

Memorandum of Understanding

This Memorandum of Understanding is entered into by the

RHODE ISLAND DEPARTMENT OF ADMINISTRATION,
OFFICE OF ENERGY RESOURCES (OER)

and the

RHODE ISLAND DEPARTMENT OF ADMINISTRATION,
DIVISION OF PLANNING
STATEWIDE PLANNING PROGRAM (SPP)

The Office of Energy Resources and the Division of Planning jointly declare their agreement that:

Whereas, the Statewide Planning Program (SPP) is designated pursuant to Rhode Island General Law chapter 42-11 as the central state planning agency for the State of Rhode Island, and is further charged with maintaining a long range State Guide Plan (SGP) for the state's physical, social and economic development; and

Whereas, the *Rhode Island Energy Plan 2002* was adopted as Element 781 of the State Guide Plan (SGP) in 2002, to provide goals and policy direction relative to the usage, conservation, and proper management of the energy resources of the State, and

Whereas, the Department of Administration's Office of Energy Resources (OER) is charged with advancing the proper use and management of the energy resources of the State through technical assistance, education, and incentives offered to municipalities, businesses and private landowners, and

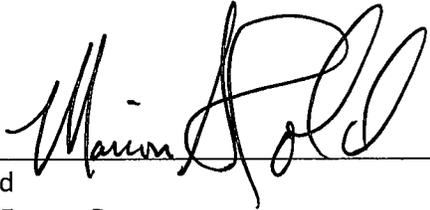
Whereas, changing conditions and circumstances have made it timely and appropriate that the *Rhode Island Energy Plan 2002* be updated and re-adopted as an Element of the State Guide Plan.

And, whereby, do further agree and declare that,

Development and adoption of an updated *Rhode Island Energy Plan 2002*, Element 781 of the State Guide Plan shall be jointly undertaken in furtherance of the missions and objectives of both agencies, and that

Their agencies endorse the Scope of Work and Work Program for developing an updated *Rhode Island Energy Plan 2002*, as identified in Attachment A to this agreement, and will cooperate in providing resources, executing the procedures and tasks, and adhering to the responsibilities and schedules described therein in order to effect an updated Element of the State Guide Plan no later than March 31, 2014.

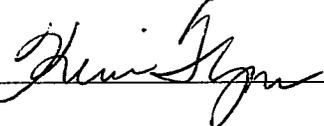
SIGNED: _____



Marion Gold
Director of Energy Resources
Department of Administration
Office of Energy Resources

Date: 10-19-12

SIGNED: _____



Kevin Flynn
Associate Director
Department of Administration
Division of Planning
Statewide Planning Program

Date: 10-19-12

ATTACHMENT A SCOPE OF WORK

The purpose of this Scope of Work is to specify the general format and content of product(s), procedures, tasks, responsibilities, schedules, and resources agreed upon between the Department of Administration, Statewide Planning Program (SPP), and the Department of Administration, Office of Energy Resources (OER) for the preparation and publication of an updated *Rhode Island Energy Plan 2002* for the State of Rhode Island, and adoption of that plan as an Element of the State Guide Plan, updating and superceding State Guide Plan Element 781, (Report 103), August 2002.

Upon adoption by the State Planning Council of the new Rhode Island Energy Plan, SPP shall furnish notice of the adopted plan to the proper authorities in each of the 39 Rhode Island municipalities as mandated by Rhode Island's Comprehensive Planning and Land Use Regulation Act of 1988 (R.I. General Laws, Chapter 45-22.2), and any other persons who shall need this resource.

