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Open Space Coordinator



PLANNING DEPARTMENT
OPEN SPACE

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via email: board.secretary@bpu.nj.gov

Aida Camacho-Welch, Secretary of the Board
New Jersey Board of Public Utilities
44 S. Clinton Avenue, 1st Floor
PO Box 350
Trenton NJ 08625-0350

RE: Docket # QO21101186
Competitive Solar Incentive ("CSI") Program

Dear Ms. Camacho-Welch,

On behalf of Montgomery Township, thank you for the opportunity to submit comments on the proposed solar siting regulations pursuant to the above-referenced docket number. The Township submits the comments below for your consideration. We support the Board's expressed preference of guiding solar development to existing developed areas as well as to contaminated sites. However, we have concerns regarding the proposed regulations relevant to farmland.

Impervious Surfaces & the Built Environment

The Township fully supports the Board recommendation to direct solar installations to existing impervious surfaces, such as rooftops and parking areas. This will help to reduce heat island effects, which decreases energy use and reduces greenhouse gases. In addition, no new impervious coverage is created, thereby not exacerbating the accompanying issues of stormwater runoff and flooding, which are already intensifying due to development and climate change.

Furthermore, the Township agrees with the Board's preference to direct solar installations to contaminated sites, such as former landfills. This allows these sites which were environmental hazards to provide a positive environmental impact.

Finally, the Township also supports the proposed streamlined BPU approval process for this type of solar development.

Prohibited Sites

The Township fully supports the Board's recommendation to prohibit solar installations on Green Acres-preserved lands, forested lands, and wetlands. These lands serve vital roles in our environment for carbon storage, habitat, conservation and recreation.

Farmland

The proposed regulations would permit solar development on farmland, with a 2.5% limitation imposed on farms with Prime and Statewide Important soils State-wide. The proposal goes on to limit solar development in each County to no more than 5% of the unpreserved lands in each County's designated Agricultural Development Areas (ADAs). As farmland is being lost at a rapid rate across the State, the Township disagrees with this proposal and offers that solar development on farmland should not be an approved location, but rather be a prohibited site where developers may seek approval through a waiver process.

Waiver Process

The waiver process as mentioned in the rules is not clearly defined as to what criteria will be evaluated and by whom. The proposed regulations mention that projects will be evaluated based upon "public interest", however there does not appear to be a process whereby the public is notified of the waiver applications, a means to review them, nor a prescribed process for providing comment. BPU should provide additional details on what the waiver process will entail, and also incorporate language for public notification and comment.

Thank you for the opportunity to provide comments. Please do not hesitate to reach out to me with any questions or concerns at (908) 533-9302 or LWasilauski@montgomerynj.gov

Sincerely,



Lauren A. Wasilauski

cc: Montgomery Township Committee
Montgomery Township Environmental Commission
Montgomery Township Agricultural Advisory Committee
Somerset County Agriculture Development Board
Lori Savron, Planning Director