

202 Bay Road
Norton, MA 02766

February 28, 2020

HIGH PRIORITY

By E-Mail: John.lebeaux@state.ma.us; eric.steltzer@mass.gov

Commissioner John Lebeaux
Massachusetts Department of Agricultural Resources MDAR
251 Causeway Street, Suite 500
Boston, MA 02114

Mr. Eric Steltzer, Director
Renewable Energy Division
Massachusetts Department of Energy Resources DOER
100 Cambridge Street, Suite 1020
Boston, MA 02114

Re: Proposed NextSun Energy Project – 210 Bay Road, Norton, MA

Dear Commissioner Lebeaux and Director Steltzer:

Please review the attached letter by Teryl Roper, Professor of Horticulture, Utah State University, expressing his concerns with the Carver, MA experiment regarding shading over cranberries. I have also included Professor Roper's vita as well as a second letter he authored outlining the elements of a proper scientific experiment to answer questions regarding solar development over cranberries. You may recall that Professor Roper's work on shading was used as a reference in the May 2019 UMass Fact Sheet: "Expectations for Cranberry Growth and Production Under Solar (Photovoltaic) Panels."

It should be clear to all concerned that a second independent expert has found the Carver data to be wholly inadequate to support qualification or eligibility under the SMART program for the NextSun Energy project in Norton. It is also clear that large-scale solar projects over cranberry bogs in Massachusetts should not be undertaken before a proper 3 to 5 year study has demonstrated cranberries can be productively and profitably grown under solar panels.

Commissioner John Lebeaux
Director Eric Steltzer
February 28, 2020

MDAR and the DOER have now received two independent and unbiased peer reviewed reports of the Carver experiment by experts in the field, outlining numerous flaws and detailing the reasons why proceeding with solar development over cranberries without a proper study is unreasonable. The current process for approving solar development over cranberries should be halted until a proper study has shown the concept will work. Without a proper study, Massachusetts residents may question why these potentially harmful and unproven projects were ever allowed.

I respectfully request the following, based on the conclusions of two independent experts and my involvement with this matter for over one year:

- MDAR rescind the October 21, 2019 approval memo for the NextSun Energy solar project in Norton, MA.
- DOER amend the November 13, 2019 letter to NextSun Energy indicating the Norton project is ineligible and does not qualify as an ASTGU under the SMART program.
- MDAR and DOER notify Secretary Theoharides that no solar development over cranberries should take place in Massachusetts until a proper 3 to 5 year study has been completed, analyzed and peer reviewed indicating the proposed concept will work.
- MDAR and DOER notify Secretary Theoharides the SMART Program guidelines may need to be revised for solar development over perennial crops.
- MDAR and DOER notify Secretary Theoharides that large scale solar projects must be prohibited in ACECs, aquifers, well protection zones and flood plain districts.
- MDAR and DOER notify Secretary Theoharides that commercial scale battery systems for large scale solar projects must be approved by the people of Massachusetts before implementation by unelected regulators.

Thank you for your assistance with this matter.

Very truly yours,

Joseph Cogliano

Joseph D. Cogliano, Jr.

Cc: Secretary Theoharides with attachments – Kathleen.theoharides@mass.gov