



MASSACHUSETTS
**DEPARTMENT OF
ENERGY RESOURCES**

225 CMR 29.00

Clean Energy Siting and Permitting Draft Regulations

November 2025
Division of Clean Energy Siting & Permitting

Massachusetts' Clean Energy Needs

Reforms and clean energy policy implementation are being driven by several state laws and policies.

Emissions Limits:

2030: 50% emissions reductions
2045: 75% emissions reductions
2050: 85% emissions reductions



Energy Storage

Now: 550 MWh installed (as of 2023)
2025: 1,000 MWh target
2050: 5.8 GW target



Wind

Now: 113 MW installed (as of 2022)
2030: 3,650 MW target
2050: 24 GW target



Solar

Now: 3,325 MW (as of 2022)
2030: 8,360 MW target
2050: 27+ GW target



Grid

By 2035: Winter peak, electric load likely 50% higher than today
2050: Net Zero Emissions

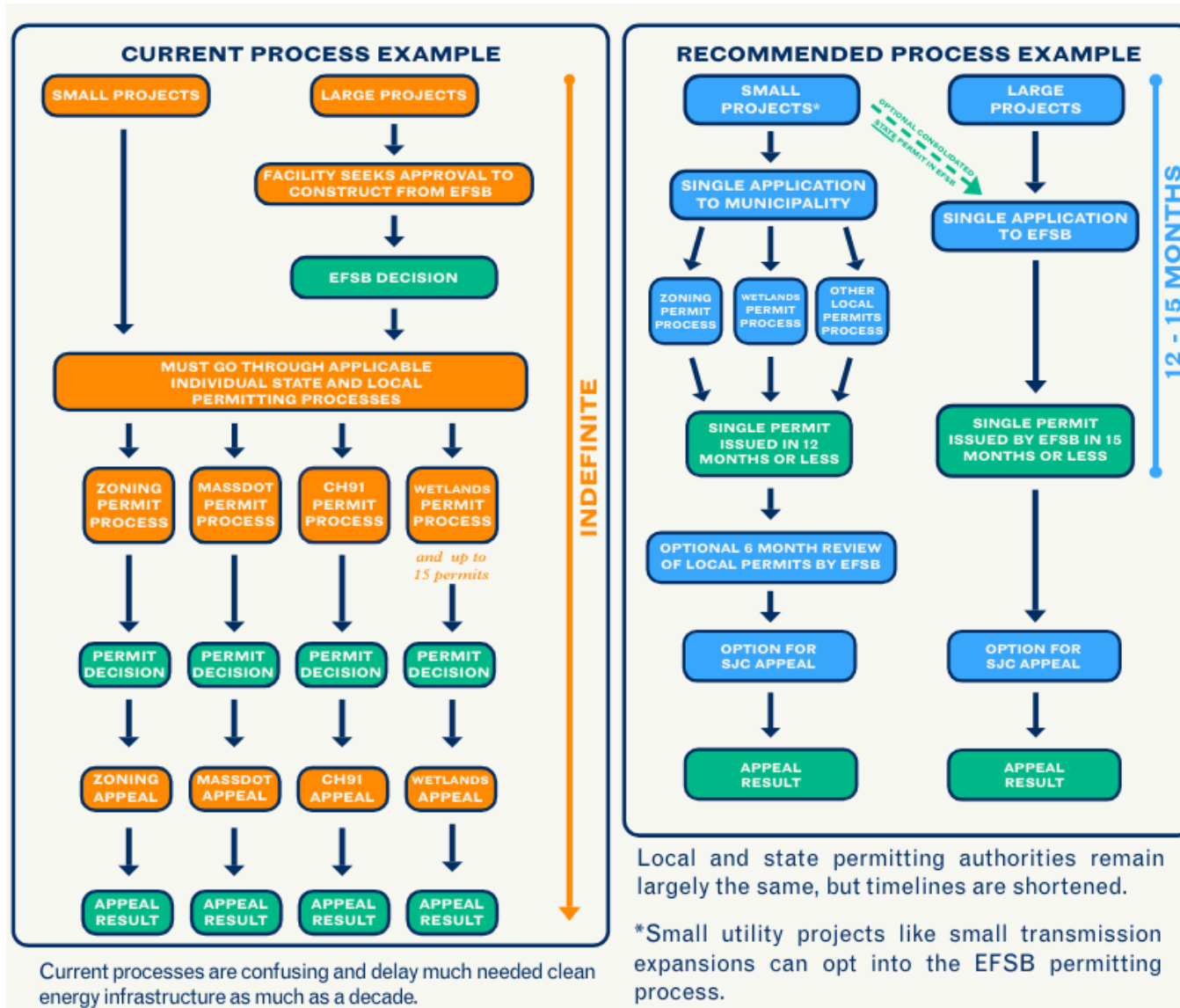
Our Charge – 2024 Climate Act

Siting and Permitting Reform

Two classifications of clean energy infrastructure projects

	Small	Large
Permitting Authority	Municipality	Energy Facility Siting Board
Generation	<25 MW	≥25 MW generation
Storage	<100 MWh	≥100 MWh