The activities, resources and costs for the preparation, publication and adoption of the updated Element of the State Guide Plan are summarized below:

1. *General Process and Format for the Element*

The parties to this agreement agree that the Element will be drafted conforming to the accepted process, format and general content guidelines established by the SPP for State Guide Plan elements. Specifically, the parties to this agreement agree that the Element will be developed in accordance with the following procedures:

a. Project Team and Steering Committee

The OER will work with the URI Outreach Center to create a Project Team that manages the drafting and the completion of the Preliminary Draft Plan for submission to SPP. Members of the team may include but not be limited to:

Member	Affiliation	Role
• Marion Gold	Office of Energy Resources	Project Management/Coordination
Chris Kearns	Office of Energy Resources	Project Management/Coordination
Danny Musher	University of Rhode Island (URI)	Project Management, Data Analysis
Hannah Morini	RI Economic Development Corporation (RIEDC)	Project Management, Policy Analysis
• Kristina DiSanto	University of Rhode Island (URI)	Project Management, Outreach
Wendy Lucht	University of Rhode Island (URI)	Transportation SME, Outreach
• Christopher Damon	URI Environmental Data Center (URI-EDC)	GIS support
Staff [tbd]	ENE (Environment Northeast)	Data Analysis & Forecasting
• [tbd]	[tbd via RFP]	Data Analysis & Scenario Modeling

OER will also form a Steering Committee that will meet bi-monthly with the Project Team for the duration of the project to monitor work progress and provide policy oversight and direction for the Preliminary Draft Plan. Members of the Steering Committee may include but not be limited to:

Marion Gold	<i>RI Office of Energy Resources (RIOER)</i>
Chris Kearns	<i>RI Office of Energy Resources (RIOER)</i>
Allison Rogers	<i>RI Department of Administration (RIDOA)</i>
Paul Gonsalves	<i>RI Statewide Planning Program (RISPP)</i>
Nancy Hess	<i>RI Statewide Planning Program (RISPP)</i>
Hannah Morini	<i>RI Economic Development Corporation (RIEDC)</i>
Danny Musher	<i>University of Rhode Island (URI)</i>
Rachel Sholly	<i>University of Rhode Island (URI)</i>

b. Advisory Council:

A multi-disciplinary Advisory Council shall be established to provide direction and guidance during the preparation of the Plan. The Council shall be assembled by the OER and designed to ensure full and balanced representation of the interests and groups concerned with energy resource use and management issues. The Advisory Council shall be guided by the Steering Committee and by staff support from the OER and technical assistance from the SPP. The Advisory Council shall have the following responsibilities:

- To review and comment on an outline for preparation of the updated energy plan.
- To provide information and recommendations to assist the staff in preparing a draft plan.
- To review the preliminary draft energy plan (or sections thereof) and provide feedback thereon to the Project Team.
- To recommend a preliminary draft energy plan to the State Planning Council's Technical Committee for forwarding to the State Planning Council for public hearing, revision, and adoption.

b. Public Input:

The parties agree that the views and concerns of the general public shall be sought and considered in developing the Element through the Advisory Council. Appropriate methods will be executed to ensure that the public is informed of the process of plan development, and offered adequate opportunities to provide information and opinions for consideration in the planning process, including but not limited to either participation in Advisory Council meetings or participation in an outreach and engagement effort led by the URI Outreach Center or the OER.

c. Coordination and Consistency:

The parties agree to promote internal and external coordination during the process of plan development to ensure that the Element properly considers and reflects the goals, policies, regulations, and recommendations of other relevant State Guide Plan Elements and federal and state agency programs that may include, but are not limited to: the final reports of the Renewable Energy Siting Partnership (2012), the Division of Planning Renewable Energy Siting Guidelines, Part 1: Interim Siting Factors for Terrestrial Wind Energy Systems (2012), Statewide Planning's Land Use 2025 (2006), the Economic Development Corporation's 2009 Economic Growth Plan, the Economic Policy Council's Rhode Island

Economic Strategy: Grow the Top, Build a New Middle, and Move the Bottom Up (2008), the Energy Efficiency and Resources Management Council's Opportunities Report (2008), the RIWINDS Final Report Phase I (2007) and related materials prepared for the Ocean Special Area Management Plan (2009), the Science and Technology Advisory Council's draft plan Accelerating Innovation Through Collaboration (2008-2009), and the Greenhouse Gas Stakeholders Process's Rhode Island Greenhouse Gas Action Plan (2002).

