

Regulation of Solar Panel Facility in St. Charles Parish, State of Louisiana

In the land of Oil & Gas, alternative energy projects are the new kid on the block. With various federal and state incentives for projects, regulation of alternative energy has not kept up with the speed of the projects under construction. In Louisiana, many projects are already fully constructed and the regulatory framework is being cobbled together after the fact.

In 2023, the Planning and Zoning Department recognized the need to provide stop-gap regulations of emergent Solar Panel industry. Tucked in Section VII of Appendix "A" entitled "Supplemental Use and Performance Regulations," Large Solar Energy Systems are subject to additional regulatory requirements. [Pages 1594.14-1594.16]. The purpose of this meeting is to revisit these requirements, examine them in the context of the developing state regulatory scheme, and update these requirements to comport with regulations that are fair to all parties, but also protective of the Parish's health, welfare and safety.

In this legislative hearing, it is anticipated that we will reference three data points: (1) state legislation; (2) Parish of Tangipahoa's solar regulations; and (3) St. Charles Parish solar regulations.

State Regulations:

a) La. Rev. Stat. 30:1154 (Act 555 of the 2022 Regular Legislative Session) addresses permitting of Solar Power Generation Facilities in excess of 10 acres with the primary purpose of this statute to regulate and protect the state and its residents from abandonment of solar facilities. Accordingly, the statute and the rules which have yet to be finalized (as of January 4, 2026), address the financial responsibility and decommissioning plan from the outset of the permitting process. Once finalized, the effective date for the rules will be July 1, 2026.

It is important to note that the rule making here is limited to the scope of Section 1154, "rules focused on decommissioning and financial security." Thus, many of the Parish's regulations of LSES are still highly relevant and viable for any proposed projects in St. Charles Parish. Further, since our resident's concerns have been expressed in the definition of LSES with footprints over 10,000 square feet, a significant gap in state regulatory coverage for decommissioning also persists.

b) Act 279 of the 2025 Regular Legislative Session, codified at La. Rev. Stat. 30:1144 and effective January 1, 2026, addresses the Facility Siting. Again, St. Charles Parish has indicated regulation is appropriate for footprints 10,000 square feet and up. The State's regulation of facility siting does not apply until the footprint is 75 acres or more.

Parish Regulation of Solar Facilities

Since the Parish has the ability to regulate and there are significant gaps in the State Regulatory framework, we are here tonight to have a high-level discussion of revisions to the siting regulatory framework.

St. Charles Parish's supplemental regulations may benefit from incorporation of additional regulations that can be gleaned from Tangipahoa's model as well as the state statute and regulations.