

From: [Heyboer, Tommy](#)
To: [Criss, Jeremy](#)
Cc: [Scheffel, Mike](#); [Michaelson, Marlene](#)
Subject: RE: Follow up from the Joint PHED/T&E Committee Work Session Solar ZTA 20-01 AR Standards
Date: Wednesday, September 9, 2020 3:25:08 PM
Attachments: [CCAN Petition - Letter to Montgomery County Council, SolarZoning.pdf](#)

Hi Jeremy,

We look forward to the meeting as well. I know that Carmen and Jason (from our office) are working on solidifying the details. I think there is an opportunity to find some common ground. We remain committed to that task. While it is ultimately the Council President's decision, Hans believes the ZTA would benefit from a non-voting full Council worksession before final action at a later date.

With respect to the stats on email volume to the Council, the numbers you cite do not seem to include the 200+ petition from the Chesapeake Climate Action Network (CCAN). You can review that petition in the attached document.

Best,
Tommy

Tommy Heyboer
Deputy Chief of Staff
Office of Montgomery County (MD) Councilmember Hans Riemer
269.330.3850 (mobile) | tommy.heyboer@montgomerycountymd.gov

From: Criss, Jeremy <Jeremy.Criss@montgomerycountymd.gov>
Sent: Wednesday, September 9, 2020 2:41 PM
To: Heyboer, Tommy <Tommy.Heyboer@montgomerycountymd.gov>
Cc: Scheffel, Mike <Mike.Scheffel@montgomerycountymd.gov>; Michaelson, Marlene <Marlene.Michaelson@montgomerycountymd.gov>
Subject: FW: Follow up from the Joint PHED/T&E Committee Work Session Solar ZTA 20-01 AR Standards

Hello Tommy,

I am following up from our phone conversation yesterday surrounding a meeting that Sidney Katz has requested Hans to attend with two farmers and me to discuss the Solar ZTA.

Today, Carmen Kaarid contacted me about a September 25, 2020 meeting as a follow up from the August 28, 2020 meeting between Council President Sidney Katz, Randy Stabler, Doug Lechluder and me.

I believe that promoting incentives including grant funding for agrivoltaic farming can be helpful to advance solar fields and agriculture to co-exist.

As I explained, Mike and I are reading everything we can find on agrivoltaic farming and many of the projects are still in the pilot stages and will require more time to better understand.

I also believe that additional time is needed to discuss the proposal for the solar industry to provide resources for farmland preservation easement purchases.

Resources for farmland preservation programs funded by the solar industry may help the farmers to gain

support for this solar ZTA and this will require more time to develop a strategy.

I hope you and Hans will agree to not schedule the Solar ZTA 20-01 for a vote on September 29, 2020.

Please see the notes below from the August 28, 2020 meeting.

-

Thank you for letting me know that Robert Hawkins is one of the farmers that supports the Solar ZTA. Mr. Hawkins was in the sod business up until a few years ago and he now leases his farm to Bobby Jamison.

We are trying to determine the member of the Montgomery County Farm Bureau that has livestock and supports the ZTA?

Please let me know if you have any questions.

Thanks J

Please take a moment to answer this quick satisfaction survey about our interaction today:

<https://forms.gle/yXhnxpQLtHgFPtBX6>

Jeremy V. Criss
Office of Agricultural Services, Director
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830 (Office)
301-943-9766 (Cell)

jeremy.criss@montgomerycountymd.gov
<http://www.montgomerycountymd.gov/agservices>

CONNECT WITH The Office of Agriculture



Montgomery County Ag Reserve
93,000 acres

Tommy, Here is the content of messages that the Office of Agriculture has sent to Council members- Evan G., Gabe A., Will J., Nancy N., and Craig R., as suggested by Sidney Katz below.

Hello Council Member _____,

I am following up on the Solar ZTA 20-01 and providing some additional information that will help you to better understand the agricultural community views and concerns.

Council Staff reviewed the records surrounding ZTA 20-01.

They found a total of 842 records. Of these 842 emails - duplicates and triplicates will be removed – They believe there were 64 either duplicate or triplicate emails.

From the remaining 778 – they note 161 in support, 519 against or concerned, 35 neutral/generic, 10 requesting delay of the public hearing, and 53 that they cannot determine the position.

This results in about 72% against or concerned with the Solar ZTA 20-01.

On Friday August 28, 2020, Council President Sidney Katz met with Randy Stabler, Doug Lechliden and me. We told Sidney that many rural and agricultural residents cannot participate in Council ZOOM meetings because they lack high speed broad band internet-Sidney said good point.

We told Sidney that both Hans and Sierra Club state that farmers support the Solar ZTA.

When we asked who these farmers are, their response was Dr. Doug Boucher, who is a retired scientist.

We told Sidney that Doug Boucher owns a 77-acre farm in the AR zone, but we do not believe he is a farmer.

We explained to Sidney that we are not aware of any farmers that support it, but we know landowners that lease their farms to farmers do support the Solar ZTA.

Dr. Boucher leases his farm to Michael Jamison and Doug is exactly the type of landowner that agricultural community is most concerned about in relation to the Solar ZTA.

Randy explained to Sidney that he farms 2,800 acres and most of the acreage is leased ground where he must secure a rental agreement from the landlord to farm the land.

Randy pays about \$120 per acre to farm these leased lands and Randy said he cannot compete with the offers that Solar Companies are making to his landlords.

Randy and many other Ag Reserve landowners have received proposals from Solar Companies offering to pay up to \$1,700 per acre to lease the land and install solar fields.

Randy said he is not interested in solar fields because solar fields will only promote the fragmentation of farmland in the Agricultural Reserve.

Randy has two daughters that went to college and returned to the farm to work with him and his father.

Randy told Sidney the farmers will lose this battle as the Solar Companies are trying to obtain lease agreements in hand before the Solar ZTA 20-01 is adopted.

