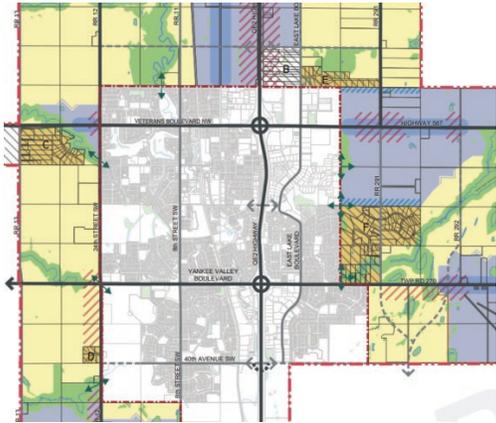


# MPSC Renewable Energy and Energy Storage Facility Siting Meeting



MPSC Staff

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March 19, 2024



# Disclaimer

*The opinions expressed today are the speaker's own and do not reflect the view of the Michigan Public Service Commission or the State of Michigan.*

This meeting will be recorded and the recording will be posted.

# Agenda

- **Welcome and Intro – Julie Baldwin, MPSC**
- Renewables Ready Communities Award
  - Zona Martin, Ian O’Leary, and Yingxin Wang, EGLE
- Utility-scale Renewable Energy Siting Presentation
  - Daniel Vertucci, James Sallee, Invenergy
- Utility-scale Renewable Energy and Storage Siting Panel Discussion
  - Moderator: Dr. Laura Sherman, Michigan EIBC
  - Panelists: Daniel Vertucci and Mike Hill, Invenergy; Amanda Stallings and Amber Miller, National Grid Renewables; Bennett Fuson, EDP Renewables; Barry Szczesny and Christina Martens, Savion; and Tim Lundgren, Potomac Law Group
- Questions from MPSC Staff
- Open Comment Period – All participants
- Next Steps and Closing – Cathy Cole, MPSC

**Sign up for our email distribution list:**

[www.michigan.gov/mpsc/commission/workgroups/2023-energy-legislation/renewable-energy-and-energy-storage-facility-siting](http://www.michigan.gov/mpsc/commission/workgroups/2023-energy-legislation/renewable-energy-and-energy-storage-facility-siting)

# Implementation Process

## Collaborate on solutions

Work collaboratively to develop potential draft guidance and application instructions

## Public comment period

Public comment period in case docket followed by Commission order adopting application instructions and guidance



## Solicit input

What questions and issues should the Commission address prior to the effective date?

## File Staff proposal

File Staff proposed application instructions and guidance in docket June, 21, 2024

## Implementation

The effective date of the new law is 11/29/24.

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# Renewables Ready Communities Award

