1	H.609
2	Introduced by Representative Deen of Westminster
3	Referred to Committee on
4	Date:
5	Subject: Conservation and development; flood hazard areas; solar generation
6	Statement of purpose of bill as introduced: This bill proposes to require the
7	Agency of Natural Resources' Flood Hazard Area and River Corridor Rules to
8	allow for the installation of solar arrays in flood hazard areas and river
9	corridors.
10 11	An act relating to the installation of solar arrays in flood hazard areas subject to regulation by the Secretary of Natural Resources
12	It is hereby enacted by the General Assembly of the State of Vermont:
13	Sec. 1. 10 V.S.A. § 754 is amended to read:
14	§ 754. FLOOD HAZARD AREA RULES; USES EXEMPT FROM
15	MUNICIPAL REGULATION
16	* * *
17	(b) Required rulemaking content. The rules shall:
18	* * *
19	(4) allow for the installation of ground-mounted solar arrays that:

1	(A) Are bonded or secured by other surety in an amount sufficient to
2	compensate for potential flood damage of siting the solar array, with the bond
3	or other surety under the control of the Secretary.
4	(B) Do not include the use of hard armoring. As used in this
5	subdivision, "hard armoring" means the use of protective covering, such as
6	rocks, vegetation, or engineering materials, used to protect stream banks.
7	* * *
8	Sec. 2. EFFECTIVE DATE; IMPLEMENTATION
9	This act shall take effect on July 1, 2018. On or before September 15, 2018,
10	the Secretary of Natural Resources shall file with the Secretary of State
11	proposed rules to implement Sec. 1.