



April 6, 2017

To: Members of the VT Senate Natural Resources and Energy Committee:

Thank you very much for inviting the Regional Planning Commissions in to speak with your committee on Act 174 and its implementation. Planning that addresses energy use, efficiency, conservation, and renewable generation is very important for many reasons – e.g. meeting demand, improving efficiency, saving money, and protecting the environment. Therefore, we are happy to play our part to help achieve the state’s energy goals.

Since Act 174 was enacted, the regional planning commissions have been working cooperatively with the VT Energy Investment Corporation, the Public Service Dept., VCGI, and other RPCs to develop our Regional Energy Plan (kick-off meeting in July 2016). The planning work has been significant as we not only look at energy, but also at transportation, housing, and land use patterns. As one would also expect given the complexity of the work to develop the enhanced plans, the process has not been without problems. There were two significant delays -- one was in the release of the maps and the second was the release of the revised guidance document (March 2nd). However, both VEIC and the Public Service Department staff have been very responsive to all of our questions throughout the process and we are moving forward. At some point in 2017 we expect to have a regional energy plan that will meet the standard we need to obtain compliance and greater standing (“substantial deference”) in the PSB Section 248 CPG process.

NVDA, like the other regional commissions, is also working with our first group of towns that have expressed an interest in developing enhanced local energy plans so that they can obtain greater standing in the PSB’s Section 248 CPG process. It is in providing assistance to our municipalities where we see significant challenges:

The NVDA (Northeast Kingdom) region is comprised of 50+ municipalities making it by far the largest region in Vermont. Forty-two (42) of the NVDA towns have town plans in effect, or they are working on a plan. Thus far, we have been notified by eight (8) towns that they would like our assistance in developing enhanced energy plans. We certainly expect this number to rise - perhaps significantly - once our regional plan is completed and we have identified the areas where we would expect new renewable generation to occur. At this time and going forward, we also have renewable energy developers – wind and solar – planning projects and applying for permits before NVDA or our municipalities have enhanced energy plans in place. Given the number of municipalities in our region, we feel this may leave our towns at a disadvantage for the next 2-3 years.

In this first year of providing assistance to municipalities, NVDA is assisting three (3) towns with their in-depth planning as we continue to work on developing our regional plan. This essentially leaves the other towns in our region in a waiting pattern until either: a) we are able to provide the in-depth assistance; b) the town decides to move ahead on their own as best they can; or c) they spend funds to hire a consultant. Unlike NVDA with its professional planning staff, all of the local planning commissions in our region rely heavily on volunteers and/or part-time members to do their work. Also, rarely do we see our rural communities seek to engage professional planning consultants. Therefore, given the situation that we see in our region, NVDA would like to suggest the following:

If it is possible, we would like to see the law amended so that:

- In the interim (*until the municipality has a plan in place*), regarding the siting of new renewable generation, municipal planning commissions are provided flexibility to simply determine areas that are preferred for a specific technology, and also that a particular type or size of renewable energy facility is not appropriate in given the constraints in their area;
- In the interim (*until the municipality has a plan in place*), acknowledging that projects continue to be permitted at the PSB while towns and regions develop compliant energy plans, require the PSB to accord municipal plans substantial deference.

Thank you for your consideration in this matter. Please contact me at dsnedeker@nvda.net or (802) 748-8303 if there are any questions.

David Snedeker
Executive Director
Northeastern Vermont Development Association