

START HERE

Is the proposed solar energy development ≥ 5 acres in size?

Yes

Did construction of the proposed solar energy development begin prior to April 20, 2025 or did the applicant or developer secure site control of the proposed project site prior to April 20, 2025?

Yes

No

Is the entire project site comprised of non-HVAL such as forestland, contaminated land, developed land, or some combination thereof?

Yes

No

Conduct a field survey to determine if the project land area contains HVAL.*
Does the project occupy at least 1 contiguous acre of HVAL?

No

Yes

**This does not apply to applicants who plan to pursue an individual permit and pay a higher compensation fee in lieu of conducting a field-based survey as described in Section 7(8) of DACF's Ch. 575 rules.*

No

Permit not required

What does it mean when a permit is “*provisionally approved pending final management plan approval*”?

- All aspects of the individual permit application that do not apply to dual-use are approved. The permit is granted to allow DEP to begin calculating compensation with the dual-use discount incorporated.
- The permittee must wait to receive final management plan approval prior to starting construction. If they do not, DACF will take enforcement action and the permittee will owe additional compensation.
- See the DACF “Solar Permits on HVAL” web page for more information and guidance documents on dual-use management plans.

www.maine.gov/dacf/ard/solar/solar-hval.shtml

No

Does the project propose to implement dual-use activities?

Yes

Apply to DACF for an individual permit.
+ Include a *draft* management plan for review as part of permit application.

Is the project eligible for a PBR?
(i.e. Project is < 20 acres or the only HVAL the project impacts is PFAS-impacted HVAL)

Yes

Apply to DACF for PBR.

No response from DACF within 30 days

Permit is automatically approved

Apply to DACF for an individual permit.

Permit approved

Permit denied

Submit a *final* management plan to DACF for review & approval prior to starting construction.

DACF requests more info on or revisions to plan

Plan approved

Plan denied

either:
➤ Revise plan & re-submit, or
➤ Revise permit to remove dual-use provisions

Permit approved

Permit denied

Permit provisionally approved pending *final* management plan approval

Permit denied

Permit approved

Permit denied

DACF forwards decision to DEP for compensation calculation. If applicable, applicant fulfills compensation requirements.

What are my options if my permit application is denied?

- You can reconfigure the project layout & re-apply.
- You can find a new project location & re-apply.
- If your PBR is denied, you can apply for an individual permit.
- You may appeal either your PBR or individual permit denial.