



**House Energy and Technology Committee
Energy Facility Siting
Vermont League of Cities and Towns
*Friday, January 20, 2017***

Thank you for the opportunity to testify about city and town energy siting priorities for the 2017 - 2018 biennium.

I have copies of the 2017 VLCT Municipal Priorities Brochure for your information. We look forward to working with you on these issues and others that might affect local governments as they arise. Our brochure has contact information for the VLCT Advocacy team.

Cities, Towns and Energy

VLCT has been involved with legislation around siting of renewable energy facilities for many years. Our members have partnered with private sector businesses on installing renewable energy facilities that serve municipal properties; have been partners in net metering projects; and have installed renewable energy and energy efficiency projects for facilities such as water treatment plants, municipal buildings, wastewater treatment, in helping place heaters in a few school buses to eliminate the need for idling and hosting electric vehicle charging stations or driving municipal vehicle projects. In 2010 the Town of Bennington completed installation of a turbine in its water supply facility that generates 15kW of net metered electricity. The municipal utilities in Stowe and Hyde Park (of 16 municipal electric departments) are building 2.7 MW of solar capacity that they will own. Last year Burlington Vermont announced that it had achieved the goal of being powered by 100 percent renewable energy.



Vermont Energy Goals

In the 2016 Comprehensive Energy Plan, Vermont's energy goals are to:

- reduce total energy consumption per capita by 15 % by 2025 and more than 1/3 by 2050;
- meet 25 % of the remaining energy need from renewable sources by 2025, 40% by 2035, and 90 % by 2050;
- Meet three end-use sector goals for 2025: 10 % renewable energy transportation, 30% renewable energy supplied buildings and 67% renewable electric power.
(http://publicservice.vermont.gov/sites/dps/files/documents/Pubs_Plans_Reports/State_Plans/Comp_Energy_Plan/2015/2016CEP_ES_Final.pdf)

We are moving toward those goals at a rapid clip. The Energy Action Network's Community Energy Dashboard gives an indication of the growth in renewable energy sites. Their interactive (and excellent) website map indicates that in June 2016 there were 7,171 renewable electricity sites in Vermont and in November 2016, there were 7,617. Those include sites of all sizes and varieties - solar, wind, hydropower, anaerobic digesters, biomass and landfill (methane). According to the Community Energy Dashboard, renewable electricity capacity in June of 2016 was 1,047,096 kW and in November 2016 was 1,084,336 kW.

<http://www.vtenergydashboard.org/90-by-2050/detail/energy-atlas-stats>

Local Involvement - How It Works

In one respect Vermont is making tremendous progress. However, one of the most problematic issues has been the standing of municipalities in proceedings to permit siting of renewable energy facilities. With great trepidation, we agreed to the planning provisions of Act 174 at the end of last session. We worked throughout the summer with the Public Service Department to develop the standards for regional and municipal plans as did many other stakeholders.

Unfortunately, many of our recommendations to make the standards simple and clear and achievable for volunteer planning commissions at the local level were ignored. The work load is substantial and complicated, and towns will not have compliant plans in place for some time. In the meantime projects continue to be permitted with minimal consideration for municipal concerns.

I have provided a copy of the standards for municipalities with this testimony and the links to the Public Service Department webpages. They are very detailed and top-down and prescriptive. A regional plan must conform to the state Comprehensive Energy Plan and a local plan must be approved as conforming to the regional plan. In this respect, Act 174 turns the historic premise of bottom up planning on its head.

The regional plan must address all renewable energy technologies. There is not the opportunity to say that a specific technology such as wind might be inappropriate for the area. The standards do not provide flexibility to incorporate or acknowledge that rapidly changing technology may significantly change the landscape both figuratively and literally. Nor do the standards acknowledge that there may be considerations other than renewable energy that municipal plans

are required to address - maintenance of forest blocs, water quality, fragile areas, or housing needs.

If a town addresses all of the standards, including statements on reducing transportation energy demand and single occupancy vehicle use, the Public Service Department will give a “determination of compliance”. Then the Public Service Board will accord the town plan “substantial deference” in any Section 248 proceeding. We are not at all sure how the Public Service Board will handle that substantial deference.

VLCT Recommendations for Action

We believe that at the very least the standards should allow regions or municipalities to make a determination that an area is not suitable for a specific technology.

We urge you and the department to delete the requirement for municipalities to address transportation. Vtrans itself, argued last fall that those were issues that needed to be addressed on a statewide basis.

We believe that in the interim period as towns and regions are developing their amended plans, the Public Service Board should accord municipal plans substantial deference.

VLCT Municipal Policy

The adopted VLCT Municipal Policy on Energy and Telecommunications states,

4.05 AIR QUALITY, ENERGY AND TELECOMMUNICATIONS

VLCT supports:

1. reducing the consumption of fossil fuels;
2. ensuring the reliability of Vermont’s energy supply and restoring balance between the transition to renewable energy and the protection of land use priorities established in municipal plans and state land use goals;
3. encouraging the use of solar panels and renewable or energy efficiency measures on buildings where appropriate, installing them without detracting from a building’s structural or design integrity, and ensuring that such installations are subject to existing local building and electrical codes and standards;
4. establishing state mechanisms to ensure statewide compliance with Vermont’s energy efficient building codes without imposing further mandates on municipalities;
5. including all local decisions concerning a renewable energy generation project within the Public Service Board docket, providing substantial deference to those local decisions and municipal plans, formulating areas of inquiry based on concerns raised in the local hearing process, and specifically addressing local concerns raised in local determinations and adopted municipal plans; and
6. moving renewable energy generation project determinations related to siting of facilities to Act 250 jurisdiction.

Thank you for this opportunity. We look forward to working with the committee on these issues.

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Standards for Regional Plans:

http://publicservice.vermont.gov/sites/dps/files/documents/Pubs_Plans_Reports/Act_174/Regional%20Determination%20Standards_Final.pdf

Standards for Municipal Plans:

http://publicservice.vermont.gov/sites/dps/files/documents/Pubs_Plans_Reports/Act_174/Municipal%20Determination%20Standards_Final.pdf