

STATE OF VERMONT
VERMONT DEPARTMENT OF PUBLIC SERVICE

PUBLIC HEARING of ACT 174 Regional and
Municipal Energy Planning Standards -

October 11, 2016
5:30 p.m.

71-73 Main Street
Randolph, Vermont

Public Hearing held before the Vermont
Department of Public Service, at the
Chandler Music Hall, Randolph, Vermont, on
October 11, 2016, beginning at 5:30 p.m.

P R E S E N T

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and Energy Resources,
Department of Public Service

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1 (COMMENCING AT APPROXIMATELY 5:30 P.M.)

2 MR. COPANS: We are going to get started
3 here. So I'm Jon Copans. I'm the Deputy
4 Commissioner of Public Service Department. I
5 am just going to say a very few short words
6 and turn it over to Asa, our current Director
7 of Planning and Energy Resources. If people
8 haven't heard the news, he is our outgoing
9 Director of Planning and Energy Resources.

10 MR. HOPKINS: Not yet.

11 MR. COPANS: Take a moment to just
12 acknowledge Asa's service, both, in so many
13 ways, sort of the Standards of Development,
14 the Standards of Energy Siting Commission,
15 the Solar Siting Task Force. So much that's
16 happened in the Department. Passage of the
17 Renewable Energy Standard, Act 99, is really
18 a reflection of Asa's work. So I just want
19 to acknowledge and go through this over this
20 over the next couple of months, but we still
21 have this time before he goes.

22 But Asa has just been a huge asset to
23 the Department. So thank you for that moment
24 of personal privilege.

25 We are here tonight to talk about

1 obviously the Standards for the Determination
2 of Energy Compliance for Town and Regional
3 Plans. This really is the culmination, I
4 would say, of sort of years of conversation
5 starting with that Energy Siting Commission,
6 continuing with the Solar Siting Task Force
7 that happened last year, and then continuing
8 at the legislation this last legislative
9 session, and ultimately resulting in this
10 important piece of legislation, Act 174.

11 As Asa will let you know, we have had
12 many conversations leading up to the release
13 of this draft set of standards. And I tell
14 you that not because I think they are
15 finished, in fact, we really very much
16 welcome additional feedback. We know we
17 didn't get everything right. Ultimately, you
18 get to a point where you got to release
19 something to folks and gather feedback on it.
20 And we really very much welcome that from you
21 all.

22 But I do just want to acknowledge that
23 so many different stakeholders are
24 participating in this conversation and, in
25 fact, we won't be successful without that

1 participation. It's imperative that people
2 stay engaged in this process and in this
3 conversation. And I think the reason its
4 imperative is what I know and you will hear
5 this echo, something I've said before, what I
6 know in general from Vermonters, is there is
7 a deep commitment to addressing some of our
8 environmental challenges, in particular, the
9 threat of climate change.

10 We know Vermonters want to tackle that
11 issue and that challenge head on. And they
12 are doing that at home. They are doing that
13 in their communities. They are doing that on
14 a statewide basis and they are doing that
15 across borders.

16 We also know though that Vermonters
17 really value their home and their landscape
18 here in Vermont. And I think very much what
19 Act 174 is about is really merging those
20 conversations and forging what can sometimes
21 be a difficult conversation as we balance the
22 desire to really tackle the challenge of
23 climate change head on while also preserving
24 what we love about our communities and our
25 landscapes.

1 And it's the conversations we're having
2 around these standards that actually gives me
3 a little bit of optimism because what I see
4 is people gathering around tables really
5 trying to work through these hard issues.
6 We're not finding a consensus, but we are
7 coming together with some shared assumptions
8 and really trying to tackle these challenges.
9 And, honestly, it's what I think will happen
10 on the community level and on the regional
11 level once we can agree on these standards,
12 is that people will come together outside of
13 the rigid structure of the Public Service
14 Board in their communities in a more
15 collaborative way to really, to forge plans
16 that put us on that path towards 90 percent
17 renewable energy by 2050. That's a
18 collective goal that we're working towards
19 and it's a matter of coming together to work
20 towards that goal in the best possible way.

21 So tonight, as you see, we have a little
22 agenda here. I'm going to turn it over to
23 Asa to give you a brief summary of these
24 standards. And then we're going to take
25 public comments. Given we don't have an

1 enormous crowd, I think, I mean, maybe, what
2 are we thinking, a couple of minutes per --

3 MR. HOPKINS: Two or three minutes.

4 MR. COPANS: Two or three minutes, I
5 guess, would be great, but I don't think we
6 will be overly rigid in enforcing that, given
7 we've got a relatively small crowd here
8 tonight.

9 You know, the one thing I would say, and
10 this can be a challenge about public hearings
11 is, it's honestly not a very interactive
12 process. We really, as you can see, we have
13 a court reporter here. And we're here to
14 listen to you, to accept your comments on
15 these draft standards. And so that means you
16 won't get a lot of engagement from us as
17 we're taking those comments from you. That
18 isn't to say we don't want to have
19 conversations with you. Those can happen
20 afterwards. Those can happen in many other
21 venues. We obviously have an open door at
22 the Department if you want to have those
23 conversations with us. You are also welcome
24 to submit other comments electronically as
25 well.

