

2021 Regular Session

SENATE RESOLUTION NO. 182

BY SENATOR MIZELL

ENERGY DEVELOPMENT. Requests the secretary of the Department of Natural Resources and the commissioner of the Department of Agriculture and Forestry to hold a public hearing and invite representatives from the Police Jury Association of Louisiana and the Louisiana Municipal Association and other impacted entities for the purpose of receiving public testimony on issues and concerns related to the development and production of solar energy in the state and to provide guidance addressing those issues and concerns.

A RESOLUTION

To urge and request the secretary of the Department of Natural Resources and the commissioner of the Department of Agriculture and Forestry to jointly conduct a public meeting not later than July 1, 2021, and invite representatives from the Police Jury Association of Louisiana, the Louisiana Municipal Association, Louisiana Farm Bureau Federation, the Louisiana Cattleman's Association, and the Gulf States Renewable Energy Industry Association, for the purpose of receiving public testimony on issues and concerns related to the development and production of solar energy in the state and to provide guidance addressing those issues and concerns.

WHEREAS, the United States is now home to more than two million solar photovoltaic developments according to a 2019 announcement by the Wood Mackenzie Power & Renewables and the Solar Energy Industries Association (SEIA); and

WHEREAS, in 2020, SEIA reported that solar industry installations are set to quadruple by the end of the decade and the industry is projected to install three hundred twenty-four gigawatts of capacity by 2030; and

WHEREAS, across the country, farmland is being leased by solar companies for the construction and operation of solar installations and the production of solar energy; and

WHEREAS, solar energy development can have tremendous physical impacts,

1 including but not limited to soil compaction due to heavy machinery, disruption of
2 subsurface and surface drainage systems, and accessibility of the subsurface drainage tiles
3 beneath the solar development, on the land both during the solar projects lifetime and
4 afterwards; and

5 WHEREAS, a legitimate concern surrounding the development of solar energy is
6 how long-term the physical impacts will last and how successfully the land can convert back
7 to agricultural uses at the end of the solar lease; and

8 WHEREAS, as the result of economic benefit for one landowner and economic
9 incentives for businesses to create very few jobs, agricultural heritage areas may be subject
10 to negative impacts for generations to come; and

11 WHEREAS, these leases are being executed in the state of Louisiana and the state
12 has yet to take the lead in establishing uniform guidelines for best practices related to the
13 development of solar energy in the state, including, at a minimum, guidelines on the
14 construction and operation of solar installations, production of solar energy, the impact on
15 productive farm land, mitigation for the purposes of land preservation, and the impact on the
16 value and assessment of the leased property and the surrounding properties; and

17 WHEREAS, while local governing authorities are grappling with many issues related
18 to the development of solar energy and its long-term physical impact to the land, several
19 have put a temporary stop to the development of solar energy by adopting a moratorium on
20 the construction of solar installations pending guidance from the state; and

21 WHEREAS, it is in the best interest of the state, local government, and landowners
22 that issues and concerns related to the development of solar energy be discussed and debated
23 in a public forum and that the state provide guidance that ensures best practices are utilized
24 and implemented in the development of solar energy.

25 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
26 does hereby urge and request the secretary of the Department of Natural Resources and the
27 commissioner of the Department of Agriculture and Forestry to jointly conduct a public
28 meeting not later than July 1, 2021, and invite representatives from the Police Jury
29 Association of Louisiana, the Louisiana Municipal Association, Louisiana Farm Bureau
30 Federation, the Louisiana Cattleman's Association, and the Gulf States Renewable Energy

1 Industry Association, for the purpose of receiving public testimony on issues and concerns
2 related to the development and production of solar energy in the state and to provide
3 guidance addressing, at a minimum, the following issues and concerns:

- 4 (1) The construction and operation of solar installations.
- 5 (2) The production of solar energy.
- 6 (3) The impact of solar installations on productive farmland and its long-term effects
7 on the land.
- 8 (4) Mitigation for land preservation.
- 9 (5) The impact on the value and assessment of the leased property and the
10 surrounding properties.
- 11 (6) The impact on agriculture heritage areas.

12 BE IT FURTHER RESOLVED that the secretary and the commissioner may call
13 additional public meetings to address the issues and concerns as necessary and that each
14 public meeting shall be subject to the Open Meetings Law, R.S. 42:11 et seq.

15 BE IT FURTHER RESOLVED that all interested persons, including landowners who
16 are impacted by the development of solar energy or interested in ensuring that solar
17 installations are constructed and maintained utilizing best practices are strongly encourage
18 to attend this public meeting and any subsequent meeting on the topic.

19 BE IT FURTHER RESOLVED that the secretary of the Department of Natural
20 Resources shall submit a written report to the Senate of the Legislature of Louisiana not later
21 than thirty days after any public meeting authorized by this Resolution. The report shall
22 include a copy of the minutes from the public meeting and recommendations on legislation
23 needed to address the issues and concerns related to the development of solar energy.

24 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to
25 secretary of the Department of Natural Resources and commissioner of the Department of
26 Agriculture and Forestry.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ridge.

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