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SMITH RENEWABLE ENERGY LEGISLATIVE PACKAGE APPROVED **IN COMMITTEE**

TRENTON – A legislative package, sponsored by Senator Bob Smith, Chairman of the Senate Environment Committee, which would ease regulatory blockades to allow for the harnessing of more renewable energy in New Jersey was approved by the Senate Economic Growth Committee today.

“Renewable energy is quickly becoming a viable alternative to traditional energy sources, proving to be both environmentally friendly as well as economically sound,” said Senator Smith, D-Middlesex and Somerset. “State and local regulations which stand in the way of harnessing energy from renewable sources need to be revisited, and where appropriate, amended to make way for a fast-growing renewable energy industry. Renewable energy systems serve an important public purpose by helping us to move away from our reliance on foreign oil and other polluting energy sources, and we shouldn’t hold up renewable energy installations based on unscientific, Not-In-My-Backyard objections.”

The first bill in the package, s-1096, which was approved by a vote of 4-1, would create a nine-member Solar and Wind Energy Commission within State government to study the feasibility of installing solar panels and wind energy turbines on State-owned properties. The bill would require the Commission to investigate all State-owned property to determine which locations could feasibly support solar or wind energy installations, taking into consideration the financial implications of installing and maintaining renewable energy equipment, the impact on property values and the community, land use regulations and planning priorities and any other environmental factors related to potential solar or wind energy installations. The Commission would be required to submit a final report to the Governor and Legislature within one year after its organization, and would require the Department of Environmental Protection and the Board of Public Utilities to post the report on their respective Web sites.

“New Jersey State government should lead by example in promoting the adoption of renewable energy equipment, in order to offset energy costs and reduce environmental impact,” said Senator Smith. “We can realize significant energy cost savings while doing something positive for New Jersey’s environment by reducing our dependence on less-clean energy sources. This is an opportunity for New Jersey to put up or shut up on renewable energy, but we must complete a renewable energy audit of State lands to make sure we’re pursuing the best course of action for New Jersey’s future.”

The second bill in the package, S-2528, which was approved by a vote of 3-2, would prohibit municipalities from adopting local ordinances that unreasonably limit the installation and operation of small wind energy systems. Under the bill, unreasonable limits would include: a blanket prohibition against small wind energy systems within a municipality; restricting tower height or system height without putting forth an acceptable height for equipment; requiring a setback from property boundaries that exceeds 150 percent of the system height; setting noise level limits lower than 55 decibels or not allowing for limit overages during short-term events such as utility outages and severe wind storms; and setting electrical or structural design criteria that exceeds applicable State, federal or international building or electrical codes.

The bill also requires the building inspector or municipal code enforcement officer be responsible for providing notice to the local governing body whenever a small wind energy system is proposed to allow for a 30-day comment period prior to the issuance of a building

permit, and would require all small wind energy systems constructed in New Jersey to comply with all applicable Federal Aviation Administration requirements.

“Often, local elected officials craft municipal ordinances to appease the whims and ease the fears of their constituents,” said Senator Smith. “The problem is that when it comes to renewable energy systems, the objections from neighbors are usually not based in scientific fact, but rather aesthetic concern or downright misinformation. Local zoning officials are perfectly entitled to impose reasonable restrictions on wind energy towers, but when the goal is to ban wind energy systems outright rather than try to incorporate them into the community, the State has to step in.”

Both bills now head to the full Senate for consideration.