1 The other little housekeeping note, I
2 guess Asa will make this as well, is just
3 when you come up, for the sake of the court
4 reporter, just say your name slowly and then
5 spell that, and then maybe the town where you
6 are from would be great as well.

7 So I want to thank you again for coming
8 out on a pretty gorgeous evening here in
9 Vermont to talk about a very exciting topic.
10 So thanks a lot for coming out, and now turn
11 it over to Asa.

12 MR. HOPKINS: Thanks. So I just want to
13 mention, we are making sure that the
14 commentary part is useful to us and we can
15 use them at times. We are going to get a
16 rush transcript, thank you, and make sure to
17 have the transcript from this hearing up on
18 the web on Monday.

19 So big picture, how does this fit into
20 the overall structure. We developed the
21 standards sort of where they fit. So Act 174
22 establishes a new kind of planning process
23 for towns and regions to undertake.

24 It's an optional planning process. If a
25 region or municipality chooses to not pursue

1 a certification determination, whatever the
2 word is from the Department, or a town from
3 their region, then the status quo continues.
4 Those towns will get -- before the Public
5 Service Board. And things are obviously
6 roughly unchanged. However, we're here to
7 talk about what happens when folks do want to
8 go above and beyond what has been the status
9 quo.

10 So the way the structure works, Regional
11 Planning Commission will submit their updated
12 plans to the Department for a determination.
13 And if that determination is granted, then
14 that plan will get scheduled before the
15 Public Service Board in 248 proceedings. The
16 section defines implicitly what the
17 substantial deference means, I haven't
18 produced here, but needless to say it's a
19 higher level than due consideration.

20 For municipalities there are two pads
21 forward at least to the immediate term. In
22 the baseline expected path is that after a
23 regional plan has received its determination,
24 then town plans will be submitted to the
25 region for a determination, in the same kind

1 of way the town plans are submitted to
2 regions for approval already the rest of
3 their plans.

4 For the next, I guess, 20 months or so,
5 July 1st, 2018, if the Regional Planning
6 Commission has not yet received a
7 determination, towns may apply directly to
8 the Department so that those who are -- want
9 to push ahead and go faster for whatever
10 reason have an option. The Department would
11 then make that determination.

12 When we do review a plan, there will be
13 a public hearing on that plan. Whoever is
14 issuing a determination has to do so within
15 two months. And then if it's a negative
16 determination from the -- for a Town Plan to
17 RPC the town may revise and resubmit until
18 such time as to get the determination.

19 THE REPORTER: If you could speak more
20 into the microphone, please.

21 MR. HOPKINS: If the Department were to
22 deny a determination for Regional Planning
23 Commission, and that Planning Commission
24 wanted to appeal that determination, it would
25 go to the Natural Resources Board as the

1 deciding agent.

2 So Act 174 defines a few requirements
3 for what you need to get a determination of
4 energy compliance. The definition of an
5 enhanced energy element, planning
6 requirements, it's actually a definition of
7 different elements. There's now a
8 description of an enhanced energy element.
9 That enhanced energy element is now the
10 default energy element for Regional Planning
11 Commissions, but it's optional for the Town
12 Plans. That plan has to be formally adopted
13 by a Regional Planning Commission of the town
14 and if it's a municipal plan it has to have
15 been confirmed by the RPC as I mentioned.
16 The plan has to be consistent with the --

17 MR. FITZPATRICK: Can you slow down,
18 please?

19 MR. HOPKINS: Sorry. The plan has to be
20 consistent with a set of state energy goals
21 and for other goals listed here there is a
22 set of state greenhouse gas emission
23 deductibles aiming at 75 percent reduction by
24 2050. There's a 25 by 25 statutory goal, 25
25 percent renewable energy by 2025, also

1 statutory goal.

2 There are building efficiency goals for
3 the improvement of building shelter heating
4 systems. There's a State Comprehensive
5 Energy Plan. And there's the Renewable
6 Energy Standard that was passed a couple of
7 years ago.

8 So in addition to being consistent with
9 those pieces, the plan has to meet a set of
10 standards for it to issue a determination.
11 And those standards are the relevant topic
12 for discussion this evening.

13 So what are those standards? They have
14 to address a total of nine items. A plan has
15 to address a total of nine things. Roughly
16 speaking, I think we were in legislature now
17 I told them to reorder them, so bids -- but
18 too late for that. They are, roughly
19 speaking, they break into standards that
20 address the type of analysis and targets that
21 are set and contained within the plan. A set
22 requirements around pathways or limitation
23 actions. And standards for mapping of
24 resources.

25 So three of these are the analysis ones,

1 these first four. Basically analysis, look
2 at total carbon energy use across all
3 sectors. Mapping one, just looking at what
4 the existing electric generation and
5 renewable resources are in the relevant area.
6 Then want to focus on targets, establishing
7 targets, short-term and longer-term targets,
8 in a number of areas. And then set of three
9 which is the first that have to do with
10 analysis. First on thermal building heat and
11 industrial heat, and then on transportation,
12 and then on the electric sector. So making
13 sure that plans look across all energy.

