

Draft ¹

Voluntary Pilot Form Application

for

Construction of a Solar Energy Generating System (“SEGS”)
2.01 to 5 MW Project in [x] County, MD

Pre-DGCPCN

¹ Proposed as a pilot to inform the Commission decision required under Section 7-207.4(c)(1) Subject to paragraph (2) of this subsection, on or before July 1, 2027, the Commission shall adopt regulations to:… (ii).specify the form of the application for a distributed solar energy generating system to receive a DGCPCN and any application fee;

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Provide the following documentation in the order and as the referenced appendices, as listed below.

LIST OF APPENDICES

Appendix A – Concept Site Plan
Appendix B - PVSyst Report or equivalent
Appendix C – Project Site Photography²
Appendix D – County and/or Town Correspondence
Appendix E – Interconnection Documentation/Utility Correspondence
Appendix F - Viewshed Analysis (if applicable)
Appendix G – Topographic Contour Grading Map
Appendix H - Vegetation Management Plan
Appendix I – PSC Subscriber Organization Approval
Appendix J - MDE/USACE Letter of Authorization / Correspondence
Appendix K - Wetland Delineation Report
Appendix L – FEMA Floodplain Map
Appendix M – MDE Tier II Documentation (if applicable)
Appendix N – MD Scenic and Wild Rivers Correspondence (if applicable)
Appendix O - Geotechnical Report
Appendix P - EPA AVERT Report
Appendix Q - Forest Stand Delineation and Forest Conservation Worksheet (if Applicable)
Appendix R - MDNR WHS Correspondence
Appendix S - USFWS IPAC Report and USFWS Correspondence
Appendix T – Critical Area Commission Correspondence (if applicable)
Appendix U - Phase I ESA Report
Appendix V – Noise Study
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Appendix X - MHT Correspondence
Appendix Y - Glare Assessment Report
Appendix Z - FAA Documentation
Appendix AA - MAA Documentation
Appendix BB - JEDI Model Report
Appendix CC - Public Outreach Documentation (if applicable)
Appendix EE – Validation Screenshots
Appendix FF – DoD Clearinghouse Correspondence (if applicable)
Appendix GG – Water Appropriations Permit or Notice of Exemption (if applicable)

² Project Site photography is requested for ease of reference and to assist in review of the Project.

LIST OF FREQUENTLY USED ACRONYMS

AC	Alternating Current
AVERT	Avoided Emissions and geneRation Tool
CAC	Critical Area Commission
CBCA	Chesapeake Bay Critical Areas
CBGs	Census Block Groups
CSEGS	Community Solar Energy Generating System
CO ₂	Carbon Dioxide
CPCN	Certificate of Public Convenience and Necessity
CREP	Conservation Reserve Enhancement Program
DNR	Department of Natural Resources
DR	Data Request
EMF	Electromagnetic Fields
ERD	Environmental Review Document
ESA	Environmental Site Assessment
ESD	Environmental Site Design
FAA	Federal Aviation Administration
FSD	Forest Stand Delineation
HDD	Horizontal Directional Drilling
LOC	Limit of Construction
LOD	Limit of Disturbance
MAA	Maryland Aviation Administration
MALPF	Maryland Agricultural Land Preservation Fund
MDE	Maryland Department of the Environment
MDNR	Maryland Department of Natural Resources
MDOT	Maryland Department of Transportation
MHT	Maryland Historical Trust
MW	Megawatt(s)
MWh	Megawatt hour
NPDES	National Pollutant Discharge Elimination System
PAR	Project Assessment Report
PFA	Priority Funding Areas
POI	Point of Interconnection
PPA	Priority Preservation Areas
PPRP	Power Plant Research Program
PSC	Public Service Commission of Maryland
PV	Photovoltaic
REC	Recognized Environmental Conditions
RLCs	Recommended Licensing Conditions
RPS	Renewable Portfolio Standard
RTE	Rare, Threatened, or Endangered
SHA	State Highway Administration
WHS	Wildlife and Heritage Service
USFWS	U.S. Fish and Wildlife Service

1.0 INTRODUCTION

1.1 Project Owner/ Developer information

- Applicant name, principal business address of the Applicant
 - Point of contact, and point of contact information
 - Name of Project
 - Location at which the public may inspect a copy of the application.
- (COMAR 20.79.01.06A-E)

1.2 Site and Design Selection Statement

Statement of the reasons for the selection of the design and the site of the Project
(COMAR 20.79.03.01F)

1.3 Summary of Environmental and Socioeconomic Effects

Summary of the environmental effects of the construction and operation of the Project, including a description of the unavoidable impact and recommended mitigation, including but not limited to a discussion of impacts to the Chesapeake Bay and its watershed and the Atlantic Coastal Bays, if applicable. (COMAR 20.79.03.02B(1)(b))

Summary of the socioeconomic effects of the construction and operation of the project, including a description of the unavoidable impact and recommended mitigation.
(COMAR 20.79.03.04B(1))

1.4 Approving Agencies and Approval Process

A list of each local, state, or federal government agency having authority to approve or disapprove the construction or operation of the project and containing a statement:

- (1) Providing the contact information for the local, state, or federal agency or unit (COMAR 20.79.01.06F(1));
- (2) Indicating whether the necessary approval from each agency has been obtained, with a copy of each approval or disapproval attached (COMAR 20.79.01.06F(2));
- (3) If necessary approval has not been obtained, specifying the reason why (COMAR 20.79.01.06F(3)).
- (4) If the proposed Project is pending review for approval before a local, state, or federal agency or unit, indicating the status and providing a summary of the review process and expected completion date for the review, if known (COMAR 20.79.01.06F(4)); and
- (5) Indicating whether any waiver or variance has been granted or requested with a copy of each attached (COMAR 20.79.01.06F(5)).