2. Element Content

The parties agree that the following minimum data, information, analyses and/or directive guidance will be included in the Element in a visually pleasing format mutually agreed upon to create a comprehensive energy management program for the State:

- **An Introduction and Mission Statement**
Included would be introductory text providing background and context for the Element, a mission statement, the statutory and/or regulatory framework for the Element, and reference to other relevant State Guide Plan elements.
- **An assessment of RI's historical, baseline, and forecasted energy profile (Current and Future State Energy Profile)**
Included would be an inventory and assessment providing an historical overview, current status and projected future conditions of energy use, cost, and environmental impact of Rhode Island's energy system.
- **An assessment of Resource Opportunities (Resource Opportunities)**
A resource assessment describing available energy resources and significant socioeconomic and physical constraints guiding Rhode Island's options for meeting energy demand. The analysis should be supported by relevant data and determinations derived from the inventory, public input, and the expertise and deliberations of the Advisory Committee.
- **Goal(s) and Policies (Vision for the Future)**
Updated statements of goal(s) and policies for promoting a comprehensive integrated energy management program in support of the Vision established need to be included. The goals and policies of the existing *Rhode Island Energy Plan 2002*, State Guide Plan Element 781 should be reviewed, and considered where needed (or deleted) to reflect changed conditions. Policies should consider the roles of all levels of government and the private sector in creating a comprehensive integrated energy management program for the State. This section should provide an analysis of how the new Vision charts a course for a future energy system that provides a net benefit to the alternative reference forecast.
- **An implementation program (Implementation Plan & Revision Plan)**
An updated implementation program of strategies directed at attaining the vision, goal(s) and policies. Strategies should directly address the vision, goal(s) and policies and may include: legislative and regulatory measures, capital investments, administrative (programmatic) changes or enhancements, and other measures, as appropriate; and shall specify the responsible entities and general schedule for execution. An implementation matrix may be utilized to summarize the implementation program.
- **Technical Appendices**

Appendices may be used to include technical documents, or summaries of such documents such as but not limited to, the major findings of the Renewable Energy Site Partnership, and the Division of Planning's *Renewable Energy Siting Guidelines, Part 1: Interim Siting Factors for Terrestrial Wind Energy Systems*. The guidelines for renewable energy siting may ultimately reside as a separate element of state guidance. The OER will assume responsibility for revising the guidelines based on the data compiled through the energy planning process and work undertaken separately by the OER¹ including: 1.) An acoustic study measuring the decibel levels of the community and commercial scale wind turbine installed in Rhode Island at the property lines. 2.) A Rhode Island wind turbine property value impact analysis. The Appendices should support the narrative, vision, goals, policies and the implementation program.

3. Work Program

The parties agree that the following tasks, responsibilities, and schedules shall be adhered to in production of the Element:

A. Development of Preliminary Draft Plan:

The Department of Administration's Office of Energy Resources (OER) will work with the Project Team and be responsible for conduct of the following tasks:

1. Data Collection and Research

Obtain, review, abstract, correlate, and assemble relevant data including but not limited to the major findings of the final reports of the Renewable Energy Site Partnership, and the Division of Planning's *Renewable Energy Siting Guidelines Part 1: Interim Siting Factors for Terrestrial Wind Energy Systems* necessary for the preparation of the Element. Conduct literature searches, surveys, inventories, and interagency coordination as needed to obtain relevant data and information needed for preparation of the draft Element.

2. Public Input and Advisory Council Meetings

Assemble an Advisory Council, provide secretarial support, organize and conduct meetings of the Council as needed throughout the planning process. At a minimum, meetings shall be held to obtain input to

- a. review the outline of the plan
- b. identify issues and conduct an analysis of the issues
- c. develop vision, goals, and policies
- d. develop strategies and implementation measures
- e. solicit public input on the vision, goals, policies, and strategies through various methods which may include public workshops, focus groups, public surveys, and website postings
- f. review public input and recommend a Preliminary Draft Plan to the Technical Committee

Organization and conduct of Advisory Council meetings will include maintenance of membership/ mailing lists, provision of meeting locations, posting of meetings, and preparation and distribution of agendas, minutes, and all materials to be reviewed and acted upon by the Council. The Steering Committee members, including SPP staff, shall be members of the Advisory Council and shall consult and advise OER on matters pending before the Council. The minutes of all Advisory

Council meetings and public outreach effort will be summarized and submitted to the Technical Committee and State Planning Council with the Preliminary Draft Plan.