14 What would actually be needed to achieve
15 the targets that are laid out -- and longer
16 term targets. Then the standards have to
17 address pathways and recommended actions to
18 actually achieve those targets.

19 And then finally the two, probably the
20 most wordsmithing, both identification of
21 potential areas for siting of generation
22 resources and what kind of generation might
23 be expected from those areas, taking into
24 account those factors and identification of
25 any areas that are unsuitable for a

1 particular type of generation.

2 We're trying to sort of restructure that
3 a little bit. You will see those come
4 through. But just to mention when you read
5 the actual standards language, you will see a
6 lot of this type language in the standards
7 themselves because we're -- have to be so
8 bound in the explicit statutory requirements
9 to address these. It would be -- if it
10 works, be a little bit unsure if they were
11 necessarily actually doing statutory
12 requirements.

13 So we do have to publish two sets of
14 things, standards and recommendations. In
15 order for the -- back here, in order to show
16 that plan is consistent with energy policy as
17 expressed in the Comprehensive Energy Plan,
18 we want, you know, the Department to publish
19 a set of recommendations from that plan that
20 are relevant recommendations so that folks
21 know which parts of the Comprehensive Energy
22 Plan are you asking us to be consistent with,
23 rather than saying, well, here is a 400-page
24 document, you figure it out. So we have
25 published, in addition to the standards, an

1 edited set of recommendations for the
2 Comprehensive Energy Plan.

3 I'll mention that when the 2022
4 Comprehensive Energy Plan comes around we
5 will know in advance that the plan will be
6 used, certainly for these purposes, and we
7 can build standards and the recommendations
8 and these practices into the plan rather than
9 having sort of tack it on afterwards. It
10 feels a little awkward now to have this sort
11 of extracted set of recommendations.
12 Hopefully in five years it works nicely
13 together as a package knowing that's how
14 things are going to be used going forward.

15 Also, just mention that in addition to
16 these things that we have to publish, we have
17 heard loud and clear from folks throughout
18 this process that additional guidance,
19 advice, examples, model text, will be nice
20 and useful to folks as they actually go about
21 doing the planning process.

22 So by the end of the year we will also
23 put out a set of guidance. If you look in
24 the draft standards, a bunch of places where
25 there's like, parenthesis, e.g., and then a

1 bunch of examples. We're going to pull those
2 out of the formal standards and flesh them
3 out in the guidance so when the town is
4 looking at, well, how do I know I'm going to
5 meet this standard, you will be able to go to
6 the guidance, look at the language that's
7 there, identify, oh, okay, this is what they
8 mean by that. The plan should, you know, the
9 appropriate fit for our town related to that
10 standard is depicted, something like this, so
11 that and tailor it to our needs. So folks
12 have resources to draw on.

13 So let me just give you have a quick
14 tour through the three different classes of
15 draft standards. First analysis, the
16 standards ask regions and towns to estimate
17 energy usage across different sectors,
18 analyze ways to reach those targets.

19 Much of this analysis is, in fact,
20 already complete or will be shortly through
21 work that the Department is supporting with
22 the Regional Planning Commission. The work
23 that we did, the state level, the energy
24 study, and the analysis we did with the
25 energy plan informs work that the RPCs are

1 doing with the assistance of VIC to use --
2 VIC is using this term long-range energy,
3 alternatives planning pool, that
4 basically allows you to have a self-existent
5 picture of how you would get from here to
6 there. And then doing a lot of that analysis
7 with Regional Planning Commissions. And that
8 has built into it estimates of energy usage
9 across sectors. You can draw particular
10 targets for particular things out of that
11 analysis and look at what it would actually
12 take to make the kind of transformation that
13 it would take. Common -- how many electric
14 vehicles, how many -- to have to weatherize
15 in order to meet particular targets. That
16 all will come out of that analysis which is
17 largely complete and in some regions it will
18 be shortly with others.

19 The standards require the regions in
20 order to get their own determinations to do
21 that analysis and make it available to all
22 municipalities within their region.
23 Municipalities that want to simply adopt that
24 analysis that is used by their region will
25 explicitly meet the standards that are --

1 that we're talking about here tonight.

2 If a municipality chose to do its own
3 analysis, it would have to meet performance
4 standards, have to be about as good as the
5 analysis that the regions are doing so that
6 we make sure the level of analysis is
7 consistent and compatible across the state.

8 Also, want to note that a number of
9 standards in relation to, yes, this is met,
10 no, this is not met, have an N/A option for
11 places where the standard is just irrelevant
12 to the town. If there is a -- I will make
13 this up. If there is a standard about rail
14 use, there is just no rail anywhere near the
15 town then, you know, N/A is the appropriate
16 kind of answer in that case.

17 In terms of the RPC analysis, three
18 RPCs, Bennington, Two-Rivers and Northwest
19 have completed draft plans and expect to
20 finalize their plans in early 2017. And the
21 rest, the other eight Regional Planning
22 Commissions, are underway, analysis is
23 happening now. So towns that want to get
24 going be able to draw from their regional
25 analysis and get that analysis within the

1 next few months and be able to shadow the RPC
2 through the process. The rest of those RPCs
3 we're expecting to finish updating their
4 plans by early 2018.

