

March 2, 2021

Representative Joseph J. Solomon, Jr.  
Chair, House Committee on Corporations  
Rhode Island State House  
Providence RI 02908

**Re: The Nature Conservancy opposes H 5327 unless amended to address deforestation of critical areas**

Dear Chairman Solomon,

The Nature Conservancy respectfully **opposes** H 5327 unless the challenges of problematic energy siting are addressed to encourage siting in preferred areas and limiting impacts in areas of environmental concern. **A simple amendment to this bill to only allow the expansion of the community remote net metering program in currently disturbed areas would allow the state and residents to reap the benefits of these projects without undermining the benefits our forests provide.**

We urge the General Assembly to take action this year to provide the necessary direction to both protect our natural resources and build our clean energy future. The Nature Conservancy supports aggressive action to address climate change – including scaling up the transition to renewable energy to power our electric sector. Community Net Metering is an innovative policy that increases our reliance on renewable energy and can allow more Rhode Islanders and especially low-income residents to benefit from clean energy development.

**However, the expansion of Rhode Island’s renewable energy laws, and especially of the net metering program, has had the unintended consequence of triggering significant clearing of Rhode Island forests.** There is an urgent need to address the siting and environmental conflicts associated with large net metered projects. There are three relevant recent pieces of information that we would like to draw your attention to:

- **Forests provide essential contributions to mitigate climate change impacts and to the economy.** The Department of Environmental Management released their [Value of Rhode Island Forests](http://dem.ri.gov/programs/forestry/forest-value.php) report last year. (Available at: <http://dem.ri.gov/programs/forestry/forest-value.php>). The report shows the societal and economic value that our forests provide to all Rhode Islanders. These values include outdoor recreation contributing \$720 million to the RI economy, and the forest and woods products sector sustaining 2500 jobs and generating over \$400 million in gross sales in 2016. Our forests also provide ecosystem benefits that clean our air and water - and will help us better adapt to the growing threat of climate change.
- **Solar energy siting is the primary cause of forest conversion for development.** According to the state forester, over 70% of forest loss reviewed by RI DEM in 2019 was due siting of solar facilities. That was up from 41% in 2018. This alarming trend is exacerbated by the lack of state or municipal disincentives to discourage renewable energy siting in areas of ecological importance. The State also has limited incentives for renewable facilities to be sited in already disturbed areas, such as parking lots, closed landfills, gravel pits, and brownfields. The Renewable Energy Growth program is able to update its incentives to encourage solar on carports and developments on disturbed lands, but these programs do not include the larger projects supported by the net metering programs.
- **More than adequate opportunity available for siting solar in previously disturbed locations.** This past summer, the Office of Energy Resources released a study with consultant Synapse, which detailed the potential for development of clean energy on already disturbed sites, such as rooftops, parking lots, landfills, gravel pits, and industrial zones. The Nature Conservancy was encouraged by the capacity that is technically feasible in these

places and recommends renewable energy programs and policy focus on maximizing development in these spaces. The Nature Conservancy would be grateful to help develop these programs and policies.

The Nature Conservancy supports the following amendment to mitigate the impacts of problematic renewable energy siting:

**Promote Siting in Preferred Areas:** Currently, this bill expands the community solar program under virtual net metering and sets aside at least 1/3 of the development for preferred, previously developed sites. We respectfully request that the expansion be sited entirely on previously disturbed sites.

Thank you so much for the opportunity to provide testimony on this important legislation. Representative Potter and the co-sponsors for their leadership in climate and renewable energy, and we look forward to working with you to make certain the bill does not have an unintended consequence of undermining Rhode Island's climate resilience.

Sincerely,



Sue AnderBois  
Climate and Energy Program Manager  
The Nature Conservancy

The Nature Conservancy is a global organization dedicated to conserving the lands and waters on which all life depends. Working in more than 70 countries, we are tackling climate change, conserving lands, waters and oceans, and helping make cities more sustainable. Here in Rhode Island, we have 4,000 members, and we steward more than 10,000 acres of protected land while maintaining 78 miles of public walking trails.

# Rhode Island Principles for Renewable Energy Siting

Rhode Island is facing an immediate challenge to accelerate the development of clean, renewable energy sources while protecting our natural resources and unique community character. The Rhode Island Renewable Energy Siting Stakeholder Committee has adopted the following principles as a holistic framework to integrate competing interests in drafting policies and practices to facilitate the development of renewable energy in the state.

These principles reflect the participation of state and local officials, renewable energy developers, residents, property owners, businesses and utilities, and non-governmental organizations. The primary purpose of the principles is to guide the Stakeholder Committee in developing recommendations which are responsive to Rhode Island's reality as a place with a small geographic area, high population density, and a diversity of environments, landscapes and community types. The recommendations should respect the commitments that Rhode Island has made as a jurisdiction to mitigate greenhouse gas emissions, and enable people throughout the state to participate in and benefit from renewable energy programs.

1. Accelerate the pace toward achieving Rhode Island's renewable energy and greenhouse gas reduction goals through thoughtful and strategic development of renewable energy projects of all sizes.
2. Build support for achieving Rhode Island's renewable energy and greenhouse gas reduction goals by increasing public understanding of the multiple benefits of renewable energy including to the economy, the environment, to promote equity and to cultivate climate resiliency.
3. Provide predictability, consistency and fairness in state and local rules, regulations, zoning and ordinances to support development of renewable energy projects.
4. Promote proactive, comprehensive utility distribution system planning.
5. Ensure that regulations governing renewables are applied in a fair and balanced manner with those governing other land uses, while recognizing that local zoning is the authority of communities to establish public health and safety standards.
6. Honor commitments to keep permanently protected land free from development.
7. Encourage renewable energy development on commercial and industrial zoned land, on already developed land, and in other locations with environmental alterations such as closed landfills, brownfields, parking lots, commercial and residential rooftops, sand and gravel pits.
8. Support the economic viability of farms through appropriate renewable energy development as a complementary use in a manner which keeps farms in agricultural production while preserving agricultural soils.
9. Promote policies that recognize ecological services and sensitivity as well as habitat connectivity in the siting of renewable energy projects.
10. Respect landowner rights to realize value from their property within the context of established planning and zoning principles.
11. Ensure equitable access to renewable energy installations for all consumers, and recognize that delaying the transition to renewable energy disproportionately burdens environmental justice communities.
12. Provide local governments with guidance on smart renewable energy siting and to ensure consistency between the state guide plan and local ordinances and policies. Establish a timeline for all municipalities to adopt renewable energy siting ordinances and associated processes.
13. Provide opportunities for state and municipal governments to lead by example and use renewables to exercise more control over their energy use and production in meeting their energy needs.