Welcome to the Pollinator Workgroup

Bob Sadzinski
February 5, 2018
Agenda

- Solar Site Characteristics
- Review SB 1158 (Copies Available)
- DNR’s Draft Regulation
- Pollinator Scorecard
- Public Comments
- Next Steps
Church Hill 7MW Ground Mounted Solar Project, Maryland, USA
Review SB 1158

(Lawrence J. Hogan, Jr., Governor)

Ch. 372

(Senate Bill 1158)

AN ACT concerning

Power Plant Research Program Department of Natural Resources – Solar Generation Facilities – Pollinator-Friendly Designation

FOR the purpose of requiring the power plant research program of the Department of Natural Resources to include in its research an evaluation of the pollinator benefits that would occur under a certain standard or plan implemented on the land on which a certain solar generation facility is located; requiring the power plant research program Department to designate a certain solar facility as pollinator-friendly pollinator-friendly under certain circumstances; requiring the Department to adopt a certain scorecard for certain solar generation facilities; providing that a solar generation facility may receive a certain designation only by the Department; prohibiting the owner of a solar generation facility from making certain claims unless the facility has received a certain designation; requiring an owner of a pollinator-friendly solar generation facility to provide appropriate maintenance of the pollinator vegetation; requiring the owner of a certain solar generation facility to make certain standards and plans available to certain entities; a certain entity; authorizing the Department to charge an owner of a solar generation facility a certain fee to cover certain costs; requiring the Department of Natural Resources to adopt certain regulations; making stylistic changes; and generally relating to the power plant research program designation of solar generation facilities as pollinator-friendly.
• Power Plant Research Program (PPRP) of the Department of Natural Resources (DNR) shall research the pollinator benefits that would occur under a pollinator-friendly vegetation management plan implemented on the land with a ground-mounted solar generation facility;
• PPRP, in consultation with MDA, shall create pollinator-friendly designation program for solar generation facilities;
• PPRP shall adopt regulations;
• PPRP shall adopt a scorecard.
Pollinator Research

- The Maryland Pollinator Protection Plan (MDA; Jan 2016)
- Native Herbaceous Plantings Establishment, Maintenance and Management for Wildlife Habitat and Pollinators (USDA; January 2017)
- Maryland Environmental Service Pollinator Habitat Plan (MES; June 2017)

- PPRP Research Efforts
  - White Paper: Promoting Pollinators on Power Facility Properties in Maryland (DRAFT)
  - Proposed Egypt Road Solar Stormwater Monitoring Study
A blueprint for the conservation of pollinators and pollinator habitat on the natural lands managed by the Maryland Department of Natural Resources for the benefit of Maryland’s citizens.
DNR’s Proposed Regulation

Pollinator-Friendly Designation of Solar Generation Facilities Regulation
DNR’s Regulation

SB Bill 1158: 3-303.1(I): “The Department shall adopt regulations to carry out this section”.

Connexus Energy’s pollinator-friendly community solar garden is not only producing renewable energy, it is now producing honey.
DNR’s Regulation Process

Internal Process

• We are currently in the development phase of the pollinator regulations (discussion, drafting, economic impact determination, etc.)

• Regulation must be reviewed by PPRP, AAG, and Office of the Secretary

• Once the regulation is approved to move forward, it follows the Administrative Procedures Act.
Regulations sent to AELR

About 1 month

Regulations published in Maryland Register (Posted online, 30 days of public comment)

1 month

Public comment is reviewed and final regulation decision made (withdraw, adopt, non-substantive changes)

About 2 weeks

Final regulation published in Register

10 days

Not less than 10 days after publication the regulation is effective
• Presently, our Regulation is a work-in-progress.
• Will discuss its general framework that classifies the designations two step process.
Draft Regulation

• Sections:
  – Definitions
  – Designation (Application) Process
  – Designation Renewal
  – Application Modification
Definitions

• What can be counted toward the designation?
  – Solar facility: within the fence line?
  – Land controlled by developer (leased/controlled land) not being used for solar generation;
• No credit given to vegetation on land adjacent to leased parcel.
A solar generation facility may be designated by the Department as pollinator-friendly if the facility:

1. Is ground-mounted
2. Is at least 1 acre in size and
3. Meets or exceeds the minimum score identified in the Solar Pollinator Habitat and Planning Assessment Scorecard.

The facility is planted and managed in accordance with a pollinator friendly vegetation management standard or pollinator habitat plan.
DNR’s Proposed Designation Process

Two part designation process:

– Part 1: Application
– Part 2: On-site inspection
Conceptual Application

• Includes completed application
  – General information:
    • See next slide
  • Pollinator Habitat Plan
    – Examples on our website
• Scorecard
Application Includes:

• Application, Pollinator Habitat Plan and Scorecard sent to DNR

  – Required Contents of Application
  • Name, address of contact owner/developer, ....blah blah blah.
  • Proposed or existing facility?
  • Identify land parcel, boundaries, acreage (must be more than 1 acre)
  • Describe the facility.
Application Process

• Application reviewed
  – Approved – or
  – Incomplete
• If the Application is Approved
  – The applicant moves forward with their Plan, hire a consultant (if necessary)
  – Consultant and applicant refine the Pollinator Habitat Plan
    • Final application, Scorecard and Pollinator Plan are submitted for Approval
    • According to the Bill - site must be planted and managed prior to certification.
Application Modification

- Modification after Final Application approval may include unforeseen significant changes in the VM Plan
- Submit appropriate paperwork.
- Reviewed by MDA and DNR
Certification Renewal

• A new inspection is required every 2 years.
  – Submit Renewal Application and Scorecard

Regulation may have a DNR cancellation clause to remove the Certification
Application Process

• Questions for the group:
  – Who can submit an application – owner and/or developer?
  – Should there be a timeline on the Application resubmittal?
  – How many solar sites will apply?
  – Are there examples of Pollinator Habitat Plans for solar sites?
# Solar Site Pollinator Habitat Planning and Assessment Form

To be used in the process of site and seed mix planning/designing or site evaluation.

