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## Maine Farmland: Sprouting Solar Crops Needs Policy

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## Maine Farmland: Sprouting Solar Crops Needs Policy



*Aerial view of the Maine Idyll Court Community Solar Farm in Freeport, Maine.*

### I. Summary:

Maine farmland is undergoing changes brought upon by an aging population, by a growing trend in small farming, and by keen interest in protecting balance in the ecosystem of farmland soils for future generations. Farming the sun as a solar crop has entered into this dynamic matrix where land stewardship, food security, and conservation goals overlap (Hernandez, Hoffacker, Murphy-Mariscal, Wu, Allen, 2016). Is farming a solar crop compatible with the current ecological and economic landscape? As solar farming continues, is a state policy needed to manage the variables associated with *solar crops* on agricultural land? The aim of this paper is to examine the needs for policy associated with land and consumer economic protection in the areas of tax credits and net metering alongside identifying potential policy players.

II. Keywords: aging Maine, small farms trending, ecosystem resilience, solar crop, policy parameters, consumer protection, taxation, net metering

### III. Introduction:

While interest in and use of a “solar crop” is growing, Maine still lags behind. Nevertheless, interest and use is becoming robust, but it is not without problems related to both a demonstrated need for consumer/user protection and responsible land use which protects our soils for future generations. The interest stems from a change in the age of Maine’s population where, from the growth in small farms and locally grown produce specifically, and from a desire for energy independence. While this interest is encouraging, Maine Biz reports that “Maine ranks last in New England solar energy adoption and it is the only one of the six regional states without a strong solar policy to encourage investments and access to solar energy. That’s reflected in employee numbers: In Massachusetts, there are 10,000 solar industry workers compared to 300 in Maine” (Schreiber L., 2017). While Maine’s rankings are low, two major problems exist from weak or non existing policy. One problem is related to access. In fact, recent legislative decisions turned attempts to build shared community solar power arrays, into heavy and seemingly capricious tax burdens. Maine Farmland Trust reports on a failed “solar bill LD1649”, an Act to modernize Maine’s solar power, that was sustained in the legislature but then vetoed by

Governor LePage. Additionally, this bill was further crushed by being denied a roll call on the final vote, which could have overridden the veto. The seriousness of this vote failure killed two important land provisions. According to Maine Farmland Trust, the bill was good for farms as it “ensured that solar development does not come at the expense of farmland, and that it made it easier for the farmers to benefit from solar development on their land” (Fouliard A., 2016). The second focus on access to solar is a problem that affects private citizens in their own communities and shines the spotlight on taxation; and seemingly punitive and capricious taxation. The Bangor Daily News reported on February 13 2018, that residents were angered by a local tax hike on home solar panels. Both York and Brunswick residents were slapped with unforeseen taxes on solar panels assessed as part of the overall property value on their private homes. Kristin Collins of the law firm Preti Flaherty argues that “The constitution and state law requires you to assess property equally according to just value. If you’re using methods that are unequal, then it’s unconstitutional” (McDermott D., 2018) Collins arguments did not alter the decision made by Town Manager Steve Burns who was accused of discouraging solar initiatives.

#### IV. Conclusions:

Barriers to solar can be both intentional and unintentional, but they are there in the absence of clear policy and they affect energy prices, risk capricious taxation, discourage job creation, prevent aging farmers from using their farmland economically, and go against what is trending in Maine as to land use and a return of young people to the land. Charles Colgan, professor of public policy at the University of Southern Maine, shares his concern of Maine’s disproportion in age population: “It’s not that we are disproportionately old, it’s that we are disproportionately not young.” (Bell T., 2013). That statement is beginning to be challenged by an influx of younger people and it appears a younger energy source would foster the trend of young people returning to farming and bolster a continuation of good land use. However, lack of clear policy is creating confusion and has even been punitive to new solar uses. Companies like Revision who are strong solar companies have retracted solar jobs in Maine because policies limit growth and discourage investment. Clearly there is much to lose if a more thorough approach to policy is not pursued.

#### V. Recommendations:

There is a nationwide trend that seeks healthier, sustainable and more green sources of energy. Whether this energy comes in the form of food and/or power. It is essential to recognize that Maine is behind in solar power, suggesting that we are also behind in taking a sweeping multi-agency look at its potential. Maine Farmland Trust is actively examining solar use, and its threats to and its potential for good land practices. It can be argued that it is time to develop a multi-agency policy committee that includes municipalities and other stakeholders to establish clear economic policy that enables job growth, that examines net metering in solar sharing communities, that allows freedom of energy choice that is non punitive, that provides for financing of solar projects, that includes legislative transparency, that establishes clear rules on taxation, that encourages responsible clean energy through tax incentives. Clearly the parameters surrounding solar use on Maine agricultural land are vast, thus a forward leaning approach encompassing multiple agencies and stakeholders should underlie a comprehensive approach to policy making for the growing interest in solar as a commodity and energy source. Without that, we risk caprice and ambiguity and we risk staying behind.

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