



Thursday, August 1, 2019

Senate Committee on Bonding, Capital Expenditures and State Assets  
Massachusetts State House  
24 Beacon Street  
Room 109B  
Boston MA 02133

**RE: H3997 An Act relative to GreenWorks**

Dear Chair Moore, Vice-Chair Collins, and members of the Committee:

The MA Food System Collaborative believes that climate change resiliency and maintaining and improving the environmental and renewable energy assets of the Commonwealth are critical issues. We support the intent of H3997: An Act relative to GreenWorks, and believe these matters are most effectively addressed through multi-sectoral collaborative action and with attention to watershed, riverine, and other geographical features.

We further believe the Commonwealth's agricultural system can play a significantly beneficial role in meeting the legislation's goals, and so propose additions to facilitate that participation. Massachusetts' farmers steward hundreds of thousands of acres of land in the Commonwealth, and can bring infrastructure, expertise, and other resources to such a partnership, and themselves could be better sustained by being engaged in this important work.

The MA Local Food Action Plan (the Plan) places "high priority on ensuring that food producers are supported in their efforts to comply with environmental regulations, as well as to preserve and protect natural resources." It notes that "As stewards of land and sea, food producers of all types need support in employing sustainable management practices and adopting energy efficiency and renewable energy generation techniques while remaining economically sustainable."

The Plan represents the views of thousands of residents and farms, as well as hundreds of organizations, businesses, and government agencies. It emphasizes the need for a comprehensive approach to food system policy, where issues of economic development, natural resources, equitable access to resources, and others are all taken into account when considering laws and regulations.

The Massachusetts Food System Collaborative (the Collaborative) is a network of Massachusetts food system organizations, working to promote, monitor, and facilitate implementation of the Massachusetts Local Food Action Plan, as adopted by the Massachusetts Food Policy Council.

Our proposed changes relate to three sections of the legislation:

*SECTION 2A; part 9300-8000. For the purpose of developing a matching grant program to support and provide technical assistance for cities and towns to develop and deploy municipal microgrid energy systems.*

We propose that the legislation encourage partnerships between municipalities and private landowners to help ensure that land is being appropriately used in order that it best address both climate change and sustainable food production.

Our agricultural land base continues to shrink while demand for farmland increases. This section as currently written may incent public investment in renewable energy on public land better suited to farming, missing an opportunity to expand that agricultural land base. Constructing renewable energy systems on public land that is well suited for agriculture is, in turn, likely to push agriculture into using land that may be better suited to renewable energy than farming, necessitating less sustainable farming practices.

Public land that is well suited for agriculture should not be unnecessarily used for energy production. The economic principle of comparative advantage tells us energy production on land suitable for agriculture, and farming on land better suited for energy production, will create structural and economic inefficiencies. Any such inefficiencies will lessen the impact of the GreenWorks program and ultimately be detrimental to its goals, harming all residents of the Commonwealth. The Plan's Land Recommendation 3.6 calls upon the state to "Review State policies and incentives around renewable alternative energy (e.g. solar) development, to better harmonize State goals around renewable energy development and natural resource protection, including farmland." This bill provides an opportunity to do so.

To better harmonize these goals we ask that this legislation allow a municipality to contract with a private land owner to place a microgrid on land not well-suited for agriculture when public land suitable for agriculture would otherwise house a microgrid under this program. This follows the Plan's Inputs Recommendation 5.3: "Increase the ease of installation and amount of renewable generation in all sectors of the food system to provide economic and environmental benefits," and Action 5.3.4: "Explore ... community energy projects that provide energy to multiple users. Lands under APRs, Chapter 61A, and those that qualify for the agricultural zoning exemption under MGL chapter 40A3 could support additional, larger renewable energy projects so long as the project is sited off of prime farm soils and doesn't negatively impact future farm productivity." In addition, we ask that the legislation encourage a municipality to lease said public land suitable for agriculture to farmers for agricultural purposes per the Plan's Land Recommendation 3.2: "Encourage use of suitable publicly-owned land for farming."