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ENERGY SERVICES UNIT

MATERIALS MANAGEMENT DIVISION

DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

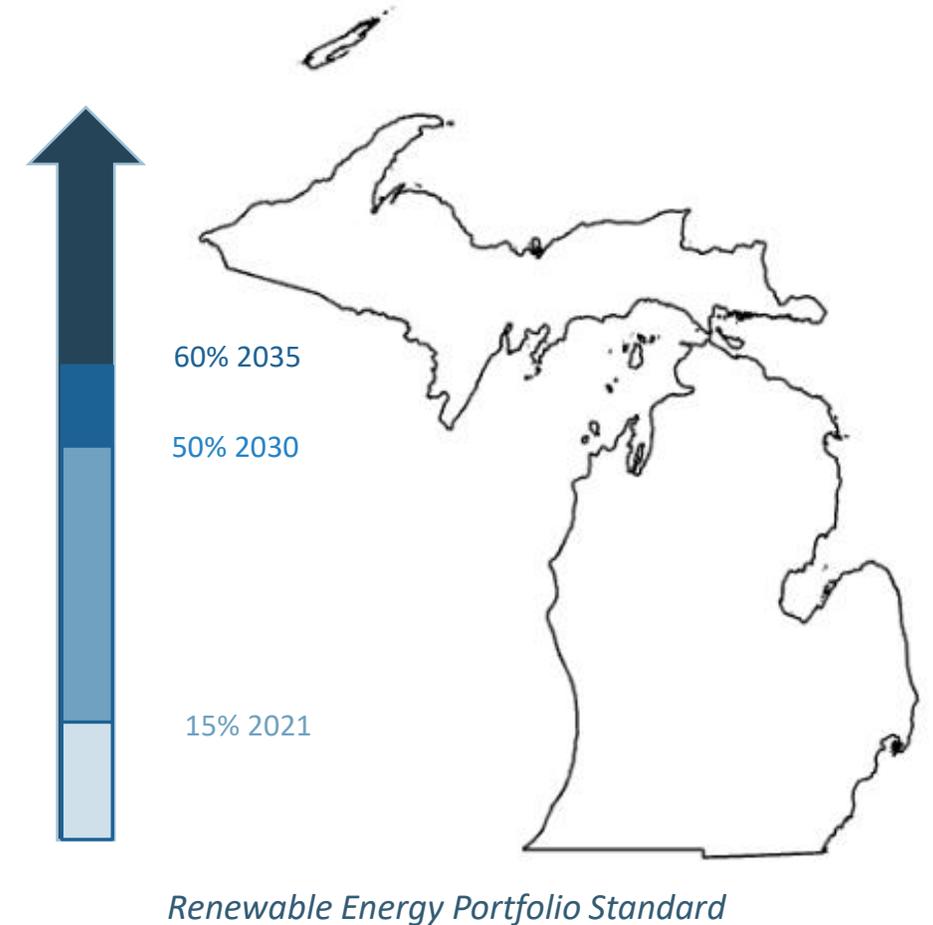
# RRCA Grant Team

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- **Zona Martin**, *RRCA Grant Manager*, [MartinZ2@Michigan.gov](mailto:MartinZ2@Michigan.gov)
- **Ian O'Leary**, *RRCA Grant Manager*, [Olearyi@Michigan.gov](mailto:Olearyi@Michigan.gov)
- **Yingxin Wang**, *RRCA Grant Manager*, [WangY3@Michigan.gov](mailto:WangY3@Michigan.gov)
- **Jake Wilkinson**, *Energy Services Unit Supervisor*, [Wilkinsonj8@Michigan.gov](mailto:Wilkinsonj8@Michigan.gov)

# FY 2024 Renewables Ready Communities Award (RRCA)

- MI Healthy Climate Plan
  - 100% carbon neutrality by 2050
- Clean Energy and Job's Act
  - Renewable Portfolio Standard of 50% by 2030, 60% by 2035
  - Energy Storage standard of 2,500 MW by 2030
- \$30,000,000 budget allocation through Governor Whitmer's Public Act 119 of 2023 to award renewable energy with \$5,000 per megawatt (MW)



# Renewables Ready Communities Award and PA 233

- RRCA serves as the counterpart to the state process' Host Community Benefits Agreement:
  - MPSC State Permitting Process:
    - Required Host Community Benefits Agreement in which developer pays **\$2,000** per MW to each affected local unit of government (LUG) as well as ensures apprenticeship and prevailing wages for project's construction workers.
  - Local Permitting Process
    - State grant opportunity for municipalities to claim **\$2,500 or \$5,000** per MW for hosting and/or permitting a portion of an eligible renewable energy project.

# FY 2024 Renewables Ready Communities Award (RRCA)

- **Hosts** and **permitters** of eligible renewable energy megawatts may apply.
  - Since an application is done **prior** to construction, “host” is an expectant title.
- Award will be disbursed in two installments.
  - *Project Construction*: 50% of agreed upon award
  - *Project Operation*: 50% of agreed upon award
  - Award use will be monitored beginning at the first installment.



# Hosts and Permitters

**Hosting:** the current or future containment of eligible energy technology within the smallest involved municipality's boundaries.

**Permitting:** the procurement and approval of a land use permit, approved site use plan, or reasonable alternative for un-zoned communities.