5 On the pathways part, the standards ask
6 towns and regions to identify and include
7 explicit energy efficiency transportation and
8 generation actions that are appropriate and
9 relevant to the kinds of actions that regions
10 and towns kind of self take.

11 As I mentioned, we've included italics,
12 examples in italics in the draft, eventually
13 those will move to the guidance. The draft
14 of regional plans that are out also have
15 additional examples. And regions will be
16 collecting best practices from their own
17 planning across the RPCs and as they work
18 with towns to make example language.

19 Standards are designed to provide
20 maximum flexibility. As I mentioned, N/A is
21 a common option. If the town thinks that the
22 best way to -- something we haven't
23 identified, always a welcome piece. There
24 are also places where the standard is, you
25 know, identified action in a particular area

1 that are appropriate to that town and region.
2 So, you know, what a very rural town of 150
3 has to say about town buildings when they
4 don't really have much of one, compared to,
5 say, a city of 10,000 that the expectations
6 there are such that try to write the
7 standards in a way that will work for towns
8 in all different sizes, scales, in that
9 circumstance.

10 When we do look at those pathways, one,
11 and coupled that with the analysis, if you
12 actually need folks to think about how the
13 potential generation relates to how much
14 energy you are actually going to need.

15 On the mapping, related to that last
16 point. We want to look at where the
17 resources are, roughly Vermont's renewable
18 resources, wind, solar, hydro, biomass. In
19 some parts of the state there are -- are ways
20 implore cow power potential, but roughly
21 speaking, wind, solar, and biomass can scale
22 more than those other options.

23 And we have maps of where the wind is,
24 where the solar sites are, where the dams are
25 in Vermont that might be powered and where

1 forestry resources are.

2 And we are, at the regional level,
3 already undergoing and looking at different
4 known layers of constraints to be able to put
5 those resources against constraints and see
6 what's left in terms of the sites that will
7 be relatively unconstrained.

8 I'm not going to walk through this whole
9 list. You can read through the standards.
10 There's basically two terms, base resource
11 and a prime resource. The base resource is
12 you look at the energy potential and remove
13 known constraints, things that we know that
14 if that kind of resource exists in that
15 location, it's just not going to be a good
16 site for developing a generator for pools,
17 middle of a river, in a floodway.
18 Significant natural communities, you know, on
19 top of a road, wetlands. Those are places
20 where it's pretty clear that very, very
21 difficult, if not impossible, to think about
22 being a generation resource.

23 Then we have potential constraints,
24 things that definitely you can take into
25 account. They might be able to mitigated in

1 some way, but so they are not necessarily no
2 goes, but they are just like make sure you
3 are aware type resources. So agricultural
4 soils, flood zones, conserved lands, deer
5 wintering areas, et cetera.

6 And if you take the basic source, remove
7 those kinds of constraints, what's left is
8 what we call prime resources which are
9 basically those areas that are good resources
10 from an energy standpoint, but don't have any
11 known or potential problems from any of these
12 lists.

13 I'll mention that both of these lists
14 include regional area locally identified
15 areas, whether they're critical resource
16 areas or simple resource areas where if a
17 town has explicitly identified a particular
18 area, you know, should be treated in a
19 particular way in the event, sort of duly
20 adopted asset of that plan, then that gets
21 taken into account in this mapping.

22 Explicit caveat that what we're talking
23 about is not town policies that relate to a
24 specific energy generation technology, but if
25 the town said we just don't want any,

1 anything to be built in this area. As long
2 as it's -- if it's anything and not, we just
3 don't want solar to be built in this area, as
4 long as it's fair across all different kinds
5 of stuff of potential land uses, then
6 constraints would flow in to this kind of
7 standards consideration.

8 These maps give a starting point. They
9 are not necessarily the ending point.
10 Identifying areas where a town might
11 explicitly or we might explicitly want to
12 encourage development. If there's a known,
13 you know, gravel pit that may close in three
14 years; right? Identifying that that is an
15 area where generation might be particularly
16 welcomed explicitly in the plan as well as
17 identifying, you know, this particular
18 viewshed is just the defined character of our
19 town and that's just an inappropriate place.
20 Being able to push and pull on those two
21 aspects.

22 So to give an example from what the
23 Bennington Regional Planning Commission did,
24 this is just applying those, the mapping
25 layers, a slightly different definition of

1 mapping layers, we're still working on that,
2 it's still a draft.

3 But an example of the town of Manchester
4 with, so in red are the areas that we would
5 consider prime, things for solar, good solar
6 resources don't have any identified known or
7 possible constraint. The areas in yellow
8 have none of those, you know, really critical
9 constraints, but do have one or more of the
10 sort of secondary possible constraints. And
11 the green is that set except where that one
12 known constraint, that's a possible
13 constraint is prime ag soil. So just to get
14 a sense of a primary place where folks would
15 think to put solar overlap with good
16 agricultural land.

17 You see some geographic features on
18 here. There's sort of a nice circular white
19 spot over there like where it says 7A.
20 That's likely a particular natural resource
21 there with a buffer around it from potential
22 areas.

