

**SENATE . . . . . No. 2001**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Marc R. Pacheco*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to solar siting.

PETITION OF:

NAME:

*Marc R. Pacheco*

DISTRICT/ADDRESS:

*First Plymouth and Bristol*

**SENATE . . . . . No. 2001**

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By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2001) of Marc R. Pacheco for legislation relative to solar siting. Telecommunications, Utilities and Energy.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1873 OF 2017-2018.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

An Act relative to solar siting.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Section 11F of Chapter 25A is hereby amended by striking out subsection (c), as so  
2 appearing, and inserting in place thereof the following:-

3           (c) New renewable energy generating sources meeting the requirements of this subsection  
4 shall be known as Class I renewable energy generating sources. For the purposes of this  
5 subsection, a Class I renewable energy generating source is one that began commercial operation  
6 after December 31, 1997, or represents the net increase from incremental new generating  
7 capacity after December 31, 1997 at an existing facility, where the facility generates electricity  
8 using any of the following: (1) solar photovoltaic or solar thermal electric energy; provided,  
9 however, that (i) each such new facility with a nameplate capacity greater than 100 KW or  
10 increased capacity of greater than 100KW at existing facilities shall meet appropriate and site-

11 specific standards that avoid and minimize impacts on soils, habitat, and water quality including  
12 mitigation and enhancement measures as determined by the department in consultation with  
13 relevant state and federal environment and natural resource agencies; (2) wind energy; (3) ocean  
14 thermal, wave or tidal energy; (4) fuel cells utilizing renewable fuels; (5) landfill gas; (6) energy  
15 generated by new hydroelectric facilities, or incremental new energy from increased capacity or  
16 efficiency improvements at existing hydroelectric facilities; provided, however, that (i) each such  
17 new facility or increased capacity or efficiency at each such existing facility must meet  
18 appropriate and site-specific standards that address adequate and healthy river flows, water  
19 quality standards, fish passage and protection measures and mitigation and enhancement  
20 opportunities in the impacted watershed as determined by the department in consultation with  
21 relevant state and federal agencies having oversight and jurisdiction over hydropower facilities;  
22 (ii) only energy from new facilities having a capacity up to 25 megawatts or attributable to  
23 improvements that incrementally increase capacity or efficiency by up to 25 megawatts at an  
24 existing hydroelectric facility shall qualify; and (iii) no such facility shall involve pumped  
25 storage of water or construction of any new dam or water diversion structure constructed later  
26 than January 1, 1998; (7) low emission advanced biomass power conversion technologies using  
27 fuels such as wood, by-products or waste from agricultural crops, food or animals, energy crops,  
28 biogas, liquid biofuel including but not limited to biodiesel, organic refuse-derived fuel, or algae;  
29 (8) marine or hydrokinetic energy as defined in section 3; or (9) geothermal energy. A Class I  
30 renewable generating source may be located behind the customer meter within the ISO-NE  
31 control area if the output is verified by an independent verification system participating in the  
32 NEPOOL GIS accounting system and approved by the department.