# Eligible Renewable Energy Megawatts

Belong to grid-connected wind, solar, energy storage, or hybrid projects in Michigan.

- ◆ Solar, storage, or solar hybrid projects must be at least **50 MW**.
- ◆ Wind or wind hybrid projects must be at least **100 MW**.

Megawatts were permitted locally on or after **October 1, 2023**.

All capacity values refer to nameplate capacity of alternating current.

- Nameplate capacity refers to the potential *maximum* output of the plant, not its actual generation.

Summary: If wind is involved, the project total must reach 100 MW. Otherwise, it must reach 50 MW.



# Eligible Renewable Energy Megawatts

Capacity values between different technologies may be totaled.

For example, 40 MW of solar and 10 MW of battery storage – if belonging to the same project – would be eligible.

- Rule of thumb: If it would be separate EIA Plant IDs, it counts as separate projects for the RRCA.



# Funding Amount

**Permitting** allows a municipality to claim \$2,500 per eligible MW.

**Hosting** allows a municipality to claim \$2,500 per eligible MW.

Doing **both** allows a claim of \$5,000 per eligible MW.

# Funding Amount

- Every megawatt has a host and a permitter, so every eligible megawatt receives \$5,000 in *total*.
  - For example, a 100 MW project will always receive **\$500,000**, split between all involved municipalities (assuming they all apply).
- A maximum of \$3,000,000 is available for a single project (600 MW).
- A municipality's eligible amount does not need to reach the 50/100 MW thresholds; the project in total does.



# Additional Rules

## Joint Municipal Planning and Zoning:

- Each municipality involved in a joint planning and zoning arrangement is considered responsible for their own permitting and thus eligible to claim \$5,000 per MW.

## Megawatts do not need to be whole.

- A host of 0.9 MW in a 50 MW project is eligible.

## Changes in project capacity after application period closes:

- **Increase of at least 10% of total capacity:** Applicant should request an award increase.
- **Decrease of at least 10% of total capacity:** Grant managers will amend the funding amount. Project must remain eligible.