23 And there's a few labels on here. The G
24 at the top is an example of a gravel pit that
25 Bennington folks know is going to close in

1 the next little while, so identify that as a
2 potential site to keep an eye on.

3 There is also an R there just above the
4 E in Manchester, is a building with a
5 particularly large roof. So sort of thinking
6 through your community thinking where the
7 particular resources are.

8 Now, the gray areas, that sort of
9 historic core of downtown Manchester that has
10 particular visual aesthetic zoning is removed
11 as a particular local constraint and there's
12 a particular meadow that's removed. I'll say
13 that this is Jim Sullivan's take on
14 Manchester. The town of Manchester needs to
15 look at this map and make their own sets of
16 decisions, but this is the kind of things
17 that someone might call out when looking
18 through the map like this.

19 So when you look at the total land area
20 doing this kind of mapping, Bennington RPC.
21 The gray circle is the entire area covered by
22 the Bennington RPC. The red circle is the
23 amount of area that's prime solar which is
24 good solar resource and none of those
25 possible constraints.

1 And if you look at how much solar it can
2 actually take to meet the goal that they set
3 for themselves of 85 megawatts of new solar
4 in the region, it would take the area, that
5 green circle.

6 Just getting some sense of how much land
7 area is actually necessary and how it scales,
8 how much land there is versus how much we
9 need, not to say one to one -- to one kind of
10 ratio there, but just showing the kind of
11 analysis that, and insights when you actually
12 start to put real numbers on how much we
13 need, how much land and resources, and put it
14 altogether.

15 So Jon mentioned all the work that we
16 have done to date to solicit input on these
17 draft standards. As we were going about
18 creating them, we had three different
19 multiple-hour focus groups on transportation,
20 on efficiency and on generation. We did an
21 online survey. Got, what, several hundred
22 responses. We did a sort of capping forum
23 where we identified two-part questions that
24 come up along the way that they wanted to
25 drill down on folks. We've done, of course,

1 most of the draft standards and now going
2 forward with a hearing tonight. Comments are
3 due in nine days. We look forward to all
4 those that you might send.

5 I'll just put the standard informal note
6 out there that comments that come in earlier
7 get more attention than those that come in at
8 the last moment. We'll read them all. But
9 if you are the only comment that came in that
10 day, you will get some attention. When you
11 are one of 75, we'll read it, but recognize
12 you are one of 75. So just as a plea for
13 those of us that have to think about all the
14 standards and all the comments, that as we
15 get them all what you do to make yours stand
16 out will help, will help all of us.

17 We have to publish the standards and
18 recommendations by November 1st. As I
19 mentioned, we're producing additional
20 guidance out at the end of the year. And
21 then one of the aspects of Act 174 was
22 financial support go through the Department
23 to Regional Planning Commissions to work with
24 their towns, do training, provide this
25 analysis, and help folks work through that

1 planning process. So we'll be doing that in
2 partnership with the Regional Planning
3 Commissions and VLCT.

4 So we've got to the end of my summary.
5 And going to change loads and have me stop
6 talking and you start talking and we'll go
7 from there. And Jon has a list of names and
8 we'll work our way through.

9 MR. COPANS: So I am going to read off,
10 I guess, three names just so folks know where
11 you are and can anticipate getting called up.
12 I've got two different sheets here. I don't
13 know that this reflects when people signed
14 up, but we've got enough people that I don't
15 think -- or we've got few enough people that
16 we are not going to run out of time here. So
17 Linda Gray, Daniel Kinney and Sarah Wolfe as
18 the first three. So, Linda.

19 UNIDENTIFIED SPEAKER: Jon, I'm going to
20 pass.

21 MR. COPANS: You are going to pass,
22 okay. And anybody can pass. Also for those
23 who didn't sign up, we will probably have
24 time afterwards for anyone who wants to add
25 some comments. And I think aim for two or

1 three minutes and, yeah. Just as a good
2 guideline so that folks, everybody can
3 participate here. Again, we're available in
4 other ways and other venues if you want to
5 have other conversations. So, Linda.

6 MS. GRAY: Linda Gray. It's G-r-a-y.
7 Linda, L-i-n-d-a. I'm from Norwich and I'm
8 chair of our Town Energy Committee. And I
9 don't have a very long time. I want to give
10 you guys praise because I think you have done
11 a very thorough job. And I think this is
12 a method by which the towns will be much more
13 substantive in their thinking about energy
14 planning. I think that's very crucial.

15 And the one actual particular comment
16 that I have to give you is that there's
17 targets. And so it seems to me that if the
18 targets are going to be meaningful, there
19 actually out to be some kind of mechanism
20 whereby contractor report. I don't know if
21 that's built in somewhere else, but to
22 actually, you know, compile like where we are
23 as these target dates come, seems to me to be
24 very important if we are to truly make
25 progress. So that's my comment.

1 MR. COPANS: Daniel Kinney and then
2 Susan Sellew. I'm sorry if I mispronounce
3 that. And then Joan Richmond Hall.

4 MR. KINNEY: Good evening. Daniel
5 Kinney, K-i-n-n-e-y. I'm the founder of
6 Catamount Solar right here in Randolph. I
7 think it's great that we're getting some
8 planning. I would just ask more of the
9 people in the room than you people that as we
10 come to do these Catamount employees, 18
11 people that live here, that pay taxes here,
12 that buy their groceries here and whenever
13 there's changing it's a hiccup to jobs being
14 done. I think it's important that Vermont
15 gets it right, so I'm appreciative of the
16 planning, but let's just plan swiftly. So,
17 thank you.

