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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3353

03/17/2016 Authored by Hamilton, Erickson and Bennett

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance

04/01/2016 Adoption of Report: Re-referred to the Committee on Agriculture Policy

1.1 A bill for an act
1.2 relating to agriculture; establishing voluntary solar site management practices
1.3 for solar sites; allowing local governments to require management practices as a
1.4 condition of a site permit; proposing coding for new law in Minnesota Statutes,
1.5 chapter 216B.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [216B.1642] SOLAR SITE MANAGEMENT.

1.8 Subdivision 1. Site management practices. An owner of a ground-mounted solar
1.9 site with a generating capacity of more than 40 kilowatts may follow site management
1.10 practices that (1) provide native perennial vegetation and foraging habitat beneficial to
1.11 gamebirds, songbirds, and pollinators, and (2) reduce storm water runoff and erosion at
1.12 the solar generation site. To the extent practicable, when establishing perennial vegetation
1.13 and beneficial foraging habitat, a solar site owner shall use native plant species and seed
1.14 mixes under the Board of Water and Soil Resources native vegetation establishment and
1.15 enhancement guidelines.

1.16 Subd. 2. Recognition of beneficial habitat. An owner of a solar site implementing
1.17 solar site management practices under this section may claim that the site provides
1.18 benefits to gamebirds, songbirds, and pollinators only if the site adheres to guidance set
1.19 forth by the pollinator plan provided by the Board of Water and Soil Resources or any
1.20 other gamebird, songbird, or pollinator foraging-friendly vegetation standard established
1.21 by the Board of Water and Soil Resources. An owner making a beneficial habitat claim
1.22 must make the site's vegetation management plan available to the public and provide a
1.23 copy of the plan to a Minnesota nonprofit solar industry trade association.

1.24 Subd. 3. Condition of local approval. A local government may require, as a
1.25 condition of any solar site permit approval process for ground-mounted solar panels,

- 2.1 that a project proposer (1) include in the permit application a plan for site management
- 2.2 consistent with subdivision 1, and (2) maintain any site management practices consistent
- 2.3 with the management plan for the duration of the site permit.