

H.726

An act relating to creating a voluntary pollinator-friendly standard for solar arrays

It is hereby enacted by the General Assembly of the State of Vermont:

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

CHAPTER 217. POLLINATOR-FRIENDLY SOLAR GENERATION

STANDARD

§ 5101. DEFINITIONS

As used in this chapter:

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

(2) “Native perennial vegetation” means Vermont native wildflowers, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any invasive species on the Agency’s Noxious Weed Rule under chapter 84 of this title, on the Vermont Invasive Exotic Plant Committee Quarantine and Watch List, or as determined by the Agency of Natural Resources.

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

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

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

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

§ 5102. BENEFICIAL HABITAT STANDARD

(a) This section establishes a standard for owners that intend to claim that, through the voluntary planting and management of vegetation, a solar site provides greater benefits to pollinators and shrub-dependent birds than are provided by solar sites not so managed.

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

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

(2) The owner shall make the solar site’s completed Pollinator-Friendly Scorecard available to the public and provide a copy of the completed Scorecard to the UVM Extension.

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

(A) The plan shall maximize the use of native perennial vegetation and native foraging habitat beneficial to pollinators consistent with the solar site’s scorecard.

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

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

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

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2018.