Doug showed Sidney how the proponents have determined that 1,800 acres of solar fields will create about 300 MW and this will power about 50,000 houses.

We gave Sidney the attached analysis from Lee Bristol that shows 1,800 acres of solar fields with 300 MW will power 32,400 houses.

Doug showed Sidney how the State recommends that Montgomery County will need 2,500 MW of solar fields to achieve the recommendations of the MD climate change task force.

We understand that 2,500 MW of solar fields would remove at least 12,000 acres of farmland and we told Sidney the 1,800-acre cap is just the first step.

We told Sidney that a future Council can and will revisit this solar policy and expand the 1,800-acre cap with another Zoning Text Amendment.

We told Sidney that excluding Class I Soil Capability-Prime soils that total 2,404 acres as outlined in the second attachment will have a minimal impact to siting solar fields because these soils are primarily located in the Potomac River Basin and within the flood plain restricted areas where permanent structures like solar fields are prohibited.

We asked Sidney as Council President that he should not allow the ZTA to be scheduled until a more traditional public process can occur after the Pandemic as mentioned in point number one above.

Sidney said that if there are 5 votes to move the Solar ZTA forward, he could be overridden by the other council members?

Sidney recommended we reach out the following Council members (Evan G, Nancy N, Gabe A, Will J, Craig R) to see where they currently stand on this solar policy.

Now you can see why I am reaching out to you.

I also reached out to Marlene Michaelson as outlined in the third attachment and Marlene is copied.

Marlene Michaelson called me as Sidney was leaving our meeting on August 28, 2020, but the cell phone

called dropped because I only had one bar of cell reception since I was in the Ag Reserve.
I called Marlene Michaelson back when I got home, and she was in California.
I asked Marlene if she was experiencing the rolling brown outs caused by the lack of power in the CA grid because CA migrated to alternative energy which is not sufficient to meet demand.
Marlene said she was not experiencing rolling brown outs.
Marlene was sensitive to the concerns of the agricultural community during this pandemic and how they cannot participate in a traditional public process.
Marlene said that she wished she was aware of the challenges of the agricultural community including the AAC and APAB meetings that we conduct using TEAMS and some members cannot participate.
Marlene recommended that we also consult with the County Council members that Sidney suggested that are listed above.

Please let me know if you have any questions and my cell phone number is 301 943-9766 in case you would like to talk by phone.

Thanks J

Please take a moment to answer this quick satisfaction survey about our interaction today:

<https://forms.gle/yXhnxpQLtHgFPtBX6>

Jeremy V. Criss
Office of Agricultural Services, Director
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830 (Office)
301-943-9766 (Cell)

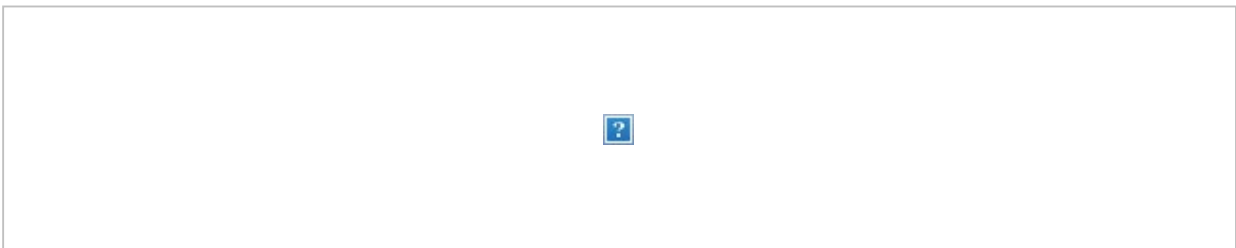
jeremy.criss@montgomerycountymd.gov
<http://www.montgomerycountymd.gov/agservices>

CONNECT WITH The Office of Agriculture



Montgomery County Ag Reserve
93,000 acres

Take 10 minutes to be counted now – visit: <https://2020census.gov/>



For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19

From: [Criss, Jeremy](#)
To: [Heyboer, Tommy](#)
Cc: [Scheffel, Mike](#); [Michaelson, Marlene](#)
Subject: FW: Follow up from the Joint PHED/T&E Committee Work Session Solar ZTA 20-01 AR Standards
Date: Wednesday, September 9, 2020 2:41:00 PM
Attachments: [Bob Cissel Solar Letter 2020-08-05.docx](#)
[FW Soil map capture.msg](#)
[Re Solar ZTA 20-01.msg](#)

Hello Tommy,

I am following up from our phone conversation yesterday surrounding a meeting that Sidney Katz has requested Hans to attend with two farmers and me to discuss the Solar ZTA.

Today, Carmen Kaarid contacted me about a September 25, 2020 meeting as a follow up from the August 28, 2020 meeting between Council President Sidney Katz, Randy Stabler, Doug Lechliden and me.

I believe that promoting incentives including grant funding for agrivoltaic farming can be helpful to advance solar fields and agriculture to co-exist.

As I explained, Mike and I are reading everything we can find on agrivoltaic farming and many of the projects are still in the pilot stages and will require more time to better understand.

I also believe that additional time is needed to discuss the proposal for the solar industry to provide resources for farmland preservation easement purchases.

Resources for farmland preservation programs funded by the solar industry may help the farmers to gain support for this solar ZTA and this will require more time to develop a strategy.

I hope you and Hans will agree to not schedule the Solar ZTA 20-01 for a vote on September 29, 2020.

Please see the notes below from the August 28, 2020 meeting.

-

Thank you for letting me know that Robert Hawkins is one of the farmers that supports the Solar ZTA.

Mr. Hawkins was in the sod business up until a few years ago and he now leases his farm to Bobby Jamison.

We are trying to determine the member of the Montgomery County Farm Bureau that has livestock and supports the ZTA?