2.0 **PROJECT INFORMATION**

Table 1 Project and Site Information

Physical Address:	
County:	
Zoning:	
AC Power Output (MW):	
DC Power Output (MW):	
Service Territory:	
Total Parcel Size/Project Site ³ (acreage):	
Limit of Disturbance (LOD)/ Total Project Area ⁴ (acreage):	
Project Area within a PPA (acreage)	
Laydown Area (acreage)	
Limit of Construction (LOC) (acreage):	
Number of Modules:	
Fixed Tilt or Tracking:	
Ground-Mounted? (Yes/No):	
Inverter Type:	
Number of Inverters:	
Number of Transformers:	
Number of Equipment Pads (with description of what each contains):	
Proposed Fencing:	

³ “Project Site” means all parcel(s), or portions of a parcel, leased or owned for the Project.

⁴ “Project Area” or “Limit of Disturbance” means an area within which construction, materials and equipment storage, grading, landscaping, and related activities for a project may occur. “Project Area” includes one or more contiguous parcels or properties under the same ownership or lease agreement. The Project Area also includes access roads.

2.1 *Project Site and Proposed Layout – Conceptual Site Plan*

Conceptual Site Plan Checklist

Consistent with COMAR 20.79.03.01.B, provide a high-resolution Conceptual Site Plan of the Project as **Appendix A**, that is not less than 11”x17”, on which all text is fully legible, and which includes each of the following. **Check each item upon verification that it is included on Applicant’s conceptual site plan.**

- ☐ A location map with total site area and applicable land boundaries, indicating the location of the proposed project in relation to municipal boundaries, perimeter roads, and schools;
- ☐ Project design features (including solar panels, inverters, transformers, equipment pads, laydown area(s), access roads, parking area, and point of interconnection(s));
 - ☐ Diagram of the solar panels should be included depicting the bottom and top edge panel height, tilt, and rotation angle and resting angle (if tracking).
- ☐ Setbacks from adjacent properties, rights of way, and natural resources as applicable;
- ☐ Characteristics of the land **within the LOD** to be developed, including soil classifications and proportion (e.g., x% of LOD is prime soils; x% important soils) and all natural resources and environmental features that require or may require protection in accordance with State and local regulations, including proposed setbacks;
- ☐ Acknowledgement of agricultural best management practices.
- ☐ All existing easements, including utility easements, conservation easements, restrictive covenants, or other protective instruments over the property;
- ☐ All existing and proposed structures located on the Project Site or in the vicinity (including residences, outbuildings, cemetery, school, abandoned buildings, storage structures, well, septic system), existing and proposed parking areas with setbacks and buffers, and areas of impervious surfaces or lot coverage;
 - ☐ Note which buildings will be demolished and which buildings will remain that are included within the Project Area.
- ☐ Proposed location, height⁵ and width of both landscape buffering and existing treeline as applicable;
 - ☐ Height of landscape buffer at planting and at maturity for each species, and average growth rate for each species.
- ☐ Location and distance for nearest noise receptor;

⁵ For proposed landscape buffer, the height at planting should be included.

- ☐ Location, depth, and width of any trenching, horizontal directional drilling (HDD), excavation, or stockpiling areas.
- ☐ An Impervious Surface Area Table detailing all impervious surface areas to be created for the Project and the total impervious surface area being added to the site by the Project. As part of the conceptual site plan, include a summary of each design feature that will create impervious ground surface areas, including but not limited to:
 - ☐ Roads,
 - ☐ Parking areas,
 - ☐ Inverter and transformer equipment pads,
 - ☐ Power centers,
 - ☐ Onsite switchyards,
 - ☐ Fencing or rack supports,
 - ☐ Other: (list), and
 - ☐ Gravel-covered areas (listed in a separate category from concrete and other hard surfaces).

The Impervious Surface Area Table must be included as part of the conceptual site plan.

2.2 Project Site Information

ROW #	Legal Requirements	Area of Interest	Documentation⁶	Application Information
1.	COMAR 20.79.03.01(C)	Operational Features	Appendix B - PV Syst Report (or equivalent)	AC capacity factor for the Project: Capacity of the Project in kilowatt direct current (kW DC): Provide a written scope of work for any building(s) that will be constructed, demolished, or rehabilitated.
2.	COMAR 20.79.03.01(D)	Schedule		Construction start date: Construction completion date: Operation start date:
3.	COMAR 20.79.03.02(B)(1)	Site Control	Appendix C - Project Site Photography	Project site description: ☐ Appendix C – photos of the Project Site, including locations of Project design features and surrounding areas. Does the Applicant have legal control of the Project Area? (mark one and include response) ☐ Yes. Describe how (i.e., is the Applicant leasing or purchasing, and if leasing, what does the lease include and how long is the lease term). ☐ No. ☐ Why has it not yet been obtained? ☐ Provide the timeframe for obtaining Project Area control.

⁶ Bolded documentation identifies the required documentation to provide evidence verifying the requirement.

ROW #	Legal Requirements	Area of Interest	Documentation⁶	Application Information
4.	COMAR 20.79.03.02(B) (1)(a) 20.79.03.04 B (2)(d)	Land Uses		<i>Provide a general description of the following under each topic.</i> Physical conditions of the site and adjacent⁷ areas. Biological conditions of the site and adjacent areas. Aesthetic conditions of the site and adjacent areas. Cultural features of the site and adjacent areas (includes but is not limited to historic buildings, archaeological resources, proximity to Scenic resources (byways, rivers, etc.), Heritage Areas) Current and past Land Uses of the Project Site. Land Uses of the Surrounding Area.

⁷ “Adjacent” – Having a common input or border. Merriam-Webster Dictionary.

