

**Renewable Energy Development and Siting Task Force**  
**Oct. 3 2019**  
**1:00 p.m.**

**Minutes**

- Welcome
  - Welcome and attendance taken by Chair Greg Snook at 1:00 p.m.
  
- From the Chair
  - Snook reminded participants on the call to mute their phones unless they wish to speak in order to avoid background noise
  - Snook asked participants to identify themselves if they wish to speak
  - Snook introduced the Maryland Department of Transportation (MDOT), who gave a presentation on their solar initiatives
  
- Presentation by Eddie Lukemire, MDOT
  - Key takeaways
    - MDOT owns five solar arrays, which are installed under DGS' energy procurement contract.
    - MDOT's solar project results in sustainability: social, environmental, and economic.
    - State and federal incentives can be used to promote solar programs in Maryland, such as Maryland's Renewable Portfolio Standard and the Greenhouse Gas Reduction Act.
    - MDOT considers the mode of transportation, the geographic location, functions, and internal management structures when working to create a master contract.
    - A lot of electric vehicle (EV) charging companies have a short-term business model that incorporates some Volkswagen settlement funds. Trying to incorporate that into a contract with solar can be difficult. A solution that they came up with is to make ready a certain percentage of parking areas so that they can come back in afterwards and install EV charging stations.
  - Snook reiterated the main objectives of the Task Force, which are laid out in the Executive Order.
  - Snook opened the call up to questions and comments from task force members, and reminded everyone there is time allotted during the call for public input.
    - Snook asked who else is included in the master agreement that MDOT has.
      - Lukemire explained that it was developed within MDOT, but others can use the contract.
        - Lukemire also explained that so far, MDOT has given their presentation to numerous other state agencies and a non-profit. A few counties have also shown interest and reached out for more information.
    - Jason Dubow from the Maryland Department of Planning (MDP) asked if MDOT has any estimates for cost savings.
      - Lukemire noted that renewable energy credits change, and it depends on the demand for the renewable portfolio standards. They are expecting to

generate close to one million dollars in renewable energy credits over the first three years.

- Janet Christensen-Lewis asked about clarifying power purchase agreements (PPA)
  - Lukemire explained that there is a technical proposal and a pricing proposal. The pricing proposal asks that the contractor price the contract out with MDOT owning the solar renewable energy credits, or the contractor retaining them.
- Lewis also asked if the solar renewable energy certificates count towards the 14.5% goal of in-state solar accumulations.
  - Lukemire noted that if they maintain the credits they can claim them, but not if they sell them back.
- John Finnerty representing the solar energy industry asked about Lukemire's experiences with developing sites and if public comments are positive or negative.
  - Lukemire said that they have not begun construction yet but they have heard both sides from the public, overall it is positive.
- Presentation by Lisa Hoerger, Critical Area Commission (CAC)
  - Commission staff is drafting regulations for consideration by the Critical Area Commission to address siting of solar projects.
  - Hoerger explained that the regulations will likely include the following elements that are applicable to all solar projects in the three overlay zones: Intensely Developed Areas, Limited Development Areas, and Resource Conservation Areas:
    - Limit cumulative forest clearing to 10 acres per project and require a minimum of 1:1 mitigation.
    - Prohibit disturbance to the following Habitat Protection Areas: Nontidal wetlands, forest Interior Dwelling Species habitats, colonial nesting waterbird sites, threatened and endangered species and their habitats, waterfowl staging and concentration areas, Natural Heritage Areas, locally significant habitats, anadromous fish propagation waters
    - Allow limited site access through the Critical Area Buffer, with mitigation.
    - Prohibit the granting of local Critical Area variances specific to the provisions of these regulations.
    - Exempt the area of the solar panels from lot coverage calculations when the panels are elevated and include planting underneath.
    - Manage stormwater through State requirements of the Maryland Department of the Environment (MDE).
    - Require a Public Service Commission (PSC)-approved decommissioning plan for each project.
  - Hoerger also explained that the regulations will also include the following elements for solar projects in the Resource Conservation Areas only:
    - For the life of the project, require reservation of unused development rights at a ratio of one development right for every 20 acres of the project.
    - Locate projects 300 feet from tidal waters, tidal wetlands and tributary streams.
  - Snook opened up the call to questions and comments from task force members.
    - Snook asked if there are any projects in the critical area at this time.
      - Hoerger noted that there are none currently.

