

The Public Service Department and AAFM (copied here) became aware yesterday of proposed amendments to H.710 that would require the agencies to provide data in a report due in January. We provided the below email to Chair Watson last night, but understand the amendment was already voted. It looks like you are discussing the amendment today.

While more information on this subject is desirable, the Agencies find that that several of the reporting items are likely unachievable, or only able to be completed with unreliable accuracy. While some items are possible, they would be laborious and we are not resourced to spend significant resources on this research.

Here are specific comments on the reporting provisions. Apologies in advance for the length of this email but we wanted to be comprehensive in our response. Please share as appropriate, and reach out with any questions.

How many acres prime ag soils have been developed for any purpose, and what share of this development is attributable to solar energy generation projects;

We do not have any reliable way to identify all types of development on all ag soils. The Ag Agency can access broad survey data from USDA re the loss of farmland over time (as an example, we've lost about 56% of our harvested cropland since Act 250 was enacted in 1970), but we do not have any reliable way to identify all types of development on all ag soils, or to determine whether the former ag land is inactive or destroyed. Some info could be learned through laborious reviews of Act 250 and PUC proceedings, but even that would not be all development, and it would take forever to review the projects/years. We are not resourced to conduct the review. The share of solar as a percent of this would likely be inaccurate.

How many acres of prime ag soils used for solar were directly vs. indirectly impacted by solar projects;

This may be possible but it would be very time-consuming to parse every single project for the totals. A more recent time frame would limit the time, but this would take some significant resources.

How many acres of prime ag soils developed for solar were in active ag use immediately before development, and what that ag usage was;

We are uncertain as to how this could be accomplished. Perhaps by review of every CPG. The agencies are not resourced for this, and information may not be reliable or available in each CPG.

How many acres of prime ag soils developed for solar energy generation projects remain owned by farmers;

Only the project owner would know this. The Agencies have no way of accurately gathering this data.

How many acres of trees have been cleared for solar in this timeframe, broken down by forest type;

Tree clearing is in the scope of the Agency of Natural Resources. However, PSD is unaware of any database that collects this data, so it would likely require going through each CPG application. This is a significant expense that agencies are not resourced for.

Recommendations on how to encourage the siting of solar on land that has already been disturbed, including rooftops and parking lots, and potential financial structures that would make solar on those sites more financially feasible.

We can make recommendations. Without significant time and resources, they are likely to be simple and duplicative of other efforts already taken, whether through Climate Action and Comprehensive Energy Plans, previous program structures supporting preferred sites, and other known areas. H.710 itself addresses a small part of the answer, the ability to co-locate resources, the original purpose of the bill.

H.710 was a bill that came after a public process hosted by the PUC, where stakeholders and advocates put forth an acceptable improvement to improve the ability to co-locate generation on existing development. We have testified that we support those provisions. We urge you to not amend the bill.