2.3 County and/or Local Permitting

ROW #	Legal Requirements	Area of Interest	Documentation	Questions and Responses
5.	COMAR 20.79.03.01(A) 20.79.01.06(G)	Local Zoning	Appendix D <i>County and/or Town Coordination Documentation</i>	<i>Provide the following information.</i> Local Zoning District: Copy of Applicant's request to the County or municipal corporation in which any portion of the Project is located on whether the Project is consistent with the applicable local comprehensive plan and zoning ordinance. Documentation of all County/local municipality correspondence on the Project, including any preliminary reports of their review or concerns regarding the Project. Documentation of the Applicant's efforts to resolve any County/local municipality concerns communicated to the Applicant. Timetable of actions taken as part of the coordination with the County/local municipality. Appendix D - A list of documents provided, with the dates of each communication/document. What, if any, indication has the County provided to the Applicant that the County opposes/ does not oppose the Project?

<i>ROW #</i>	<i>Legal Requirements</i>	<i>Area of Interest</i>	<i>Documentation</i>	<i>Questions and Responses</i>
6.	PUA §7-218(f)(10)	<i>County Agreements</i>	<i>Appendix D</i> <i>County and/or Town Coordination Documentation</i>	Does the Applicant have a siting agreement with the county that provides less stringent restrictions than those specified in PUA §7-218; or a Payment in Lieu of Taxes Agreement with the County? Yes No If “yes”, specify what type of agreement: <i>Provide a copy of the agreement in Appendix D.</i>

2.4 Interconnection

ROW #	Legal Requirements	Area of Interest	Documentation	Questions and Responses
7.	COMAR 20.79.03.01(H-J)	Interconnection	Appendix E – Interconnection Documentation / Utility Correspondence	Provide specific information on interconnection ☐ Specific connection location ☐ Specific route ☐ Status of the generating station in the transmission or distribution grid interconnection process. ☐ Identify each required major electric system upgrade, including any associated transmission line, as a result of the project. ○ Location ○ Major design features. Current status of the utility interconnection study for the Project. ☐ Date submitted or date Applicant plans to submit to utility: ☐ Timeframe of actions taken (to be updated during the case) ☐ Summarize any discussions with the utility regarding the reserved capacity in the distribution circuit for the project. Description of the impact of the Project on the stability and reliability of the electric grid.

3.0 COMPLIANCE WITH PUA §7-218

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
8.	PUA §7-218(e)	Overburdened Community	Appendix CC Documentation evidencing the two public meetings and clear communication that requesting any community feedback Any public comments received	Is the proposed location of the Project in an area considered to be overburdened and underserved, as defined in § 1-701 of the Environment Article? ☐ Yes ☐ No If “yes”, provide a summary below of the two public meetings in the community where the Project is to be located to collect community feedback and provide opportunities to address community feedback. Also, provide any written public comments. ☐ Confirmation documentation is included If “no”, an explanation of why PUA §7-218(e) is not applicable to the Project.
9.	PUA §7-218(f)(2) (i), (ii) PUA §7-218(f)(9)	Setbacks: Residential Dwelling Adjacent Properties	Appendix A - Conceptual Site Plan ☐ Verified consistency with Conceptual Site Plan	<u>Residential Dwellings</u> (at least 150-foot setback) Identify each nearby residential dwelling and, measuring from the nearest wall ⁸ of the residential dwelling to the nearest part of the SEGS, indicate the specific measurement (is it at least 150-foot setback)? <u>Adjacent Properties</u> (at least 100-foot setback) Identify each property line (except interior bisecting property lines) and provide measurement from the nearest part of the SEGS.

⁸ Setbacks for solar energy generating stations: (i) shall be measured from the property boundary to the nearest solar array or accessory equipment, buildings, or facilities that generate, maintain, operate, manage, distribute, and transmit electricity; and (ii) may not apply to any interconnection tie line or facility that connects a solar energy generating station to the electric system. PUA §7-218(f)(9).

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
10.	PUA §7-218(f)(2)(iii)	Fencing	Appendix A - Conceptual Site Plan ☐ Verified consistency with Conceptual Site Plan	Location of any fencing (<i>mark each applicable</i>) ☐ Around substations or critical infrastructure ☐ On the interior of the landscape buffer ☐ Immediately adjacent to the SEGS ☐ Other Location Except around substations or critical infrastructure, is fencing to be used non-barbed wire? ☐ Yes ☐ No Identify type of fencing used. Is chain link fencing used? ☐ Yes, if so, verify that black or green vinyl wire mesh is proposed ☐ No State height of fencing: Is it more than 20 feet high? ☐ Yes ☐ No ☐ Identify any public road or right of way and the distance from its edge to the fencing (confirm is not less than 50 feet).

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
11.	PUA §7-218(f)(2)(v)	Public Rights of Way and Other Rights of Way	<i>Appendix A - Conceptual Site Plan</i> ☐ Verified consistency with Conceptual Site Plan	Identify any public roads or other rights-of-way, including railway corridors, that are impacted by the Project. Is anything associated with the Project within a right-of-way? ☐ No ☐ Yes. If “yes”, identify exactly what the equipment, etc. includes. ☐ Confirm that except for equipment required for interconnection with electric system infrastructure, the Project does not propose to locate any solar array, ancillary equipment, or accessory buildings or facilities within a public road right-of-way or other right of way.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
12.	PUA §7-218(f)(2)(vi) COMAR 20.79.03.04 B (5)	Visual Impacts and Mitigation	Appendix A - Conceptual Site Plan Appendix D - County and/or Town Correspondence Appendix F - Viewshed Analysis <i>If any of the identified areas are present:</i> ☐ Verification that viewshed analysis has been provided as Appendix F	Mark each applicable area below that is impacted by the Project and identify each immediately afterward. Is the Project located within: ☐ Historic Preservation area (national, state or local) ☐ Rural legacy area ☐ Priority preservation area. ○ If “yes”, provide the acreage: ○ If PPA was established before January 1, 2025, provide information about the total combined number of solar energy generating stations in such PPA and their acreage(s). Is the Project Site within the vicinity of or within the viewshed⁹ of any of the following? If so, identify each. ☐ Public park, ☐ Scenic river, ☐ Scenic byway, ☐ Designated heritage area, ☐ Historic structure, or ☐ Site listed on or eligible for the national register of historic places or relevant county register of historic places. Describe any plans to mitigate the project’s visual impacts. Identify any County, pertinent organization, or public comment requests regarding mitigation of visual impacts. If Applicant does not intend to comply, explain why.

