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SMITH/BEACH BILL TO INCREASE DEVELOPMENT OF SOLAR ENERGY
SIGNED INTO LAW ON EARTH DAY

**Law Will Ease Land Restrictions on Solar Panels to Help Proliferate
Alternative Energy**

TRENTON – In honor of Earth Day, a bill sponsored by Senators Bob Smith and James Beach was signed into law today aimed at increasing the development of solar power in New Jersey. The new law carves out several exemptions in current state laws to allow for the development of solar panels in certain areas throughout the state where structures or paved surfaces covering the ground are strictly regulated.

"This bill has been widely supported by many of the state's leading environmental organizations because it delicately balances land use protections with the need to promote viable alternative energy sources," said Sen. Smith (D-Middlesex, Somerset). "It's a common sense win for our environment as well as for property owners hampered by current law."

"By easing the restrictions on where solar panels can be erected, we can help New Jersey maintain its place as a leader in the development of alternative energy," said Sen. Beach (D-Camden). "This bill will pave the way for increased solar energy development statewide from Sussex to Cape May, Monmouth to Mercer."

Currently, there are numerous state laws and regulations that prohibit what is known as "impervious cover" or "impervious surface" from covering large expanses of a given property. Impervious surfaces or cover can be anything such as driveways, homes, pavement or any other cover that prevents water from being absorbed into the ground, thereby preventing aquifers from being replenished and causing run-off, soil erosion, flooding and other environmental hazards.

The new law (S-921) will exempt solar panels from being considered "impervious cover" because they are elevated panels that do not completely cap the ground and prevent water absorption. The exemption will allow for the development of solar panels in various protected areas where they are currently prohibited such as the Pinelands, the Highlands, coastal and waterfront areas, and other areas protected by the Municipal Land Use Law.

The law defines a solar panel as an elevated panel or plate, or a canopy or array that captures and converts solar radiation to produce power. Under the new law, only the base or foundation of a solar panel, plate, canopy, or array would be used to calculate the percentage of impervious cover or surface.

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