

**STATE OF VERMONT
PUBLIC SERVICE DEPARTMENT**

24 V.S.A. § 4352 Determination No. 12

**DETERMINATION OF ENERGY PLANNING COMPLIANCE PURSUANT TO 24
V.S.A. § 4352 FOR RUTLAND 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 Rutland Regional Planning Commission’s (“RRPC”) Regional Plan complies with the requirements of 24 V.S.A. § 4352 for enhanced energy planning.¹ This determination is made solely as to whether the Regional Plan 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 July 17, 2018, the RRPC submitted the Regional Plan for a determination of compliance with the enhanced energy planning standards set forth in 24 V.S.A. § 4352.

On July 20, 2018, the Department solicited recommendations from the Secretaries of Agriculture, Food, and Markets; Commerce and Community Development; Natural Resources;

¹ The RRPC’s Regional Plan was duly adopted on June 19, 2018.

and Transportation as to whether the Regional Plan should be certified as compliant with the requirements of 24 V.S.A. § 4352. None of these agencies have opposed certification of the Regional Plan.

On July 24, 2018, notice of a public hearing scheduled for August 14, 2018 was posted on the Department's website.

On July 27, 2018, notice of a public hearing scheduled for August 14, 2018 was published in The Rutland Herald.

On July 30, 2018, notice of a public hearing scheduled for August 14, 2018 was mailed directly to the RRPC.

On August 14, 2018, the Department convened a public hearing at the RRPC's Office in Rutland, Vermont.

III. AGENCY COMMENTS

Agency of Transportation

On July 24, 2018, AOT informed the Department that it does not have any recommendations for changes to, nor does it oppose certification of the Regional Plan.

Agency of Agriculture, Food & Markets

On August 20, 2018, AAFM filed comments with the Department noting that the Regional 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 August 20, 2018, ANR filed comments with the Department noting that the Regional Plan leaves the designation of specific preferred and unsuitable locations for energy generation to municipalities and commits the RRPC 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. RRPC 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 Regional Plan.

IV. PUBLIC COMMENTS

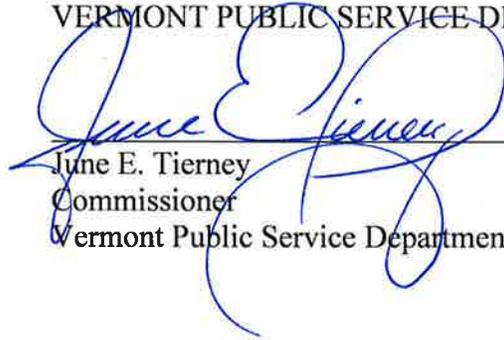
During the August 14 public hearing, several members of RRPC's Board of Commissioners spoke in support of the plan. One member also described several challenges the RRPC faced when conducting enhanced energy planning, including understanding grid-related issues as well as planning in a region where the electrical energy consumption varies greatly between municipalities. Finally, a representative from a supporting organization, the Vermont Energy Education Program, expressed support for the plan and a desire for greater emphasis to be placed on small-scale wind generation.

V. CONCLUSION

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

Dated at Montpelier, Vermont this 10th day of September 2018.

VERMONT PUBLIC SERVICE DEPARTMENT



June E. Tierney
Commissioner
Vermont Public Service Department