



Legislative Alert

S.230

Regional & Municipal Plans

March 27, 2016

This year's energy bill, S.230, will be up for debate on the Senate floor this week. The bill's chief sponsor, Senator Christopher Bray, has said the bill will give Vermonters a greater voice in our energy future.

Well, maybe not. Bray's bill gives Public Service Department Commissioner Chris Recchia a greater voice in our energy future.

S.230 gives Recchia the authority to bless (that is, certify) regional plans (and by extension municipal plans) and it gives Recchia the authority to determine what plans must say in order to receive his blessing. With Recchia's blessing, a plan will receive "substantial deference" in energy siting proceedings.

"Substantial deference" granted under terms defined by a Governor Shumlin appointee is not what the Vermont Energy Rebellion towns (132 and counting) had in mind when they demanded that energy projects be required to comply with "appropriately-developed municipal siting standards."

Senator Bray's S.230 looks to us like an effort to keep Governor Shumlin's energy policies in place through a substantial amount of rope-a-dope even after the governor leaves office:

1. The Public Service Department has to come up with certification criteria and a certification process.
2. Regional planning commissions must go through the lengthy process of updating their plans to meet the criteria.
3. Regional planning commissions must apply for certification and make whatever amendments the PSD requires.
4. A successful RPC can then begin to certify the municipal plans of its cities and towns.

In the meantime, developers will continue to run wild, protected by the policies that initially sparked the Vermont Energy Rebellion.

If you live in a Rebellion Town or if you are one of the 90% respondents to the "Doyle Poll" who said Vermont towns "should have a voice in siting industrial energy projects," then—

Please contact your senators and tell them you want to see these changes made to S.230:

- A. The development of certification standards and the development of regional and municipal plans will take time. Regions and municipalities must be given a grace period during which their plans are given substantial deference.
- B. The development of certification criteria for regional and municipal plans must be a public process that includes issuing a draft recommendation, public comment period, and public hearings. Adoption of the PSD's process and standards should require a majority vote of Vermont's eleven regional planning commissions or approval by Vermont's Legislature.
- C. If the PSD denies certification of a regional plan, the regional planning commission may appeal to a committee made up of representatives from the other regional planning commissions.