18 MR. COPANS: Susan, Joan and then Anne
19 Watson.

20 MS. SELLEW: Susan Sellew, S-e-l-l-e-w.
21 I'm in Sharon, Vermont and we were way ahead
22 of the curve as far as implementing renewable
23 energy. And we feel that we haven't been
24 fairly treated in the model in that we've got
25 to start baseline just like everybody else

1 and we've already got enough power in our
2 town to power every house three times at
3 least.

4 So I would like to get credit for that
5 rather than adding another 40 acres of solar,
6 or wind or whatever. And I would like the
7 opportunity to work with our conservation
8 committee in trying to figure out ways to be
9 more energy efficient rather than generate.
10 So that's my comment.

11 MR. COPANS: Joan, Anne, and then Sam.

12 MS. HALL: My name is Joan Richmond
13 Hall. I'm on the Planning Commission in
14 Braintree, DRB Conservation Commission.

15 So I also think this is a great process,
16 great to have guidance. However, I think
17 it's going to raise a lot of questions for
18 those of us who sit on planning boards.
19 We're due to redo our Town Plan this year.
20 Who knows how they implement these
21 guidelines. So what I would ask for is
22 examples or more guidance. We work with
23 Two-Rivers and they've just done their
24 regional energy plan and we read it. But we
25 are aware that the wording of anything we

1 read up has tremendous importance in the
2 Environmental Court.

3 And to me this is like asking our,
4 once-every-four-year, once-every-five-year,
5 Town Plan process to take a shot in the dark.
6 Wonder if this is the language they are
7 looking for. I wonder if this will hold up.

8 Redoing the Town Plan and redoing town
9 zoning is something we do about once every
10 five years. The more guidance we get, the
11 better. Otherwise, we can hold forums and
12 ask folks in town what it is they are after,
13 but trying to formulate town plans and Zoning
14 Ordinances is to get that for them seems like
15 a big mystery to a lot of us.

16 So examples of early plans that do this
17 well, examples of the type of wording that
18 you are looking for, examples of what you
19 give substantial deference to. Thanks.

20 MR. COPANS: Thank you.

21 MS. WATSON: I'm Anne Watson with an E.
22 I'm on the Montpelier City Council, the
23 Energy Committee there, and I'm also a
24 teacher. And the first thing I want to do is
25 just compliment the Department. I thought

1 this document was really excellent. I think
2 it's clear that there's a lot of thought
3 behind it, lots of conversations as
4 mentioned.

5 So when I look at that, this plan, or
6 this document, set of standards, what it
7 triggers for me is thinking about in my
8 classroom when I give a lab report to my
9 students. So when I assign a lab report I,
10 forgive my corny analogy, I give them two
11 documents. One is a rubric and the other is
12 some examples, like a sample lab. And so I
13 was really excited to hear that you are going
14 to be providing sample language. I think
15 that's excellence. That's going to be really
16 important.

17 The other thing with the rubric, the
18 rubric serves two functions. One, is that it
19 provides a list of criteria for what I, as a
20 teacher, am looking for. And it also
21 provides a kind of a map for how a student
22 can know whether or not they will pass. What
23 they will be able to self-evaluate, what
24 their grade is going to be before they even
25 turn it in.

1 And so one of the things that I, you
2 know, I'm watching first here that this is an
3 awesome document, I'm so pleased with it.
4 But the other thing I want you to hear is
5 that one of the things I think could be a
6 little clearer is how this document maps on
7 to whether or not people are going to pass,
8 so to speak.

9 So there are places in the document
10 where it says, if this is unattainable or
11 unrealistic, explain why. It doesn't say
12 that everywhere. And you said, okay. How
13 many times do you get to check the box no?
14 And does the rubric for passing have to do --
15 like is it just a municipality that is
16 submitting as opposed to the region, how much
17 does the rubric for passing depend on the
18 other municipalities?

19 So having some kind of a complimentary
20 document or some kind of language in that, in
21 the document that explicitly says here's how
22 we are going to grade you. You have to
23 address all these things, or you can skip
24 some of them, or are some of them weighted
25 more than the others, that would be really

1 helpful. That's it. Thanks very much.

2 MR. COPANS: Sam Lincoln. And then
3 Malcolm Fitzpatrick after that. And then
4 actually that's the end of our list, but if
5 there's others who want to add comments.

6 MR. LINCOLN: Good evening. Thank you
7 for the opportunity to do this. Sam Lincoln
8 from Randolph Center. L-i-n-c-o-l-n, like
9 the president.

10 I want to mention a couple of things.
11 I'm on the Randolph Planning Commission and
12 as Joan said, I think avoiding redundancy,
13 making things efficient as possible, how this
14 all rolls out. I see a lot of people on the
15 Planning Commission that are lay people in
16 the community. We're not legal and energy
17 experts and land use experts. And, but these
18 are our homes and decisions we're making, our
19 land use decisions about our places where we
20 live for generations and we hope that our
21 kids are going to continue to live there.