Transmission and Distribution	<1-mile long new corridor <10-mile long existing corridor	All other types (developers can also request EFSB to review Small Transmission and Distribution Projects)

Our Charge – 2024 Climate Act



Siting and Permitting Reform

Streamlining the municipal review process

- Municipalities have 12 months to review and issue a decision
- Consolidated Local Permit: Single application, but boards/depts retain review powers
- De Novo Adjudication: Affected parties can request review of final permit only to the EFSB
- New process is **OPTIONAL** – developers can decide which avenue is most efficient (Note: site suitability, pre-filing, mitigation does not apply if choose current process)

Rulemaking

Broken into 3 components

REGULATIONS:

- Sets basic framework for administering the 2024 Climate Law
- Has force of law; must be followed by all parties
- Follows the APA

GUIDELINES:

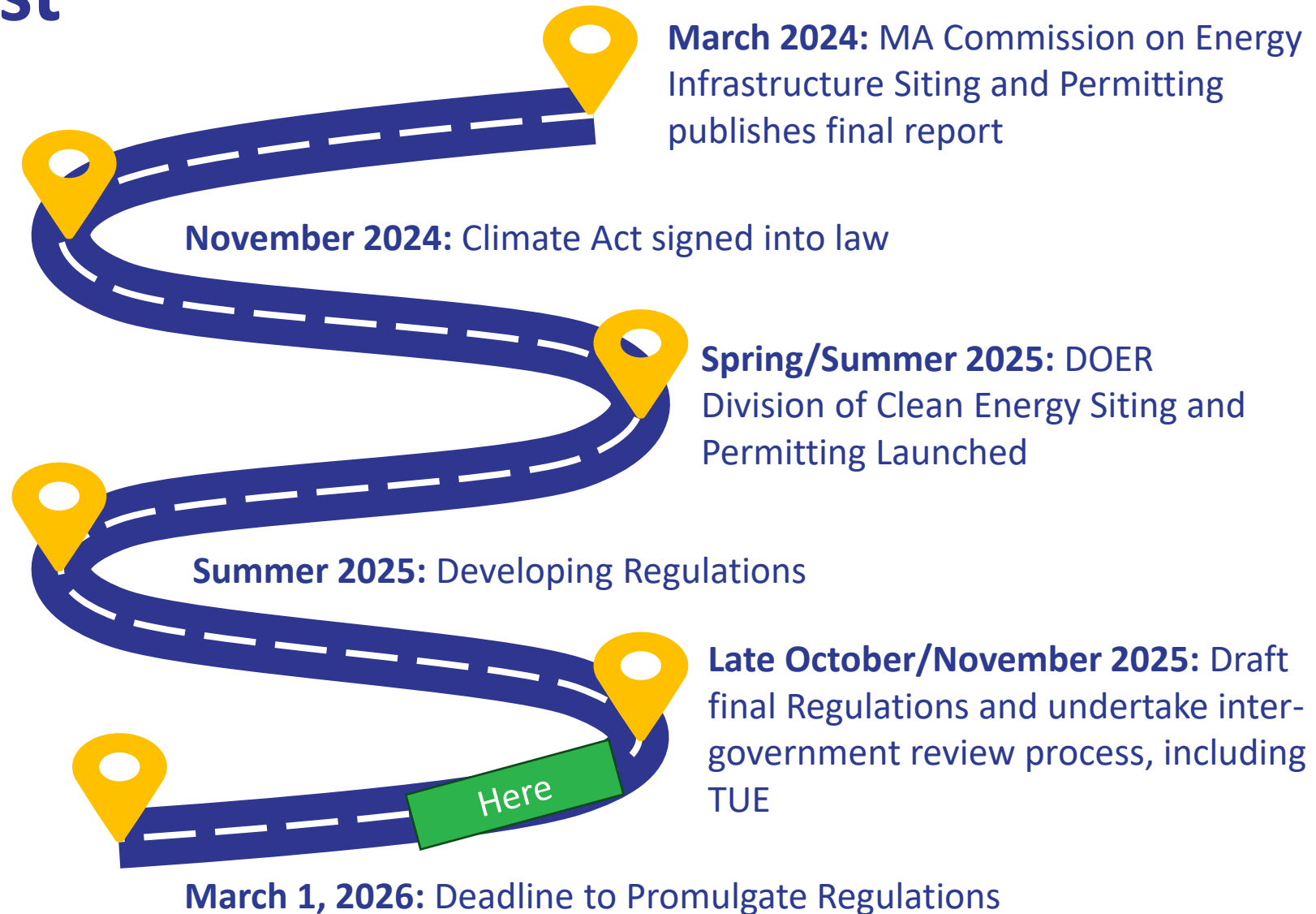
- Provides guidance on how law is implemented, and provides details
- Must be followed by all parties
- Creating guidelines detailing the public health, safety, and environmental standards; new universal application; common conditions; pre-filing outreach standards