Please let me know if you have any questions.

Thanks J

Please take a moment to answer this quick satisfaction survey about our interaction today:

<https://forms.gle/yXhnxpQLtHgFPtBX6>

Jeremy V. Criss
Office of Agricultural Services, Director
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830 (Office)

301-943-9766 (Cell)

jeremy.criss@montgomerycountymd.gov
<http://www.montgomerycountymd.gov/agservices>

CONNECT WITH The Office of Agriculture



Montgomery County Ag Reserve
93,000 acres

Tommy, Here is the content of messages that the Office of Agriculture has sent to Council members-Evan G., Gabe A., Will J., Nancy N., and Craig R., as suggested by Sidney Katz below.

Hello Council Member _____,

I am following up on the Solar ZTA 20-01 and providing some additional information that will help you to better understand the agricultural community views and concerns.

Council Staff reviewed the records surrounding ZTA 20-01.

They found a total of 842 records. Of these 842 emails - duplicates and triplicates will be removed – They believe there were 64 either duplicate or triplicate emails.

From the remaining 778 – they note 161 in support, 519 against or concerned, 35 neutral/generic, 10 requesting delay of the public hearing, and 53 that they cannot determine the position.

This results in about 72% against or concerned with the Solar ZTA 20-01.

On Friday August 28, 2020, Council President Sidney Katz met with Randy Stabler, Doug Lechluder and me.

We told Sidney that many rural and agricultural residents cannot participate in Council ZOOM meetings because they lack high speed broad band internet-Sidney said good point.

We told Sidney that both Hans and Sierra Club state that farmers support the Solar ZTA.

When we asked who these farmers are, their response was Dr. Doug Boucher, who is a retired scientist.

We told Sidney that Doug Boucher owns a 77-acre farm in the AR zone, but we do not believe he is a farmer.

We explained to Sidney that we are not aware of any farmers that support it, but we know landowners that lease their farms to farmers do support the Solar ZTA.

Dr. Boucher leases his farm to Michael Jamison and Doug is exactly the type of landowner that agricultural community is most concerned about in relation to the Solar ZTA.

Randy explained to Sidney that he farms 2,800 acres and most of the acreage is leased ground where he must secure a rental agreement from the landlord to farm the land.

Randy pays about \$120 per acre to farm these leased lands and Randy said he cannot compete with the offers that Solar Companies are making to his landlords.

Randy and many other Ag Reserve landowners have received proposals from Solar Companies

offering to pay up to \$1,700 per acre to lease the land and install solar fields.

Randy said he is not interested in solar fields because solar fields will only promote the fragmentation of farmland in the Agricultural Reserve.

Randy has two daughters that went to college and returned to the farm to work with him and his father.

Randy told Sidney the farmers will lose this battle as the Solar Companies are trying to obtain lease agreements in hand before the Solar ZTA 20-01 is adopted.

Doug showed Sidney how the proponents have determined that 1,800 acres of solar fields will create about 300 MW and this will power about 50,000 houses.

We gave Sidney the attached analysis from Lee Bristol that shows 1,800 acres of solar fields with 300 MW will power 32,400 houses.

Doug showed Sidney how the State recommends that Montgomery County will need 2,500 MW of solar fields to achieve the recommendations of the MD climate change task force.

We understand that 2,500 MW of solar fields would remove at least 12,000 acres of farmland and we told Sidney the 1,800-acre cap is just the first step.

We told Sidney that a future Council can and will revisit this solar policy and expand the 1,800-acre cap with another Zoning Text Amendment.

We told Sidney that excluding Class I Soil Capability-Prime soils that total 2,404 acres as outlined in the second attachment will have a minimal impact to siting solar fields because these soils are primarily located in the Potomac River Basin and within the flood plain restricted areas where permanent structures like solar fields are prohibited.

We asked Sidney as Council President that he should not allow the ZTA to be scheduled until a more traditional public process can occur after the Pandemic as mentioned in point number one above.

Sidney said that if there are 5 votes to move the Solar ZTA forward, he could be overridden by the other council members?

Sidney recommended we reach out the following Council members (Evan G, Nancy N, Gabe A, Will J, Craig R) to see where they currently stand on this solar policy.

Now you can see why I am reaching out to you.

I also reached out to Marlene Michaelson as outlined in the third attachment and Marlene is copied.

Marlene Michaelson called me as Sidney was leaving our meeting on August 28, 2020, but the cell phone called dropped because I only had one bar of cell reception since I was in the Ag Reserve.

I called Marlene Michaelson back when I got home, and she was in California.

I asked Marlene if she was experiencing the rolling brown outs caused by the lack of power in the CA grid because CA migrated to alternative energy which is not sufficient to meet demand.

Marlene said she was not experiencing rolling brown outs.

Marlene was sensitive to the concerns of the agricultural community during this pandemic and how they cannot participate in a traditional public process.

Marlene said that she wished she was aware of the challenges of the agricultural community including the AAC and APAB meetings that we conduct using TEAMS and some members cannot participate.

Marlene recommended that we also consult with the County Council members that Sidney suggested that are listed above.

Please let me know if you have any questions and my cell phone number is 301 943-9766 in case you would like to talk by phone.

Thanks J

Please take a moment to answer this quick satisfaction survey about our interaction today:

<https://forms.gle/yXhnxpQLtHgFPtBX6>

Jeremy V. Criss
Office of Agricultural Services, Director
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830 (Office)
301-943-9766 (Cell)

jeremy.criss@montgomerycountymd.gov
<http://www.montgomerycountymd.gov/agservices>

CONNECT WITH The Office of Agriculture



Montgomery County Ag Reserve
93,000 acres

From: [Michaelson, Marlene](#)
To: [Criss, Jeremy](#)
Subject: Re: Solar ZTA 20-01
Date: Friday, August 28, 2020 2:54:53 PM

Sorry I lost cell service and will call you back when I have it again. Marlene

Sent from my iPhone

On Aug 25, 2020, at 12:31 PM, Criss, Jeremy
<Jeremy.Criss@montgomerycountymd.gov> wrote:

Hello Marlene,

I hope you are doing well.

