



## **Pennsylvania's Solar Future Plan Comments from the County Commissioners Association of Pennsylvania**

On behalf of the County Commissioners Association of Pennsylvania (CCAP), a statewide nonprofit, nonpartisan association representing all 67 counties in Pennsylvania, thank you for the opportunity to share our comments on Pennsylvania's draft Solar Future Plan. Land use, community and economic development and infrastructure are strongly interrelated and have significant impacts in almost every area of our communities, and counties are uniquely positioned at the crossroads of many of these aspects of planning because of the wide array of services they offer to their residents.

### **Land Use**

To speak to land use planning broadly, CCAP's legislative and policy platform, based on resolutions adopted by the membership, asks the General Assembly and administration to recognize county land use planning as important in creating an appropriate balance among environmental, infrastructure, public health and safety, and economic development needs and an appropriate balance among state, county and municipal prerogatives.

The draft plan acknowledges that thoughtful land use planning, solar system siting and permitting are important, and recommends that developers coordinate with state resource agencies and local authorities to ensure negative impacts are mitigated. These are critical conversations that must be held regardless of the type of development, and we appreciate that the draft plan recognizes the need for local input in the deployment of additional solar infrastructure as well.

That said, although CCAP's platform also supports study and planning for future energy needs, counties oppose laws that would pre-empt local control over land use policies for the siting of infrastructure, noting that siting decisions should be compatible with local land use policies, including protections for preserved farmland and open space as well as other natural and environmentally significant areas. The draft plan, on the other hand, recommends the creation and adoption of uniform policies to streamline siting and land use issues while encouraging conservation. While, as the draft plan indicates, variations in policies between municipalities can create challenges for solar development, there is no one size-fits-all in any issue for a state as diverse as Pennsylvania; while a common thread may exist among the needs of all of our communities, the concerns experienced by our rural counties and our large urban centers, for instance, will be very different.

Our local governments are often best situated to understand and respond to these differences. Even where model solar plans and ordinances are available, through organizations such as the American Planning Association or regional entities such as the Tri-County Regional Planning

Commission, those accessing the model documents are encouraged to examine their local situation and adopt the regulations that make the most sense for their municipalities. Counties therefore encourage the project team to consider compiling best practices and other resources that will offer consistent guidance to local governments across the state, rather than the adoption of uniform policies across the state that may not adequately meet diverse community needs.

Further, the draft plan finds that grid scale solar would use somewhere between 89 and 124 square miles, depending on the scenario, and indicates that this is negligible in context of Pennsylvania's total land area of 46,055 square miles. However, the plan also concludes that there is "more than sufficient available" land to accommodate both scenarios, even though there does not appear to be an analysis of how much of Pennsylvania's total land area is already developed or otherwise unsuitable for large scale solar development (e.g., large areas of forest). In addition, while the draft plan speaks to aggregate land area, it does not appear to have analyzed how that land is distributed throughout the commonwealth – is this land largely available in one part of the state versus another? CCAP recommends that DEP and its partners provide additional analysis and detail that would be helpful in accurately determining what land is actually available and where.

Counties do appreciate the emphasis on supporting brownfields development and use of lands such as landfills and abandoned mines, over land that can be used for other purposes such as preserving agricultural land, forest land and valuable habitat. Again, these are critical discussions to have with each community to assure that local land use policies remain a priority.

### **Energy Portfolio and Economic Impacts**

The draft plan is designed to explore whether Pennsylvania has sufficient technical and economic potential to increase in-state solar generation to provide 10 percent of in-state electricity consumption by 2030. Although counties support development of alternative energy resources in Pennsylvania, and the draft plan is careful to note that stakeholders did not reach a consensus on whether the 10 percent target is "correct," counties oppose alternative energy standards that mandate generation and procurement of specific levels of alternative energy in the commonwealth.

In addition, the draft plan notes opportunities for economic growth and job opportunities, the scenarios displace coal and natural gas generation (the state's top energy generators currently) equally due to the expanded solar generation. It further indicates that the impacts on the job market do not account for any reductions in other jobs in the energy industry that are offset by solar, and that the effect is "probably minor." Given the important role that energy industries play in local economies and workforces – particularly in areas where one type of energy development such as coal or natural gas dominates the local or regional economy – we recommend the project team further explore these potential impacts, specifically on a more localized basis.

For instance, existing plants, as noted in the draft plan, may just export more power rather than ramp down, but should there be a detrimental impact on existing natural gas plants, that could have very different effects on counties in the shale gas play than on those in the eastern part of the state. And in that case, communities may need additional assistance related to economic development as they seek to adjust to the outcomes.

Finally, CCAP is aware of DCED's work with energy scenarios to look at the state's broader energy system to answer the question of how that might evolve in the next 25 years and what that might mean for Pennsylvanians. We strongly urge that Pennsylvania's Solar Future Plan be incorporated into those more global discussions about our state's energy future so that goals and visions can be aligned, rather than addressing such an important issue in a piecemeal fashion.

### **Tax Incentives**

One of the proposed strategies in the draft plan is to evaluate state tax policy and to consider exemptions that encourage the development of solar PV systems. Specifically, the draft plan raises as a possibility using partial property tax exemptions to improve project economics, as the property tax is considered as one of the more expensive long-term line items for grid scale solar facilities.

This proposed strategy appears to be predicated on assumptions about how solar would be valued for property assessment purposes, which could vary depending on the type of system and how it is used. For instance, equipment, or personal property, is not subject to the real property tax in Pennsylvania, so each project would need to be evaluated to determine how the system should be valued. CCAP encourages the project team to engage conversation with county assessment offices to gain a clearer and more accurate picture of the property valuation process and other considerations before proceeding with recommendations of strategies that may or may not be necessary.

The draft plan goes on to note that it will be important to consider the impacts on local government revenues, but CCAP asks that these impacts be more clearly identified in the final plan so that policymakers and others have a balanced picture of the local government taxation landscape. Property taxes are the only form of local tax revenue available to counties, and are a predominant revenue source for municipalities and school districts. Each exemption that is granted becomes a burden that must be borne by other taxpayers. Our tax base continues to erode by degrees, either by legislative action (Public Utility Realty Tax Act restructuring, Keystone zones, billboards) or by judicial fiat (oil and gas), and counties would resist any effort to provide additional exemptions that would increase inequities among our taxpayers.

### **Local Government Input**

Local governments were afforded the opportunity, along with other stakeholders, to inform the draft plan through meetings and webinars, it does not appear from the list of stakeholders in the appendices that they were actively engaged in the process. Because the future of energy development, whatever course it takes, will have an impact on our communities in many ways,

we strongly urge DEP and the project team to undertake targeted outreach with municipalities and counties before finalizing the plans to better understand the opportunities and challenges inherent in efforts to move forward with these strategies.

CCAP again extends its appreciation for the opportunity to share these comments with DEP and the project management team. We would be happy to answer questions or to provide further discussion on any of these issues; please contact Lisa Schaefer, CCAP Director of Government Relations, at 717-736-4748 or [lschaefer@pacounties.org](mailto:lschaefer@pacounties.org) at your convenience.