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Opposition to Renewable Energy Facilities in the United States/50-State Survey of Siting Restrictions: Sabin Center for Climate Change Law 2023 Report

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The Sabin Center for Climate Change Law, Columbia Law School, issued the May 2023 edition of a report titled:

Opposition to Renewable Energy Facilities in the United States ("Report")

The Report provides an update and expansion of previous Sabin Center for Climate Change Law reports published in 2021 and 2022 documenting:

... local and state restrictions against, and opposition to, siting renewable energy projects for the period from 1995 to May 2023.

This includes state-by-state information on local laws that may block, delay or restrict renewable energy.

The facilities encompassed by the Report's survey include wind, solar and other renewable energy sites and the associated storage, distribution, and transmission infrastructure.

The Report concludes that local opposition to such facilities:

... is widespread and growing and represents potentially significant impediment to achievement of climate goals.

Examples of the types of restrictions identified in the Report include:

- Temporary moratoria addressing wind or solar energy development
- Outright bans on wind or solar energy development
- Regulations that are so restrictive that they can act as de facto bans on wind or solar energy development
- Zoning amendments designed to block a specific proposed project

State-level restrictions are also identified but characterized as less numerous and more limited in scope.

By way of summary, the Report identifies 228 local restrictions in 35 states. Further, 9 state-level restrictions are noted.

The State of Arkansas was found to have no state-level or local restrictive laws, regulations, or policies. However, it did identify a wind project that was abandoned that would have delivered electricity to Arkansas and other states. The entry for the “Wind Catcher Energy Connection Project” states:

In July 2018, American Electric Power abandoned plans to build a \$4.5 billion, 2,000-MW wind farm in the Oklahoma panhandle, as well as an associated interstate transmission project that would have delivered electricity to Arkansas and other states. In Arkansas, a dark money group called Protect Our Pocketbooks paid for television advertisements claiming that Arkansas would receive no benefits from the project. The developer responded by issuing a statement that Protect Our Pocketbooks was “presenting misleading information to the public, including manipulation of statements by Arkansas Gov. Asa Hutchinson.” The developer further noted that the group “does not reveal the names of its backers or the sources of its substantial funding.” Although the Arkansas Public Service Commission ultimately granted approval for the Arkansas components of the project, the Wind Catcher project was canceled altogether when the Texas Public Service Commission (PSC) denied approval.

A copy of the Report can be downloaded [here](#).