MODEL BYLAWS

- Preparing 3 new bylaws: permitting; solar; storage
- Provides munis with a sample bylaw/ordinance they can adopt
- Voluntary but encouraged



Moving Fast



Outreach

Over the past five months, we have...



Met with officials
from more than 100
cities and towns



Met with 2 dozen
stakeholders
including MMA, Mass
Audubon, regional
planning agencies,
AMWS, MACC, MAHB



Held 5 public info
sessions, including
hybrid meetings in
Bourne, Danvers,
Fitchburg, Amherst,
plus an online



Received nearly
1,000 pages of
comments from 200
parties

Overview of Regulations by Section

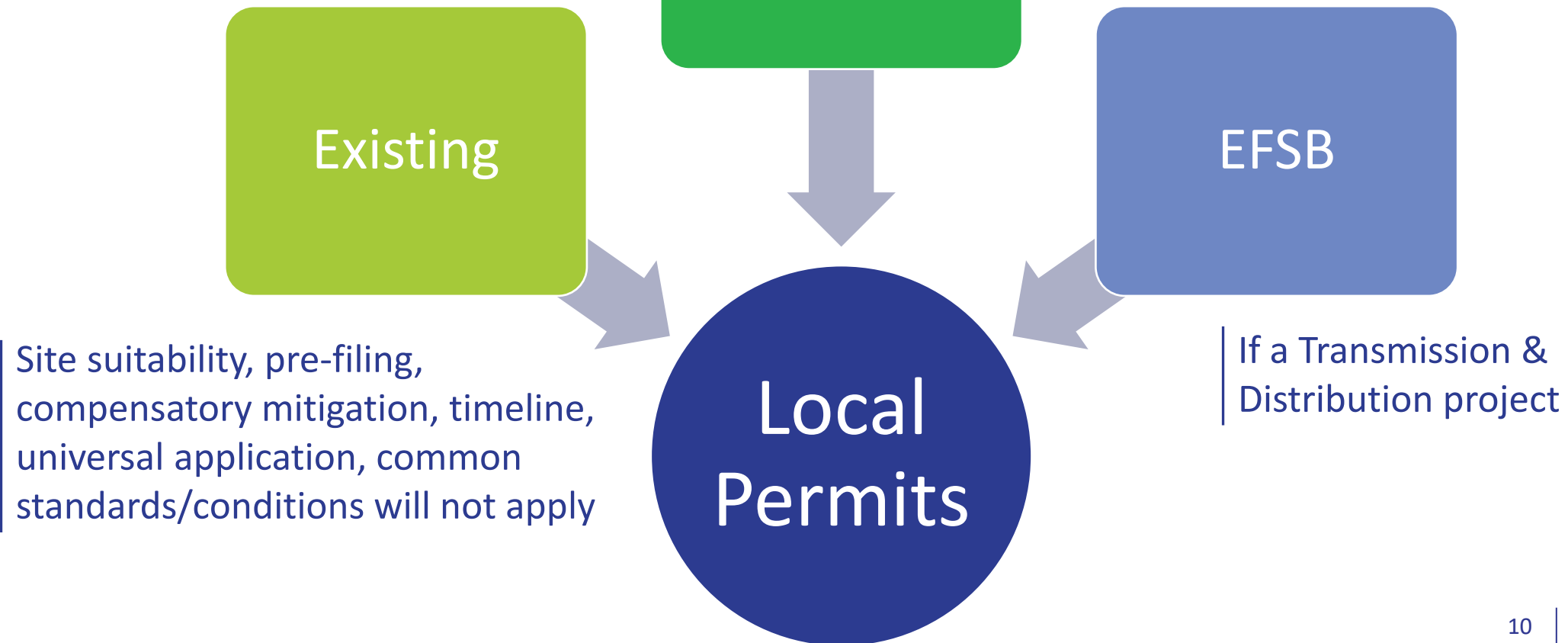


Applicability

225 CMR 29.04

*NOTE: New process is optional.
Municipalities must offer both
pathways.*

Some features may not apply
depending on project scope and type



Concurrency and Transition Periods

225 CMR 29.05

CONCURRENCY

- May start to offer new process on July 1, 2026

TRANSITION

- Must start to offer new process on Sept. 1, 2026

- No local action required
- Will require DOER to have universal application, pre-filing checklist, final decision doc, technical assistance materials mostly ready by July 1, 2026

Public Health, Safety, and Environmental Standards

225 CMR 29.06

- Establishes standards for facility construction, operation, maintenance, and decommissioning
 - Largely being established through guidelines
- Specifically states Applicants need to abide by Wetlands Protection Act and other DEP rules
- Allows Munis to adopt additional standards



Application of Site Suitability Guidance