⁹ “Viewshed” includes what, in theory, under ideal viewing conditions at sea level, a 6-foot human can see from the top of an 8-foot structure from a distance of 4.6 miles (JPL 1996).

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
13.	PUA §7-218(f)(2)(vii)	Emergency Response	<i>Appendix D</i> <i>County and/or Town Coordination Documentation</i> ☐ Verify Emergency Response Documentation Included	Summarize plans to address emergency response, including fire safety and emergency vehicles, including the width of proposed access roads and specify that the proposed access road(s) conform to NFPA width minimum or, in the alternative, County-agreed minimum, in consultation with the Fire Marshal. If County-agreed minimum, provide verification. Include documentation provided by Applicant as notice to each County Department of Emergency Services, or equivalent, including a map depicting the location of any proposed solar collector or isolator switch. <i>Confirm, by signing below, that Applicant understands that the Project Owner is required to post a sign (and a QR code to access) at the Project entrance providing pertinent information for emergency responders.</i>

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
14.	PUA §7-218(f)(4) PUA §7-218(f)(2)(iii)	Vegetative Screening or Buffering	<i>Appendix A - Conceptual Site Plan</i>	☐ Provide depth of the vegetative screening in each area proposed. ☐ Is the new vegetative screening proposed for all sides of the Project 35 feet wide? ☐ Does the new vegetative screening include flora native to the area? ☐ Provide the species type(s), average annual growth rate(s), and anticipated height at planting for flora proposed within the vegetative screening. ☐ Summarize the maintenance plan for the vegetative screening over the first five years of the project operations. ☐ Is irrigation equipment needed, or will the applicant transport water to the site?

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
15.	Section 7-218 (F)(4)	Landscape Buffer and Existing Trees	Appendix A - Conceptual Site Plan	Is there any area where no landscape buffer is proposed, and the Applicant is relying on an existing portion of wooded vegetation as part of its vegetative screening? ☐ Yes ☐ No <i>If yes, provide the following.</i> Provide the width and height of the existing portions of existing wooded vegetation being proposed as vegetative screening. (Must be a minimum of 50 feet wide).¹⁰ Where is the existing wooded vegetation located? Does the Applicant have legal control (via a lease, easement, or other legally binding agreement) over the existing portions of wooded vegetation that is proposed as vegetative screening for the life of the Project? ☐ Yes ☐ No If “no”, identify the legal guarantee upon which the Applicant is relying to assure that the existing wooded vegetation will remain for the life of the Project.

¹⁰ If the existing wooded vegetation is less than 50 feet wide, the Applicant may include additional proposed vegetation of up to 35 feet wide if the existing wooded vegetation will be used to account for vegetative screening.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
16.	PUA §7-218(f)(5)(i)	Grading	Appendix G - Topographic Contour Grading Map	Do you plan to grade the Project Site? ☐ Yes ☐ No If “yes”, summarize how you will minimize grading to the maximum extent possible and the locations where grading will occur.
17.	PUA §7-218(f)(5)(ii-iii)	Topsoil Retention and Stabilization	Appendix H - Vegetative Management Plan	Confirm, by signing below, that Applicant understands that the Project Owner may not remove topsoil from the parcel but may move or temporarily stockpile topsoil for grading. Confirm, by signing below, that Applicant understands that the Project Owner must conform to all requirements of the standard vegetation management license condition by planting native or noninvasive naturalized vegetation and take other appropriate vegetative protections.
18.	PUA §7-218(f)(5)(iv)	Limits to Mowing and Other Unnecessary Landscaping	Appendix H - Vegetative Management Plan	Confirm, by signing below, that Applicant understands that the Project Owner is required to comply with the limits to mowing and other unnecessary landscaping.
19.	PUA §7-218(f)(5)(v)	Herbicide Restrictions	Appendix H - Vegetative Management Plan	Confirm, by signing below, that Applicant understands that the Project Owner is required to comply with the MDA Weed Control Law herbicide restrictions.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Documentation	Questions and Responses
20.	PUA §7-218(f)(5)(vi)	Landscape Bond		<i>Confirm, by signing below, that Applicant understands that it is required to post for the first 5 years of the life of the solar energy generating station a landscaping bond equal to 100% of the total landscaping cost with the county in which the solar energy generating station is located.</i> _____
21.	PUA §7-218(f)(7)	Lighting Requirements		<i>Confirm, by signing below, that Applicant understands that the Project may not emit visible light from dusk to dawn except for what is required by law or for safety or emergency.</i> _____
22.	PUA §7-218(f)(8)(ii)	Height Limits		Provide the anticipated heights for the top edge and bottom edge of the array system and the height of the pivot (for tracking systems). Is the average height for the components of the SEGs and any accessory structures not more than 15 feet? ☐ Yes ☐ No
23.	PUA §7-218(g)(2); COMAR 20.79.03.01E	Decommissioning		Provide a copy of the decommissioning agreement (on the form approved by the Commission), if one has been approved. Provide the estimated future cost of decommissioning the Project at the expected end of its life, and support therefor.

