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Date: (Filing No. S-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 357, L.D. 830, “An Act to Protect Maine’s Scenic Beauty by Requiring Solar Panel Fields to Be Hidden from View”

Amend the bill by striking out the title and substituting the following:

'An Act to Protect Maine's Scenic Beauty Through the Regulation of Solar Energy Developments Under the Site Location of Development Laws'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 38 MRSA §484-E is enacted to read:

§484-E. Additional standards for solar energy developments

In addition to other standards required by or pursuant to this article, the department shall evaluate a proposed solar energy development in accordance with this section.

1. Evaluation criteria. The department shall evaluate the effects of the proposed solar energy development on scenic character and existing uses related to scenic character. The evaluation must include, but is not limited to, consideration of:

A. The significance of the scenic character that may potentially be affected by the proposed solar energy development;

B. The existing scenic character and existing uses related to scenic character in the area surrounding the proposed solar energy development; and

C. The expectations of the typical viewer in viewing the proposed solar energy development.

2. Measures required. If, following the evaluation under subsection 1, the department finds that the proposed solar energy development will have an adverse effect on scenic character and existing uses related to scenic character, the department, after consultation with the local land use authority, shall require the developer to adopt measures designed to protect scenic character and existing uses, which may include, but are not limited to, visual screening measures such as the construction of a fence surrounding the solar energy

COMMITTEE AMENDMENT

1 development or the planting or maintenance of trees, bushes or other vegetation
2 surrounding the solar energy development.

3 As used in this section, "solar energy development" means a development that uses a
4 solar energy system consisting of ground-mounted solar panels to convert solar energy to
5 electrical energy and includes generating facilities and associated facilities.'

6 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
7 number to read consecutively.

8 **SUMMARY**

9 This amendment, which is the minority report of the committee, changes the title of
10 and replaces the bill. It amends the site location of development laws to provide that, in
11 reviewing a proposed solar energy development, the Department of Environmental
12 Protection is required to evaluate the effects of the development on scenic character and
13 existing uses related to scenic character. The amendment requires that, if the department
14 finds that the proposed development will have an adverse effect on scenic character and
15 existing uses related to scenic character, the department, after consultation with the local
16 land use authority, must require the developer to adopt measures designed to protect scenic
17 character and existing uses.

18 **FISCAL NOTE REQUIRED**

19 **(See attached)**