



To: Dr. Charles Schwertner, Chair, Business and Commerce
Members, Senate Committee on Business and Commerce
From: Cyrus Reed, Sierra Club, Lone Star Chapter, cyrus.reed@sierraclub.org, 512-888-9411
Re: SB 624 (Kolkhorst), Relating to the permitting of renewable energy generation facilities by the Public Utility Commission of Texas.

March 28, 2023

Sierra Club opposes SB 624, which would require the PUCT to permit renewable energy generation facilities.

No state currently has more renewable energy resources installed than Texas, and that installation has created jobs, wealth, property taxes, lowered overall energy costs, and provided electricity, without the use of water resources or direct emissions. The Sierra Club believes Texas should be proud of the growth in renewable energy, and our leadership position as a state.

SB 624 would require an extra layer or step for one set of power sources - renewables - to seek a permit to operate from the PUCT, thus fundamentally treating these resources differently than fossil fuel resources. That seems discriminatory given that only solar and wind power plants would be subject to the provision under SB 624.

To be clear, that does not mean that every renewable project has worked well or been carefully sited, and it does not mean that these energy resources have not been without impacts. Sierra Club does have concerns about certain renewable energy projects that have been located in environmentally sensitive areas, and agrees that balance is needed between economic development and resource protection. We share the Senator's concerns about important habitat, or farmland being encroached upon by renewable energy development.

However, this particular bill is very broad in its application, requiring every new wind or solar farm to go through a permitting process and an Environmental Impact Statement and prohibits wind and solar farms from being within 500 feet of a property line or 1,000 feet from a habitable structure, unless they receive permission from the owner of that property. We believe the bill would largely provide landowners the ability to use the process to halt development or seek larger monetary concessions from the energy companies.

The Sierra Club would not object instead to a reporting requirement for any proposed power plant, perhaps connected to the interconnection process at ERCOT. Allowing the public to be aware of any proposed wind development that is seeking to be interconnected at the transmission grid could be an important public policy outcome, but requiring a permitting process is not in keeping with our energy market. Similarly, we could require power plants to provide some sort of notice of any proposed plant with information about how to communicate with the project developers.

We also believe that the State of Texas could work with stakeholders and Texas Parks and Wildlife on a best practices framework, and some basic siting guidelines for wind and solar (and other energy) proposed power plants. Some 20 years ago such a stakeholder process emerged, leading to some important voluntary siting guidelines. Restarting this process now that wind and solar is a much bigger part of our Texas landscape could be an important process and we would support enabling Texas Parks and Wildlife Department the authority to develop such guidelines.