

Renewable Energy Development and Siting Task Force
Oct. 17 2019
12:00 p.m.

Minutes

- Welcome
 - Welcome and attendance taken by Chair Greg Snook at 12:00 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 Terry McGean, Maryland Municipal League (MML) representative

- Presentation by Terry McGean, MML representative
 - Key takeaways
 - McGean explained that aggregate net metering is a way for a single customer to take advantage of a single renewable energy project on multiple facilities that the customer may operate.
 - McGean believes aggregate net metering is limited to local governments and nonprofits, and that it has been used in some locations on off-site solar projects.
 - Regarding the agricultural community, McGean believes it is a nice incentive for renewables and that there could possibly be a way to reconsider aggregate net metering and allow for “medium-scale” offsite solar projects in low-value areas where we are trying to encourage more solar development.
 - McGean went over the Public Service Commission’s (PSC) siting authority. MML and the Maryland Association of Counties (MACo) have worked to make sure that the PSC considers local zoning considerations and concerns when siting projects.
 - McGean suggested that when projects are considered at the local level, the municipality, locality or county should automatically be included as an interested party.
 - McGean noted that the offshore renewable energy credit legislation does not include restrictions on the bulk and height of projects.
 - The Bureau of Ocean Energy Management (BOEM) has accepted applications with a range of turbine heights and sizes. McGean recommended that applicants who increase of the height or bulk of a project should be required to go back to the PSC.
 - Snook opened the call up to questions and comments from task force members
 - Snook asked if any of their zoning districts allow solar, or if it is a special exception in most or all of the districts.
 - McGean noted that Ocean City’s zoning doesn’t really address solar, but they do address wind, and allow it as a special exception.
 - Janet Christensen-Lewis noted one of the issues that they run into is that some projects that are put under aggregate net metering can run into the 1,500

megawatt (MW) cap. Currently, we are about halfway to that cap, but she feels we should fully embrace net metering going forward.

- Joey Chen with the PSC explained that the cap on aggregate net metering is a statutory cap, so he believes that any expansion beyond 2MW would have to be by legislative amends to the law.
 - Chen also touched on expanding the 1,500MW capacity. He thinks part of the challenge is that there is a point where net metering would affect non-net metered utility customers disproportionately in regards to utility revenue losses, which has been an argument utility companies have made. As sales revenue increases, that might create more room to expand the 1,500MW cap.
 - Lewis explained that other states, like Hawaii and California, have pushed back against utilities, and have come up with ways to allow almost unlimited amounts of net metering.
 - John Finnerty, representing the solar energy industry noted that it would be good to have a large discussion about net metering.
 - Andrew Gohn, representing the wind energy industry clarified that the Maryland PSC is not the final arbiter of siting projects within federal waters. The PSC has jurisdiction over awarding off-shore renewable energy credits in the State of Maryland. Beyond three miles it is federal waters.
 - The prices of off-shore wind are coming down quickly, and he believes over the long-term, Maryland's control over awarding credits will matter less and less. More of the challenge associated with siting will remain under the jurisdiction of the BOEM.
 - McGean noted that those projects do not exist without offshore wind renewable energy certificates (ORECs), and the PSC awards and places conditions on the ORECs.
- Presentation by Leslie Knapp, MACo representative
 - Key takeaways
 - Knapp noted that MACo supports solar energy development with the appropriate local, zoning and siting requirements. He recognizes there is a mix of different projects to meet Maryland's renewable energy goals.
 - Knapp explained that MACo would like to see a prioritization of projects where rooftop solar can be incentivized or encouraged to cut down and minimize usage of the utility grid, which can lead to transmission issues.
 - MACo supports the expansion of aggregate net metering, recognizing that there are issues that need to be worked through.
 - Knapp explained the core principles MACo would like to see moving forward.
 - Knapp believes moratoriums have been a more sticky issue, but there is a role for them as long as there is a set plan to have a product at the end of it.
 - Knapp went over aggregate development caps.
 - Some counties have set where they want solar to go within a broad area, and once a certain net acreage is met, then development will stop in the counties (eg. Caroline and Talbot counties).
 - Some counties have looked at limiting individual project caps, and concern has developed over this because if you set something too low, then you cannot have an economically viable project.

- Knapp feels education is needed about what happens at the broader, more regional level and how the project application works.
 - Snook opened the call up to questions and comments from task force members
 - Chen asked if the counties have looked at what can be done to make it easier to install rooftop at the commercial level, like on larger buildings or apartments.
 - Knapp noted there has been discussion, but that area is preliminary. It could involve building code changes, which would involve the state. He believes the counties would support this initiative
 - Finnerty asked if MACo has heard from counties to see if they are in need of additional resources to help process and review some of the applications that they have seen come across for approval.
 - Knapp said they are just getting into this developing area, and there are some zoning departments in eastern shore counties that have said this is putting additional stress on them, along with adding a resource strain.
 - Lewis noted that solar development will not be static, and the impact on rural counties has to be taken under consideration.
- Snook opened the call up to questions and comments from the public
 - A member from the Chesapeake Physicians for Social Responsibility and the Sierra Club said he is a member of the net metering working group that's been working on community solar for the past three years. From the Sierra Club side, they have worked with Knapp and MACo, farm bureau colleagues, and a number of counties to develop a general consensus on appropriate siting guidelines.
 - He noted that there was a mention about solar zoning. The issue he has encountered in many places is that although counties may want solar to go on commercial and industrial land, the cost of this is 10 and sometimes 100 times greater than the cost of agricultural land. The financial liability of solar projects in Maryland is quite a narrow window, so generally higher cost projects are much harder to afford. If there could be a way to consider identifying appropriate areas and zone appropriately so the cost is feasible, that is worth considering.
 - In terms of the net metering cap, If we support and promote small to midsize projects, like rooftop and parking lot solar, we would inevitably need to increase the cap.
- Snook adjourned the call at 1:01p.m.

Attendees

- Abigail Peryea, Maryland Energy Administration (MEA)
- 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
- Interested Stakeholders
- James McKittrick, DNR
- Janet Christensen-Lewis, Maryland Farm Bureau representative
- Jason Dubow, Maryland Department of Planning (MDP)
- Joe Bartenfelder, MDA
- Joey Chen, PSC
- John Finnerty, Solar Energy representative
- Les Knapp, MACO
- Nimisha Sharma, MDOT
- Roy McGrath, MES
- Ryan Opsal, MEA
- Stephen Schatz, Governor's Office