

October 30, 2020

Commissioner Patrick Woodcock
Massachusetts Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114
Email: DOER.SMART@mass.gov

Re: SMART Program ASTGU Straw Proposal

Dear Commissioner Woodcock,

A coalition of concerned conservation organizations, solar energy advocates, and solar developers respectfully submit this letter regarding the Agriculture Solar Tariff Generation Unit guidelines straw proposal for the SMART program. We support a transparent AGSTU application process that will help drive more dual-use solar development across the Commonwealth, protecting access to farmland and supporting future climate and regional food goals. We appreciate the opportunity to share the comments presented in this letter and welcome further opportunities to support the advancement of dual-use solar across the Commonwealth.

Massachusetts has long been a leader in innovation and the SMART program serves as an example for the rest of the nation in prioritizing clean energy development. As farmers continue to face difficult economic barriers to farm viability, they are often faced with the sale of land for permanent development, to residential, commercial, or solar developers. Additionally, when farm viability suffers, but opportunities for development do not exist, frequently farming just stops, and the land reverts to forestland. The ASTGU program is an opportunity for these same farmers to keep their land in production, while simultaneously leasing that same land for dual-use solar, but not without the flexibility that can cultivate creativity.

We support maintaining the technical requirements in the original guidelines.

Maintaining the original recommendations for ASTGU technical requirements within the current straw proposal provides continuity for farmer/landowners and for developers to continue their efforts to identify and align successful farming systems and solar project designs that will improve farm viability and support clean energy and climate goals.

To achieve broad diversity in proposed farm plans for ASTGU projects, we support reasonable flexibility in production system design while meeting sunlight requirements.

Dual-use /crop production compatibility is understandably of concern for both DOER and MDAR. We appreciate the concern for protection of agricultural production and the farmland upon which it occurs and We are fervently in support of ensuring that systems are not just designed to allow for hypothetical production, but that agricultural production continues at dual-use solar project sites. We recognize that there is insufficient research to ensure that all proposed production systems are compatible in Massachusetts, however we also recognize that this is an opportunity for Massachusetts to support the research and data collection necessary to understand more about diverse crop production system compatibility than any other state and perhaps any other region internationally.

We suggest developing more guidance with increased clarity regarding how application information will be used in monitoring on-going production at sites, including clearly defined pathways to remediate interruptions in farming, and consequences for ASTGUs that remain out of compliance.

DOER should develop and clearly articulate the requirement for ongoing farming and guidance for instances when farming is interrupted or ceases. In the instances where a transition is abrupt or unplanned, DOER should develop a clear protocol for reporting a potential unplanned or sudden interruption in farming and how the solar project owner and DOER/MDAR/3rd-Party remediate such occurrences. Additionally, a protocol is also necessary to address projects that fail to resolve interruptions in farming within a set timeframe. We suggest that a small working group of conservation advocates, farming groups, solar developers, and regulators could make strong and clear recommendations on this front.

We suggest removal of the 2MW AC, 5MW AC, 50% of eligible farmland, and AC:DC ratio limitations proposed for ASTGU.

The size caps, the introduction of AC caps with interrelating DC caps, and acreage caps creates confusion and challenges that deter application of future ASTGU projects. The 50% of eligible farmland limitation disproportionately impacts smaller scale farms and smaller scale projects, making it more difficult for smaller farms to take advantage of the ASTGU program. The AC:DC ratio limitation also inhibits the viability of ASTGU projects, especially given the requirement for energy storage on projects 500kW or greater. Imposition of an AC:DC limitation would work against the goals of the Commonwealth. The limitation prevents an optimized solar+storage design, making the projects less economically viable, and at the same time discourages the deployment of greater amounts of energy storage, which the Commonwealth is actively seeking. We recognize that DOER/MDAR are seeking some limitations in regard to project size while in the early stages of the ASTGU program. We suggest implementing a 7.5MW DC cap (without AC size limitation). This allows projects to be flexible with AC:DC ratios in order to optimize a solar+storage design, allows projects to most efficiently utilize available interconnection capacity and does not disproportionately impact smaller farms.

We support creation of a third-party alternative pathway for ASTGU certification.

Such certification could alleviate the high volume of applications MDAR must evaluate. Such a certification program, designed in consultation with both the solar industry and the conservation and agricultural communities, can streamline application and permitting processes. We request that language around third-party certification be framed in such a way that requires such certification systems meet stated minimum standards. We suggest that these standards include:

- A third-party certifier will provide both application processing and monitoring of ongoing compliance during the life of the AGSTU adder,
- The third-party certification process be designed with broad stakeholder input, including input from parties currently involved with the ASTGU application process,
- The third-party certifier is responsible for assuring projects meet the minimum regulatory requirements for the AGSTU eligibility,
- Assure, through the approval process, that ASTGU projects provide additional environmental or conservation benefits beyond ASTGU minimum requirements, and
- That such certification process has a transparent fee structure that is scale appropriate for the range of projects eligible under the AGSTU rules.

Thank you for your time and review of this important matter. We are happy to provide additional information or further guidance on this as requested.

Respectfully submitted by:

Emily J Cole, PhD
American Farmland Trust

BlueWave Solar

NextSun Energy

Hyperion Systems, LLC

Renewable Energy Development Partners, LLC