

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

15 (3) “Naturalized” refers to perennial vegetation that is not native to  
16 Vermont, but is now considered to be well established and part of Vermont  
17 flora.

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

1           (5) “Perennial vegetation” means wildflowers, forbs, shrubs, sedges,  
2           rushes, and grasses that serve as habitat, forage, and migratory way stations for  
3           pollinators. Perennial vegetation shall not include any species that:

4                   (A) is listed on the Agency’s Noxious Weed Rule under chapter 84 of  
5           this title;

6                   (B) is listed on the Vermont Invasive Exotic Plant Committee Watch  
7           List;

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

9                   (D) has been determined to be invasive by the Agency of Natural  
10           Resources.

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

13           (7) “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           (8) “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 published by the University of Vermont (UVM) Extension.

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

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

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

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

17 (4) When establishing perennial vegetation and beneficial foraging  
18 habitat, the solar site shall use native and naturalized plant species and seed  
19 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: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE