



New Jersey Pinelands Commission PRESS RELEASE

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Pinelands Commission advances proposal to encourage the environmentally-appropriate siting of solar energy facilities in the Pinelands

NEW LISBON, N.J. – During its meeting today, the New Jersey Pinelands Commission voted to propose several rule changes that seek to ensure the environmentally-appropriate siting of solar energy facilities in the Pinelands.

Solar energy facilities are currently universally-permitted as an accessory use throughout the million-acre Pinelands Area of southern New Jersey.

The Commission is proposing a series of amendments to the Pinelands Comprehensive Management Plan (CMP), the rules that govern land-use, development and natural resource protection in the Pinelands, that spell out where and under what circumstances solar energy facilities may be permitted as a principal use.

"The development of solar energy facilities will yield significant benefits for the Pinelands' environment, while also providing a boost to its economy," said Candace Ashmun, the Commission's Acting Chair. "These solar facilities will offset the need for new fossil-fuel dependent power plants, thereby reducing atmospheric emissions such as carbon dioxide, sulfur dioxide, mercury and particulates. Removing these emissions will have a positive impact on public health, crop production, forest health, fish populations and water quality."

Generally, solar energy systems that are accessory uses supply electricity to the principal use on the property, such as a home or a business, and these types of facilities are already permitted throughout the Pinelands. Solar energy facilities that are the principal use on a property are generally larger in scale and supply electricity for regional use. Currently, solar energy facilities are permitted as a principal use only in Pinelands-designated Regional Growth Areas, Pinelands Towns and, if they meet certain compatibility tests, in Pinelands Villages and Rural Development Areas.

The proposed revisions provide a mechanism to speed the development of accessory solar energy facilities where they would be located on existing structures or installed over existing impervious surfaces. Specifically, the installation of accessory solar energy facilities on existing structures would not constitute development, and therefore would be exempt from the need to file a development application with the Pinelands Commission. Exempting such installations should hasten the local approval process and would eliminate the cost of applying to the Commission for approval.

(MORE)

Pinelands Press Release

Page 2...

Among other things, the proposed amendments also would:

■ Authorize Pinelands municipalities to permit solar energy facilities as a principal use in all management areas, provided that all Pinelands environmental standards are met. The Commission will ensure that these standards are met;

■ Stipulate special limitations that apply to solar energy facilities installed as a principal use in the Preservation Area District, Special Agricultural Production Area and the Forest Area. The provisions set forth that such installations in those areas would be limited to three circumstances. First, installation could be authorized on the parcel of an existing landfill which has been, or will be, closed in accordance with the Commission's landfill closure standards. Second, installation could be authorized on a parcel that has been, or will be, environmentally-remediated of toxic or hazardous wastes or similar substances, provided the remediation has been, or will be, approved by the Commission. The third circumstance applies to the previously disturbed portions of a parcel upon which resource extraction (e.g., sand and gravel mining) has occurred, and for which there is no obligation for site restoration;

■ Require that public service infrastructure necessary to support a solar energy facility be available or capable of being provided without any off-site development in the Pinelands Preservation Area District, Special Agricultural Production Area or Forest Area;

■ Require that solar energy facilities and associated off-site infrastructure be located and screened to minimize the visual impacts as viewed from wild and scenic rivers and special corridors;

■ Limit clearing for the development of new, or the expansion of, existing on-site or off-site infrastructure to that which is necessary to accommodate the solar energy facility in accordance with the Commission's existing clearing and disturbance standards;

■ Stipulate special limitations that apply to solar energy facilities installed as a principal use in the Agricultural Production Area. Based on these limitations, up to 10 acres of any parcel could be used for such installations. Prime agricultural soils and areas of high ecological integrity must be avoided to the maximum extent feasible; and

■ Require that solar energy facilities be decommissioned within 12 months of the cessation of their use. This includes removing all energy facilities, structures and equipment from the parcel.

Today's action by the Pinelands Commission does not take effect until 10 days after a copy of the meeting minutes have been delivered to the Governor to allow time for his review and consideration. The Governor's approval of the meeting minutes would authorize Pinelands Commission staff to begin the rulemaking process. A rule proposal is expected to be published in the New Jersey Register in mid-April, which will be followed by a 60-day public comment period and a public hearing.

A copy of the proposed rule amendments will be available for review on the Commission's Website: www.nj.gov/pinelands/cmp/amend.

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