



GrowSmartRI
Sustainable Economic Growth
& Quality of Place

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March 14, 2019 Testimony of Scott Millar
Manager Community Technical Assistance
The Honorable House Committee on Environment and Natural Resources
In opposition to of H- 5789

Grow Smart RI supports the State's ambitious renewable energy goal. We believe reducing our reliance on fossil fuels is critical to enhance the quality of our environment and mitigate the effects of climate change. But how we achieve this goal is as important as reaching the goal itself. We are a member of the Office of Energy Resources stakeholder group that worked on this bill. However, we don't support the bill, despite it having some good provisions since it will continue to provide economic incentives that are encouraging the development of RI's most important natural areas. Continuing to clear cut thousands of trees in pursuit of renewable energy is unacceptable and unnecessary. We can and must do better.

It is Grow Smart RI's position that no State renewable energy statute or program be used to encourage the development of ground mounted solar in the areas of environmental concern as defined in the bill. It is counterproductive for RI to continue to encourage the development of areas of environmental concern that are needed to help RI mitigate the harmful effects of climate change as well as provide clean air, water, habitat and contribute immeasurably to our quality of life. Instead meaningful incentives should be provided to encourage subsequent solar in areas that have already been developed or disturbed.

The Nature Conservancy did an analysis in 2019 to determine how much land would be available in RI if all the areas of environmental concern were off limits for ground mounted solar development. This analysis also removed surface waters, protected open space, and areas already developed. The developed areas also contain roof tops, parking lots and commercial and industrial areas that can support solar development. So this analysis is very conservative. We believe that The Nature Conservancy analysis demonstrated that RI would still have approximately 144,688 acres of land that could potentially be used for solar development. This is enough land to support between 29,000 and 49,000 MW of additional solar, assuming 3-5 acres per MW. If only 20% of this area was used for solar, RI would still have enough land to support between 6,000- 10,000 MW. RI's interim renewable energy production goal is only 1000 MW by 2020. We believe that this analysis makes it clear RI does not need to sacrifice our areas of environmental concern to achieve our renewable energy goals.

RI needs to achieve two objectives simultaneously if we are going to be successful in mitigating climate change. We need to make the conversion from fossil fuels to

renewable energy while protecting our important natural areas.

A November 2018 study published in *Science Advances* documented that natural systems have the potential to mitigate 21% of the current net annual greenhouse gas emissions in the US. The natural system that has by far the greatest carbon absorption and storage ability is the forest. RI DEM estimated RI forests can absorb approximately 30% of RI's greenhouse gas emissions. The US Climate Alliance has determined that only by utilizing the power of natural lands to sequester carbon can we achieve the carbon sequestration goal needed to avoid catastrophic climate change. As the impacts of climate change continue to intensify, the carbon stocks stored in natural lands need to be safeguarded and enhanced.

RI is a member of the US Climate Alliance, a bipartisan coalition of 22 governors committed to reducing greenhouse gas emissions consistent with the goals of the Paris Agreement. Meeting the goals of the Paris Agreement now require the extraction of carbon dioxide from the atmosphere to remove more carbon than we are emitting and store it long-term. Forests are the only proven technique that can absorb and store vast amounts of carbon dioxide out of the atmosphere. Solar panels and wind turbines can't remove any carbon from the atmosphere so they need to be sited in a manner that fully protects our forests.

The RI Greenhouse Gas Reduction Plan determined that RI could miss its greenhouse gas reduction (GHG) targets under the Resilient RI Act if the State continues to lose forests, as forests store vast amounts of carbon and reduce the State's net GHG footprint. *The RI Forest Resource Management Plan: State Guide Plan 161* established state policy "to conserve and restore Rhode Island's forests so as to minimize forest fragmentation." This plan also recognized the value of the RI forest for carbon sequestration.

Since it is clear that natural systems, particularly the forest are necessary to achieve RI's climate mitigation objectives, it is reasonable to immediately establish disincentives in applicable State Statutes that govern the RI renewable energy programs to discourage the subsequent development of natural systems.

My more specific comments are as follows:

42-140-11.3 Comprehensive solar energy siting ordinances:

This language is unprecedented since no other municipal ordinance is required to be reviewed by the State. Grow Smart RI is concerned this could lead to a municipal requirement to adopt a one size fits all State solar siting ordinance.

42-140-11.5 Renewable Energy Implementation Plan:

(a) The purpose of the plan should be amended to include the protection of the areas of environmental concern and to preserve the greenhouse gas mitigation values of RI's forests.

39-26.3-1 Policy Objectives: This section should clearly state that the general assembly further finds that it is in the interest of the state to incentivize and promote development in preferred siting areas as defined by R.I Gen. Laws § 42-140-11.2 (7) and avoid areas of environmental concern.

39-26.3-2 Interconnection Standards:

(6) “Net siting benefits” should be defined as “an evaluation of the benefits of siting a facility and support facilities in one location versus another, including, but not limited to, whether the facility is located in a preferred siting area and avoids areas of environmental concern including land use, forest conservation, socio-economic, environmental benefits, and specifically excluding power system and tax-related benefits. This definition is key to understanding this section.

39-26.3-4.1 We strongly support providing incentives for renewable energy development in developed and disturbed locations to help avoid areas of environmental concern. This section needs further clarification however to determine whether it will provide meaningful incentives for development on developed and previously disturbed areas.

39-26.4-3 (a)(1)(viii) Net Metering: This section should be deleted in its entirety and state that:

“Effective upon passage, the renewable energy growth program, virtual net metering and renewable energy fund shall not be used to develop any ground mounted solar energy systems in areas of environmental concern. The burden to prove that a proposed ground mounted solar energy system is not within an area of environmental concern shall be on the applicant, who would need to provide clear and convincing evidence to the Department of Environmental Management that a proposed project is not within an area of environmental concern.”

39-26.4-3 (a)(1)(vii) Net Metering: The intent of this section is to limit the size of projects to 10 MW in residential zones. However, 10 MW is still a large project and could be up to a 50 acre foot print. Moreover, the language regarding contiguous parcels is not effective and would allow developers to get around this limitation and double the size of their project. The municipal opt out could negate this language entirely and allow solar development without any limitations.

I want to conclude by stressing that Grow Smart RI is open to supporting an amended version of this bill that addresses the concerns we have cited today. We believe that there is an urgent need to get an improved and environmentally sustainable Renewable Energy Siting policy established in RI, and it is our fervent hope that this can be accomplished in this session of the General Assembly.

Thank you for the opportunity to comment.

Sincerely,

Scott Millar, Manger Community Technical Assistance
Grow Smart Rhode Island