3. Preparation of Preliminary Draft Plan

Prepare a draft Element that is in accordance with the content specified under (2) and is based upon the deliberations and advice of the Advisory Council. Review working drafts of parts and sections with the Advisory Council, revise as necessary, and assemble into a Preliminary Draft Plan. Review the Preliminary Draft Plan with the Renewable Energy Coordinating Board, Energy Efficiency and Resource Management Council, Advisory Council, and with the OER Administrator of Energy Resources and revise as needed.

4. Transmittal of Preliminary Draft Plan

Transmit the Preliminary Draft Plan of the Element to the SPP for technical review, public review and adoption. The original file in Microsoft Word, a PDF version, and printed copies shall be provided in quantities specified by the SPP. The transmittal shall indicate that the Advisory Council and the Administrator of Energy Resources support the adoption of the Preliminary Draft plan, and shall provide evidence of their endorsement of the draft as transmitted, together with any supplemental comments from the Council and/or Administrator.

B. Technical Review, Public Review, and Adoption

The SPP staff shall be responsible for the conduct of the following tasks, except where indicated:

1. Staff Technical Review

Review the Preliminary Draft Plan for conformance to the Scope of Work as to completeness, content, and format. Work with the OER staff to insure the Preliminary Draft plan will be a useable concise State Guide Plan Element and includes the major findings of the final reports of the Renewable Energy Site Partnership, and the Division of Planning's *Renewable Energy Siting Guidelines , Part 1: Interim Siting Factors for Terrestrial Wind Energy Systems*. The SPP will provide guidance and edits to ensure that the content, organization, and presentation of the Preliminary Draft Plan will be adequate for adoption into the SGP.

2. Technical Committee Review

Coordinate with OER staff concerning when the Preliminary Draft will be scheduled to be presented to the Technical Committee. Depending on the length and complexity of the draft, Technical Committee review may be scheduled over multiple monthly meetings. Copies and any supplemental materials shall be provided by the OER in printed and electronic format in quantities specified by the SPP for mailing to the Committee no later than 14 days prior to meeting date(s). SPP staff will present an overview of the planning process and OER staff will summarize the Preliminary Draft in an oral presentation before the Committee and respond to questions. SPP staff will record comments for use in revising the Preliminary Draft Plan. Upon completion of Technical Committee review, the Technical Committee will be asked to forward the Preliminary Draft, as presented, or with changes it may recommend, to the State Planning Council for purposes of conducting a public hearing.

3. State Planning Council Review

Coordinate with OER staff concerning when the recommended Preliminary Draft will be scheduled to be presented to the State Planning Council. Depending on the length and complexity of the draft, State Planning Council review may be scheduled over multiple monthly meetings. Copies and any supplemental materials shall be provided by the OER in printed and electronic format in quantities specified by the SPP for mailing to the Council no later than 14 days prior to meeting date(s). SPP staff will present an overview of the planning process and OER staff will summarize the Preliminary Draft in an oral presentation before the Committee and respond to questions. SPP staff will record comments for use in revising the Preliminary Draft Plan. Upon completion of State Planning Council review, the State Planning Council will be asked to accept the draft, as presented, or with changes it may direct, for purposes of conducting a public hearing. The draft as accepted by the Council will then be designated as the Public Review Draft.

4. Conduct the Public Hearing Process:

Upon acceptance by the Council, the SPP staff will schedule the required public hearings on the Public Review Draft. The hearing will be conducted in accordance with the R.I. Administrative Procedures Act, RI, the Open Meetings Law and the State Planning Council's Rules of Procedure. SPP staff will mail notice of the hearings to the SPP's mailing list of government officials and other individuals who have requested notification of such hearings. Each agency, upon commencement of the public review period, shall make available at least one printed review copy of the Public Review Draft for public use within the respective offices, and post an electronic version of each on their website.