4.0 COMMUNITY SOLAR PROGRAM – SPECIFIC REQUIREMENTS

ROW #	Legal Requirements	Area of Interest	Documentation	Questions and Responses
24.	PUA §7-306.2(D)(13)	Co-location		Has the Applicant taken any actions to determine whether the proposed community solar project is located on the same or an adjacent parcel of land as an existing or proposed community solar project? ☐ Yes ☐ No If “yes”, describe the actions taken. Are there any existing or proposed community solar projects on the same or an adjacent parcel of land as the Project ☐ Yes ☐ No If “yes”, provide location and owner of other proposed community solar project. If the proposed community solar project is located on the same or an adjacent parcel of land as an existing or proposed community solar project, do any of the exemptions specified in PUA §7-306.2(D)(13)(ii) apply to the project? ☐ Yes ☐ No If “yes” identify which specific exemption applies.¹¹

¹¹The exemption applies to projects constructed: 1. on the rooftops of buildings; 2. in areas that are zoned for industrial use; 3. on brownfields locations and clean fill sites; 4. over parking lots or roadways; 5. on multilevel parking structures; 6. on or over transportation or public rights-of-way; 7. at airports; 8. on land that: A. was previously zoned for industrial use or is ecologically compromised; and B. is not targeted for mitigation or restoration; or 9. in any location if the combined capacity of all community solar energy generating systems on the same or adjacent parcel does not exceed 10 megawatts and: A. at least 75% of the aggregate capacity of the co-located community solar energy generating systems serves LMI subscribers; B. for a site without a community solar energy generating system installed before the start of the Program under paragraph (20) of this subsection, all of the community solar energy generating systems installed after the start of the Program are used for agrivoltaics; or C. for a site with a community solar

ROW #	Legal Requirements	Area of Interest	Documentation	Questions and Responses
25.	PUA §7-306.2(N)	Labor Requirements	Appendix E – Interconnection Documentation / Utility Correspondence	Provide the date when the proposed community solar project received a queue position in a Community Solar Program. If the date is prior to January 1, 2025, PUA §7-306.2(N) is not applicable. <i>If the date is after January 1, 2025, confirm, by signing below, that Applicant understands that Applicant must be in compliance with PUA §7-306.2(n) by ensuring that workers are paid not less than the prevailing wage rate, or that the Applicant is subject to a project labor agreement consistent with PUA §7-306.2(n)(1-6).</i>
26.		PSC Subscriber Organization Number	Appendix I – PSC Subscriber Organization Approval	If a community solar project, confirm that a copy of the Project's PSC Subscriber Organization approval is attached as Appendix I. ☐ Yes ☐ No

energy generating system installed before the start of the Program under paragraph (20) of this subsection, each new community solar energy generating system installed after the start of the Program is used for agrivoltaics.

5.0 ENVIRONMENTAL AND SOCIOECONOMIC POTENTIAL IMPACTS

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
27.	COMAR 20.79.03.02B (3)(d); 26.17.05 Sec. 401 CWA certification; 404 Permits	Surface water and watersheds	Appendix J - MDE/USACE Letter of Authorization / Correspondence Appendix K - Wetland Delineation Report Appendix EE - Validation Screenshots	Include hydrologic features identified in the Maryland's Department of the Environment (MDE) Nontidal Wetlands Division reviewed wetland delineation on, or immediately adjacent to, the Project Area on the Conceptual Site Plan. If present, include all MDE-regulated buffers and their widths on the Conceptual Site Plan. Include a screenshot of the MERLIN 8-digit watershed label with the outline of the parcel Correspondence from MDE on whether jurisdictional stream and associated buffers will be avoided, which indicates: ☐ No Letter of Authorization (attached in Appendix J) ☐ Letter of Authorization or permit is required (attached in Appendix J) Updated correspondence from MDE if the Conceptual Site Plan is modified after MDE identifies impacts. Using the following link, please state whether there is a tax ditch present in or adjacent to the Project Site (include in Appendix EE): https://experience.arcgis.com/experience/8360db85e9564d92ab1580076d450d04 If a tax ditch is located within or adjacent to the Project Site, include correspondence from the applicable Public Drainage Association (PDA) (include in Appendix J) and indicate whether all requirements specified by the PDA have been incorporated into the Conceptual Site Plan.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
28.	COMAR 20.79.03.02B (4); 26.23; 26.24; 08.05.04; 08.05.07; CWA Section 404; 33 CFR 323; MDSPGP-6	Tidal wetlands, nontidal wetlands and their buffers or expanded buffers, waterways, and floodplains	Appendix J - MDE/USACE Letter of Authorization / Correspondence Appendix K - Wetland Delineation Report Appendix L - Floodplain Map Appendix EE - Validation Screenshots	If present on the Project Area or adjacent to the Project Area, include the tidal wetlands, nontidal wetlands and their buffers or expanded buffers, waterways, and floodplains identified in the MDE-reviewed wetland delineation. Provide MDE Nontidal Wetlands Division (NWD) coordination and determinations regarding impacts to the wetlands and waterways on-site. Include updated correspondence from MDE, if the Conceptual Site Plan is modified after MDE identifies impacts. Include a screenshot from MERLIN indicating whether or not the project is located within a 100-year floodplain, (include in Appendix EE). ☐ Yes, ☐ No
29.	COMAR 20.79.03.02B (3)(e); 26.08.02.04-2	Tier II Streams	Appendix M - MDE Tier II Documentation Appendix EE - Validation Screenshots	Include a screenshot indicating whether the Project Area is in a Tier II catchment using the following link (include in Appendix EE): https://mde.geodata.md.gov/TierIIHQWaters/ If “yes”, then (1) include the MDE Tier II review correspondence, and (2) include a 100-foot buffer on the stream segment proximal to the Project Area. Identify and describe the Tier II catchment area, including the proximity to the Project. Also include any potential impacts and how the Project proposes to avoid, minimize, and/or mitigate those impacts. Confirm that the Applicant will comply with any conditions specified in the correspondence with the MDE Tier II Implementation Coordinator.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
30.	COMAR 20.79.03.02B (3)(f) Natural Resources Article 8-401-411	Maryland Scenic and Wild Rivers	Appendix N – MD Scenic and Wild Rivers Correspondence Appendix EE – Validation Screenshots	☐ Using MERLIN's Watershed layer, provide a screenshot of the Project Area parcel with appropriate 8-digit watershed shown (include in Appendix EE). Is the Project located in a designated Scenic or Wild River watershed? ☐ Yes ☐ No If "yes", complete responses to the following question. Identify the designated Scenic or Wild River and describe any potential impacts to it from the Project, in the context of the corresponding Scenic River Management Plan. ☐ Provide documentation from DNR Land Acquisition and Planning Unit and the local planning board, if applicable, regarding its review. MD Scenic and Wild Rivers Correspondence includes communication between the Applicant and the Stewardship Team of the DNR Land Acquisition and Planning Section and regarding the consistency of the Applicant's development plans with the Scenic River Management Plan.
31.	COMAR 20.79.03.02B (2); 20.79.03.04B (4) 26.11.06.03D	Effects on Air Quality		Please describe air emissions from the Project during both construction and operation. Please describe how fugitive dust will be controlled at the site during construction. If applicable, describe water sources the Applicant anticipates using as part of their dust control plan(s).