### Scorecard

<table>
<thead>
<tr>
<th>1a. Percent of site with flowering plant species (select one)</th>
<th>Points</th>
<th>15 points</th>
<th>30 points</th>
<th>75 points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10 percent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-20 percent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21-40 percent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41-60 percent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>61-100 percent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1b. Flowering plant seed mix to be used (select all that apply)</th>
<th>Points</th>
<th>15 points</th>
<th>30 points</th>
<th>75 points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Includes live or native plant species</td>
<td>30 points</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Includes one or more plant species available for the region or local habitat (select all that apply)</td>
<td>15 points</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Includes one or more plant species for local wildlife (select all that apply)</td>
<td>15 points</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Includes one or more plant species for native wildlife (select all that apply)</td>
<td>15 points</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Percent of site to be planted with native plant species (select one)

<table>
<thead>
<tr>
<th>Select one</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10 percent</td>
<td>30 points</td>
</tr>
<tr>
<td>11-20 percent</td>
<td></td>
</tr>
<tr>
<td>21-40 percent</td>
<td></td>
</tr>
<tr>
<td>41-60 percent</td>
<td></td>
</tr>
<tr>
<td>61-100 percent</td>
<td></td>
</tr>
</tbody>
</table>

### Planned cover diversity within the ground cover area (9 flowering plant species that will constitute the percent cover each; select all)

<table>
<thead>
<tr>
<th>Select all that apply</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-9 species</td>
<td>10 points</td>
</tr>
<tr>
<td>10-19 species</td>
<td>10 points</td>
</tr>
<tr>
<td>20 or more species</td>
<td>10 points</td>
</tr>
</tbody>
</table>

### Percent that will have at least 3 blooming species with percent cover each (add all that apply)

<table>
<thead>
<tr>
<th>Select all that apply</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring</td>
<td></td>
</tr>
<tr>
<td>Summer</td>
<td></td>
</tr>
<tr>
<td>Fall</td>
<td></td>
</tr>
</tbody>
</table>

### Observed seedling habitat within 0.25 miles (add all that apply)

<table>
<thead>
<tr>
<th>Select all that apply</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barren ground</td>
<td></td>
</tr>
<tr>
<td>Wetland</td>
<td></td>
</tr>
<tr>
<td>Forest edge habitat</td>
<td></td>
</tr>
<tr>
<td>Crevice carving (e.g., dead trees, earthen banks, cliffs)</td>
<td>2 points</td>
</tr>
</tbody>
</table>

**Grand Total**

**Meets Standard**

**Provides Exceptional Habitat**

**Developer:**

**Project Location:**

**Project Size:**

**Target Seeding Date:**

Send completed forms to: MD Dept. of Agriculture, MD Dept. of Natural Resources PRPP

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**DRAFT**
Scorecard

• Is a means to measure the potential benefit of the site for pollinators
• Receive points for benefits
• Minus points for negative impacts
According to SB 1158 (page 3 and 4)

The Scorecard must be:

• Recommended by Univ. of MD
• May be updated or amended only once every two years
• Applies only to Solar Generation Facilities
For Example...

- Percent of facility with flowering plant species including trees
  - 30-45 percent
  - 46-60 percent
  - 61 or greater percent
Seed Mix

• Points for number of species in the seed mix identified by USDA as beneficial to pollinators
• Lbs./acre of seed to be planted
• Points for seed mix with multiple blooming seasons.
Site Prep

• Is the facility properly prepared for plantings/seeding?

• Credit for planned BMPs including:
  – Minimizing Mowing
  – Creating nesting habitat
  – Invasive species control
  – Bare ground
Scorecard Criteria

• Creating pollinator habitat outside the fence
• Signage
• Educational events
• Points subtracted – Insecticide use
Vegetative Buffer?
RIVERSIDE SOLAR FARM, NY
RIVERSIDE SOLAR FARM, NY
ARTIST RENDERING
Scorecard Criteria

Recommendations for Scorecard Criteria?
Next Steps

- Application Forms will be web-based
  - [http://dnr.maryland.gov/pprp/Pages/pollinator.aspx](http://dnr.maryland.gov/pprp/Pages/pollinator.aspx)
- Generate Pollinator Habitat Plan Guidelines
Power Plant Research Program

Solar Generation Facilities - Pollinator-Friendly Designation

The Pollinator-Friendly Designation Program bill (SB 1168) was signed by Governor Larry Hogan in May 2017. SB 1168 established a pollinator-friendly designation program for commercial ground-mounted solar facilities. The bill did have a scorecard attached which will serve as the initial basis for pollinator-friendly designation of a site.

There are several steps that the department is coordinating before moving forward including:

- Drafting and adopting regulation
- Developing a commercial solar pollinator-friendly application form
- Assembling a workgroup to review the regulation, scorecard and applications

This webpage will be updated with the latest information including the designation process and all necessary forms. Please contact Bob Sadzinski at the Power Plant Research Program with questions:
bob.sadzinski@maryland.gov.

Pollinator Habitat Workgroup Members

- Matt Taffeau - Chairman
- Marla Haas - SunEast Dev.
- Jennifer Selridge - MD DNR
PPRP Webpage

- http://dnr.maryland.gov/pprp/Pages/default.aspx
Workgroup Next Steps

• Written comments accepted for next 2 weeks.
• Material and minutes will be posted to website.
• Scorecard approval through University of Maryland Bee Lab
• Regulations updated and officially submitted – Public comment period
• Adoption
The End

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