225 CMR 29.07

- Exempts certain SCEIF projects from Site Suitability Scoring

Exempted Generation

- Generation with a site footprint ≤ 1 acre
- Front-of-meter Solar $\leq 25\text{kW AC}$
- Solar Canopies
- Behind-the-meter, accessory-use Generation
- Generation eligible for the ITC

Exempted Storage

- Front-of-meter Storage $\leq 250\text{kWh AC}$
- Behind-the-meter, accessory use Storage

Other Exemptions

- Small T&D in existing right of way

Application of Site Suitability Guidance

225 CMR 29.07

1. Applicant uses Site Suitability tool to score project during pre-filing

2. Applicant provides Site Suitability Report to muni, with details on avoiding, minimizing, and mitigating impacts

3. Applicant, town, or stakeholders can request Score Revision due to data errors

4. Munis can approve score modifiers for benefits and burdens

5. Local Govt Rep/Board will review Report, determine if “site is suitable” or if additional Mitigation needed

Pre-Filing Requirements

225 CMR 29.08

Applicants will need to complete:

Alignment meeting with local officials

- To go over site features, confirm required local permits, confirm stakeholders

At least one developer-led info meeting open to public

- Reqs on promotion, recording, using feedback

Information requirements for the public notice

- Guidelines will set expectations for outreach including webpage, mailings, advertising, etc.

Pre-Filing Completeness Checklist

- Local Govt Rep has 30 days to certify as complete
- RCs can be called in to referee disputes on completeness