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
32.	COMAR 20.79.03.02B (3) (c, g, i); 26.17.06; 20.79.03.03 B (7)	Construction Dewatering / Water Appropriation; Geotechnical Report	Appendix O - Geotechnical Report Appendix GG - Water Appropriations Permit or Notice of Exemption	Are any dewatering activities anticipated to be required during construction? If so, explain, including the frequency and amount of dewatering anticipated. Provide the estimated maximum depths for the following: a. Installed solar array piles/posts, b. Trench excavations for the installation of electrical lines, c. Any other excavations required during construction. Identify how the proposed landscape buffer will be watered (i.e., will the water be sourced on-site or transported to the site?) If water for watering the landscape buffer is sourced on-site, explain and provide calculations for the expected water use. Describe any other water uses required by the Project and their impact on other water users. If a Water Appropriations Permit or Notice of Exemption has been approved for dewatering activities or other onsite water uses, including but not limited to landscape maintenance and irrigation, by the MDE Water and Science Administration, provide a copy of the approval and the associated submittal.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
33.	COMAR 20.79.03.02B (3)(h); 26.17.02 Maryland Stormwater Design Manual Vol. I and II §7-207.4 Public Utilities Article	Stormwater Management (Construction/ Operation)	Appendix EE – Validation Screenshots	Describe stormwater management plans, including what best management practices (BMPs) the Applicant plans to implement, i.e. non-rooftop disconnection credits, grass swales, infiltration berms, etc. ☐ If non-rooftop disconnection is planned to be used, If so, please confirm by providing a schematic similar to Figure 1 of Maryland Department of the Environment's (MDE) Stormwater Design Guidance for Solar Panel Installations showing the vegetated area between the panels receiving runoff as equal to or greater in length than the width of the solar panels (include in Appendix EE) (https://mde.maryland.gov/programs/Water/StormwaterManagementProgram/Documents/ESDMEP%20Design%20Guidance%20Solar%20Panels.pdf) Describe any grading that will take place on the Project Site. Describe the slopes within the Project area. Describe any and all mitigation and minimization techniques to be used to preserve the water quality of applicable resources in and around the Project area. If any BMPs related to water quality were recommended by another agency¹², please provide a copy of the correspondence from that agency and describe how the Applicant has incorporated these recommendations. Describe how the Project's stormwater management and erosion and sediment control will account for: - the effects on runoff from solar panels and associated equipment; - the effects of soil characteristics and compaction on runoff; and - the effects of the ground cover under and between the solar panels on runoff.

¹² An example would include DNR WHS Sensitive Aquatic Species Correspondence (Appendix R).

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
34.	COMAR 20.79.03.02B (5)	Disposal of Project Generated Wastes		Will any waste material be generated from the construction of the proposed Project? If yes, describe the waste and how it will be disposed. Will any waste material be generated from the operation of the proposed Project? If yes, describe the waste and how it will be disposed. Will any waste material be generated from the maintenance of the proposed Project? If yes, describe the waste and how it will be disposed. Will the Project generate, transport, store, treat, and/or dispose of hazardous waste? Will there be any sanitary sewer waste generated at the Site?
35.	COMAR 20.79.03.02 B(6)(a))	Renewable Portfolio Standard Requirements		Estimated percentage of the solar carve-out that the Project would satisfy in its first year of commercial operation and in 2030.
36.	COMAR 20.79.03.02 B(6)(b)	Greenhouse Gas Reduction	Appendix P - EPA AVERT Report	How many tons of CO2 emissions will the Project displace in the Mid-Atlantic Region annually? How many tons of CO2 emissions annually will the Project displace in Maryland annually?

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
37.	COMAR 20.79.03.03 B (1); 26.23.05.02 § 5-1601-1613 Natural Resource Article PUA §7-207.4 (b)(2)(iii)	Forests	Appendix Q - Forest Stand Delineation (FSD) and (If applicable) Forest Conservation Worksheet Appendix D - County and/or Town Correspondence	☐ Include a forest stand delineation completed by an MDNR certified Forest Conservation Qualified Professional. ☐ Include areas of forest, as defined by Natural Resources Article 5-1601 on the Conceptual Site Plan. ☐ Will any trees or forest be removed? ☐ Yes ☐ No If “yes”, then include a Forest Conservation Worksheet. Indicate if forest being cleared within the required 100-ft buffer surrounding perennial streams or the required 50-ft buffer surrounding intermittent streams? ☐ Yes ☐ No If “yes”, then the Applicant cannot comply with NRA 5-1607(c)(1)(i) and the Applicant is required to seek a variance issued under NRA 5-1611. ☐ Indicate if forest clearing is related to the following: ☐ Reduce solar panel shading near the perimeter of the site ☐ Facilitate interconnection infrastructure ☐ Ensure adequate site access ☐ Describe any techniques used by the Applicant to minimize forest impacts. ☐ Describe the Applicant’s efforts to address any applicable forest conservation ordinance of the county or municipal corporation where the project is located. ☐ Include a 100-foot forest retention buffer around perennial streams and a 50-foot forest retention buffer around intermittent streams on the Conceptual Site Plan. If present, describe the impacts and what, if any, <u>reforestation requirements are anticipated</u> , including the amount of forest clearing planned for the Project and provide a county Forest Conservation Worksheet and any correspondence from the county regarding a Forest Conservation Plan, if applicable.

