



*The Commonwealth of Massachusetts*  
*Massachusetts Senate*  
*State House, Boston, MA 02133-1054*

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February 21, 2024

Chairman Kevin D. Morse  
29 Depot St.  
Douglas, MA 01516

Chairman Jonathan Anderson  
4 Uxbridge Rd.  
Sutton, MA 01590

Re: BlueWave Solar and The Douglas and Sutton Conservation Commissions

Dear Chairman Morse, and Chairman Anderson,

As the legislative delegation for the towns of Sutton and Douglas, State Representative Joseph McKenna and I are writing in support of the efforts of Conservation Agent Brandon Faneuf and the Douglas and Sutton Conservation Commissions regarding their work mitigating runoff pollution at the 30-acre BlueWave Solar property site in Douglas. We encourage you to support their effort to enforce the Wetlands Protection Act in their local bylaws as it relates to this issue.

I have spoken to Agent Faneuf concerning Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) running into ponds and streams across the two towns. I have also been briefed on the issue by both towns' Conservation Commission Chairs: Bill Wence and Joseph Fitzpatrick.

Clear-cutting has negatively impacted both private and recreational property in the two towns. Homeowners are faced with washed-out driveways, flooded yards, and property erosion. There is an alarming freshwater environmental concern in areas such as Manchaug Pond, where sediment runoff flowed through the woods from the BlueWave site to the wetlands at Holt Road a quarter mile away and directly into Manchaug pond. Had this incident occurred mid-summer, swimming would have been restricted in at least the lower area of the pond. Further, recreational spaces like Kings Family Campground, Lake Manchaug Camping, YMCA Camp Blanchard, and Sutton Falls Camping Area are

currently at risk of a seasonal financial impact if mudslides, erosion, and runoff persist into the camping and swimming season. Hazardously, the pollution has exited Manchaug Pond and spread downstream to several other ponds and into the Mumford River, a part of the Blackstone River Watershed. The potential PFAS runoff's impact on wildlife, cold water fisheries, and other vulnerabilities are unknown yet alarming.

These present issues are perhaps most frustrating given the very recent track record of a similar project in Douglas by the same company with similar negative community and natural resource impacts. Through the summer of 2021, a largescale solar development, built by clear-cutting the uphill slope of a steep hill leading directly to Wallum Lake with dozens of residences in between, led to massive erosion, flooding, and discharge of sedimentation into the lake. We are concerned that in the wake of this incident at Wallum Lake resulting in a similar environmental impact, BlueWave has clearly not taken thoughtful steps to alter their protection protocols moving forward. We understand that due to current damages, Douglas has levied a \$200 fine/day and Sutton a \$300 fine/day, and there is the prospect of more fines based on stormwater run-off. That said, we would encourage you to revisit Massachusetts General Law Ch 40 Section 21D and work with the Department of Environmental Protection (DEP) to expand the chapter fees and penalties for major corporations that may see these fines as the “cost of doing business.”

Further, Representative Joe McKenna and I are looking to file legislation to increase the current fine allowances, which have not been adjusted in several decades. We hope this message makes clear that we are unhappy with BlueWave's stewardship of this project and feel the current fines do not adequately represent the chaos and destruction of their irresponsible development. BlueWave must be markedly held accountable.

We hope to be a resource to you as you navigate this unfortunate circumstance. We understand attention to this matter is time-sensitive, as further rain and snow melt will continue to cause future calamity, and the current “duct tape and bubble gum” approach will not suffice. Thank you for your time and attention to this matter.

Sincerely,



Senator Ryan Fattman  
Worcester and Hampden District



Representative Joseph McKenna  
18<sup>th</sup> Worcester District