The SPP staff will make arrangements for and conduct the necessary public hearings to accept comments on the Public Review Draft. The Associate Director of the Division of Planning or the Secretary of the State Planning Council shall preside at the hearing. SPP staff and OER staff will provide an oral presentation to briefly summarize the Public Review Draft. SPP staff will present an overview of the planning process and OER staff will summarize the content of the Preliminary Draft in an oral presentation. SPP staff will record any public comments for use in revising the Public Review Draft. The SPP staff will prepare a summary report on the public hearing, including attendance and any comments provided, for the State Planning Council.

C. Adoption and Publication

1. Final Revision and Adoption

SPP staff will consult with OER staff concerning any changes that may be needed to the Public Review Draft to reflect comments received through the technical and public review process. SPP staff will prepare necessary revisions and present the Final Draft Plan, along with the report of the public hearing, and all staff-recommended changes to the State Planning Council. SPP staff will recommend that the Council vote to adopt the updated Element.

2. Printing and Distribution

SPP shall publish the final plan, as adopted by the Council. Statewide Planning and ORE shall determine the method of publication to be used, and specify the resources to be made available to support publication of the approved plan. Both parties agree to post the final adopted plan on their website. SPP will prepare an overview of the adopted plan for inclusion in the State Guide Plan Overview.

3. Executive Summary

SPP shall publish an Executive Summary of the Element for use by the SPP, OER, municipalities, and the general public. The Executive Summary shall summarize the longer Element in such a way that readers can rapidly become acquainted with the Element. It is intended as an aid to implementation of the Plan at all levels of government and the private sector. Both parties agree to post the Executive Summary on their website.

4. Schedule and Proposed Timeline

The parties agree that the schedule for production of an updated energy element will commence upon submission of the Preliminary Draft Plan by the OER and be completed by March 31, 2014.

The schedule for production of an updated energy element may follow the following schedule (with changes as needed):

#	Item	Description	Date Due
1.	<i>Define scope</i>	Develop, vet and approve scope through Steering Committee and with input from experts	<i>September 2012</i>
2.	<i>Assemble teams and approve budget</i>	Secure funding for Project Team; Approve members of Advisory Council	<i>October 2012</i>
3.	<i>First Advisory Committee Meeting</i>	Present and receive feedback on scope	<i>October 2012</i>
4.	<i>RECB / SPC monthly meeting</i>	Present and receive feedback on scope from RECB and SPC	<i>November 2012</i>
5.	<i>Second Advisory Committee Meeting</i>	Present and receive feedback on Sections 1 & 2	<i>December 2012</i>
6.	<i>Third Advisory Committee Meeting</i>	Present and receive feedback on Section 3	<i>January 2013</i>
7.	<i>Fourth Advisory Committee Meeting</i>	Present and receive feedback on Section 4	<i>February 2013</i>
8.	<i>Fifth Advisory Committee Meeting</i>	Present and receive feedback on Sections 5 & 6	<i>March 2013</i>
9.	<i>Writing</i>	Writing of the document	<i>April to May 2013</i>
10.	<i>Preliminary Draft Plan</i>	Submit Preliminary Draft Plan to Technical Committee	<i>June, 2013</i>
11.	<i>Technical Review</i>	Preliminary Draft Plan reviewed by Technical Committee	<i>July to August 2013</i>
12.	<i>Public Hearings</i>	State Planning Council review, Public review and comments	<i>September to October 2013</i>
13.	<i>Approval</i>	Approval by State Planning Council	<i>November 2013</i>

5. Resources

The parties agree that the following resources shall be provided to support the scope of work and work program outlined herein:

- a. The Department of Administration Office of Energy Resources will commit the following staff resources to the project:

<i>Position Title:</i>
Director
Chief Program Development Officer
Programming Service Officer
Executive Secretary

- b. The Statewide Planning Program will commit the following staff resources to the project:

<i>Position Title:</i>
Associate Director
Chief of Statewide Planning
Supervising Land Use Planner
Senior Land Use Planner
GIS Technician
Information Services Technician II
Executive Assistant

END