Connecting People with Nature

Audubon Society of Rhode Island

April 5, 2023

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

Re: Audubon Society of Rhode Island Strongly Supports H5853, Net Metering – Solar Siting Reform

Dear Chair Solomon and members of the House Corporations Committee,

The Audubon Society of Rhode Island and our 17,000 members and supporters thank Chair Representative June Speakman for sponsoring H5853, championing solar siting reform over the years, and securing numerous co-sponsors, including Representatives Boylan, Ajello, McGaw, Donovan, Tanzi, Cortvriend, Knight, Kislak, and Potter.

Audubon strongly supports H5853—our top legislative priority—and urges this committee to vote H5853 out of committee and recommend its passage to the Rhode Island House of Representatives. H5853 achieves three important goals 1) conserves core forests necessary for mitigating and adapting to climate impacts 2) expands solar development aligning our in-state renewable energy programs with Act On Climate mandates 3) preserves & grows good green jobs.

In my professional capacity, I serve the Senior Director of Government Affairs at the Audubon Society of Rhode Island, President of the Environment Council of RI, and co-chair of Climate Jobs RI.

125 Years of Education, Conservation & Advocacy: Audubon Society of RI's mission is to protect birds, other wildlife, and their habitats through conservation, education, and advocacy, for the benefit of people and all living things. We are a private, independent, membership-supported organization devoted to improving the use, management and protection of all natural resources and the environment. Audubon manages 9,500 acres of conserved habitat to protect the diverse ecosystems we need to adapt to a warming climate. This serves as a model for habitat protection and species resilience through nature-based solutions that can help limit the impacts of climate change in the Ocean State and ensure communities can remain resilient.

Audubon supports H5853 for the following reasons:

- Provides a tangible step toward aligning the State's renewable energy program incentives with its climate action goals while adding a layer of protection for core forests redirecting incentives toward preferred sites for solar development.

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- **Shifts state-level incentives (for Virtual Net Metering credits or Renewable Energy Growth tariff payments) outside of core forests**—defining it in state law as unfragmented forest blocks of single or multiple parcels 250 acres or greater. Makes incentives ineligible in the core forests but provides a safe harbor for projects currently in development that have completed or paid for an interconnection study.
- Defines "preferred sites" – previously disturbed sites where development should be encouraged. In Net Metering—lift limitations on project sizes for projects in preferred sites. In In Renewable Energy Growth, lifts the 5 MW project cap for projects in preferred sites.
- In Renewable Energy Growth (REG) —adds climate change, conservation, and resiliency to the purpose of the legislation, while proposing significant expansions to the program. Allows the Distributed Generation (DG) Board to hire consultants. Includes Location, Conservation, Climate, and Labor Standards **(with an important, slight revision to page 16, line 5 to read "(8) Labor standards pursuant to R.I. Gen. Laws § 39-26.9-1, et seq.)** as considerations when developing annual pricing & in additional incentive and disincentive payments.

- **For the first time in RI law, expands virtual net metering, but includes an overall cap of 550 megawatts.** All of this new development will be outside of core forests, excluding any preferred sites within core forests (e.g. rooftops, industrial sites, gravel pits). Significantly expands Renewable Energy Growth up to 300 megawatts per year—one of the most cost effective programs.
- **Provides job security as programs transition and state-level incentives drive solar development outside of the core forests.**
  - Creates a Safe Harbor for projects that are in the pipeline and have made significant investments (in the form of interconnection costs) by time of legislative passage.

To work toward this shared goal of aligning solar development incentives with climate and core forest conservation while maximizing solar development outside core forests and in preferred sites, the consensus coalition partners include Audubon Society or RI, Climate Jobs RI, Green Development, RI Land Trust Council, Save The Bay, The Nature Conservancy, and Revity.

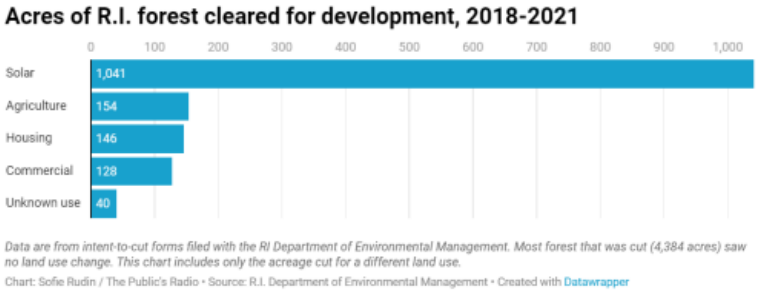
More on the conservation of forest habitat and solar siting reform: Audubon prioritizes forest conservation as we work to support the State in developing a comprehensive state-siting plan for solar energy. To reach this solution, Audubon's goal is to help protect resilient forests while maximizing solar installations on preferred sites—already developed land, gravel pits, landfills, brownfields, commercially zoned properties, rooftops, and parking lots. Forests play a critical role in our environment. Therefore, mitigating climate change and providing necessary wildlife habitats are essential values that must be stressed in this process.

