



October 28, 2016

Michael Judge, Director
Renewable and Alternative Energy Division
Department of Energy Resources
100 Cambridge Street; Suite 1020
Boston, MA 02114

RE: Comments on Solar Incentive Program (via email)

Dear Mr. Judge:

The Cape Cod Cranberry Growers' Association (CCCGA) appreciates the opportunity to provide comments in response to the Department of Energy Resources (DOER) new Solar Incentive Program Proposal. CCCGA represents more than 325 cranberry growers in Southeastern Massachusetts, Cape Cod and Nantucket. Cranberries are the largest agricultural food commodity produced in the state with an annual crop value of \$99.8 million dollars. We support DOER's mission in developing a long-term and cost-effective solar incentive program that will promote the growth of solar energy in Massachusetts for a wide array of customers and sectors, including the cranberry farming industry.

However, we are very concerned with the impact that DOER's proposed land use restrictions on solar projects would have on farmer's rights to develop solar on their property, particularly cranberry growers. Solar development can provide important supplemental revenue generation to farmers that allows them to continue farming operations. Because most projects can be easily decommissioned at the end of their life, solar projects can also serve as a land bank, protecting farm and forest land from more permanent types of development. Unfortunately, DOER's straw proposal would exclude nearly all new projects on farm and forest land from the state's incentive program for solar.

In 2015, the Cranberry Industry Revitalization Task Force initiative was created by the Massachusetts Legislature. This enabling legislation directed the Task Force to, "[E]xamine methods to promote innovation in and the revitalization of the cranberry farming community including, without limitation, the impact of increased fixed costs borne by the cranberry growing community, *alternative and renewable energy uses for growers* (emphasis added) and an investigation of the unique geography, culture and needs of the cranberry industry." In 2016 the Task Force issued a final report with recommendations on ways to stabilize and revitalize the industry. The Task Force found that on-farm solar development can reduce energy consumption, operating costs, emissions, and dependence on fossil fuels thus helping to keep this historic and important industry thriving in Massachusetts. The report further recommends that the CCCGA and the Massachusetts Department of Agricultural Resources facilitate collaborations between cranberry growers and the DOER to explore renewable opportunities for cranberry farmers. Solar energy was one of the pillars of the report for stabilizing the industry for the future.

Because solar cannot be economically developed without DOER's programmatic support, the proposed restrictions would effectively prohibit farmers and foresters from using their land to go solar. Creating blanket prohibitions based on land type including wetlands and prime farmland soil may have unforeseen

Cape Cod Cranberry Growers' Association

One Carver Square Boulevard • P.O. Box 97 • Carver, MA 02330
Telephone: (508) 866-7878 • Facsimile: (508) 866-4220
Email: cccga@cranberries.org • www.cranberries.org



negative impacts on the cranberry farming industry. There are many compelling reasons why a farmer, including cranberry farmers, may want to seek to develop on-site photovoltaics to meet their energy needs and in some instances this may require ground-mounted systems sited on prime farmland soil, or wetlands buffer zones in a cranberry farmer's case. As such there should not be a flat prohibition on qualification for the next solar incentive program for farmer's use of such accessory farm systems on prime farmland soils or wetlands. CCCGA proposes that DOER reconsider the flat prohibition based on land use or otherwise exempt cranberry farmers from this, which in essence now precludes ground mounted solar development on cranberry bogs

Not only are there strong arguments for allowing farmers to place solar, including ground-mounted systems, on-site to support farming operations, but there are instances where commercial solar systems may be well suited for on-site location on prime farmland or buffer zones of wetlands. Due to consolidation and modernization, some cranberry bogs are no longer of value to the grower and the farmer must find some other use for them that will be financially beneficial. Furthermore, in the current economic landscape there are many cranberry farmers experiencing financial hardships who will be unable to sustain their farms and need financially viable exit options. In these instances, commercial solar projects may be a far better alternative than other more harmful commercial or residential development.

By placing a flat prohibition on ground-mounted solar panels, both for commercial and non-commercial use the new solar incentive program will limit the options available to cranberry farmers to use their land in both a sustainable and financially beneficial manner. A viable alternative may be to allow exceptions or to recognize best management practices, perhaps on a case by case basis. The DOER could establish clear guidelines for eligibility for exceptions recognizing some of the unique situations that exist beyond land use designations, like cranberry farmers and their bogs. DOER could also bring together relevant stakeholders to adopt a more flexible standard that permits development on prime farmland soils, Chapter 61 land, wetlands, etc.

In summation, our principal concern with the DOER straw proposal is that DOER's approach of banning participation in the program for projects located on prime farm and forest lands, unique farmland soils (particularly the sandy soils of cranberry lands), Biomap 2 areas, and lands associated with Chapter 61 would unfairly restrict landowners' abilities to manage their private property and would remove an important option for receiving much needed revenue from going solar. This approach will have a crippling effect on the Massachusetts cranberry industry in particular and agriculture as a whole. We strongly object to this approach and believe a better tactic is possible, which can still achieve meaningful results

Cranberry farming is a historical and vital component of the commonwealth's economy and yet the industry faces many challenges. The Task Force report clearly demonstrates that the benefits of solar development can aid cranberry farmers in keeping the industry sustainable today and into the future. DOER needs to reconsider its proposed land use restrictions to allow more flexibility to assist the farming community in general, but the cranberry growers in particular and their unique land and soil type profiles. We understand and appreciate DOER's concern for protecting our working lands and forests, and for encouraging responsible development. However, the current approach would take away the ability for growers to continue developing responsible solar projects on their property, and we urge DOER to reconsider these proposed restrictions.

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Once again, we would like to thank the DOER for the opportunity to provide comments on the Commonwealth's next and much needed, solar incentive program.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Wick". The signature is fluid and cursive, with the first name "Brian" and last name "Wick" clearly distinguishable.

Brian Wick
Executive Director

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