- Ben Grumbles, Secretary of MDE asked if 8.5% of the state is considered a Resource Conservation Area. He also asked if this regulation would remove any possibility of a solar facility within the resource conservation area.
  - Hoerger confirmed that the 8.5% is correct. She also explained that it would not remove that possibility, and that they are trying to provide accommodation for that to happen if the PSC would determine it is the appropriate site for a facility.
    - Grumbles asked how it would restrict development of solar facilities in parts of the critical area.
      - Hoerger said there aren't necessarily restrictions, they are mostly focused on the larger projects that could potentially take up more land area. The Commission's regulations will balance Critical Area protection requirements with State goals for renewable energy.
- Joey Chen with the PSC asked if the counties or CAC would enforce the issues in a Certificate of Public Convenience (CPCN) proceeding.
  - Hoerger explained that CAC would provide comments through the Power Plant Research Program (PPRP), who would pass them along to the PSC as they make their decision.
- Snook opened up the call to questions and comments from anybody else who is not a member on the Task Force.
  - Kristen Harbeson from the Maryland League of Conservation Voters asked for a schedule of set call dates.
    - Snook noted that we are trying to educate the Task Force, and setting up presentations can sometimes present scheduling challenges. He noted at this time, it looks like calls will take place every other week.
    - Snook also asked for comments, suggestions and recommendations that we can consider.
  - Les Knapp with the Maryland Association of Counties (MACo) noted that the Maryland County Planners Affiliate Meeting will be on Friday, Nov. 1.
  - Lewis asked for more detail regarding the kinds of comments that the Chair mentioned.
    - Snook explained that each member or entity looks at the goals through a different lense, so more specific comments and suggestions are welcomed.
  - Snook noted that public facilities should be encouraged to install solar on their parking lots, rooftops, etc. He explained that when these larger facilities, like colleges, are designed, they should consider incorporating future solar panels.
  - Bishoff brought up the closing of Verso in Western Maryland and what we can do with the wood chips, and that economic development could put further thought into it.
- Snook adjourned the call at 2:02 p.m.

#### **Attendees**

- Abigail Peryea, Maryland Energy Administration (MEA)
- Adam Gruz, MDP
- Allison Cordell, Governor 's Office

- Andrew Gohn, Wind Energy representative
- April King, Maryland Environmental Service (MES)
- Billy Bishoff, Maryland Farm Bureau representative
- Cassie Shirk, Maryland Department of Agriculture (MDA)
- Charles Glass, Maryland Department of Transportation (MDOT)
- David Comis, MEA
- David Tancabel, PPRP, Maryland Department of Natural Resources (DNR)
- Devon Dodson, MDE
- Dorothy Morrison, MDOT
- Eddie Lukemire, MDOT
- Ewing McDowell, Maryland Department of Commerce (Commerce)
- Greg Snook, Chair
- Hannah Schaeffer, Governor's Office
- Helen Stewart, PPRP, DNR
- Interested Stakeholders
- James McKittrick, DNR
- Janet Christensen-Lewis, Maryland Farm Bureau representative
- Jason Dubow, MDP
- Joe Bartenfelder, MDA
- Joey Chen, PSC
- John Finnerty, Solar Energy representative
- Julie Oberg, MDA
- Katherine Charbonneau, CAC, DNR
- Les Knapp, MACO
- Lisa Hoerger, CAC, DNR
- Lisa Smith, PSC
- Nimisha Sharma, MDOT
- Sandra Schrader, MDP
- Stephen Schatz, Governor's Office