

LICENSED SOIL SCIENTIST HVAL CERTIFICATION FORM

PURPOSE:

This form is intended for use by solar energy developers proposing projects greater than 5 acres in size that may be subject to high-value agricultural land (HVAL) requirements under 38 M.R.S. §3202 and 01-001 C.M.R. ch. 575. This form documents that the proposed project site does not contain at least one contiguous acre of prime farmland (PF), soils of statewide importance (SOSI), or a combination of the two.

Following a site soil evaluation, this form is completed and signed by the Maine Licensed Soil Scientist (LSS) who evaluated the proposed solar energy development site. The following scenarios illustrate when completion of this form is required, optional, or not applicable:

Scenario 1: The site does not have any HVAL

For a project site with no HVAL, this form is **OPTIONAL**.

The completed form may be retained by the developer as supporting documentation demonstrating that the proposed project site does not meet the soil-based HVAL criteria. If a solar energy development is later alleged to be in violation of 38 M.R.S. §3202 or 01-001 C.M.R. ch. 575, the form may be submitted to the Maine Department of Agriculture, Conservation, and Forestry (DACF) to support a determination that the project is not subject to those provisions due to a lack of qualifying HVAL resources.

Scenario 2: The site contains at least 1 contiguous acre of HVAL in the form of blueberry barrens, but does not contain PF or SOSI

For a project site with HVAL in the form of blueberry barrens, completion of this form is **REQUIRED**.

The completed form must be submitted by the applicant as part of the permit application materials. This documentation supports DACF review of whether HVAL was avoided to the maximum extent practicable. Because different HVAL categories may be subject to different compensation requirements, this form also documents that the site was evaluated and that no HVAL in the form of PF or SOSI was identified, which may be subject to higher compensation requirements than blueberry barrens.

Scenario 3: The applicant elects to provide a higher compensation fee payment in lieu of a field-based survey and supporting documentation

An applicant may elect not to submit i) field-based survey results, ii) an alternatives analysis, or iii) supporting documentation identifying HVAL characteristics, as described in 01-001 C.M.R. ch. 575 §7(8). Instead, the applicant may opt to pay compensation for the entire solar energy development land area in accordance with the higher compensation fee provisions of the rule.

In this scenario, completion of this form is **NOT REQUIRED**.

I, _____, a Licensed Soil Scientist in the State of Maine, certify that I have conducted a field investigation of the property located at:

Site Name: _____

Site Location: _____

Municipality: _____

Tax Map / Lot (if applicable): _____

Narrative. Please attach a short narrative detailing the following:

1. Date of evaluation.
2. Describe the boundaries of the survey area and provide the acreage of the area evaluated.
3. Describe how you determined that prime farmland and farmland of statewide importance, amounting to one contiguous acre, was not found at the site. If prime/state soils are observed on site, but they did not constitute one contiguous acre, please report this in the narrative.
4. Number of test pits dug.
5. Reasons soils were disqualified from prime or state status.
6. Any other information you deem important to your assessment.

Please initial each statement below.

- The investigation included site evaluation and subsurface examination through soil test pits sufficient to characterize the soils present within the evaluated area.
- Based on my professional evaluation and the field investigation conducted, I attest that no soils meeting the criteria for prime farmland or farmland of statewide importance were identified within the evaluated project area that amount to one contiguous acre.
- I certify that at the time of the site investigation, I held a soil science license with the State of Maine that was in good standing. I understand that per 32 M.R.S. § 4903 and § 4919, 1) I may not practice or offer to practice soil science in the State without a current license unless specifically exempted from the license requirement, and 2) I may be subject to civil or criminal penalties for practicing soil science without a license.
- I certify that this determination was made in accordance with accepted soil science practices and is true and accurate to the best of my knowledge and professional judgment. I understand that per 32 M.R.S. § 4913 and 10 M.R.S. § 8003(5-A), 1) my license may be suspended, revoked, or ineligible for renewal, and 2) I may be subject to civil penalties for the practice of fraud, deceit, or misrepresentation in connection with services rendered as a licensed soil scientist.

Please initial the following statement if it applies to your evaluation.

- I also evaluated the site for the presence of wild blueberry barrens and did not find evidence of one or more contiguous acres at the site.

Signature: _____

Printed Name: _____

Maine Soil Scientist License No.: _____

Date: _____