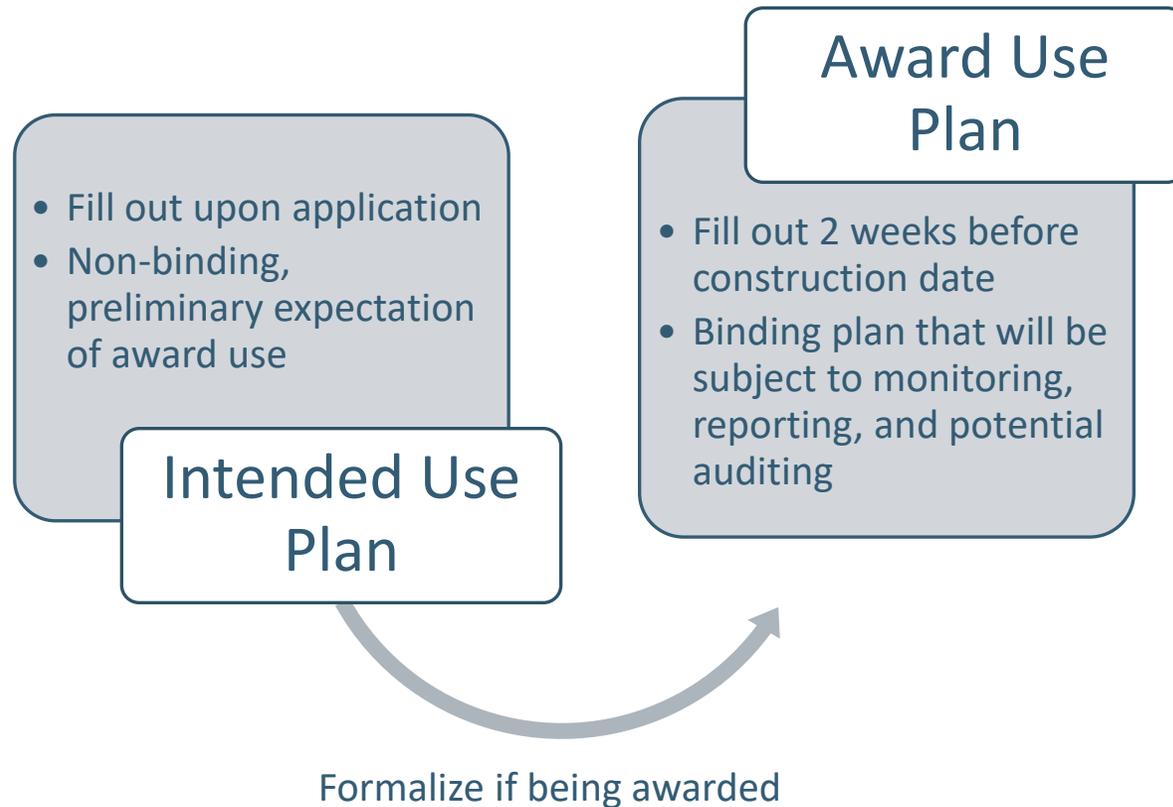
# Required Application Documents

## Completed Online Application

- a) State of Michigan SIGMA Vendor Self Service ID
- b) Land Use Permit or Approved Site Plan
  - i. For un-zoned municipalities, a reasonable alternative.
- c) Intended Use Plan
- d) Developer Questionnaire

To further simplify the application process, an applicant may follow the Application Walkthrough provided on the grant webpage [here](#).

# Plan ahead - Intended Use Plan and Award Use Plan



Separate documents due to the potential multiyear gap separating Grant Agreement and project construction.

# Use of Funds

Funds must supplement the community's total expenditures, resulting in an expansion or creation of a service, program, etc.

- This aims to prevent these funds from wholly substituting current expenditures.

**Disallowed Uses:** sick pay, holiday pay, paid vacation time, payroll taxes, real property (e.g. land and buildings), parking, vehicle allowance, car rental, subscriptions, dues, memberships, or any additional personal uses.

- Pay for day-to-day/routine administrative costs
- Supplant trash collection costs

# Example Uses of Funds

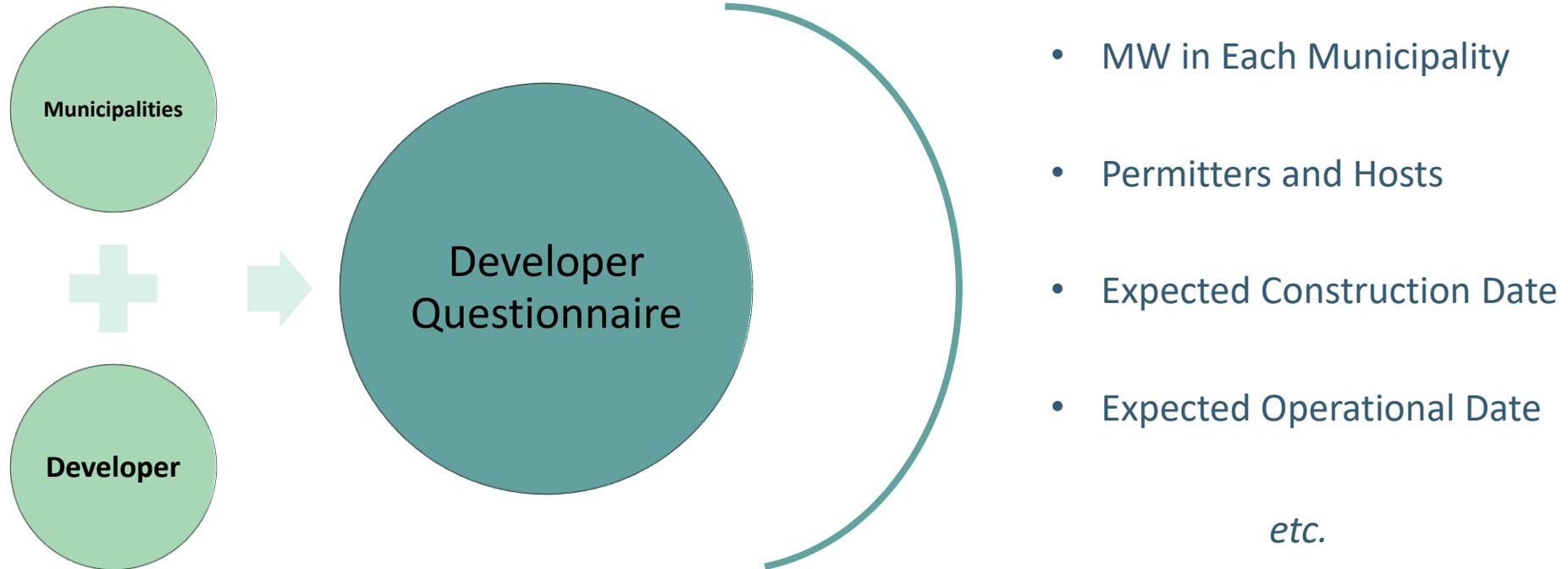
	<b>Specific Use:</b>	<b>Expected Cost:</b>	<b>Expected Timeline:</b>
<b>Award Use 1:</b>	<i>New park playground</i>	\$XXX	~ 1 year
<b>Award Use 2 (if applicable):</b>	<i>Hire new planning intern</i>	\$XXX	3-year salary
<b>Award Use 3 (if applicable):</b>	<i>Rooftop solar system on Town Hall</i>	\$XXX	~ 16 months