22 So making it so that a layman can
23 understand these documents and sift, work
24 through, work through these processes. That
25 was my concern. I attended Two-Rivers

1 presentation and I was thinking that this is
2 going to add even more layers to what a
3 planning commission is going to be
4 responsible for. So keeping it as
5 complicated as an issue it is and keeping it
6 as efficient as possible.

7 My other hat that I'm wearing today, I'm
8 a timber harvester and one of four master
9 loggers in Vermont and one of a hundred in
10 the northeast. We harvest a lot of low grade
11 timber. Very, very concerned, I don't know
12 if you're aware, biomass industry in the
13 northeast is falling apart. Paper use in the
14 state of Maine has dropped. Paper production
15 in the state of Maine has dropped by more
16 than 30 percent in the last year which is a
17 huge part of our use value appraisal
18 management plans being implemented in
19 Vermont. A lot of our timber harvest goes to
20 production of paper.

21 Eighty percent of what we harvest
22 typically is low grade wood and pulp are
23 biomassed for electricity production. And
24 Vermont has had the opportunity for several
25 biomass plants locally that would consume

1 this wood in another form rather than paper.
2 Having to be trucked a shorter distance using
3 less energy. And so proper deference paid to
4 biomassing cited in regions that it could be
5 used as cogeneration for electricity and heat
6 with the same deference that solar is putting
7 our prime ag fields and things like that that
8 we've seen. So I just -- putting in a plus
9 for biomass there.

10 My last point that I wanted to make as a
11 color blind citizen of Central Vermont is
12 whatever electronic maps that you make, if
13 you could make it so when the mouse hovers
14 over it, the legend pops up of what the item,
15 what the type is. Thank you very much.

16 MR. COPANS: Thank you. Malcolm
17 Fitzpatrick.

18 MR. FITZPATRICK: I quite don't
19 understand it all. And I'm sorry I couldn't
20 understand your presentation. And I think it
21 would be helpful if you put it on the web so
22 we can read it.

23 It seems to me that the critical date is
24 July 1st, 2018. It seems like a long ways
25 off until you look at what has to be done

1 between now and then. It means that you got
2 to modify your local plan, Town Plan, you
3 have to interrelate with the regional plan,
4 regional planning commission, and come to
5 some turns as to what should be where and
6 what should be met. And then they have to
7 check perhaps with the State to see whether
8 that meets the requirements and so on.

9 And you're putting, I think, a
10 tremendous burden on the regional planning
11 commission as well as the local to organize
12 these things while everything else is
13 beginning. And what I mean beginning is that
14 we are being inundated by outside developers
15 of solar who make the site they want with
16 little regard to what -- presently little
17 regard to what local communities want.

18 One of my questions is between now and
19 July 1st, 2018, what happens? Who, is Public
20 Service Board going to make that decision or
21 do standards you publish next November or
22 this November, are they going to address
23 that? But we won't have our plans in place
24 by that time certainly, given all the other
25 learning we have to do. So what's going to

1 happen?

2 I think you have to address the urgency
3 that you're forcing upon the Regional
4 Planning Commission to local Planning
5 Commissions and the local legislative bodies.
6 And I don't know what control, apparently it
7 appears that you have little control over the
8 Public Service Board, and their decision
9 making. So I have no idea how useful this
10 whole exercise is going to be because I see a
11 lot of jockeying coming on and we have a new --
12 and I don't know how, which side, who is
13 going to win the governor's election, but I
14 suspect that's going to be a significant
15 impact when who appoints whom for the Public
16 Service Board.

17 So I guess I would like to see some real
18 insights by you and constructive organization
19 so that we can have what you have done apply
20 in a logical and equitable fashion.

21 Thank you.

22 MR. COPANS: Thank you. Anybody else
23 interested in making some comments tonight?

24 Great. Go ahead.

25 MR. WARD: I'm Jerry Ward. I'm a

1 selectmen in town here in Randolph. And it's
2 very little comment, but maybe you can just
3 answer it right now and shut me up, but I'm
4 wondering if any of the -- I think what you
5 are talking about is additions to town plans.
6 I'm wondering if any comments could be met by
7 putting it in land use regulations. I think
8 most of it is better off than the town plans,
9 but the reality is that towns, especially
10 small towns, look at these things often like
11 five-year cycles. And, you know, a town has
12 just gone through their town plans. Very
13 hard to get the momentum to just do it again.

14 And if some of the things could be dealt
15 with in the land use regulations, maybe it's
16 going to work out better to deal with it in
17 that way. For instance, if windmills were
18 permitted or -- like there's some ways that I
19 would like to see it either very clear that
20 don't even bother putting it in the land use
21 regulations or Zoning Regs because you are
22 never going to look at it or if it's
23 appropriate for some elements of the plan,
24 then maybe you could specify that up-front or
25 in the preamble or the introduction to it.