It has been a while since we last spoke and I have been wondering what your views are about this Solar ZTA.

The Office of Agriculture-OAG has worked to keep the agricultural groups focused and on the same side of the fence.

Many years ago, you led the 2007 Ag Hoc Ag Policy Working Group that tackled many agricultural policies and land use issues including:

Sand Mounds for septic, BLTs, Child Lots, Right to Farm-Real-estate Disclosure, Private Institutional Uses-TDRs easement prohibitions, etc.

https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/doc/aggroup_finalreport.pdf

You are completely aware of how land use issues in the Agricultural Reserve take on a life of their own.

The Solar ZTA has many residents upset because they cannot participate in the County's traditional public process.

The rural and agricultural communities do not have high speed internet-broad band service necessary to connect through ZOOM or TEAMS system used by Executive staff.

This reality has been extremely challenging for OAG to staff the Montgomery County Agricultural Advisory Committee and Ag Preservation Advisory Board including quorums for our virtual meetings.

Please let me know when you have some time to talk by phone, ZOOM or TEAMS.

Thanks J

Please take a moment to answer this quick satisfaction survey about our interaction today: <https://forms.gle/yXhnxpQLtHgFPtBX6>

Jeremy V. Criss
Office of Agricultural Services, Director
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830 (Office)
301-943-9766 (Cell)

jeremy.criss@montgomerycountymd.gov

<http://www.montgomerycountymd.gov/agservices>

CONNECT WITH The Office of Agriculture

-

[<image001.jpg>](#)

[<image002.jpg>](#)

Montgomery County Ag Reserve
93,000 acres

Take 10 minutes to be counted now – visit: <https://2020census.gov/>



For COVID-19 Information and resources, visit:
www.montgomerycountymd.gov/COVID19

Zoning Text Amendment No.: 20-01
Concerning: Solar Collection System –
AR Zone Standards
Draft No. & Date: 7 – 7/30/2020
Introduced: January 21, 2020
Public Hearing:
Adopted:
Effective:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Councilmember Riemer and Council Vice President Hucker
Co-Sponsor: Councilmember Rice

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- revise the Solar Collection System use standards to allow larger facilities in the AR zone;
- amend the provisions for Solar Collection Systems in other zones; and
- amend the provisions for site plan approval in the AR zone.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 3.7.	“Miscellaneous Uses”
Section 3.7.2.	“Solar Collection System”
Division 7.3.	“Regulatory Approvals”
Section 7.3.4.	“Site Plan”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-3.7 is amended as follows:**

2 **Division 3.7. Miscellaneous Uses**

3 * * *

4 **Section 3.7.2. Solar Collection System**

5 **A. Defined**

6 Solar Collection System means an arrangement of panels or other solar
7 energy devices that provide for the collection, inversion, storage, and
8 distribution of solar energy for electricity generation, space heating, space
9 cooling, or water heating. A Solar Collection System includes freestanding
10 or mounted devices. Solar Collection Systems are facilities that comply with
11 the requirements of the State’s net metering program under Maryland Code
12 §7-306 and COMAR 20.50.10. A Solar Collection System use does not
13 include a facility that produces more than 2 MW of electricity; such facilities
14 may be allowed as a public utility use under Section 3.6.7.E.

15 **B. Use Standards**

16 Where a Solar Collection System is allowed as a limited use, it must satisfy
17 the following standards:

18 1. In the Agricultural Reserve zone, the following standards in either
19 Subsection 59.3.7.2.B.1.a or 59.3.7.2.B.1.b apply:

20 a. **Systems producing 200% or less of on-site energy use**

21 A Solar Collection System is allowed as an accessory use
22 where the system produces up to 200% of annual baseline
23 energy use on-site and must satisfy the following requirements:

24 i. Solar panels may encroach into a setback as allowed
25 under Section 4.1.7.B.5.c and may exceed the maximum
26 height as allowed under Section 4.1.7.C.3.b.

- 27 ii. Written authorization from the local utility company
- 28 must be provided for a Solar Collection System that will
- 29 be connected to the utility grid.
- 30 iii. Removal of trees or landscaping otherwise required or
- 31 attached as a condition of approval of any plan,
- 32 application, or permit for the installation or operation of a
- 33 Solar Collection System is prohibited.
- 34 b. **Systems producing more than 200% of on-site energy use**
- 35 Except for the screening and fence requirements in Subsection
- 36 59.3.7.2.B.2.b.iv.C and 59.3.7.2.B.2.b.v.C, a Solar Collection
- 37 System must satisfy the requirements of Subsection
- 38 59.3.7.2.B.2 and 59.7.3.4.E.5.
- 39 2. In Rural Residential, Residential, Commercial/Residential,
- 40 Employment, and Industrial zones, where a Solar Collection System is
- 41 allowed as a limited use it must satisfy the following standards in
- 42 either Subsection 59.3.7.2.B.2.a or 59.3.7.2.B.2.b:
- 43 a. **Systems producing 120% or less of on-site energy use**
- 44 The Solar Collection System may be an accessory use under the
- 45 following standards:
- 46 i. the system produces up to 120% of annual baseline on-
- 47 site energy use;
- 48 ii. encroachment allowed under Section 4.1.7.B.5.C; and
- 49 iii. a maximum height allowed under 4.1.7.C.3.b.
- 50 b. **Systems Producing more than 120% of on-site energy use**
- 51 The Solar Collection System must satisfy the following
- 52 standards:
- 53 i. Site plan approval is required under Section 7.3.4.