38.	COMAR 20.79.03.03 B (2a, 2b); 08.03.08 50 CFR 424; 50 CFR Chapter V	Rare, Threatened, and Endangered Species: Maryland Department of Natural Resources Wildlife and Heritage Service (WHS) U.S. Fish and Wildlife Service (USFWS)	Appendix R – MDNR WHS Correspondence Appendix S - USFWS IPAC Report, USFWS Determinations with Determination key and USFWS Correspondence	☐ Include MDNR-WHS review letter (Confirm with MDNR-WHS whether any correspondence should be considered confidential). ☐ In the MDNR-WHS review letter, were any State or Federal RTE species identified that may be in the Project Area? ☐ Yes ☐ No If “Yes” provide documentation that applicant is able to carry out specified mitigation. ☐ Include the USFWS IPaC system online planning tool report for the Project parcel. ☐ Were RTE species identified in the IPaC? ☐ Yes ☐ No If “yes”, please list each species indicated in the USFWS letter and provide a copy of the completed Determination Key(s) and corresponding USFWS letter with its determination IPaC report and the USFWS determination letter (if necessary). ☐ Were any “Time-Of-Year” restrictions necessary to reach a determination of “No effect” or “May affect, but not likely to adversely affect” for species listed in the IPaC report? This includes, but is not limited to tree clearing during Northern Long-eared Bat Summer Occupancy season in Maryland (April 1-September 30) ☐ Yes ☐ No If “yes” specify these requirements. ☐ Identify each species indicated in the USFWS letter and proposed mitigation measures. If DNR WHS correspondence is unavailable at this time, provide the status of request to the DNR WHS for its review and when the Applicant will file it in the docket. If DNR WHS provided recommendations in relation to the presence of RTE species. list them and describe whether or not the Applicant anticipates complying with the recommendations.
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ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
39.	COMAR 20.79.03.03 B (4-5); 27 et. seq.	Critical Area	Appendix T - Critical Area Commission Correspondence Appendix EE - Validation Screenshots	☐ Using MERLIN's Critical Areas layer, provide a screenshot of the Project parcel with corresponding Critical Areas Towns and Counties land use categories shown (include in Appendix EE). ☐ Is the Project property located within the Critical Area? ☐ Yes ☐ No If "yes" identify if potential impacts. If yes, include correspondence from the Critical Area Commission regarding its approval. The concept plan must also include calculations of any required reservation of resource conservation area density rights for projects located in the Resource Conservation Area consistent with COMAR 27.01.14.05(D), if applicable.
40.	COMAR 20.79.03.03 B (3)	Phase I Environmental Site Assessment (ESA)	Appendix U - Phase 1 ESA Report	Date the Phase I ESA was conducted: Summarize findings, including identifying the items below: Each Recognized Environmental Conditions (RECs), Each controlled RECs (CRECs), Each Historical Recognized Environmental Conditions (RECs), Each Business Environmental Risks (BERs), and Any significant data gaps in connection to the property, or de minimis conditions. Will water or sewer utilities be required for the Project? Are there any existing water or sewer utilities on the Project Site? Please explain.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
41.	COMAR 26.02.03; 20.79.03.03 B (6)	Noise Impacts	Appendix V - Noise Study	Identify nearby noise receptors, specifying which is the nearest. Estimate the proximity of the nearest receptor to the closest transformer pad. ☐ Confirmation that a noise study is provided that details the impacts of noise during both construction and operation of the Project. The noise study should also include a map detailing the location of the nearest receptors to the Project Area and distance to the closest transformer pad.
42.	COMAR 26.10.01.12 EPA 40 CFR 112	Spill Control		Identify if transformers will be wet or dry type. If wet type, specify type of oil used.
43.	COMAR 20.79.03.03 B (8) PUA §7-207(e)(3)	Climate Change / Sea Level Rise	Appendix EE - Validation Screenshots	Summarize effects of changes in Maryland's climate on the Project over the lifetime of the Project with respect to increased temperatures, hurricane category 1-2 storm surge and 0-5 ft sea level rise. ☐ Using Maryland's Storm Surge – Hurricane Storm Surge ¹³ online tool, provide a screenshot of the Project Site with category 1-2 storm surge shown (include in Appendix EE). ☐ Using MERLIN's Sea Level Rise Vulnerability layer, provide a screenshot of the Project Site with appropriate 0–5-foot inundation shown (include in Appendix EE).
44.	COMAR 20.79.03.03 B (5)(b) 20.79.03.04 B (3)	Easements	Appendix A - Conceptual Site Plan	Identify any easements located on the Project Site, including utility easements, conservation easements, restrictive covenants, or other protective instruments over the parcel(s).

