

Rockland Energy Committee

Recommendation To Planning Board

Date: **February 24, 2016 Meeting**

Members: Larry Pritchett, Bill Pearce, Tony Coyne, Brooks Winner, Nathan Davis

To: Erik Laustsen & Members of Rockland's Planning Board
Jim Chaousis, Rockland City Manager

Regarding: **Ordinance Amendment #2015-48**
Technical Support For Drafting Standards Governing Power Generation Facilities

1. Background

On January 11, 2016 the City Council approved a moratorium on site plan applications for new power generation facilities over 10 Megawatts in capacity. The ordinance amendment enacting the moratorium directed the Energy Committee to do three things:

(A) Based on the community forums held in 2015, provide the Planning Board a summary of any issues that the Energy Committee recommends be considered when developing a new ordinance. This information is contained in a report from the Energy Committee to the Planning Board dated 1/25/2016 and was subsequently presented by members of the Energy Committee to the Planning Board on 2/16/2016.

(B) Based on questions and issues identified in the Energy Committee's report to the Planning Board, provide the Board with a list of technical experts from which the Planning Board could choose to advise the Board as needed. On 2/10/2016 the Energy Committee voted to recommend six firms and organizations for the Planning Board to choose among as possible resources to utilize in the power generation ordinance development process.

(C) Provide the Planning Board with advice or assistance during the ordinance development process as may be requested by the Board's Chairman.

At the Planning Board's 2/16/2016 meeting, members of the Energy Committee presented to and discussed with the Planning Board the report and recommendations referenced in (A) and (B) above. The Planning Board then discussed how to proceed with ordinance development and made several decisions in regard to moving forward on this project including the following two.

First, the Planning Board requested through the City Manager that the City Attorney be tasked with developing the outline of a concept power generation ordinance and with providing the Planning Board with ongoing ordinance drafting support through the ordinance development process.

Second, rather than the Planning Board choosing among the firms from the list provided by the Energy Committee, Planning Board members asked the Energy Committee to select the technical resources to utilize. Board members felt that the Energy Committee's familiarity with energy and technology put the Committee in a better position to select technical resources than the Board.

2. Recommended Technical Resources

This memorandum contains the Energy Committee's recommendation on technical resources to utilize in the ordinance development process as well as a summary of the selection process. Based on the

Planning Board's 2/16/2016 request to the Energy Committee, the Committee voted at its 2/24/2016 meeting that the following two firms be utilized by the City for this project:

(A) The Energy Committee recommends the City retain Woodard & Curran, with Senior Vice President for Power Engineering Dan Kelley as the project lead. Beyond engineering experience in the fields of energy and energy efficiency, Woodard & Curran's professional expertise includes water and air permitting, environmental assessment and emissions modeling, as well site plan permitting. This range of skills should allow Woodard & Curran to promptly address a wide range of questions that might arise in the ordinance development process.

(B) The Energy Committee recommends the City retain SMRT, with Director of Mechanical Engineering Michael Chonko as the project lead. One of SMRT's specialties is onsite power generation at locations such as health care facilities and residential housing complexes. At these sites any potential impacts from power generation needs to be reduced to the greatest extent practical. The Committee concluded this experience gives SMRT valuable insight into aspects of power generation that could be problematic if appropriate standards are not in place.

To insure adequate technical resources are available for the duration of this project, the Energy Committee recommends fees (including any expenses) for each firm be set at up to not more than \$7,500 for the Planning Board phase of this project. This would mean some funds (approximately \$5,000 out of \$20,000 authorized in Order 2016-4 and any funds available from Order 2015-71) would be available for engineers to attend Council meetings and address any questions that might arise during the Council review part of this process.

3. Procurement Process

On 1/14/2016, at the Energy Committee's first meeting after Council adopted the moratorium on new site plan applications for power generation facilities, Committee members discussed how to select technical resources to support the ordinance development process. At this point the Committee had information on possible technical resources gleaned from three different processes in 2015.

(A) In the summer of 2015 members of the Energy Committee as well as City staff contacted engineering firms, college and university professors, law firms, Efficiency Maine Trust staff and environmental organizations to identify people with expertise in a variety of disciplines related energy conservation and power generation to possibly participate in the 8/19/2015 Community Forum facilitated by the Energy Committee.

(B) Members of Rockland's Energy Committee, along with representatives from other municipalities, had been participating in the solar stakeholder process facilitated by the PUC and the Public Advocate over the fall of 2015 as well as forums organized around this renewable energy focused effort.

(C) Renew Rockland had hosted an energy focused forum on 10/29/2015. The panel discussions included experts in various fields related to power generation, renewable energy, and energy efficiency.

From the preceding events, the Energy Committee had names and areas of expertise for nine firms and organizations. In the fields of Engineering and Environmental Assessment possible firms included Woodard & Curran, Kleinschmidt Associates, TRC Solutions, Stantec and HDR. Engineering firms included both SMRT and James Tolan. Firms and organizations with expertise in municipal site law

development and environmental site law development included Jensen, Baird, Gardiner and Henry as well as the Conservation Law Foundation.

The Energy Committee concluded that this pool of firms was large enough and the areas of expertise covered was broad enough to serve as the basis for selecting a firm, or firms, to provide technical assistance in the ordinance development process. The Energy Committee compared each firm's areas of expertise and projects portfolio against the ten focus areas identified in the Energy Committee's 1/25/2016 report to the Planning Board. The Committee also explored potential conflicts of interest.

On 2/10/2016, the Energy Committee recommended six firms and organizations from which the Planning Board could choose. Based on the Planning Board's subsequent 2/16/2016 request back to the Committee, Energy Committee members conducted phone interviews with the leading candidates during which each topic in the 1/25/2016 report was reviewed and each firm's familiarity with these areas discussed.

4. Contact Information For Two Recommended Engineering Firms

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