

Dear Commissioner Judson,

I understand that the Department of Energy Resources recently put out proposed rules to promote solar development in the state (the SMART program).

I am concerned about a particular provision—Section 20.05(5)(e)—which would penalize landowners who have previously put their land into Ch. 61A. This provision is a bad idea. It would take away an important source of revenue for farmers and rural landowners like me and my neighbors, and it would penalize us for having put our land into the Ch. 61A program. (In fact, this rule would impose a double penalty, since we are already required to pay a penalty for removing land from Ch. 61A.) It would also interfere with our property rights and would override local zoning rules that allow for solar development on Ch. 61A land. This proposed penalty on landowners like myself is unfair and unwise, and should be changed.

Thank you,

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