



**SIERRA  
CLUB**  
FOUNDED 1892

MASSACHUSETTS  
CHAPTER

**Massachusetts Sierra Club**  
10 Milk Street, Suite 632  
Boston MA 02103-4621  
www.sierraclubmass.org  
office@sierraclubmass.org  
(617) 423-5775

May 22, 2013

Chairwoman Sarah Peake  
Joint Committee on Municipalities and Regional Government  
State House, Room 540, Boston, MA 02133

Chairman Sal DiDomenico  
Joint Committee on Municipalities and Regional Government  
State House, Room 218, Boston, MA 02133

Re: H.1838, An Act Relative to Zoning and Solar Farms

Dear Chairwoman Peake, Chairman DiDomenico, and Honorable Members of the Committee,

Thank you for providing this opportunity to offer our comments on H.1838, An Act relative to zoning and solar farms. The Sierra Club wishes to express our strong opposition to this bill.

The Sierra Club is the oldest and largest non-profit, non-partisan environmental organization in the country. With over a forty year history in this state, the Massachusetts Sierra Club represents about 22,000 members throughout the state and nearly one million nationwide. We fight for clean air, clean water, the preservation of the Commonwealth's most precious natural spaces, and healthy, vibrant communities.

H.1838 seeks to replace the following ninth paragraph in Section 3 of G. L.c. 40A, which currently reads:

*No zoning ordinance or by law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.*

with the following:

*The installation of solar energy systems or the building of structures to facilitate the collection of solar energy shall be subject to local zoning ordinance or by-laws.*

The current law is working well. A quick survey of the Attorney General's review of solar zoning by laws will show that communities are fully capable of making such decisions for themselves under the existing statutory regime.

The proposed H.1838 is not only a step backwards in the Commonwealth's march toward a clean energy economy but also will slow future job creation expected from renewable energy and serve to perpetuate the outflow of dollars from Massachusetts to purchase energy that could be retained in our local economy by having clean energy generated at home. In addition, the proposed H.1838 runs counter to the clear policy of the Global Warming Solutions Act (GWSA) to cut greenhouse gases and their adverse impact on the health of Commonwealth citizens. A modest elaboration of these effects demonstrates why the proposed H.1838 should be reported out unfavorably.

- **64,000 Massachusetts Jobs Created.** The clean energy economy employs a broad variety of workers – for example, blowing insulation into homes, installing high-tech appliances that use less energy, increasing wind energy capacity, designing solar installations, installing geothermal systems, and developing new technologies like advanced batteries that can store

electricity for use later. Thanks to the foresight of state lawmakers, clean energy jobs have been growing in Massachusetts during the economic downturn. The Green Communities Act and associated clean energy policies bring economic, energy, health and environmental benefits to Massachusetts. These benefits far outweigh the costs for a net gain of jobs, public health and energy security for the state.

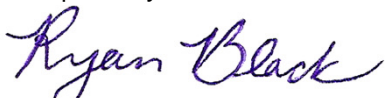
- **A Thriving Clean Energy Sector Grows the Massachusetts' Economy.** Leading-edge clean energy policies drive economic development in the state, as solar panels and private investment comes into our economy. Clean energy is taking its place alongside biotech and information technology as a pillar of our Commonwealth's innovation economy fostered by excellence in higher education, a skilled workforce, and strong policy signals which catalyze market growth. Job creation, increased investment and deployment, industry expansion and the creation of new markets are all hallmarks of our burgeoning Massachusetts clean energy economy, so much so that Clean Edge Inc., a West coast clean-tech market authority, ranks Mass as the clean energy leader among states in the U.S.
- **Clean Energy At Scale.** Massachusetts has significantly increased the amount of its electricity coming from clean energy sources to include over 250MW of solar. The state's technology firms will continue investing in product development and innovation to make our grid smarter, more responsive, easier to fix and maintain, more efficient and less expensive to operate, as well as more reliable than ever before.
- **More Solar Energy Keeps Our Energy Dollars Here.** At least \$2 leaves our state per gallon of oil used to produce electricity<sup>1</sup>, and \$3 leaves per thousand cubic feet of gas that our electric utilities burn. In 2011, we in Massachusetts spent over \$942 million for natural gas and over \$592 million for oil to generate electricity.<sup>2</sup> Solar installations reduce that expenditure and dependency. It is not only possible, but economically and highly rational, to invest our energy dollars in our state, our communities, and in our self-sufficiency.
- **Reduced Exposure to Market Volatility.** As less of our energy needs are met with imported resources, Massachusetts becomes more insulated from and resilient to fossil fuel price volatility, but as a state, we remain at the mercy of commodity markets. As it is, Massachusetts already relies on natural gas for almost 50% of its energy, which is projected to increase.<sup>3</sup> Containing increasing dependence on natural gas creates fuel diversity and reduces overdependence on this single resource whose price has been historically volatile, and is especially temperamental when demand peaks.
- **Achieving Green House Gas Emissions Goals.** It is important to continue to reduce GHGs, both because that is the law (under GWSA) and because our current work to reduce emissions is giving Massachusetts a competitive advantage over other states and globally. In addition, GWSA's requirement to reduce GHG emissions to 25% below 1990 levels by 2020 and at least 80% below 1990 levels by 2050 are consistent with the scientific consensus regarding the scale of the emissions reductions required to avert the most significant negative effects of climate change.

Because this proposed legislation would have the net effect of impeding the installation of photovoltaic systems, thus missing opportunities to eliminate global warming gases, we respectfully request that the committee report this bill unfavorably.

Thank you for your consideration.

*This testimony was prepared by Edward Woll, Jr., Energy Chair, Massachusetts Sierra Club*

Respectfully,



Ryan Black  
Director, Massachusetts Sierra Club  
ryan.black@sierraclub.org

<sup>1</sup> Petroleum & Other Liquids, U.S. Energy Information Administration (EIA), US Dept of Energy, <http://www.eia.gov/oog/info/twip/twip.asp>, May 15, 2013

<sup>2</sup> State Energy Data System (SEDS): 2011, U.S. Energy Information Administration (EIA), US Dept of Energy, <http://www.eia.gov/state/seds/seds-data-fuel.cfm?sid=US#PetroleumandFuelEthanol> (retrieved May 15, 2013).

<sup>3</sup> Breaking New England's Natural Gas Addiction, Ryan Matley, Rocky Mountain Institute, [http://blog.rmi.org/blog\\_2013\\_03\\_19\\_Breaking\\_New\\_Englands\\_Natural\\_Gas\\_Addiction](http://blog.rmi.org/blog_2013_03_19_Breaking_New_Englands_Natural_Gas_Addiction). March 19, 2013