

# Rule-Making Fact Sheet

(5 M.R.S.A. §8057-A)

AGENCY: **01-672 MAINE LAND USE PLANNING COMMISSION,**  
Department of Agriculture, Conservation & Forestry

NAME, ADDRESS, PHONE NUMBER, E-MAIL OF AGENCY CONTACT PERSON:  
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CHAPTER NUMBER AND RULE TITLE: **Chapter 2**, Definitions; and **Chapter 10**, Land Use Districts and Standards

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

STATUTORY AUTHORITY: 12 M.R.S. §§ 685-A(3); 685-A(7-A); and 685-C(5)

DATE, TIME AND PLACE OF PUBLIC HEARING: *Not applicable; a public hearing has not been scheduled*

**COMMENT DEADLINE:**

Written comments must be submitted on or prior to August 18, 2025;  
Written rebuttal comments must be submitted on or prior to September 2, 2025.

**PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE:** [*see* §8057-A(1)(A)&(C)]

The Land Use Planning Commission is proposing these amendments to improve efficiency and clarity in siting, evaluating, and permitting solar energy generation facilities and battery energy storage system facilities. The primary objectives of this rulemaking are to clarify definitions for solar energy generation facilities, define battery energy storage system facilities, specify which Land Use subdistricts will allow battery energy storage system facilities, add an additional subdistrict that will allow small scale solar energy generation facilities, introduce standards for solar energy generation facilities and battery energy storage system facilities, and introduce standards for decommissioning these facilities.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? \_\_\_ YES X NO [§8056(1)(B)]

**ANALYSIS AND EXPECTED OPERATION OF THE RULE:** [*see* §8057-A(1)(B)&(D)]

The proposed rulemaking will update definitions related to solar energy generation facilities and clarify what constitutes a battery energy storage system. Use listings for both facility types will be amended to clearly identify where these facilities are allowed and standards will be introduced to address potential impacts from development, including decommissioning of a facility. Revisions will improve overall clarity and improve operation of the rule.

**BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE**  
(including up to 3 primary sources relied upon) [*see* §§8057-A(1)(E) & 8063-B]

Relevant information considered during development of the rule included professional judgement, Maine Revised Statutes, the Commission's permitting records, and over a dozen reports and publications produced by federal, state, and local governments regarding solar and battery energy storage system development guidelines and model ordinances.

**ESTIMATED FISCAL IMPACT OF THE RULE:** [*see* §8057-A(1)(C)]

Revisions will not have a fiscal impact.

***FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:***

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:  
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED  
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

*Note: If necessary, additional pages may be used.*