



THE COMMONWEALTH OF MASSACHUSETTS
House of Representatives
24 Beacon Street
State House, Boston 02113 - 1054

LINDSAY N. SABADOSA
STATE REPRESENTATIVE
1ST HAMPSHIRE DISTRICT

Commissioner Woodcock
Department of Energy Resources,
100 Cambridge Street, Suite 1020,
Boston, MA 02114
October 27, 2021

Dear Commissioner Woodcock,

I am writing to you to express my concern with the new guidelines put forward by the DOER regarding dual use solar. Dual use solar guidelines should be progressive, and the new guidelines are unfortunately moving in the wrong direction. They risk hurting the very farmers who hope to utilize dual solar and also would stunt the efforts of growing more renewable energy in the Commonwealth.

I have major concerns over the new "Eligibility" section of the regulations, which state that land must be 61A or prime farmland. While it does make sense that dual use solar agriculture should be eligible only on active farmland, the solar arrays should be sited on the farmland least suitable for farming, not on prime farmland, unique farmland, and additional lands of statewide importance. Solar should add to farm income, not replace agricultural production, especially by crop substitution to a low value crop. Chapter 61A states that "a renewable energy generating source on land-primarily and directly used for agricultural purposes shall not produce more than 125 percent of the annual energy needs of the land and farm upon which it is located, which shall include contiguous or non-contiguous land owned or leased by the owner or in which the owner otherwise holds an interest." This standard should continue to apply to dual use installations

The viability of farming under solar arrays has yet to be proven and the state should pause any large-scale, dual use solar development. According to the American Farmland Trust, 19 acres per day, or 7,000 acres per year of New England agricultural land were lost or threatened between 2001 and 2016. The DOER's proposal to allow up to 80MW of dual use solar before undertaking a comprehensive review of this program would result in at least 320 acres of productive farmland being lost to an untested technology. For this reason, the 80MW target should be reduced.

- In addition to the concerns listed above, the following comments should be considered by the DOER in their review process.
- Solar incentives should not encourage conversion of Priority Habitat for rare species or BioMap 2 habitats to dual use solar.
- The policy regarding farmland development for solar should align with other state initiatives including the Healthy Soils Plan and the Resilient Lands Initiative.
- No Agricultural Preservation Restriction on farmland should be broken or undone for dual-use solar.
- Many Massachusetts farmers operate entirely or partially on land that is leased. Incentivizing farm conversion to solar may benefit non-farmer landowners but harm farmers who lease land. This is as true of dual use as ground mounted solar. DOER needs to develop regulations to address this dilemma.
- Yield goals/reporting should be required. Yield should be measured in both pounds/tons or other applicable quantifiers per acre, and net revenue. The October 2019 revisions codified the long-stated MDAR philosophy, that the remaining agriculture in a dual use field should have increased productivity that would offset the area lost to the shade and physical structure of the solar array. Increased yield is a critical policy goal that must be codified to fulfill the promise of truly "dual" use.

Thank the opportunity to voice the concerns with the new guidelines and I hope that the DOER will take these concerns and address them as it is important that Massachusetts continue to create and implement progressive policies when it comes to renewable energy.

Respectfully,

A handwritten signature in cursive script, appearing to read "Lindsay N. Sabadosa".

Lindsay N. Sabadosa

State Representative, 1st Hampshire