- 54 ii. The site must be a minimum of 3 acres in size.
- 55 iii. The system may produce a maximum of 2 megawatts
- 56 (AC).
- 57 iv. All structures must be:
- 58 A. 20 feet in height or less;
- 59 B. located at least 50 feet from any property line; and
- 60 C. surrounded by a minimum 6-foot-tall fence.
- 61 v. If a structure for a Solar Collection System is located in
- 62 an area visible to an abutting residential use or a road:
- 63 A. only solar thermal or photovoltaic panels or
- 64 shingles may be used;
- 65 B. the panels or shingles must use textured glass or an
- 66 anti-reflective coating; and
- 67 C. screening that satisfies Section 59.6.5.3.C.8
- 68 (Option A) on the sides of the facility visible from
- 69 the residential use or road is required.
- 70 vi. The Solar Collection System must be removed within 12
- 71 months of the date when the use is discontinued or
- 72 abandoned by the system owner or operator, or upon
- 73 termination of the useful life of the system. The Solar
- 74 Collection System will be presumed to be discontinued
- 75 or abandoned if no electricity is generated by the system
- 76 for a period of 12 continuous months.

77 * * *

Sec. 2. DIVISION 59-7.3 is amended as follows:

Division 7.3. Regulatory Approvals

80 * * *

81 **Section 7.3.4. Site Plan**

82 * * *

83 **E. Necessary Findings**

84 * * *

- 85 5. For property zoned AR proposed for use as a Solar Collection system:
- 86 a. the Solar Collection System is not located:
- 87 i. on soils classified by the United States Department of
- 88 Agriculture as Soil Classification Category 1;
- 89 ii. in a stream buffer;
- 90 iii. on wetlands; or
- 91 iv. on slopes equal to or greater than 15%;
- 92 b. topsoil has not and will not be scraped from the site;
- 93 c. grading and any soil removal will be minimized;
- 94 d. the site must be:
- 95 i. designated pollinator-friendly under the Maryland
- 96 Pollinator-Friendly Designation Program;
- 97 ii. planted, managed, and maintained in a manner suitable
- 98 for grazing farm animals; or
- 99 iii. planted, managed, and maintained for any other
- 100 agrivoltaic plant material;
- 101 e. removing of trees or landscaping otherwise required or attached
- 102 as a condition of approval of any plan, application, or permit for
- 103 the installation or operation of a Solar Collection System is
- 104 prohibited:
- 105 i. the forest conservation requirements of Chapter 22A
- 106 must be satisfied;

- 107 ii. any tree in or on a floodplain, stream buffer, steep slope,
- 108 critical habitat, contiguous forest, or historic site, and any
- 109 champion tree or other exceptionally large tree must be
- 110 left undisturbed unless a disturbance is allowed under
- 111 Section 22A-12(b)(1);
- 112 f. the requirements of Chapter 19, Erosion, Sediment Control and
- 113 Stormwater Management must be satisfied;
- 114 g. except for pad areas for transformers and electrical equipment,
- 115 the use of concrete must be prohibited;
- 116 h. screening that satisfies Section 59.6.5.3.C.8 (Option A) on the
- 117 sides of the facility within 200 feet of any neighboring house is
- 118 required; however, a fence may not be required or prohibited;
- 119 i. written authorization from the local utility company that allows
- 120 the Solar Collection System to be connected to the utility grid
- 121 must be submitted; and
- 122 j. the land area approved, in addition to all other site plan
- 123 approvals, will not exceed 1,800 acres of land.

124 * * *

125 **Sec. 3. Reporting.** On April 1, 2021 and annually thereafter, the Planning
126 Director must report to the County Council the total acreage of Solar Collection
127 System site plans approved by the Planning Board in the Agricultural Reserve
128 since the effective date of ZTA 20-01.

129 **Sec. 4. Effective date.** This ordinance becomes effective 20 days after the
130 date of Council adoption.

131

132 This is a correct copy of Council action.

133

134 _____

135 Selena Mendy Singleton, Esq.

136 Clerk of the Council

Bob Cissel
17308 Brown Road
Poolesville, MD 20037

Dear Bob,

The following is the calculations used to determine how many typical houses could be powered by solar PV energy systems in the Ag Reserve.

- Acres allotted for solar arrays in Ag Reserve = 1,800
- Number of acres for a typical 1 MW solar array = 5 to 6 acres, choose 6 to be conservative
- Number of 1 MW solar arrays in Ag Reserve = 1,800 acres / 6 acres per MW = 300 MW arrays

- Electrical Production of a 1 MW array in Montgomery County, Maryland
 - Each kW (kilowatt) of PV produces about 1,300 kWh per year
 - A MW is 1,000 kW so production per MW is 1,300 x 1,000 = 1,300,000 kWh per year

