

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred
3 House Bill No. 726 entitled “An act relating to creating a voluntary pollinator-
4 friendly standard for solar arrays” respectfully reports that it has considered the
5 same and recommends that the Senate propose to the House that the bill be
6 amended by striking out all after the enacting clause and inserting in lieu
7 thereof the following:

8 Sec. 1. 6 V.S.A. chapter 217 is added to read:

9 CHAPTER 217. POLLINATOR-FRIENDLY SOLAR GENERATION

10 STANDARD

11 § 5101. DEFINITIONS

12 As used in this chapter:

13 (1) “Agency” means the Agency of Agriculture, Food and Markets.

14 (2) “Invasive species” means any species of vegetation that:

15 (A) is designated as a noxious weed on the Agency’s Noxious Weed

16 Rule under chapter 84 of this title;

17 (B) is listed on the Vermont Invasive Exotic Plant Committee Watch

18 List;

19 (C) has been quarantined by the Agency as invasive; or

20 (D) has been determined to be invasive by the Agency of Natural

21 Resources.

1 (3) “Native” refers to perennial vegetation that is native to Vermont.

2 Native perennial vegetation does not include invasive species.

3 (4) “Naturalized” refers to perennial vegetation that is not native to
4 Vermont, but is now considered to be well established and part of Vermont
5 flora. Naturalized perennial vegetation does not include invasive species.

6 (5) “Owner” means a public or private entity that has a controlling
7 interest in the solar site.

8 (6) “Perennial vegetation” means wildflowers, forbs, shrubs, sedges,
9 rushes, and grasses that serve as habitat, forage, and migratory way stations for
10 pollinators.

11 (7) “Pollinator” means bees, birds, bats, and other insects or wildlife that
12 pollinate flowering plants, and includes wild and managed insects.

13 (8) “Solar site” means a ground-mounted solar system for generating
14 electricity and the area surrounding that system under the control of the owner.

15 (9) “Vegetation management plan” means a written document that
16 includes short- and long-term site management practices that will provide and
17 maintain native and naturalized perennial vegetation.

18 § 5102. BENEFICIAL HABITAT STANDARD

19 (a) This section establishes a standard for owners that intend to claim that,
20 through the voluntary planting and management of vegetation, a solar site

1 provides greater benefits to pollinators and shrub-dependent birds than are
2 provided by solar sites not so managed.

3 (b) In order for the solar site to meet the beneficial habitat standard and for
4 the owner of a solar site to claim that the solar site is beneficial to those species
5 or is pollinator-friendly, all the following shall apply:

6 (1) The owner adheres to guidance set forth by the Pollinator-Friendly
7 Scorecard (Scorecard) published by the University of Vermont (UVM)
8 Extension.

9 (2) The owner shall make the solar site's completed Scorecard available
10 to the public and provide a copy of the completed Scorecard to the UVM
11 Extension.

12 (3) If the site has a vegetation management plan:

13 (A) The plan shall maximize the use of native and naturalized
14 perennial vegetation for foraging habitat beneficial to pollinators consistent
15 with the solar site's Scorecard.

16 (B) The owner shall make the vegetation management plan available
17 to the public and provide a copy of the plan to the UVM Extension.

18 (4) When establishing perennial vegetation and beneficial foraging
19 habitat, the solar site shall use native and naturalized plant species and seed
20 mixes whenever practicable.

1 (c) Nothing in this chapter affects any findings that must be made in order
2 to issue a State permit or other approval for a solar site or the duty to comply
3 with any conditions in such a permit or approval.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2018.

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8 (Committee vote: _____)

9

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Senator _____

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FOR THE COMMITTEE