



Developing Solar & Wind Energy: Legal Considerations & Best Practices

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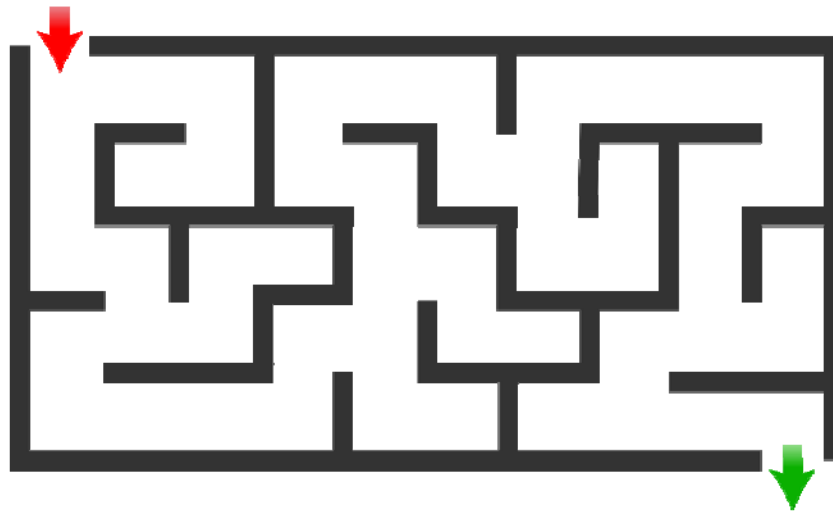
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Part 1: Introduction

- Why does this conversation matter?

Why legal considerations?

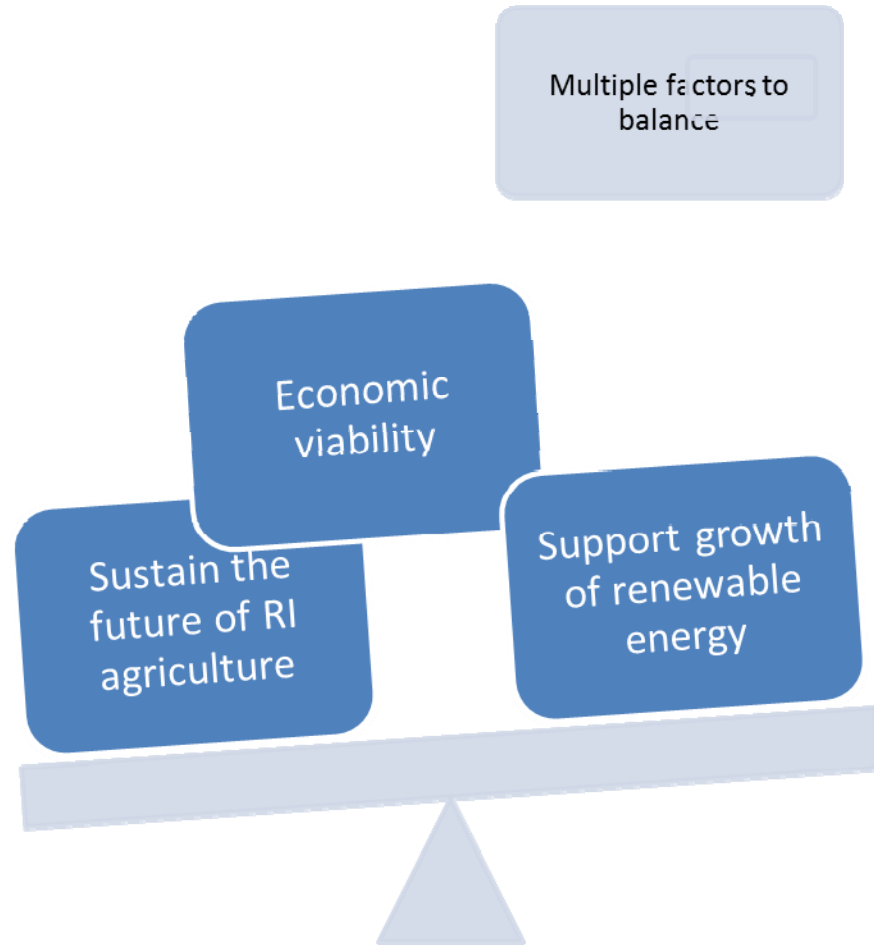
- We want to make sure that farmers and others in the space are fully informed about the way that the law might apply to them as they navigate this opportunity



Why Best Practices??

- Loss of Farmland
- Challenges of keeping farmland in production
 - Finding land to farm
 - Economic viability of farming

A balancing act



Part 2: Legal Considerations

- Conservation land?
- Tax consequences?
- Zoning?

Part 2: Legal Considerations Net Metering

WHAT YOU USE

—

WHAT YOU GENERATE

=

WHAT YOU PAY FOR

Part 2: Legal Considerations Net Metering

“All buildings associated with the farm shall be eligible for net-metering credits as long as: (i) The buildings are **owned by the same entity** operating the farm or persons associated with operating the farm; and (ii) The buildings are **on the same farmland** as the project on either a tract of land contiguous with, or reasonably proximate to, such farmland or across a public way from such farmland.”

Part 2: Legal Considerations Renewable Energy Growth

LONG TERM

FIXED RATE

Part 2: Legal Considerations Renewable Energy Growth

Table IV

Technology	Ceiling Prices (¢/kWh)
Small Solar I – Host Owned (15 Year Tariff)	37.65
Small Solar I – Host Owned (20 Year Tariff)	33.45
Small Solar I – Third Party Owned (15 Year Tariff)	29.90
Small Solar I – Third Party Owned (20 Year Tariff)	26.10
Small Solar II (11-25)	26.15
Medium Solar (26-250)	24.40
Commercial Solar	23.15
Large Solar	18.35
Wind I	24.45
Wind II	23.45
Wind III	22.65
Anaerobic Digestion I	21.20
Anaerobic Digestion II	21.20
Small Scale Hydropower I	21.00
Small Scale Hydropower II	19.75

http://www.ripuc.org/eventsactions/docket/4589B-DGBoard-2016-REG-Report-Rec_11-16-15.pdf

Part 3: Resources



The Legal Food Hub is a legal services clearinghouse, connecting farmers, food entrepreneurs, and non-profits that help farmers and food entrepreneurs, with *pro bono* transactional legal services.

Resources Continued...

- **USDA Rural Development**
 - Rural Energy for America Program (renewable energy and energy efficiency)
- **Rhode Island Resource Conservation and Development Area Council, Inc**
 - Rhode Island Agricultural Energy Program (renewable energy and energy efficiency)
- **Rhode Island Commerce Corporation**
 - Renewable Energy Fund (renewable energy)
- **Rhode Island Office of Energy Resources**
 - Farm Energy Efficiency Program (energy efficiency)
- **USDA Natural Resource Conservation Service**
 - Environmental Quality Incentives Program
 - Agricultural Energy Management Plan (energy efficiency)
- The information above comes from Rhode Island Farm Energy Program

Part 4: Best Practices



Image:
http://si.wsj.net/public/resources/images/BN-PN481_TEXPOW_P_20160823170937.jpg

Part 4: Best Practices

Do's

- Keep to a small footprint
- Use native plants
- Plan for storms and floods
- Plan for reclamation

Part 4: Best Practices Do's

- Keep land green & growing:
 - Grazing
 - Beekeeping
 - Crops

Part 4: Best Practices Don'ts

- No interference with farming
- No prime & important soils
- No topsoil removal
- No gravel



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