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DAN BURGESS
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TESTIMONY BEFORE THE AGRICULTURE, CONSERVATION AND FORESTRY COMMITTEE

**An Act To Balance Renewable Energy Development with Natural and Working Lands
Conservation
L.D. 856**

**GOVERNOR'S ENERGY OFFICE
March 1, 2022**

Senator Dill, Representative O'Neil, and Members of the Joint Standing Committee on Agriculture, Conservation and Forestry: My name is Melissa Winne and I am an Energy Policy Advisor in the Governor's Energy Office (GEO).

The GEO testifies in support of L.D. 856.

The proposed sponsor's amendment directs the GEO to create and maintain a publicly-accessible database of fully permitted and constructed energy projects, with the intent for this database to help inform decision making around siting and future program development for renewable energy projects. Additionally, the bill directs the GEO to work in coordination with the Department of Agriculture, Conservation and Forestry (DACF), the Public Utilities Commission (PUC) and other state agencies and stakeholders to plan for the development of a pilot program for dual-use solar projects located on agricultural or horticultural land. Finally, the legislation directs the GEO to include agricultural and natural resource stakeholders in the ongoing Distributed Generation Stakeholder Group, particularly for future siting work sessions.

The GEO recognizes that prime farmland, and soils of statewide importance that could be used as farmland in the future, are critical natural resources for Maine's agricultural productivity, biodiversity, and food security. At the same time, solar energy development is key to achieving Maine's renewable energy goals, reducing greenhouse gas emissions, and growing Maine's clean energy economy. There are exciting opportunities for solar energy development and agricultural and horticultural lands to not only co-exist, but provide benefits to both the renewable energy development opportunities, land use options, and funding streams for land owners.

As recommended by the Maine Climate Council, an Agricultural Solar Stakeholder Group was created. Co-chaired by GEO Deputy Director, Celina Cunningham, and Bureau of Agriculture Director at DACF, Nancy McBrady, the group focused on assessing the potential impact and benefits

of solar development on Maine's prime farmland and soils of statewide importance. The final report advanced seven consensus recommendations to the DACF and GEO, and was released as part of DACF's report pursuant to Resolve 2021 Chapter 26 on January 20, 2022 and presented to this committee on February 8, 2022.

The GEO is committed to pursuing the opportunity for dual-use solar development prudently and on the basis of research and data to ensure it is developed in a way that provides greatest benefit to the state and land owners while balancing the need to protect Maine's current and future farmland with the need to develop sources of renewable solar energy.

Given this commitment and understanding of the benefit that a small pilot program would provide in further understanding the outcome of targeted dual-use applications, the GEO is supportive of the proposed pilot program outlined in Sec. 5. We would like to note that while we are open to moving forward with a pilot program specifically targeting agricultural and horticultural lands, the committee may want to consider expanding the type of projects to be considered for pilot applications to solar projects deployed in conjunction with other activities, such as solar deployed in canopies over parking lots or floating in certain controlled aquatic sites. Although the Agricultural Solar Stakeholder Group was focused on the intersection of agricultural lands and solar, some members of the group expressed interest in exploring other opportunities to deploy solar on already developed lands. The Distributed Generation Stakeholder Group is well positioned to weigh the extent to which such innovative deployments may warrant specific consideration in the state's future distributed solar programs, but would benefit from the type of detailed information that a well-designed pilot program could produce.

In addition, with regard to Sec. 6, it is the GEO's intention to continue the process proposed in the Distributed Generation Stakeholder Group's interim report, which specifies engaging stakeholders and experts on issues including land use, equity, and others. The GEO is actively coordinating with DACF to develop the scope of the issue-focused work sessions directed toward land use, which will include agricultural lands and involve consideration of specific policies and programmatic designs to balance these issues, including those contemplated in Sec. 6. The GEO recognizes the importance of this engagement, as well as the importance of engagement with stakeholders on other key issues regarding a successor distributed generation program, including equity and the GEO will consider and engage with stakeholders on all of the issues described in its interim report including siting.

The GEO is supportive of ensuring that agricultural and natural resource stakeholders are directly engaged in the work of the Distributed Generation Stakeholder Group, particularly as pertains to the siting work sessions. While we do not feel it is necessary to direct this engagement in statute, the GEO will continue to work with DACF and relevant stakeholders to adhere to the requirements outlined in this bill, with or without the passage of this section of the bill.

Finally, the GEO appreciates the direction outlined in this proposed legislation to establish a publicly-accessible database of energy projects that are fully permitted or constructed, as outlined

in Sec. 3, paragraph K. This would be a helpful tool in future discussions and decision-making related to the location of renewable energy project development. The GEO would like to ensure that adequate funding would be allocated for the development of this database and pilot program, as well as a staff member to develop and keep the database up to date and sharing the information most effectively for the public and policymakers. We have provided a funding allocation request as a component of this bill.

The GEO supports the proposal for collecting additional data and learning more about the interactions and benefits for dual-use projects. Additionally, the GEO looks forward to natural and working lands stakeholders ongoing engagement in the Distributed Generation Stakeholder Group work over the next year. There are a lot of opportunities ahead and GEO looks forward to continued engagement and work on these important issues.

Thank you for your consideration.

A handwritten signature in black ink that reads "Melissa Winne". The signature is written in a cursive, flowing style.

Melissa Winne, Energy Policy Advisor
Governor's Energy Office