



October 13, 2021

The Coalition for Community Solar Access (CCSA) appreciates the opportunity to comment on two updated Guidelines issued by the Department of Energy Resources (DOER), the *Statement of Qualification Reservation Period Guideline* and the *Land Use and Project Segmentation Guideline*. We submit this comment for your consideration and will happily provide any additional feedback you may seek.

Land Use and Project Segmentation Guideline

CCSA would like to thank the DOER for the inclusion of section 8(a) to enable greater flexibility in the development of ground-mounted solar across the Commonwealth. The classification of Important Agricultural Farmland by GIS is a necessary tool in identifying nutrient rich soils. However, it can happen that the GIS identification of soil types does not match up with the use of the land itself, and CCSA supports the inclusion of the additional language providing any project an opportunity to request a determination from the Department on whether a site is in Important Agricultural Farmland. For ease of administration, CCSA encourages DOER to establish a standardized determination process using the published NRCS definitions for Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. If the land is not currently in agricultural use as defined by M.G.L. c. 61A and has not been within the last 5 years, a straightforward determination of non-agricultural land should be made if project developers submit a report from a third-party environmental engineer demonstrating that the soils on the site in question do not meet the NRCS criteria for any of the three categories of Important Agricultural Farmland.

SOQ Reservation Period Guideline

CCSA also appreciates DOER's inclusion of group studies in section 10 of this guideline. Project owners have dealt with significant uncertainty regarding the completion of group studies, and establishing a process to help make the SMART application process more equitable will help alleviate some of those concerns. CCSA does recommend one small edit regarding the ordering of applications that are submitted during the five day pause. We recommend that projects be ordered according to ISA application date, rather than by ISA date and then by ISA application date. Group studies may contain projects that have submitted an ISA application over 2 years ago, alongside projects that submitted an ISA application 6 months ago. Ordering according to ISA application date recognizes the differences that may exist in project development timelines, and creates greater equity among applicants. And while setting the start time for the five day pause in applications is not explicitly outlined in the Guideline, we encourage DOER to engage in an open discussion with the industry and the EDCs to determine the ideal timing for when to establish an application pause. Following the completion of the group studies, each group study will have to complete an adjudicatory process at the Department of Public Utilities. Upon the completion of that adjudicatory process, applicants will be notifying the utility that they intend to move forward with a request for a signed ISA. The start date of the five day pause will be most effective sometime following the completion of the adjudicatory process, but will be easier to determine if DOER is able to obtain more details regarding the projects in that study from the utility. We encourage DOER to obtain as much information regarding the projects that are moving forward following the group study prior to setting the start of the five day pause. CCSA is happy to provide DOER more information on that process to help inform that determination.

Once again, CCSA appreciates the thought and effort that has informed the latest iteration of these guidelines. We thank you for your consideration of this comment and look forward to further engagement on the SMART program.