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September 7, 2021

Holly Anderson
Clerk
Public Utility Commission
112 State Street, 4th Floor
Montpelier, VT 05620

Re: 19-0855-RULE – ANR Proposal

To Whom It May Concern:

The Vermont Association of Planning and Development Agencies (VAPDA) appreciates the opportunity to comment on potential changes to Rule 5.100. The below comments from VAPDA are in response to proposals made by the Vermont Agency of Natural Resources (ANR) at the workshop held on August 24, 2021. ANR's proposed rule changes address concerns raised in the *Report to the Vermont General Assembly on the Net-Metering Program Pursuant to Act 99 of 2014* which found that net-metering systems are disproportionately sited in undeveloped fields and forests.

The three rule change options proposed by ANR during the workshop (see presentation "Forest Conversion for Net-Metering: Trends & Options to Reduce") would either limit the amount of forest that could be cleared to accommodate a net-metering facility and/or remove the "joint letter" option for designating a "preferred site."

VAPDA understands the PUC's concern about forest conversion. VAPDA members' own regional enhanced energy plans actively protect forested areas. Enhanced energy plans recognize National Wilderness and forested areas with rare, threatened and endangered species as areas that are unsuitable for development. Further, Vermont Conservation Design Highest Priority Habitat Blocks and deer wintering areas are identified as areas that should only be minimally impacted by the development of a renewable facility. Protection of these areas is essential to protect wildlife habitat and habitat connectivity. These policies align with the Department of Public Service's Energy Planning Standards Regional Plans developed as a part of Act 174. These policies were developed in consultation with the ANR.

VAPDA recognizes the importance of preserving trees and their value in carbon sequestration. VAPDA also recognizes the mandate to increase renewable energy generation to meet the requirements of the Renewable Energy Standard (RES). These joint goals can be met, in part, through incentivizing the siting of net-metering facilities on building rooftops and previously impacted sites. However, planning work completed by the VAPDA members indicates that our State's future electricity needs cannot be met

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solely through net-metering facilities on buildings and previously impacted sites. Some future renewable electricity facilities will likely need to be located on greenfield locations, including forested areas. At issue is the preclusion of the development of forested areas that are not appropriate for the development of any type, whether that development be for energy generation or residential or commercial uses.

If the PUC proceeds with creating a standard to protect forested areas from conversion it needs to be done without putting overly burdensome restrictions on net-metering development. VAPDA supports the recommendation of Two Rivers-Ottawaquechee Regional Commission (TRORC) to support ANR "Option 2: Prohibit Excessive Forest Conversion at Forested Sites" with TRORC's proposed definition for "Excessive Forest Conversion."

VAPDA opposes ANR's proposed Option #3 to remove the "joint letter" option to identify a preferred site. This option continues to be needed given the current way PUC Rule 5.100 is constructed. Consulting with thousands of individual property owners during the development of an enhanced energy plan to identify specific parcels as preferred sites has proven impossible for regions and municipalities. The "joint letter" option, coupled with a robust and objective local process to review "joint letter" requests, remains a valid and important way to regionally and locally identify a preferred site.

These comments are based on information currently available; VAPDA may have additional comments as the process continues. Please feel free to contact me should you have any questions.

Sincerely,



Charles Baker
CCRPC Executive Director
VAPDA Natural Resources Committee Chair