

Barnicle, Abby (ENE)

From: Brad Mitchell <brad@mfbf.net>
Sent: Thursday, October 29, 2020 4:23 PM
To: DOER SMART (ENE)
Subject: Qualifying Dual Use Agricultural Solar Tariff Generation Units Straw Proposal -MFBF Comments

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On behalf of the approximately 6,000 members of the Massachusetts Farm Bureau Federation, I would like to offer comments on the *Qualifying Dual Use Agricultural Solar Tariff Generation Units Straw Proposal*: Our comments are as follows:

1. We do not believe UMASS Extension, or any single entity at this point in the evolution of dual-use, has sufficient expertise, experience or perspective to evaluate proposed projects. We have anecdotal reports of questionable conclusions coming from UMASS reviewers which are questionable and betray a narrow understanding or scope of dual use.

We would suggest a small committee made up of UMASS, DAR, a solar developer and a farming organization would be a preferable review team.

2. While a 50% sunlight reduction limit will work in most cases, we would caution against a blanket restriction. Dual use is still an emerging technology, and there may be situations where less than 50% sunlight still allows for significant crop or livestock production. The onus should be put on the proponent to demonstrate the ability to do so, but the opportunity to show viable production with more than 50% sunlight reduction should remain an option.

DOER has largely prohibited ground-based arrays on farm and forest land prohibiting farmers from utilizing these arrays to diversify their income and help ensure the financial viability of their operation. Our understanding from staff is that the agency expects dual use to be widely available to farms. MFBF has concerns about how much potential exists for dual-use installations in the Commonwealth. In addition, dual use installations on land under Chapter 61a has been determined by DOL to be a change of use. This means that towns have the right-of-first-refusal to buy the land (even if it does not change hands). The land will be taxed at a commercial use, and back-taxes will need to be paid. Dual use installations are also subject to local zoning and special permits.

There are significant barriers to dual-use installations. We hope that DOER will do its part to keep them minimal.

Brad Mitchell
Deputy Executive Director
MA Farm Bureau Federation
617.413.3727