



February 23, 2018

RE: Comments Regarding the DEFINITION OF AGRICULTURAL SOLAR TARIFF GENERATION UNITS GUIDELINE

To Whom It May Concern:

Land For Good would like to provide the following comments regarding the *Agricultural Solar Tariff Generation Units Guideline*.

Land For Good is a New England-based not-for-profit organization whose mission is to help more farmers gain more secure access to more farmland. In Massachusetts and across New England, access to land is consistently cited as one of the primary barriers for farm entry and expansion, and Land For Good fears the continued expansion of ground-mounted solar installations around the Commonwealth threatens to exacerbate already significant competition for productive farmland. At the same time, Land For Good appreciates the value of renewable energy projects to the viability and profitability of Massachusetts farms, whether by reducing on-farm energy expenses or providing an additional revenue source for the farm. For this reason, we are very appreciative of the Baker Administration's efforts to incentivize the dual use of farmland for both solar development and continued agricultural use, which, if effectively implemented, we believe can be a win-win for the agricultural community.

We would like to offer the following comments and suggestions about the proposed guideline:

- The guideline envisions a Solar Tariff Generation Unit that is a raised structure "allowing for continuous growth of crops underneath the solar photovoltaic modules, with height enough for labor and/or machinery as it relates to tilling, cultivating, soil amendments, harvesting, *etc.* and grazing animals." The guideline goes on to require a minimum panel height of 8' and a minimum distance between panels of 4'. While we appreciate the intent to maximize the agricultural production potential of dual-use land, we also appreciate that a consequence of these requirements may be to increase the footprint of dual-use installations. We believe that in some circumstances a smaller height and spacing requirement may be viable, if the envisioned agricultural use is not one that requires continued cultivation of the area under the panels.
- For this reason, we would encourage the guideline to be revised to allow the Department of Agricultural Resources to waive the panel height and panel distance requirements, should the applicant demonstrate that an alternative configuration would be viable on the proposed parcel for the envisioned agricultural use. As the agricultural use may obviously change over time given changes in markets or farmers, we would encourage a waiver process that requires an applicant to show multiple potential agricultural uses of the land, given the applicant's proposed configuration of panel height and panel distance. This waiver process would allow applicants to work with

farmers to develop an installation configuration that is most suitable to the land and to its agricultural productivity.

- Similarly, we wonder if the 2MW threshold is one that could potentially be waived as well, if an applicant can prove that a larger installation can support productive agricultural use. We are pleased to see that this threshold is one that DOER, with DAR, may revisit in the future.
- Lastly, we are pleased to see reporting requirements as part of the guideline. We note, however, that the guideline provides little guidance to applicants as to what will be required of them in terms of continued agricultural production. While the guidelines envision solar installations that are able to support agricultural production, they do not offer guidance in terms of what is required to be produced to remain eligible for dual use incentives. The enforcement mechanism appears to be reporting requirements that lack focus and provide little clarity for either solar developers or farmers. We strongly urge DER and DAR to develop a required threshold for agricultural production. One suggestion might be to require the same threshold as is currently required for eligibility under Chapter 61A. Another would be to create an advisory panel to develop such a threshold.

We applaud the thought and effort that has been put into the development of this Guideline, and are grateful for the opportunity to comment. We would welcome an opportunity to discuss these comments further, if helpful.

Sincerely,

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