Consolidated Local Permit Application & Review

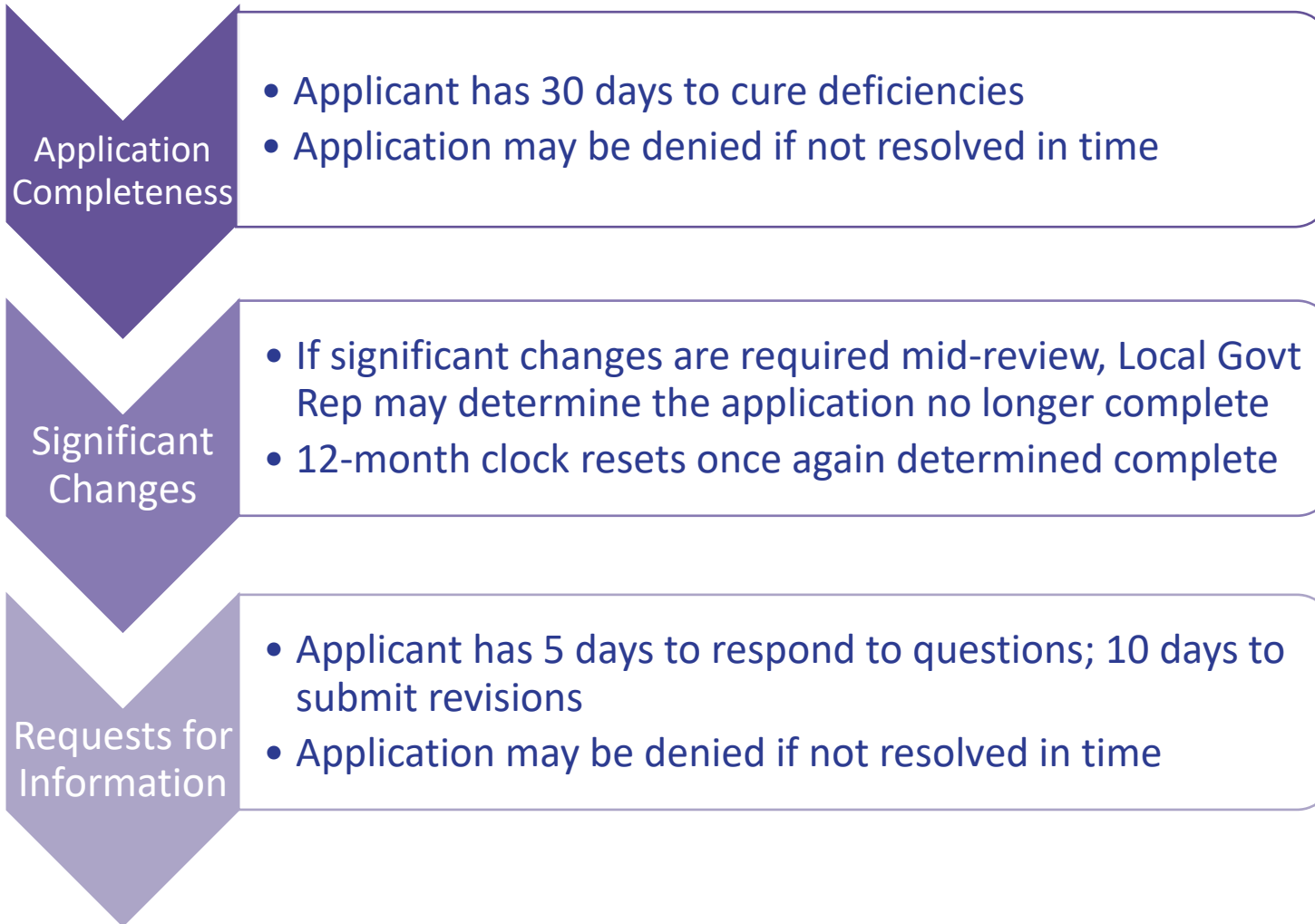
225 CMR 29.09; 225 CMR 29.10

- Includes details of application to be created by DOER
- Local official has 30 days to review for completeness
- Allows munis can collect fees for Application review
- Short-term: Electronic form; copies sent to muni and DOER
 - Long-term: DOER/EFSB-hosted online permitting portal



Consolidated Local Permit Application & Review

225 CMR 29.09; 225 CMR 29.10



Statutory rules:

- 12-month review deadline
- If a board/dept issues denial, review work continues
- Final permit is denied if any board/dept issues denial

DOER Technical Assistance

225 CMR 29.11

Guidance On:

- Consolidated local permit application
- Meeting regulation requirements
- Disputes between applicants and local government

May Aid With:

- Completeness determinations
- Understanding site suitability score results
- Requests for information
- Development of environmental mitigation measures

- Guidance shall not be considered a legal opinion, nor shall it be binding on the Applicant or the Local Government.
- Services are provided free of charge to Applicants and Local Governments.

Common Conditions and Requirements for Constructive Approval

225 CMR 29.12

Common Conditions Include:

- Admin/legal conditions and requirements addressing **compliance, inspections, changes in ownership**
 - Conditions and requirements governing **construction, operation & maintenance, decommissioning**
 - Material disposal, recycling, wetlands performance standards
- Constructive approval occurs when a municipality does not issue a decision within the 12-month timeframe
 - Common conditions only apply to projects that receive constructive approval

Model Small Clean Energy Infrastructure Facility Permitting Bylaw

225 CMR 29.13

- DOER will develop an optional model bylaw to help munis tailor, customize process to their own needs
- Specifically:
 - Fees to be collected
 - Cadence and deadlines for board/department review (6/9/11mos)
 - Review process that's consistent with regs, ensures collaboration and communication
 - Incorporate concurrency and transition
 - Who serves in Local Government Representative roles
- Also spells out how munis can modify, adopt own bylaws:
 - Can't conflict with Climate Law or this Reg
 - If they act in accordance, they're assumed to be aligned with Dover Amend
 - Munis that do nothing aren't excused from the process