



FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

SOLAR PANEL APPLICATION

State Use Only:

Date Received: _____

PA 116 Agreement No: _____

Approved: _____ Rejected: _____

FULL AGREEMENT: _____ SPLIT REQUESTED: _____

Solar Panel Application

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

NOTE: Read the Solar Panel Approval Process document before filling out this form. Please print or type. Attach additional sheets as needed.

THIS APPLICATION MUST BE APPROVED BY THE LOCAL GOVERNING BODY BEFORE THE STATE WILL REVIEW FOR APPROVAL.

Farmland Development Rights Agreement (PA 116 Agreement) Information:

PA 116 Agreement Number: _____ - _____ - _____

Total number of acres under the PA 116 Agreement: _____

Total number of acres being applied for solar panel installation: _____

If the acreage being applied for solar panel installation is less than the acreage enrolled under the PA 116 Agreement, please complete two Split Request forms, one for the acreage being applied for solar panel installation and one for the remainder of property under the PA 116 Agreement and attach them to this application.

Applicant Information:

Name of Primary Applicant: _____
First Initial Last

(If more than 2 owners or if owner is a trust or business entity, see Ownership section on Page 2)

Mailing Address: _____
Street Address

_____ City State Zip Code

Telephone Number: _____

Alternate Telephone Number: _____

E-mail address: _____

Ownership:

If the applicant is one of the following, please check the appropriate box and complete the following information. If not applicable, leave blank.

- Two or more persons having a joint or common interest in the land
- Corporation Estate Limited Liability Company
- Trust Partnership

If applicable, list the owner names and titles (for example: President, Vice President, Secretary, Treasurer; or Trustees; or Members; or Partners; or Estate Representatives).

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

(Additional names may be attached on a separate sheet.)

Solar Panel Information:

1. Attach a clear copy of the Commercial Solar Agreement which must contain: (Note: This information may be provided in the form of a memorandum of the Commercial Solar Agreement rather than providing the entire document and/or in the form of an addendum if any of these items were not part of the original Commercial Solar Agreement.)
 - a. Address, phone number, email and name of the person designated to represent the commercial solar developer.
 - b. The term of the Commercial Solar Agreement with the landowner in years.
 - c. Commitment on the part of the solar developer that the solar panels and appurtenant structures will be removed from the property, unless the term of the lease is extended by the landowner, the local unit of government and the Michigan Department of Agriculture & Rural Development (MDARD).
 - d. Commitment on the part of the solar developer to provide surety to the State of Michigan no less than 90 days prior to the commencement of construction, to cover the cost of removal of the solar panels and appurtenant structures in the event the removal is not done by the solar developer.
 - e. Commitment to plant and maintain a ground cover crop beneath the solar panels and natural pollinator habitat in between and on the periphery of the solar panels.
 - f. Commitment to maintain existing farm drainage volume as part of the project.
 - g. The legal description of the property upon which the commercial solar facility is to be located.
2. Attach a clear copy of the site plan showing where the solar facility is to be located and indicating the land which is under PA 116. If the solar development is on a portion of the PA 116 land, complete Split Request Forms and attach to this application.

By your signature below, you agree that your Farmland Development Rights Agreement (PA 116 Agreement) will be amended to include the following provisions:

- a. The landowner agrees to provide notification to MDARD within 90 days of an ownership change of the property.
- b. The landowner agrees not to claim Farmland Preservation tax credits on the subject property beginning in the year of construction of the solar facility and until the first cropping year after the solar facility has been removed from the property and the land restored to agricultural use.
- c. The term (number of years) of the commercial solar agreement will be added to the existing term of the prior Agreement when the Farmland Development Rights Solar Panel Agreement (Amended Agreement) is created.
- d. A surety bond or irrevocable letter of credit is to be provided, naming the State of Michigan as beneficiary, to cover the costs of the removal of the solar facility structures and the restoration of the land to agricultural use. If MDARD learns that a surety is not in place for the land the solar facility and appurtenant structures will be removed by MDARD and the landowner will be billed for the costs.
- e. The landowner agrees to remove the solar panels and appurtenant structures and to restore the land to agricultural use.
- f. The landowner agrees to provide notice to MDARD and the local government within 90 days of a change in ownership of the solar facility.
- g. The landowner agrees to plant a ground cover crop under the solar panels and natural pollinator habitat in between and on the periphery of the solar panels and to maintain these plantings.
- h. The landowner agrees to maintain existing drainage volume of the parcel throughout the life of the project.
- i. The landowner agrees to inform any new owners about the Amended Agreement.
- j. The landowner agrees to obtain approval from the local governing body for any period that the property is used as a commercial solar facility.

Signature(s):

The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

Primary Applicant Signature

Title (If Applicable)

Co-Owner (If Applicable)

Title (If Applicable)

Co-Owner (If Applicable)

Title (If Applicable)

Co-Owner (If Applicable)

Title (If Applicable)

Co-Owner (If Applicable)

Title (If Applicable)

Date

Corporate Name (If Applicable)

Before forwarding to the Local Government, the final application should include copies of:

_____ Farmland Development Rights Agreement _____ Site Plan for Solar Panels
_____ Commercial Solar Agreement _____ Legal Description
_____ Split Request forms (if applicable) _____ Any other applicable documents

**RESERVED FOR LOCAL GOVERNMENT USE:
PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: _____

Action by Local Governing Body: Jurisdiction: _____
 County Township City Village

This application is: Approved Denied

Date of Application Decision: _____

Note: If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.

Clerk's Name (printed): _____

Clerk's Signature: _____

II. Please verify the following:

_____ Upon filing an application, clerk issued receipt to the landowner indicating date received.

_____ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant.

_____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters (if provided) are sent to:

MDARD-Farmland
PO Box 30449
Lansing 48909

NOTE: Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation Office.

Questions? Please call the Farmland Preservation Office at (517) 284-5663



FARMLAND DEVELOPMENT RIGHTS AGREEMENT (PA 116) SPLIT REQUEST

Complete this form and return with all required documentation to:

MDARD-FARMLAND
PO BOX 30449
LANSING, MI 48909
MDARD-PA116@michigan.gov

PHONE: 517-284-5663
FAX: 517-335-3131

Please type or print legibly

Farmland Development Rights Agreement Number:		
Name of Owner:		
Street Address:		
City:	State:	Zip Code:
Phone Number:		Email:

**Complete a separate split request form for each new parcel that will be created.
Each parcel must be a minimum of 5 acres.**

1) Size of split parcel in acres:
2) Legal description of split parcel (or attach recent survey with description):

**If the proposed split parcel is 40 acres or more, skip items 3-6 and proceed to signature.
If the proposed split parcel is less than 40 acres, complete items 3-6.**

To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200 per acre from the sale of agricultural products during 2 of the last 3 years. Rental income is not included.

3) Number of acres in active cultivation, harvested grassland, and/or pasture:	
4) Commodity grown:	
Determine the gross annual income (<u>not rental income</u>) per acre of cleared and tillable land for this parcel by dividing the gross annual income by the number of acres in active cultivation, harvested grassland, and/or pasture.	
5) Gross annual income:	6) Gross annual income per tillable acre:

Signature of Landowner/*Representative:

NameDate

**If you are signing on behalf of the landowner, please attach a copy of the legal document granting authority.*

Complete this form and submit along with Solar Panel Application.