

# Solar Plan of Action

Solar developers and local officials count on the fact that most citizens: **a)** are technically challenged, *and/or* **b)** will not make a professional effort against the proposed solar project. If you are serious, the information here will get you suitably educated, *and* will outline a top-quality strategy.

## STRATEGY:

Most people fight solar by getting up at local meetings and express concerns about potential negative complications that a solar project might result in. This is a normal reaction as their concerns are usually legitimate — *but this is not the most successful tactic*. This is ultimately a [Public Relations](#) (PR) fight. That said, most people know very little about PR. Here are some suggestions:

**PR tactic 1:** It is a much better strategy to be fighting FOR (rather than AGAINST) something.

**PR tactic 2:** Citizens fight FOR their civil rights. To effectively do this, you need to know what your civil rights are here. All States *mandate* that local legislators *must* protect the Health, Safety, and Welfare of their constituents. In most States, these rights are specified in the State's Constitution. If not, they will be found in State statutes. You need to dig this information up so that you have chapter and verse.

**PR tactic 3:** Demonstrate to your local representatives that you know the law. Legislators will take you *much* more seriously if can quote chapter and verse as to what their legal obligations are.

**PR tactic 4:** Make clear that you are not opposed to all solar projects. You welcome any legitimate energy source for your community, as long as it is *properly regulated*. "Properly regulated" means that a local ordinance effectively protects the Health, Safety, and Welfare of local citizens (see **Objective**, below).

**PR tactic 5:** Be clear in your own mind that you are not asking for any favors or special treatment from your local representatives. Rather you are only expecting them to fulfill their statutory obligation (*quote legal citation*) to protect the Health, Safety, and Welfare of the community.

**PR tactic 6:** Vigorously oppose any “[expedited](#)” approval process. The Health, Safety, and Welfare of local citizens is too important a matter to take shortcuts — which are only for the benefit of the solar developer.

**PR tactic 7:** A Moratorium is a good idea. For the same reasons, it is advisable to have local representatives pass a 6+ month Moratorium. This gives everyone some time to get educated on this technical topic.

**PR tactic 8:** To win the PR war, you **MUST** get public sentiment on your side. This will be in evidence if everywhere local representatives go (shopping, getting gas, church, etc.) they are approached by citizens who express their support for properly regulated energy projects.

**PR tactic 9:** Proper local Citizen Rights Leadership is paramount. This is a *teamwork* campaign. The local opposition leaders have to be team players and team builders. No individual can do this on their own.

**PR tactic 10:** Organization + Education + Communication are essential ingredients to winning. Organization is important to ensure group participation. The more educated local citizens are, and the better the communication they use, the chance of success is significantly improved. The simplest and most effective way to get citizens educated is to create an email list of possibly interested people.

**PR tactic 11:** One way to get public sentiment on your side is to remember that every time you are addressing local representatives at a meeting, your **REAL** audience is the public and the media. Community citizens (the public) should be shown that reasonable regulations are in their interest.

**PR tactic 12:** A very effective strategy for getting community support is to show the movie [Dark Waters](#). Rent the film and then put on a free public showing at a convenient, good location (e.g., a church meeting room). The movie is a hard-hitting story about what chemicals like [PFAS](#), etc. can do to a community. As explained below, solar panels can contain these carcinogenic compounds. Having a third party show some of the potential problems can be more effective than you doing it.

— continued —

## OBJECTIVE:

To increase your chances of success, it's important to be clear about what your goal is (and is not).

- 1) The goal of your efforts should **not** be to have the community prohibit all solar development. This is not only a position that is difficult to scientifically and legally defend, but will likely turn off other citizens, who will probably see it as being unreasonable.
- 2) Instead your goal should be to have your local representatives pass a well-written ordinance that includes reasonable regulations — i.e., those that will protect the Health, Safety, and Welfare of local citizens, the local economy, and the local environment.
- 3) The key reasonable regulations are outlined in the [Bullet Points](#).
- 4) See [Model Solar Ordinance](#) for recommended words for these. Feel free to copy, paste, and edit this model as necessary for your community. Please [email me](#) if you'd like an editable Word version of the *Model Solar Ordinance*.
- 5) An appropriate local ordinance is important because there are no meaningful State or Federal solar regulations — so it's up to the local community to protect the Health, Safety, and Welfare of its citizens.
- 6) It would be beneficial for you to have a sympathetic, competent local attorney as an ally. For example, they can quickly edit the Model Solar Ordinance to be suitable for your State.

## EDUCATION:

The more citizens get educated, the easier they can tell when they are being told malarky — so the better their chances are of success in defending their civil rights.

- 1) Carefully study our in-depth overview report on solar: [Solar Realities](#).
- 2) Peruse the Reports on the [WiseEnergy.org Solar](#) webpage.
- 3) For other research carefully review *some* of our [Newsletter archives](#). Start with the most current year, open the PDF document, and then search for “solar.” Scan the articles and reports that come up, and make a note of those that are most applicable to your situation. There is some exceptionally worthwhile material there.

- 4) Additionally please review our list of [30+ legal and economic concerns](#) for landowners signing solar leases. Most landowners know very few of the downsides there are for them to lease property to a solar developer. They need to make an informed choice for their own best interest... [Considering Leasing Land to a Solar Energy Company? Do Your Homework!](#) also has some good considerations.

## LEGAL RECOURSE:

Legal action against irresponsible representatives should be a last recourse. It is preferential to win over your local representatives through education, PR, and public pressure. If that's not possible, a lawsuit may be needed.

- 1) Depending on your State and situation, there are several legal options. These are outlined in this [document](#). Some other possible legal options are listed under the **Legal Recourse** part of the [Legal Matters](#) page.
- 2) Citizens' most powerful recourse is to file a [Federal 1983 claim](#). Essentially this is a claim against your local representatives that they have violated your civil rights. That's another reason why your strategy should be focused on civil rights from the beginning.
- 3) To significantly improve your chances to win any lawsuit, it is extremely important to document the evidence you presented to local representatives, in writing. This will defeat a common response by local officials that they weren't aware that the proposed solar project was infringing on your rights.
- 4) This basic information should not be misconstrued as giving legal advice. To fully understand your legal options please consult with a competent attorney.

*Note: This **Plan of Action** is predicated on the assumption that a community has some authority regarding the siting, etc. of a solar project. Some States (e.g., NY) are trying to extract citizens' control over their own community. Even in these undemocratic situations, there are some solutions for clever and determined citizens (e.g., see [here](#)).*

12-12-23