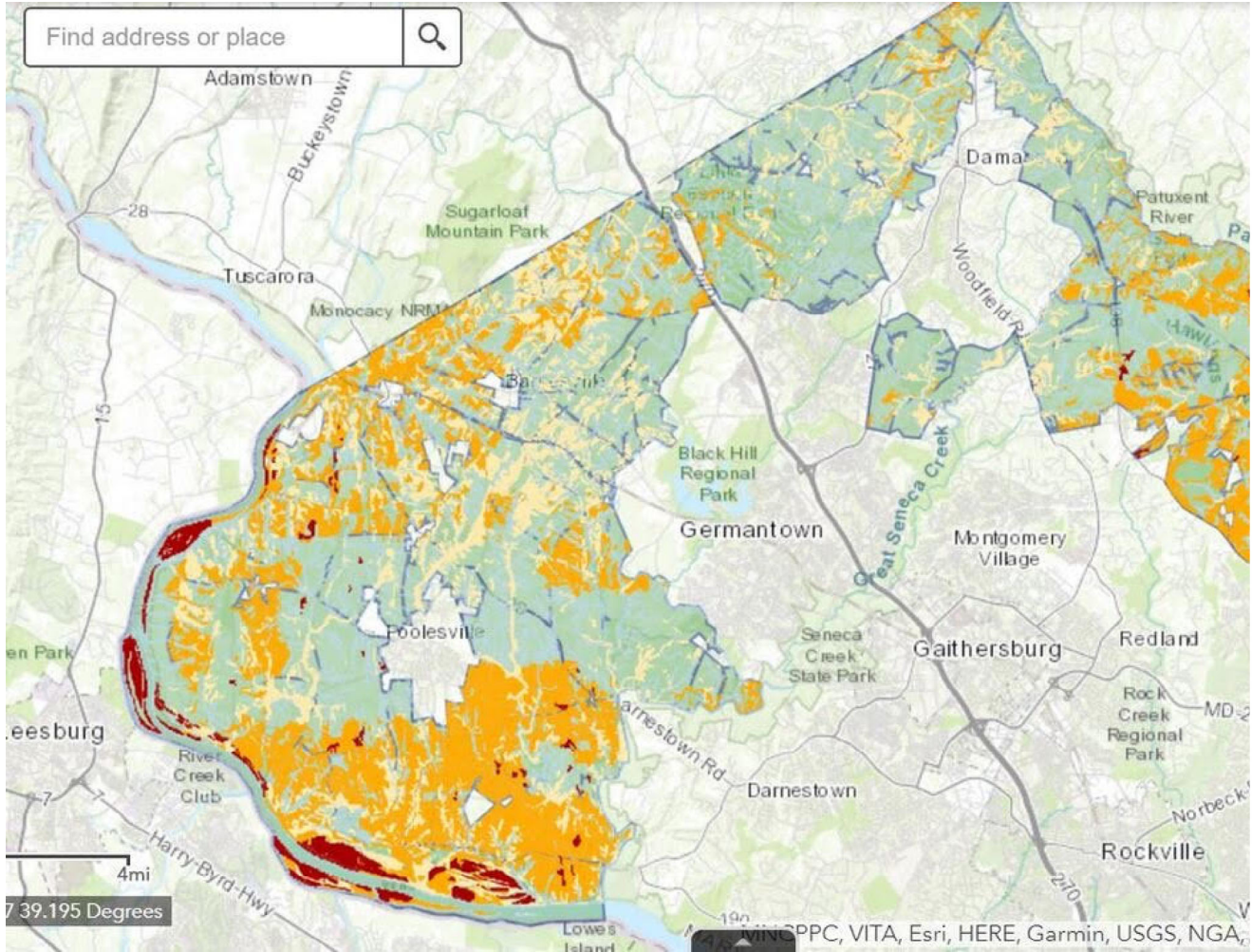
- What is typical electrical usage of a home in Montgomery County in kWh?
 - The county supplied a number that is 1,000 kWh per month or 12,000 kWh per year. This number seems to have included apartments and smaller city houses and may be small.
 - Many houses use much more than 1,000 per month, the real average may be about 1,500.

- Number of homes per 1 MW array = 1,300,000 / 12,000 = 108 homes per MW (County estimate)
- Number of homes powered by 300 1 MW arrays = 300 x 108 = 32,400 homes

Bob, I hope this helps.

Lee Bristol

Global Solace, Inc.
20530 Beallsville Road
Beallsville, MD 20839
(240) 479-1510



TO:
Montgomery County Council
Council Office Building
100 Maryland Avenue, 6th Floor
Rockville, MD 20850



FROM:
Supporters of the Chesapeake Climate Action Network / Action Fund
6930 Carroll Ave, Suite 720
Takoma Park, MD 20912

July 14, 2020

To Montgomery County Council President Katz and Councilmembers:

We, the undersigned, urge you to approve the Zoning Text Amendment (ZTA) 20-01, which grants farmers and other landowners within Montgomery County's Agricultural Reserve the right to build community solar on their land.

We thank the County Council for committing to a zero-emissions economy by 2035 and reducing emissions 80% by 2027. To reach these commitments, the Council needs to unleash a renewable energy transformation. This must include community solar. Data from the National Renewable Energy Laboratory demonstrate that rooftop solar will not produce enough electricity to meet our clean energy needs.

We join our neighbors in cherishing the Ag Reserve's role in preserving our County's open space and farming legacy. We believe granting landowners within the Reserve the ability to give a helping hand to those with no access to affordable solar energy is a more than appropriate way to honor the role this land plays in our County. This community solar ZTA is the very spirit of neighbors

helping neighbors, permitting (but not mandating) farmers another source of income.

One day, our children and their children will drive through the County and see the community solar arrays as a source of beauty and pride, a human innovation that saved our farmland from climate change. And they will look back at the elected officials who made it happen with the same pride.

Please pass ZTA 20-01 without weakening amendments. We can't stop climate change without it.

Sincerely,

	First Name	Last Name	City	State	Zip Code
1	Kaitlin	Aaby	Poolesville	MD	20837
2	Patricia	Absher	Chevy Chase	MD	20815
3	David	Adams	Kensington	MD	20895
4	Janis	Alcorn	Chevy Chase	MD	20815
5	Kathy	Allison	Rockville	MD	20851
6	Mary A	Allman	Olney	MD	20832
7	Peggy	Alpert	Kensington	MD	208952716
8	Madeline	Amalphy	Gaithersburg	MD	20877
9	Marybeth	Ardike	Silver Spring	MD	20906
10	Sholey	Argani	Takoma Park	MD	20912
11	David	Band	Takoma Park	MD	20912
12	Matt	Baron	Silver Spriing	MD	20910
13	Jill	Barr	Bethesda	MD	20817
14	Olivia	Bartlett	Bethesda	MD	20817
15	Alfred	Bartlett	Chevy Chase	MD	20815
	Bernardine				
16	Gladhi	Beall	Clarksburg	MD	20871