We believe these provisions would, in particular, be a more equitable solution for rural communities, especially when coupled with a slight change in the language of the provision (lines 31, 32, 33 of the bill) which states that "the department of energy resources may consider exemptions to clause (ii) if a municipality demonstrates plans for a functioning microgrid located on a single municipal building in the absence of two suitable neighboring municipal buildings." To achieve better equity for rural communities the clause should be stated as: "the department of energy resources shall consider exemptions to clause (ii) if a municipality demonstrates plans for a functioning microgrid in the absence of two suitable neighboring municipal buildings."

*SECTION 2A part 9300-8004. For the purpose of continuing the Massachusetts Offers Rebates for Electric Vehicles program upon the depletion of its existing funds.*

Providing rebates on electric/zero emissions vehicles to residents of the Commonwealth helps support the state's greenhouse gas emission standards as well as climate change goals, but farm equipment would not be eligible to participate in this program, as written. Electric farm tractors are now a reasonable alternative for much of the tractor work done in the Commonwealth. We propose adding battery electric and fuel cell electric farm tractors to the Massachusetts Offers Rebates for Electric Vehicles program. This would provide a reasonable incentive for farmers to better support the Commonwealth's carbon/greenhouse gas emission standards and climate change goals. For tractors exceeding \$40,000 the rebate might best be set along the lines of Section 2A part 9300-8001; such as: "A rebate shall not exceed the difference between the purchase price of the electric tractor and the purchase price of an equivalent non-electric tractor with regards to weight and pulling capacity or intended use."

*SECTION 3. Amending Chapter 21A of the General Laws by adding Section 28.*

Changes to this section, as proposed, could create more effective infrastructure that will better meet the bill's goals. The Plan notes that "Because farmland covers a significant amount of the Commonwealth's land, what happens on a farm affects neighboring water bodies, habitats, and ecological systems." Similar to our recommendation for Section 2A part 9300-8000, we believe allowing municipalities to contract with private land owners would create an interconnected network of municipal and private infrastructure that takes advantage of farmers' climate adaptation practices. This network will be substantially more effective, more resilient, and better capable of addressing extreme events. It will also meet one of the recommendations in the draft Climate Change and Resiliency Issue Paper created for the Rural Policy Advisory Commission, which recommends that the state "Revive a framework similar to the Massachusetts Watershed Initiative and Watershed Teams approach ... to conduct resiliency planning that connects upstream and downstream effects and achieves economies of scale for smaller rural towns."

Private land owners, particularly farmers and foresters, own a substantial portion of the land that lies "upstream" of municipal infrastructure. Providing funds that can only be used by municipalities on publicly-owned or -controlled land creates a system whereby preventative measures are significantly more limited in nature and scope and lowers these projects' ability to improve climate adaptation and resiliency, mitigate the impacts of climate change, reduce carbon emissions, improve the climate resiliency of water infrastructure and water resources or contribute to the commonwealth meeting its greenhouse gas emissions limits, as well as to implement nature-based solutions, infrastructure or other improvements to the built or natural environment as identified through the municipal vulnerability preparedness program.

Not connecting upstream and downstream activity places municipalities in a position of pursuing continual repair verses establishing prevention. This is not in the public's best interest.

It would not be timely, reasonable or affordable to take property by eminent domain or other procedure in order for a municipality to be able to use the funds set forth in this section for multi-parcel and multi-community preventative measures, or in creating nature-based solutions by using farm and forest land to help meet the Commonwealth's Greenworks Infrastructure goals.

We recommend that this section allow funds to be used on projects in which a municipality enters into contracts with private land owners to provide ecosystem services such as water diversion structures, retention ponds, or water absorption, wetlands restoration, composting, etc. or functional participation in land or infrastructure improvements that benefit public infrastructure, without requiring municipal ownership, a right of way, or easement. This recommendation falls in line with the Plan's Land Goal 4: "Farmers will be supported in contributing to a healthy environment," and aligns with the Plan's Farming Action 3.1.8: "Make available public loans and grants for on-farm and shared physical infrastructure investments."

Thank you for the opportunity to provide this testimony, and for your consideration of these proposals. We are available as a resource should you have any questions or desire further information on these issues.

Sincerely,

A handwritten signature in black ink, appearing to be 'Winton Pitcoff', with a long horizontal stroke extending to the right.

Winton Pitcoff  
Director