We recognize Rhode Island must deploy the necessary clean energy to face the growing threat of climate change. But we must do so while we protect core forests— unfragmented forest blocks of single or multiple parcels 250 acres or greater—that are already identified as critical core natural areas needed to safeguard wildlife corridors and values that forests provide, like carbon sequestration.

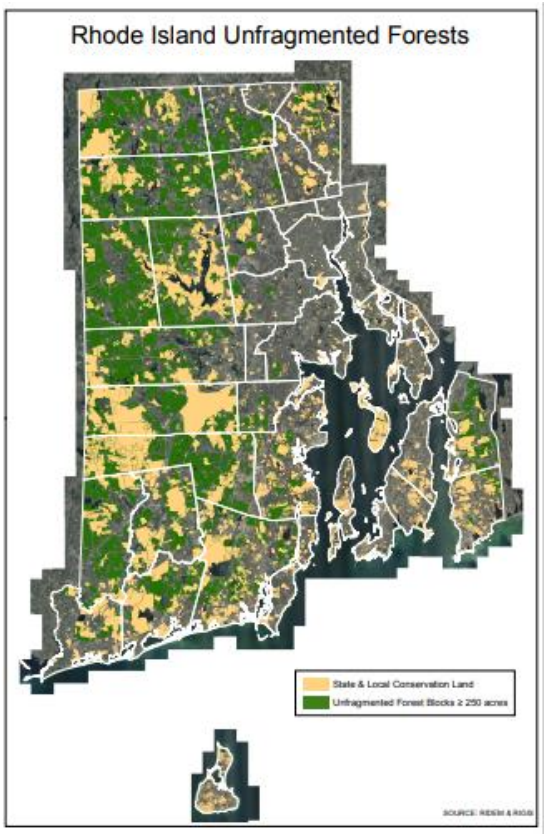
Today our forestlands continue to be lost and fragmented as we see the climate crisis and pressures from deploying more onshore solar play out. Municipalities need help to reach a balanced approach

accelerating the growth of renewable energy while preserving critical forest habitats essential for carbon sequestration and wildlife habitat.

We need to consider that the status quo is not working: the State's instate renewable energy program incentives are at odds with our Act On Climate goals and the public's investment of protecting our most critical open space for environmental benefits, wildlife habitat, and recreation. Programs to incentivize renewable energy development were designed to benefit the lowest price options. This has unintentionally led to clearcutting large tracts of critical forestland as developers focus on inexpensive and privately owned open space. At the same time, municipalities across the state are pushing back and passing ordinances prohibiting solar development.



Forests play a critical role in our environment: providing air quality and clean water benefits, mitigating climate change, watershed protection, preventing soil erosion, and providing necessary wildlife habitats—all essential values that must be stressed as we work toward a solution with policymakers and stakeholders. Protecting woodlands is critical for wildlife and ecological protection, especially older and more mature woodlands, providing more carbon sequestration and supporting more biodiversity, groundwater and watershed protection – critical to remaining resilient in a changing and warming climate.



Core Forestland is a critical resource for many species of breeding bird in RI: according to Dr. Charles Clarkson, Audubon director of avian research who led the state's Breeding Bird Atlas, of the 107 species he created models for, 20% of them had Core Forest as a significant predictor of their abundance. Some species, such as the Wood Thrush, are considered internationally threatened and are species of Greatest Conservation Need as defined by the RI Wildlife Action Plan (RIWAP). Further, for Wood Thrush, over 50% of their abundance is predicted by Core Oak Forest. The biggest association we found was with Ovenbird, which had a dependence value of 65% with Core Forest.

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We believe that with careful planning and adjustments to state policy, core forests can be protected and can coexist with renewable energy sources and clean energy jobs–all critical to addressing climate change. This solar siting challenge requires more state leadership with technical guidance and legislative and regulatory consideration. Not having comprehensive solar siting reform for renewable energy will be a barrier to transitioning off fossil fuels and addressing the climate crisis specified in the 2021 Act on Climate.

There is a lot more work ahead of us that will require careful planning and leveraging of resources, including upgrading interconnection and electricity infrastructure, identifying the additional incentives needed to maximize solar development in preferred sites, and ensuring that preferred sites are solar-ready to lessen the cost on ratepayers with federal funding.

In closing, we urge to support H5853 and consider the amendments proposed and outlined in my testimony. We also encourage you to support and guide other necessary solutions toward this solar siting challenge. Thank you for considering these comments.

Sincerely,

Priscilla De La Cruz
Senior Director of Government Affairs

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