			Montgomery		
17	Kathleen	Bell	Village	MD	20886
18	Alexandra F	Bell	Rockville	MD	20850
19	Bernie	Benson	Bethesda	MD	20814
20	James	Benson	Silver Spring	MD	20905
21	Jean	Bergey	Bethesda	MD	20814
22	DAVID	BERGSTEIN	Rockville	MD	20853
23	Betsy	Berlin	Silver Spring	MD	20906
24	MARK	Berman	Bethesda	MD	20814
25	Edward	Bielaus	Rockville	MD	20852
26	Erica	Bollerud	Takoma Park	MD	20912
27	Ken	Bossong	Takoma Park	MD	20912
28	Bill	Boteler	Silver Spring	MD	20906
29	Douglas	Boucher	Dickerson	MD	20842
30	Kathleen	Bovello	Chevy Chase	MD	20815-3669
31	Donna	Boxer	Chevy Chase	MD	20815
32	Joyce	Breiner	Poolesville	MD	20837
33	Wayne	Breslyn	Rockville	MD	20851
34	Ben	Brokaw	Takoma Park	MD	20912
35	Eve	Brooks	Rockville	MD	20850
36	Lauren	Brown	Chevy Chase	MD	20815
37	Abby	Buchanan	Brookeville	MD	20833
38	Jesse	Bunch	SILVER SPRING	MD	20901
39	Lilian	Burch	Chevy Chase	MD	20815
40	Geoffrey	Burkhart	Takoma Park	MD	20912
41	Patricia	Burton	Gaithersburg	MD	208773651
42	Nadia	Carrell	Bethesda	MD	20814
43	Antonio	Carrillo	North Potomac	MD	20878
44	Neal	Chalofsky	Takoma Park	MD	20912
45	Lea	Chartock	Takoma Park	MD	20912
46	Tianli	Chen	Gaithersburg	MD	20878
47	WF	Clement	Gaithersburg	MD	20878
48	Jane Meleney	Coe	Bethesda	MD	20817

49	Mark	Cohen	Silver Spring	MD	20910
50	James	Conkin	Silver Spring	MD	20910
51	Sharon	Crissinger	Rockville	MD	20852
			Montgomery		
52	Victoria	Cross	Village	MD	20886
53	Ryleigh	Culligan	Rockville	MD	20850
54	Belle	Davis	Chevy Chase	MD	20815-3118
55	Laverne	Davis	Silver Spring	MD	20904
56	Mary Jo	Deering	Bethesda	MD	20814
57	Brian	Ditzler	Silver Spring	MD	20910
58	Zoe	Duni	Rockville	MD	20852
59	Margaret	Easter	Sandy Spring	MD	20860
60	Christopher	Ecker	Rockville	MD	20850
61	Sharon	Ellison	Germantown	MD	20876
62	Bob	Erdman	Potomac	MD	20854
63	Cheryl	Fahlman	Gaithersburg	MD	20879
64	Laura	Feuerstein	Potomac	MD	20854
65	Randi	Field	Silver Spring	MD	20901
66	Michael	Fine	Bethesda	MD	20814
67	Colin	Fletcher	Chevy Chase	MD	20815
68	Sandra	Foote	Bethesda	MD	20814
69	Derek	Frost	Bethesda	MD	20814
70	Joan	Frye	Takoma Park	MD	20912
71	Ken	Funabashi	Derwood	MD	20855
72	Susana	Garten	Rockville	MD	20853
73	Elizabeth	Gelfeld	Takoma Park	MD	20912
74	Susan	Gellert	Laytonsville	MD	20882
75	Patricia	Gnarra	Olney	MD	20832
76	paula	goettelmann	Silver Spring	MD	20902
77	David	Goldstein	Gaithersburg	MD	20879
78	David	Goodrich	Rockville	MD	20853
79	Gregory	Gore	Gaithersburg	MD	20878
80	Richard	Grant	Takoma Park	MD	20912

81	Anne	Greene	Sandy Spring	MD	20860
82	Seth	Grimes	Takoma Park	MD	20912
83	Molly	Hauck	Kensington	MD	20895
84	Molly	Hauck	Kensington	MD	20895
85	Catherine	Hess	Silver Spring	MD	20902
86	Marianne	Hilgert	Silver Spring	MD	20910
87	Lori	Hill	Takoma Park	MD	20912
88	Kendra	Holt	Silver Spring	MD	20902
89	Marguerite	Hughes	Rockville	MD	20852
90	Charlotte	Hummon	Gaithersburg	MD	20878
91	Margaret	Iacangelo	Olney	MD	20832
92	Phillip	Jakobsberg	SILVER SPRING	MD	209024001
93	Stephen	Jascourt	OLNEY	MD	20832
94	james	johnson	Burtonsville	MD	20866
95	Rhodie	Jorgenson	Bethesda	MD	208173240
96	Thomas	Kaufman	Takoma Park	MD	20912
97	Robert	Keiner	Chevy Chase	MD	20815
98	daryl	kennedy	Silver Spring	MD	20904
99	Thomas	Kimbis	N Potomac	MD	20878
100	Nancy	Koran	Bethesda	MD	20814
101	Evan	Krichevsky	Potomac	MD	20854
102	Abigail	Kusmin	Silver Spring	MD	20901
103	KL	Kyde	Dickerson	MD	20842
104	Gail	Landy	Gaithersburg	MD	20877-4237
105	Stephen	Lane	Bethesda	MD	20816
106	M.	Langelan	Chevy Chase	MD	20815
107	Dina	Lassow	Chevy Chase	MD	20815
108	David	LaVan	Rockville	MD	20854
109	Andrea	Leonard-Segal	Potomac	MD	20854
110	Susan	Levine	Silver Spring	MD	20906
111	Jane	Lewers	Rockville	MD	20852
112	Michele	Lieban Levine	Bethesda	MD	20817
113	Evan	Light	Takoma Park	MD	20912

