

Dear Mr. Judge

Thank you for the opportunity to comment on the SMART guidelines. The Massachusetts Farm Bureau Federation is the largest farming organization in the Commonwealth, representing approximately 6,000 member-families. It is on behalf of these members that we offer comments on the Guidelines Regarding the Definition of Agricultural Solar Tariff Generation Unit.

We understand that the goal of the guidelines/regulations is to strike a balance between agricultural and energy production. That is a dynamic inherent with the dual use of land. However, we are very concerned that DOER has taken a very prescriptive, one-size-fits-all approach to how the balancing of these uses are approached.

It is not clear what "balance" that DOER is trying to achieve between agricultural and energy production. There is no stated "balance" of agricultural production which DOER wants to achieve. Rather the default seems to be 50% for all parameters, which seems arbitrary and capricious.

Specifically, we took exception to the following provisions:

3. all Agricultural Solar Tariff Generation Units must demonstrate that the maximum sunlight reduction from the panels on every square foot of land directly beneath, behind and in the areas adjacent to and within the Agricultural Solar Tariff Generation Unit's design shall not be more than 50% of baseline field conditions;

Different plant species require different levels of sunlight. Some actually require shade. In addition, many farm operations (pasture and hay for instance) do not need production to be at full value and would be more viable trading some level of production for addition income from power generation.

4. the typical growing season shall be considered to be March through October, with sunlight hour conditions with maximum 50% sunlight reduction to be between 10AM and 5PM for March and October, and from 9AM to 6PM from April through September;

The growing season varies considerably with the specific species of plant being grown. Many grass species of grass in pastures will grow outside the proposed window. Conversely, many other species rely on photosynthesis for only a portion of the proposed March - October season.

5. fixed tilt designs shall include a minimum four feet distance between each panel(s) in order to avoid full shade beneath and behind each row of panels; single- and double-axis tracking systems must demonstrate the 50% sunlight reduction maximum can be achieved without the minimum four feet distance.

Again, various plant species require different levels of sunlight.

We recognize that dual use entails both legitimate agricultural production and energy production. We understand and appreciate efforts to ensure no one uses dual use as a loophole to produce only energy and neglect the agricultural production. However, it would appear that those drafting the regulation are attempting to err far on the side of ensuring agricultural production. In doing so, they will preclude legitimate farm operations wanting to have dual use facilities. We question whether those who drafted the proposed standard have practical experience in agriculture.

In order to allow dual use to its fullest - or even a significant - extent, DOER regulations need be flexible enough to allow for a wide variety of scenarios. This might be accomplished through a system which allows proposals specific to crop/livestock and the configuration of solar arrays. For instance, if a person can show significant grass production on pasture with only 30% of sunlight remaining - and can show the data to support that agricultural production will remain - then the regulations should allow for this.

It may simply be that more voices, and expertise, are needed in determining how to draft these regulations. Farm Bureau would be happy to assist in coordinating meeting with farmers, agronomists and livestock specialist to discuss practical approaches that allow for appropriate flexibility.

Thank you for the opportunity to comment.

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