

DATE: May 28th, 2020

TO: Department of Energy Resources
100 Cambridge St., Suite 1020
Boston, MA 02114

Attn: Kaitlin Kelly

RE: Comments on DOER's Agricultural Solar Tariff Generation Unit Guideline,
and Guidelines Regarding Land Use, Siting and Project Segmentation

Dear Ms. Kelly:

As a private landowner and proponent of renewable energy from Ware, Massachusetts who actively owns and manages lands enrolled under M.G.L. Chapter 61A – Agriculture / Horticulture I oppose DOER's draft guidelines involving the Solar SMART program. More specifically, draft revisions involving Maximum ASTGU Rated Capacity, Maximum Direct Sunlight Reduction Requirements, and Agricultural Yields criteria.

These revisions and limitations hinder innovation, are too prescriptive, and detract from the intent of the law enacted by the Massachusetts Legislature, Chapter 75 ACT of 2016, and signed by Governor Baker which directed to your Department to “...differentiate incentive levels to **support diverse installation types and sizes that provide unique benefits...**”

I am not aware of any dual-use (i.e. solar-agricultural) projects currently constructed and operational in Massachusetts at, or even close to these arbitrary 2 MW (AC) or 2.5 MW (DC) Maximum Rated Capacity limits proposed in the draft guidelines since the Solar SMART program took effect on November 26, 2018 . Many dual-use projects, some larger some smaller, may be in planning stages and under design, but very few dual-use projects have actually been constructed to date for the public to see, become more educated about, and to understand their unique benefits. Utility companies most likely are influencing the maximum ASTGU rated capacity limits due to the tariff based program adder they are required to pay under the current regulations.

The vision and benefits of dual-use solar projects allows landowners like me to consider long-term plans for their property other than residential or commercial development, while maintaining current agricultural use of the land for several generations ahead. At the end of the project, the system is decommissioned and land use has not change allowing for future potential landowners to do with the land at they please, unlike typical residential subdivisions and commercial developments.

With proper planning, but without DOER and DAR being overly restrictive involving the specific crop types, agricultural yields, farming techniques, solar design and review criteria; these type of solar projects are innovative and necessary to help maintain open space benefits for both wildlife and humans; help balance energy with food production needs; counteract global warming; maintain, and in many cases enhance existing agriculture land use; and add agricultural diversity all so that farmers and open-space landowners can ultimately hold-on to their properties long-term while operating costs, property taxes, and labor rates continually rise.

Setting maximum rated electrical capacity limits uniformly across the Commonwealth seems to be a very arbitrary method since land plots and utility grid capacity vary greater all across the

Commonwealth. It's very different for a landowner to propose a 2.5 MW project on 10 Acres of roadside land in Marlborough than a 2.5 MW project tucked away, out of site from public eye on 500 Acres in Hawley. Perhaps DOER might consider another way to limit project sizes based on a percentage of the overall parcel size rather than by electrical rating capacity, or better yet should stay away from the Maximum Rated Capacity topic all together; leaving maximum rated capacity to be a utility company and zoning matter, locally. A landowner with more land would, and should have the potential for a larger project, but ultimately the grid needs to be able to support it.

Project size and maximum rated capacity are complex local issues involving community zoning regulations, individual project engineering, utility company's grid capacity potential, and cost feasibility studies. Therefore, they should be established and regulated, when necessary, through local government and utilities rather than through DOER's and DAR's regulations and guidelines. Communities differ in terms of their rural character; economic needs and tax base; and population densities. Restricting ASTGU Rated Capacity uniformly across the Commonwealth using DOER's regulations and guidelines versus relying on local community zoning regulations and actual utility grid capacity seems unrealistic, overstepping, and potentially derails good projects from moving forward as innovation and technologies advance overtime.

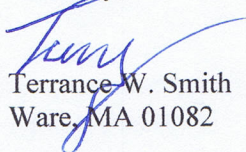
Additionally, the draft guidelines infringe on property owner rights, are too specific in terms of crop type, yields, and farming techniques; and make no provisions for the fact that as solar panel technologies continue to advance overtime that larger capacities can, and will be, supported on smaller land footprints.

In closing, I would like to point out following a review of the public comments which DOER has received and posted to their website to date in support of the draft guidelines that they seem to come from residents of Norton, MA who oppose one specific, local project.

Furthermore, that all other public comments received and posted to date from the Environmental, Farming, and Agricultural based community groups (i.e. which represent large numbers of diverse citizens), as well as solar developers, oppose many aspects of the guidelines, especially the Maximum ASTGU Rated Capacity, Maximum Direct Sunlight Reduction Requirements, and Agricultural Yield criteria mentioned in my opening paragraph due to global warming concerns, being too prescriptive, economically infeasible, infringing on landowner rights, etc.

Thank you very much for accepting my comments, and please feel free to contact me direct with any questions.

Sincerely,


Terrance W. Smith
Ware, MA 01082

Cc: Senator Anne Gobi, Chair person, Joint Committee on Environment, Natural Resources and Agriculture
Representative Smitty Pignatelli, Chairperson, Joint Committee on Environment, Natural Resources and Agriculture
Patrick Woodcock, DOER Commissioner