

**STATE OF VERMONT  
PUBLIC SERVICE DEPARTMENT**

**24 V.S.A. § 4352 Determination No. 10**

**DETERMINATION OF ENERGY PLANNING COMPLIANCE PURSUANT TO 24  
V.S.A. § 4352 FOR CENTRAL VERMONT REGIONAL PLANNING COMMISSION'S  
REGIONAL PLAN**

**I. INTRODUCTION**

Today, in my capacity as the Commissioner of the Vermont Public Service Department (“Department”), I have issued the attached certificate memorializing my affirmative determination pursuant to 24 V.S.A. § 4352(a) that the Central Vermont Regional Plan (“CVRP”) complies with the requirements of 24 V.S.A. § 4352 for enhanced energy planning.<sup>1</sup> This determination is made solely as to whether the CVRP complies with the statutory planning requirements of 24 V.S.A. § 4352. This determination does not mean that the Department endorses the substantive policy judgments contemplated or promoted in these plans. Additionally, I hereby record the procedural history leading to the compliance determination, as well as a report of the public comments the Department received.

**II. PROCEDURAL HISTORY**

On June 13, 2018, the Central Vermont Regional Planning Commission (“CVRPC”) submitted the CVRP for a determination of compliance with the enhanced energy planning standards set forth in 24 V.S.A. § 4352.

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<sup>1</sup> The CVRP was amended and duly adopted on June 12, 2018.

On June 21, 2018, the Department solicited recommendations from the Secretaries of Agriculture, Food, and Markets; Commerce and Community Development; Natural Resources; and Transportation as to whether the CVRP should be certified as compliant with the requirements of 24 V.S.A. § 4352. None of these agencies have opposed certification of the CVRP.

On June 28, 2018, notice of a public hearing scheduled for July 19, 2018 was posted on the Department's website.

On June 27, 2018, notice of a public hearing scheduled for July 19, 2018 was mailed directly to the CVRPC.

On June 29, 2018, notice of a public hearing scheduled for July 19, 2018 was published in The Times Argus.

On July 19, 2018, the Department convened a public hearing at the Central Vermont Medical Center in Berlin, Vermont.

### **III. AGENCY COMMENTS**

#### ***Agency of Transportation***

On July 16, 2018, AOT informed the Department that it does not have any recommendations for changes to, nor do they oppose certification of, the CVRP.

#### ***Agency of Agriculture, Food & Markets***

On July 6, 2018, AAFM filed comments with the Department noting that the plan meets the Act 174 requirements and providing updated information on woody biomass and invasive species concerns in light of the recent detection of emerald ash borer in three Vermont counties. When addressing woody biomass for heating, AAFM suggests consulting recommendations that

can be found at <https://vtinvasives.org/sites/default/files/images/SlowSpreadWoodVT.pdf> to slow the spread of the insect and provide greater protection for un-infested forests should be followed. For biomass and cogeneration facilities, recommendations include screening of storage and processing areas, limitations on the length of time unprocessed material can remain on-site before use, chipping logs at the harvest site rather than at the facility, careful selection of harvest areas and species used, timing of harvests to target periods when pests are less likely to be mobile, heat treatment, etc.

#### ***Agency of Natural Resources***

On July 20, 2018, ANR filed comments with the Department noting that the CVRP leaves the designation of specific preferred locations for energy generation to municipalities and commits the CVRPC to helping member municipalities identify such locations in the future. The Agency is supportive of this effort and notes that site-specific investigation of preferred locations may reveal environmental constraints. CVRPC and its member municipalities are encouraged to contact Agency staff for assistance analyzing such site-specific environmental constraints and natural resource values when identifying specific preferred locations. ANR does not oppose certification of the CVRP.

#### **IV. PUBLIC COMMENTS**

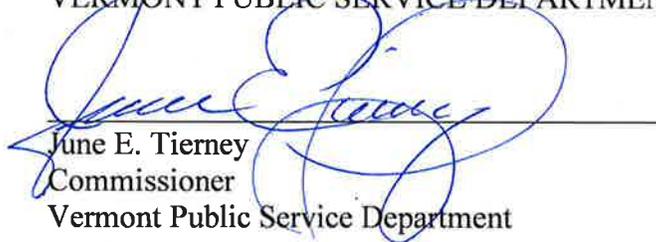
No comments were received from members of the public, either in writing or at the July 19, 2019 public hearing. During the July 19 public hearing, a representative of the CVRPC described the engagement they had with member municipalities and other stakeholders during development of the CVRP, which gives me confidence that there has been a full and fair opportunity for public review of and comment on the CVRP with regard to compliance with the enhanced energy planning requirements of 24 V.S.A. § 4352.

V. **CONCLUSION**

Based on my review of the CVRP, I have determined that the CVRP complies with the requirements of 24 V.S.A. § 4352.

Dated at Montpelier, Vermont this 6<sup>th</sup> day of August 2018.

VERMONT PUBLIC SERVICE DEPARTMENT



June E. Tierney  
Commissioner  
Vermont Public Service Department