1 So that's all I have to say.

2 MR. COPANS: Tom Kennedy.

3 MR KENNEDY: My name is Tom Kennedy,
4 K-e-n-n-e-d-y. I'm the executive director of
5 Southern Windsor County Regional Planning
6 Commission. I'll hand you the sheet we have
7 for technical kinds of questions, but I just
8 wanted to say, first of all, for the record,
9 I think you've done a fabulous job in putting
10 these things together in a very short period
11 of time that you've had.

12 I hope people understand that I think we
13 have two things going on here. One is we're
14 trying to develop in the energy, the element,
15 ways to address the comprehensive energy
16 plan. But I think what is more important to
17 the town is you are coming up with a siting
18 plan and a land use plan. That's what the
19 towns are truly interested in because they
20 want to have a greater and more significant
21 role than a Section 248 process.

22 Related to meeting the requirements of
23 the Comprehensive Energy Plan, there are many
24 things in the recommendations in the
25 Comprehensive Plan that are not addressed in

1 the standards that you want the town to do.
2 So that a town, you know, our Regional
3 Planning Commission, could meet the
4 standards, but not necessarily address all
5 the recommendations as filed in the
6 Comprehensive Energy Plan.

7 So it would be helpful if they could be
8 clearer as far as do we have to meet all
9 those, of those recommendations if they are
10 not being asked in the standards and you have
11 examples of what you think should be
12 appropriate recommendations.

13 Secondly, many of the things, especially
14 going back to the policy parts, is it would
15 be difficult, and Asa said it initially, for
16 small towns to try to address some of the
17 things. Such as what are you going to do for
18 transportation? What are you going to do to
19 make your community more walkable, things
20 like that? And I'm wondering if it might be
21 helpful if you could try to do either on a
22 regional level or on a consortium level,
23 things in this town may as a group of towns
24 try to do something with transit or whatever.
25 But I'm concerned that there may be a lot of

1 towns that pick N/A down through the box.

2 And as someone who is going to be
3 reviewing these at a later date, how do I
4 approve these things or not?

5 The other issue that is out there is
6 after you have done your analysis and you see
7 how much energy generation you need to meet
8 the 2050 standards, what happens if a town
9 says I can meet all the standards through
10 one, through one type of a facility, such as
11 wind or solar, and they say, therefore, I
12 don't have to address any of those other
13 types of facilities, is that okay?

14 The gentleman talked about biomass. It
15 is unclear and there is some precedent with a
16 half Public Service Board decision about size
17 of biomass plan and greenhouse gas emissions.
18 I think it would be really helpful for those
19 of us in certain parts of the state where
20 there is a lot of waste wood, where they
21 might be interested in creating biomass
22 facilities if what are some standards. What
23 is going to be allowed, what is not going to
24 be allowed. Especially when it comes to
25 greenhouse gases.

1 The other difficulty with this is going
2 to be, and I call it the haves and the have
3 nots. If you are a community, you got great
4 transmission lines, you got lots of three-day
5 power, you are going to be in an area where
6 developers are going to be interested in
7 putting in facilities. But there may be
8 another area where there's very few types of
9 facilities.

10 How do we address that imbalance, if you
11 will?

12 And then, I'll shut up after this, is
13 there are some things in the standards that
14 are not policy that would normally be in a
15 Town Plan. They are more zoning and
16 regulatory.

17 And that is found in part three, Section
18 6-B, page nine. But we'll be sending you in
19 written comments of this. Thank you very
20 much.

21 MR. COPANS: Anyone else? I think we're
22 done then.

23 MR. FITZPATRICK: May I make a comment,
24 another question?

25 MR. COPANS: Yeah, you are also welcome

1 to come talk to us afterwards if folks want
2 to go. Yeah, sure. Just keep it quick, I
3 guess.

4 MR. FITZPATRICK: Yes. You mentioned or
5 showed no constraint versus potential
6 constraints. If I remember correctly, our
7 deeryard is a no constraint and farm, prime
8 farmland, is a potential constraint. I guess
9 I like deer, but I think we have a lot of
10 them. We don't have enough prime farmland
11 being used.

12 So I'm questioning whether that is a
13 good position in terms of implication of what
14 may go for an array and what may not. So I
15 ask you to again think been what it does to a
16 locality that may have some deeryards, but
17 its jobs depend upon prime agriculture land.

18 MR. HOPKINS: The gentleman's question
19 before, that the court reporter has been
20 getting the transcription including our
21 presentation. So these slides and the
22 transcript will allow folks who weren't here
23 tonight to be able to have actually the
24 transcript of the description to go with the
25 slides and, you know, get all the same words

1 twice in hopes that that helps you understand
2 that.

3 MR. COPANS: Thank you all for coming.
4 And, you know, in my introductory remarks I
5 failed to also recognize another staff person
6 who spent a ton of time working on this. And
7 that's Anne Margolis sitting over there who
8 really has done so much work on this. I just
9 want to acknowledge her.

10 Please submit any comments and be
11 in touch with us however you feel is
12 appropriate. Thanks.

13 (WHEREUPON, the Public Hearing concluded
14 at approximately 6:35 p.m.)

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REPORTER'S CERTIFICATE

I, Deborah J. Slinn, Certified Shorthand Reporter, certify:

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Deborah J. Slinn

My commission expires February 10, 2019.