¹³ <https://data.imap.maryland.gov/datasets/maryland::maryland-storm-surge-hurricane-storm-surge/explore>.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
45.	COMAR 20.79.03.04 B (3)	Agricultural Resources	Appendix W - Soils Report	Does the Project Site include prime farmland soils? If yes, provide a map of the project site identifying any areas of prime farmland by metes and bounds. Specify the current agricultural use of the Project Site, if applicable. Specify the amount of prime farmland soils within the LOD (e.g., <i>the Project's LOD is X acres, X acres of which are classified as prime farmland soils</i>). Identify the number of acres planned for removal from agricultural production.
46.	COMAR 20.79.03.04 B (2)	Historic and Archeological Resources	Appendix X - MHT Correspondence	Provide, at a minimum, MHT's response to an intake questionnaire for the Site. What historic and/or archeological resources are located on or near the Site? Provide a description of how the Project will impact those resources. Summarize MHT Assessment and MHT's findings. Provide labeled photos of all historic buildings/structures located within the Project area, along with construction dates of all buildings, if known. Are any gravesites or cemeteries known to be located within or in the vicinity of the Project Site? If so, the Conceptual Site Plan must include a 100-foot setback from the perimeter of any gravesite or cemetery. Provide a written scope of work for any building(s) that will be constructed, demolished, or rehabilitated.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
47.	COMAR 20.79.03.04 B(4)(b) COMAR 20.79.04(B)(4)(i)	Transportation	Appendix A - Conceptual Site Plan	Describe how the Site will be accessed during construction, operation and maintenance, and decommissioning, including the names of any specific roads. Describe traffic impacts from the Project (i.e., provide estimated average daily traffic to and from the site). Include a description of construction traffic routes. Include a description of all state, county, or local road permits that are anticipated to be required. Describe how road damage will be avoided and mitigated.
48.	COMAR 20.79.03.04 B (5) and (9)	Visual Impacts and Reflective Glare	Appendix A- Conceptual Site Plan Appendix Y- Glare Assessment Report	Describe the methodology and assumptions used in the glare assessment. Provide a summary of the glare assessment report detailing what (if any) red, yellow, or green glare was predicted and on what receptors. Describe any mitigation proposed by the Applicant to mitigate predicted potential glare, including vegetative buffering. Confirm that at least one private right of way, public right of way, and observation point (i.e., non-participating occupied structure) was used in the analysis. Confirm that all flight paths and control towers for any airports within three miles of the Project Site were included in the analysis.

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
49.	COMAR 20.79.03.04 B(4)(c) and (d)	Air Navigation, Communication Systems, Military Operations, and Electromagnetic Fields (EMF)	Appendix Z - FAA Documentation Appendix AA - MAA Documentation Appendix FF - DoD Clearinghouse Correspondence	Identify any public or private airports within three miles of the Project Site and whether any such airport has an Air Traffic Control Tower and/or is federally obligated. Identify any military installation, Military Special Use Airspace or other military overlays within 10 miles of the Project Site. If yes, the Applicant must provide documentation that it applied for informal review from Department of Defense (DoD) Military Aviation and Installation Assurance Siting Clearinghouse (Clearinghouse) within the last 12 months and it was determined that the Project is not in conflict with flight or other restrictions imposed by the Clearinghouse. Will there be any radiofrequency or thermal impacts to communications systems or military operations? Provide copies of the FAA and MAA Project Locator Tool Results and any communications with FAA and MAA on Determinations of No Hazard to Air Navigation for the Project.
50.	COMAR 20.79.03.04 B (6); 20.50.12.09 PUA §7-218 (f)(5)(iii-v)	Vegetation Management	Appendix H - Vegetation Management Plan	Include a Vegetation Management Plan with a grounds management plan and weed control plans. The following are also included in the Vegetation Management Plan: ☐ shall plant native or noninvasive naturalized vegetation and other appropriate vegetative protections that have a 90% survival threshold ☐ shall limit mowing [to not less than 10 inches and outside of ground nesting bird season May-August] and other unnecessary landscaping ☐ shall not use herbicides except to control invasive and noxious species in compliance with the department of agriculture's weed control program

ROW #	Legal Requirements	Environmental/ Socioeconomic Area	Required Documentation	Questions and Responses
51.	COMAR 20.79.03.04 B (6); 08.13.02	Pollinator Habitat; Agrivoltaics	Appendix H - Vegetative Management Plan	☐ Will agrivoltaics be used? If so, summarize the proposed use of agrivoltaics. If agrivoltaics are not proposed, explain why. ☐ Is pollinator habitat included in the vegetation management plan? ☐ Does the Applicant plan to apply for the Pollinator Friendly Solar Designation, incorporating “pollinator-friendly” habitat?
52.	COMAR 20.79.03.04 B (7)	Effects on Local Economy	Appendix BB - JEDI Model Report	Provide the following information: - The lifespan of the Project. - The estimated number of jobs created, both direct and indirect during construction and operation. - The description of each type of job during construction and during operation. - The county and state tax impacts, as applicable. Indicate if any such tax is not applicable and cite the regulation or ordinance (state/county) exempting the Project from the identified tax. - o Describe how tax impacts were calculated.
53.	COMAR 20.79.03.04 B(4)(a)	Public Safety	Appendix D – County and/or Town Correspondence	Summarize the measures the Applicant will implement in order to address impacts to public services and safety including but not limited to fire safety and emergency vehicle traffic. Documentation of coordination with the local and/or state fire Marshall on Project access and road widths.
54.		Public Outreach	Appendix CC – Public Outreach Documentation	Description of any and all public outreach conducted by the Applicant for the Project, including a timeline.
55.	COMAR 20.79.03.04 B(8)	Other Impacts		A description of the Project’s impacts, if any, on other applicable State, regional, and local plans or programs (not previously discussed in this application), including a reference to each appropriate agency or unit with authority to review, evaluate, or comment on behalf of the plan or program.

Other Information:

- ☐ List and provide any technical report, document, study, or analysis prepared within the last 12 months concerning the Project, or its approval process. File any updates in the docket within 10 days of receipt.
- ☐ If the Applicant believes that a requirement for a complete application under this regulation is not applicable to the Project, the Applicant shall include a statement explaining why the requirement is not applicable (COMAR 20.79.01.06(N)).
- ☐ If the Applicant requests a waiver of any requirement under this regulation, the Applicant shall include a statement explaining why the Applicant believes the requirement should be waived (COMAR 20.79.01.06(O)).

Include the Shape Files for all components of the Project in acceptable file formats (.kmz, .shp, etc.). These Project components include but are not limited to the following:

- a. Array configuration;
- b. Interconnections between Projects' areas;
- c. Project Area/ Limit of Disturbance (LOD)
- d. Landscape buffers;
- e. Tree cover to be retained or removed; and
- f. Any associated easements and/or ROW.