



March 18, 2016

Honorable Tim Ashe, Chair
Senate Natural Resources Committee
State House
115 State St.
Montpelier VT 05633-5301

Dear Senator Ashe,

Thank you for taking the time to hear from the Vermont League of Cities and Towns yesterday about S. 230.

As I mentioned yesterday, we are concerned about how closely municipal plans might need to mimic regional plans and the State Comprehensive Energy Plan in order to attain a certification under the provisions of S. 230 and how many municipalities might be able to actually qualify for that certification. A number of towns have put a tremendous effort into writing energy elements of their municipal plans that address Public Service Board perceived requirements. I just received a draft energy element from Barre Town this morning.

Sharon Murray, who speaks on behalf of the VT Planners Association, suggested to the Senate natural Resources Committee the concept of extending the Solar Siting Taskforce another year and expanding its membership in order to develop Best Practices for siting of solar facilities. Adopting such a measure and also expanding its purpose to address siting of all renewable energy facilities would give some comfort to municipal officials that the recommendations and standards eventually adopted will prove achievable for municipalities. I am attaching her initial draft language to this letter.

We are also concerned about the additional work load that may be imposed by the change in S. 230 from “may” to “shall with respect to the Chapter 117 planning goals.

You asked about funding for Municipal Planning Grants and received an answer yesterday from Adam Necrason. We believe that it would be appropriate to increase funding for municipal planning grants to at least the amount requested in the last year - \$770,000 and to increase the maximum grant amount from \$8,000 to \$10,000, acknowledging that municipalities will be asked to undertake very detailed and technical assessments of their energy futures if S. 230 is enacted. I am attaching a history of the appropriations language through 2003 and then again from 2015, for the committee’s interest, to supplement the information Adam provided yesterday.

Sincerely,

Sponsor of:

VLCT Employment
Resource and Benefits
Trust, Inc.

VLCT Municipal
Assistance Center

VLCT Property and
Casualty Intermunicipal
Fund, Inc.

Karen Horn
Director, Public Policy & Advocacy

Sec. ____ . RENEWABLE ENERGY [SOLAR] ADVISORY GROUP; BEST PRACTICES
GUIDANCE, REPORT

(a) Intent. Renewable energy development is also recognized as a form of land development. The siting of renewable [solar electric] energy generation facilities includes planning, development review and permitting processes that involve municipalities, regional planning commissions, state agencies, the Public Service Board, property owners and other potentially affected parties. Clear and consistent, context-sensitive guidance for the siting and development of renewable energy [solar electric] generation facilities in Vermont is necessary to achieve the state's renewable energy, greenhouse gas emission and land development goals. It is therefore legislative intent that the Department of Public Service, working with a technical advisory group, provide guidance in the form of recommended best siting practices for consideration by planning and permitting authorities, facility developers, property owners and the public, that will achieve desired outcomes for renewable [solar electric] energy generation, and avoid or mitigate the adverse impacts of renewable [solar electric] energy generation facility development and operation.

(b) Creation. There is created a Renewable [Solar] Energy Working Advisory Group to develop guidance, including recommended best practices, for the context-sensitive siting and development of renewable [solar electric] energy generation facilities in Vermont.

(c) Membership. The Advisory Group shall be composed of the following members:

- (1) the Commissioner of Public Service or designee;
- (2) the Commissioner of Housing and Community Development or designee;
- (3) the Secretary of Natural Resources or designee;
- (4) the Secretary of Agriculture, Food and Markets or designee;

(5) a representative of the Vermont League of Cities and Towns, appointed by the League;

(6) a representative of the Vermont Planners Association, appointed by that Association;

(7) a representative of the Vermont Association of Planning and Development Agencies, appointed by that Association;

(8) a representative of Renewable Energy Vermont (REV), appointed by REV;

(9) a representative of an electric distribution utility appointed by the Vermont System Planning Committee;

(10) a landscape architect appointed by the Vermont chapter of the American Society of Landscape Architects; and

(11) a Vermont resident with public policy and environmental and energy expertise who is not affiliated with a public utility or developer of energy facilities, by joint appointment of the Vermont Natural Resources Council and the Vermont Public Interest Research Group.

(d) Duties. The Advisory Group shall research, evaluate and recommend best practices for the context-sensitive siting, design and development of renewable [solar electric] energy generation facilities in Vermont, in the form of written guidance [specific to each type of generation facility]. In researching guidance, the Advisory Group shall consider state renewable energy and land development goals, technical siting requirements, accepted industry practices, accepted planning and land development practices, and accepted mitigation practices specific to renewable [solar electric] energy generation facility siting and development.

(e) Assistance. The Advisory Group shall be entitled to administrative, technical, and professional assistance from the Agencies of Natural Resources, Commerce and Community Development and Agriculture, Food and Markets, and the Department of Public Service and, on request, to the technical and professional assistance of the Natural Resources Board and the Public Service Board. The Advisory Group may consult with any stakeholders or persons it deems appropriate.

(f) Report; guidance. On or before January 15, 2018, the Advisory Group shall submit a report of recommended best siting practices to the House and Senate Committees on Natural Resources and Energy, the House Committee on Commerce and Economic Development, and the Senate Committee on Finance.

(g) Meetings.

(1) The Commissioner of Public Service shall call the first meeting of the Advisory Group to occur on or before August 1, 2016.

(2) The Advisory Group shall select a chair and vice chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Task Force shall cease to exist on March 15, 2018.

Sharon Murray, Vermont Planners Association
March 8, 2016