



NATURAL RESOURCES BOARD MEETING
TUESDAY, November 13th, 2018, 11:00am

Location of Meeting:

NRB – 10 Baldwin Street
Montpelier, Vermont 05633-3201

Present at Meeting:

Diane B. Snelling, Chair
Dominic Cloud, vice-chair
Steve Larrabee (via telephone)

Absent from Meeting:

Marty Illick, Member
Brad Aldrich, Member

Staff:

Donna Barlow Casey, Executive Director
Evan Meenan, Associate General Counsel
Aaron Brondyke, Enforcement Officer (via telephone)
Kimberley Lashua, Business Director
Pam Morin, Legal Technician
Katie Emerson, Legal Technician

Guest:

Barry Murphy, Public Service Department

The Natural Resources Board meeting was called to order at 11:03 am on November 13th, 2018 at 10 Baldwin Street by Diane Snelling.

I. Approval of the Minutes

Not all the board members who were at the previous meetings were in attendance to approve them. The minutes from the June 12, 2018, August 14, 2018, September 19, 2018 and November 13, 2018 meetings will need to be approved at the January 8, 2019 meeting.

II. Opportunity for Public Comment on Non-Agenda Items

No members of the public were in attendance.

III. NRB, Office, and Budget Updates

Budget- Chair Snelling and Kimberly Lashua met with Finance & Management to present a high- level budget overview. The audit for internal financial control was submitted last week.

Personnel Matters- Pam Morin and Katie Emerson have started as legal technicians.



There is an offer out for the CEO (compliance and enforcement officer) and Kimberley Lashua hopes to have filled by next week. Interviews for the Legal Technician in Essex will proceed once the panel is confirmed.

Office Update – The White and Burke Development conference is this Thursday. Four out of six of the Act 47 Commission members are participating in a forum regarding Act 250. Because they have a quorum of commission members the legislature will have to post it as a public meeting. They are not sure if they will have to give the public an opportunity to speak.

NRB also has a booth at the conference and Diane Snelling, Donna Barlow Casey, Greg Boulbol, and Evan Meenan are all attending.

IV. Legislative/Policy updates

NRB Energy Code legislative preview:

Outlook concerning Current Guidelines vs Proposed Code

- A Discussion concerning building codes and guidelines to obtain concerning construction codes overview: 2015 Stretch Guideline, 2018 IECC and 2019 CBES. These are to obtain Legislative mandate codes for new contacts by 2020.

Diane had a statement concerning the guidelines/codes to pay out more now in order to obtain more efficiency later.

- Barry Murphy from the Public Service Department gave a presentation on proposed updates to the Stretch Energy Code based on Act 89 (2013).

The 2015 Commercial Building Energy Standard (CBES) is the current energy code for all commercial buildings and residential buildings four stories or more. Barry Murphy explained that the state commercial energy code is moving towards a goal of net zero ready by 2030 and is setting aggressive efficiency targets. Rather than having a completely different standard for Act 250 he suggested focusing on four/ five areas. The CBES is projected to go through rule making in the spring of 2019 to go into effect in January 2020. His suggested areas of focus are as follows:

1. Increase airtightness from 0.3 CFM/sf to 0.25 CFM/sf for all buildings
2. Increase electric vehicle charging requirements
 - a. Increase the number of spaces reserved for electric vehicles (EVs) and the percentage of spaces that need to be installed with charging capabilities right away.
 - Breakdown of Chart on Minimum Electric Car Charging Places by Percentages
 - Level 1 & Level <25
 - Level 1 & Level 2: >25 and <500
 - Level 1 & Level 2 >500



- b. Dominic Cloud was concerned that the lack of widespread adoption of EVs would mean parking spaces would be left empty and the large expense in building the space would be wasted, especially in structured parking like parking garages. Construction costs in structured parking are different than parking lots and they should be treated differently for example urban cost: \$30,000.00 vs rural cost: \$5,000.00.
 - c. The spaces could be made nonexclusive, but that invites the problem of EV owners not having access to chargers. A possible solution is for large parking structures to have only 25% of their EV spaces outfitted with charging stations at first and the rest can be converted over time.
 - d. Donna Barlow Casey: question regarding variables from other states and countries concerning EV usage. EV adoption in general has struggled with the problem of drivers won't buy EV until there is infrastructure and towns don't want to build infrastructure when there are no EVs. In other places like Quebec and California where they have built EV infrastructure they have more EVs.
 - e. Diane Snelling questioned how many electric cars sold in Vermont? Vermont currently has 6,000 - 8,000 registered EVs and the Dept of Public Service projects that will increase to 30,000 by 2027ish. Increase has been exponential due to federal tax credits, price, increased range, personal choice and growing infrastructure.
3. Retain renewable energy requirement for buildings over 20,000 sq. ft.
 - a. Large buildings are required to get 10% of their lighting and hot water energy from renewable sources. Most do this through PV solar, but it could be through any renewable source. If on site generation was not possible the requirement could be met by achieving the same amount of power reduction through increased efficiency.
 - Renewable Energy including Biomass discussion.
 4. Increase the number of required points from the additional efficiency packages
 - a. The base code requires 6 points of efficiency actions. Actions have various point values, and owners can reach the target by any combination.
 - Points for Efficiency Package Options:
 - Group: R-1, R-2, B, E, M and All other Groups: HVAC, Lighting, Renewable Energy, DOAS, Water Heating, HP Water Heater, Envelope, Air Infiltration, Appliances and Controlled Receptacles.
 5. Electric Resistance Heating Prohibition
 - a. Currently Act 250 prohibits electric resistance heating, but it sometimes makes sense with cold climate heat pumps. Heat pumps decrease efficiency below 100% when temperature falls below 5 degrees above zero and that is also when electrical demand is highest. Since the alternative is using space heaters



that are completely uncontrolled the PSD suggests allowing electric resistance heating with a control that prevents use above 5 degrees.

- b. This may not be a problem in commercial buildings that do not need to be heated to comfortable levels at night

Chair Snelling mentioned that we need to not only address climate change by increasing efficiency. Protection of efficiency through our infrastructure including: energy, efficiency, and infrastructure. This wouldn't be addressed in the energy code but is something to keep in mind.

Chair Snelling also said that looking forward the Act 47 Commission may want to take the Public Service Department recommendations into consideration along with the Vermont Climate Action Commissions recommendations.

Next Steps: The Board will need to discuss where to go from here, the staff will also discuss the energy stretch code at the next all staff meeting.

V. Executive Session- appeals, enforcement, and personnel

There was no executive session

VI. Other Business

1. Delegated Authority to the Chair

- a. Evan Meenan combined the notes from previous minutes regarding delegation of authority to the chair and fixed some typos.
- b. Dominic Cloud made a motion to accept changes as recommended, Steve Larabee seconded, the board made a unanimous decision in a roll call vote.

2. Update on Double Diamond interchange Appeal

- a. VTrans granted a permit for the Double Diamond interchange on I-89, the two main opponents are Timberlake and Valley. The case is currently at the Vermont Supreme Court. The Attorney General's office represents the various state interests such as VTrans, ANR etc. This case has about a 10-12 month timeline. Hoping to complete brief by Thanksgiving.

VII. Adjourn

Steve Larabee made a motion to adjourn the meeting, Dominic Cloud seconded it. Majority approved by roll call vote.

Diane would like to submit an early notification to the board members, so we can have a full board meeting in order to approve past meeting minutes.

Next Meeting: January 8th at 11:00 A.M.