13. Are there any Commonwealth policies (e.g., renewable energy goals, land use priorities, housing policy) that you believe the SMART program inadvertently conflicts with? Please describe any potential modifications to SMART that would alleviate these conflicts.

SMART regs currently do not align with existing policy documents and reports. These are:

The Massachusetts Technical Potential of Solar Report documents that there is 15-18 times the available land for the Commonwealth to meet its climate goals and creates a system based on suitability for where siting of solar should occur.

- *“Because of the amount of suitable solar potential identified, we can be aggressive with our solar policy while balancing land use priorities and protecting our natural resources.”*

The Massachusetts Clean Energy and Climate Plan for 2025 and 2030. Identifies that “Natural and working lands’ ability to sequester emissions will be a critical component of achieving net zero GHG emissions in Massachusetts”.

- *“To retain NWL [Natural Working Lands] carbon sequestration capacity for 2050 and prevent further emissions, the Commonwealth is committing, through state conservation efforts, to the goal of increasing permanent conservation of undeveloped land and water (including wetlands) in Massachusetts to at least 28% and 30% by 2025 and 2030, respectively.”*

The Massachusetts Clean Energy and Climate Plan for 2050.

- *“Climate-intensified ecological disturbances, the conversion of forests to other land uses, and a slowdown in the growth of Massachusetts’ aging forests present considerable risks and challenges to maintaining current levels of carbon sequestration through 2050”*

The BioMap program. By MassWildlife and The Nature Conservancy. This needs further protection from SMART projects. While current regulations seem like they protect BioMap land, in practice, this does not happen because of the loopholes created by the SMART project eligibility.

Question 14. Is there any additional feedback you wish to provide to DOER?

Strengthen performance standards so there are scientifically-based requirements to protect against soil disturbance, erosion, water contamination. There needs to be explicit environmental protections to prevent contamination of drinking water/water supply from risk of contamination from lithium-ion energy storage systems (ESS) and the use of PFAS on solar arrays. There needs to be requirement for community comment before SMART Statement of Qualification is approved for the subsidy. All SMART applications and associated documentation should be publicly available on a DOER website; posted in a timely manner to allow for community engagement. Limit on solar development size should remain at 5MW.