

## **Certain Environmental Groups, and the Legislature, are the Biggest Obstacles to Renewable Energy**

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Lee D. Hoffman  
*The Hartford Courant*

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I do not believe that last week's Hartford Courant article "As Climate Change Accelerates, U.S. Senators Pressure New England's Grid Operator to Do More to Quit Carbon-Based Fuel" paints the complete picture regarding renewable energy efforts in New England.

While I am certain that the senators who criticized ISO-New England's inability to move the needle on renewable energy were well-intentioned, their arguments omitted a few salient points.

First, ISO-NE's role in New England is primarily one of market and grid operator, not energy policymaker. Moreover, there are far greater threats to the implementation of new renewable energy projects in New England than the grid operator's desire to continue to rely upon natural gas-fired generators.

This is not merely an academic argument. If we fail to accurately assess the reason why we are not doing better in the renewable energy sphere, we have no hope as a region for successfully combating climate change.

The article fails to identify a few key constituencies who are truly impeding progress on weaning the region from fossil fuels — namely, state legislatures and certain environmental groups. These entities escape scrutiny despite the role they play in thwarting renewable energy. Meanwhile, the comments in The Courant's article focus ire and attention on an organization that does not have a leading role in the development of renewable energy, nor should it.

Indeed, ISO-New England has two main responsibilities with respect to energy in New England. One responsibility is to administer the wholesale electricity and capacity markets for the six New England states. The second and arguably more important responsibility is to "keep the lights on" and ensure that the electric grid is running reliably. All the renewable energy in the world will be of little use to New Englanders if the grid is constantly down. ISO-NE does what it does in order to keep the system reliable and running properly. That is, and should remain, its core focus. The states can serve as the drivers for pushing renewable energy. That is not ISO-NE's job.

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The real problem facing the development of renewable energy is not the grid operator, rather it is a deadly combination of poorly thought-out state policies and NIMBY-ism disguised as environmental advocacy that is thwarting the ability of renewable energy projects to further reduce carbon emissions.

We can see this in the form of groups in Massachusetts who oppose wind projects to local groups in Maine who oppose battery storage for solar facilities. Closer to home in Connecticut, the state simultaneously claims that it wants to foster renewable energy projects while putting up increasing barriers to the construction of those very projects.

For example, in 2011, when neighbors in the northwest corner and in the center of the state were upset that commercial wind farms could be in their neighborhoods, they immediately went to the legislature and demanded that something be done to stop these projects. The result was the legislature's passage of a moratorium on inland wind projects until Connecticut's Siting Council could develop regulations specifically designed for wind projects. And since those regulations were adopted, not one developer has brought a wind project to the Siting Council for approval.

Similarly, opponents to utility-scale solar projects brought their concerns to the legislature concerning converting agricultural land and forests to solar projects. The result, Public Act 17-218, made it far more difficult to develop solar projects on farmland, despite the fact that Connecticut's acreage for farmland was increasing at the time the act was passed, according to the U.S. Department of Agriculture. Connecticut has no requirements that agricultural uses be considered when the next large-scale subdivision is constructed; only the intersection of agriculture and solar development garners that distinction.

The end result of this is that there are now greater regulations being placed on the development of solar and on-shore wind projects in Connecticut than there are on certain fossil fuel fired electric generators. The people who eschew development in their neighborhoods NIMBYs or adherents to the idea of "not in my backyard," now use these added requirements as a cudgel against developers of clean energy resources. Citizen groups spring up near project sites claiming to be protecting the environment, but a closer examination reveals something far more mundane.

Despite their lofty rhetoric and claims to be a friend to the environment, these groups only care that these facilities not be built in their neighborhoods. They don't want a cleaner environment, they simply want to stop development in their area, climate change consequences be damned. While this would be problematic on its own, when it is coupled with a compliant legislature that doesn't understand the burden these additional regulations place on project developers, it is a wonder that projects are built in Connecticut at all.

It took us centuries to get into the climate change situation we currently find ourselves in. It will take us considerable time to work our way out of this difficulty. As we do so, we should spend some of that time developing ways to expedite and streamline the permitting process for renewable energy projects, not put

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impediments in their way.

### **Professionals**

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### **Practice Areas**

Environmental

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