114	Margaret	Loomis	Silver Spring	MD	20910
115	Jonathan	Lyons	Chevy Chase	MD	20815
116	Jennifer	macedonia	Rockville	MD	20850
117	Samantha	Macia	Kensington	MD	20895
118	Rashid	Makhdoom	Gaithersburg	MD	20878
119	carolyn	manhart	Silver Spring	MD	20902
120	Anne	Manuel	Silver spring	MD	20910
121	Elaine	Markovich	Silver Spring	MD	20910
122	Maura	McMullen	Silver Spring	MD	20905
123	Dan	McMullen	Silver Spring	MD	20905
124	Lee	McMurry	Kensington	MD	20895
125	Jeffrey	Meredith	Silver Spring	MD	20904
126	susan	merewitz	Chevy Chase	MD	20815
127	Mary	Mihalyi	Takoma Park	MD	20912
128	Stacy	Miller	Takoma Park	MD	20912
129	Marsha	Mirsky	Bethesda	MD	20814
130	James	Moore	Potomac	MD	20854
131	Jann	Mouer	Olney	MD	20832
			Washington		
132	Sara	Moyer	Grove	MD	20880
133	Paul	Mullin	Poolesville	MD	20837
134	Leif	Neve	Bethesda	MD	208144039
135	Justyna	Nicinska	Takoma Park	MD	20912
136	Stanton	Paris	Rockville	MD	20853
137	Mary Kay	Parkinson	Silver Spring	MD	20901
138	Rebecca	Parlakian	Rockville	MD	20850
139	Kathy	Penn	Rockville	MD	208502760
140	Willo	Pequegnat	Bethesda	MD	20814
141	Sarah	Peters	Silver Spring	MD	20910
142	Tocque	peyton	Gaithersburg	MD	20878
143	Jenny	Price	Rockville	MD	20850
144	Callie	Radecki	Silver Spring	MD	20910
145	Nick	Radonic	Derwood	MD	20855

146	Patrick	Ratkowski	Rockville	MD	20854
147	Tara	Rice	Gaithersburg	MD	20878
148	Patricia	Richter	Silver Spring	MD	20901
149	Hans	Riemer	Takoma Park	MD	20912
150	James	Riley	Silver Spring	MD	209105516
151	E E	Rivas	Potomac	MD	20854
152	Maria	Roberts	Gaithersburg	MD	20877
153	Gerald	Rogell	Bethesda	MD	20817
154	Abigail	Rome	Silver Spring	MD	20910
155	Barbara	Rosenblatt	Takoma Park	MD	20912
156	Maxwell	Sanborn	Rockville	MD	20850
157	Frank	Sanford	CHEVY CHASE	MD	20815
158	Julianna	Satterly	Silver Spring	MD	20910
159	Jamie	Scharff	Bethesda	MD	20814
160	Roger	Schlegel	Takoma Park	MD	20912
161	Ronald	Schlesinger	Rockville	MD	20852
162	Paul	Schloemer	Silver Spring	MD	20901
163	Eileen	Schramm	Silver Spring	MD	20910
164	T	Sensenig	Potomac	MD	20854
165	Mary	Sestili	Potomac	MD	20854
166	Rhona	Shanker	North Potomac	MD	20878
167	Steven	Sharpe	Bethesda	MD	20817
168	Risa	Shaw	Takoma Park	MD	20912
169	Ali	Sheikh	Silver Spring	MD	20910
170	Dorothea	Shellow	Bethesda	MD	20817
171	Alan	Siegel	N Bethesda	MD	20852
172	Joyce	Siegel	Rockville	MD	20852
	Francisco				
173	José Rosado	Silva	Bethesda	MD	20814
174	Elsa	Silverman	Bethesda	MD	20814
175	Mary	Slaughter	Silver Spring	MD	209014901
176	Rebecca	St.John	Gaithersburg	MD	20878
177	Michele	Sumka	Silver Spring	MD	20910-4243

178	Stephan	Sylvan	Silver Spring	MD	20910
179	Maria	Szokolai	Rockville	MD	20853
180	Fred/Teresa	Teal/Meeks	Brookeville	MD	20833
181	Felipe	Tejeda	Takoma Park	MD	20912
182	Samantha	Tempchin	Bethesda	MD	20817
183	Elizabeth	Thompson	Takoma Park	MD	20912
184	Patricia	Tice	Rockville	MD	20850
185	Richard	Ting	Gaithersburg	MD	20878
186	Sean	Tipton	Takoma Park	MD	20912
187	Rhea	Troffkin	Potomac	MD	20854
188	Kris	Vaitkus	Rockville	MD	20853
189	Elizabeth	Van Lenten	Rockville	MD	208506175
190	Thomas	Verratti	Bethesda	MD	20816
191	Emmanuel	Wanki Nchang	Silver spring	MD	20903
192	Lori	Wark	Chevy Chase	MD	20815
193	Jeffrey	Weisner	Kensington	MD	20895
194	Walter	Weiss	Bethesda	MD	20817
195	Susan	Weiss	Rockville	MD	20852
196	Ross	Wells	Takoma Park	MD	20912
197	Leslie	Wharton	Bethesda	MD	20816
198	Maureen	Wheeler	Silver Spring	MD	20901
199	Katherine	White	Derwood	MD	20855
200	Karen	White	Silver Spring	MD	20902
201	Barbara	Williamson	Potomac	MD	20854
202	Barbara	Wilson	Bethesda	MD	20814
203	Scott	Wilson	Silver Spring	MD	20906
204	Pamela	Winston	Takoma Park	MD	20912
205	Trina	Wolf	Potomac	MD	20854
206	Alexander	Yaney	Poolesville	MD	20837
207	Marina	True	Takoma Park	MD	209126363