Example of uses of funds information collected in the Intended Use Plan

(The example uses and expected timelines are only an estimate)

# Collaborate with developer - Developer Questionnaire

One Developer Questionnaire *per project*



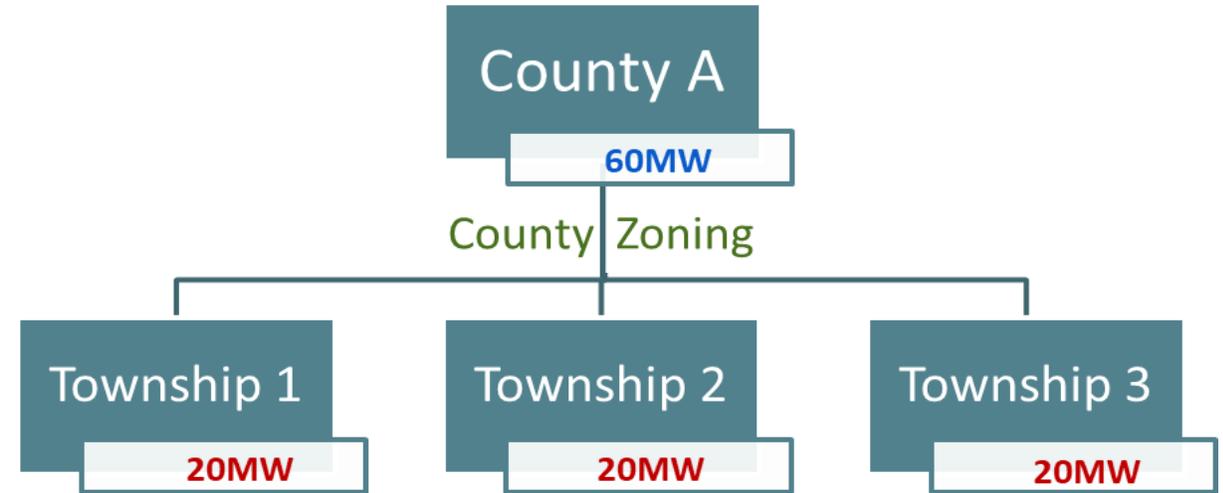
This encourages EGLE and the developer to ensure all eligible parties are pursuing the RRCA.

# Example 1

County A zones for three townships.

A 60 MW solar farm spanning all three townships was permitted by the county.

Each township will have 20 MW within its borders, as described in the Developer Questionnaire.



**Once the permit is secured, all four municipalities should apply for the RRCA!**

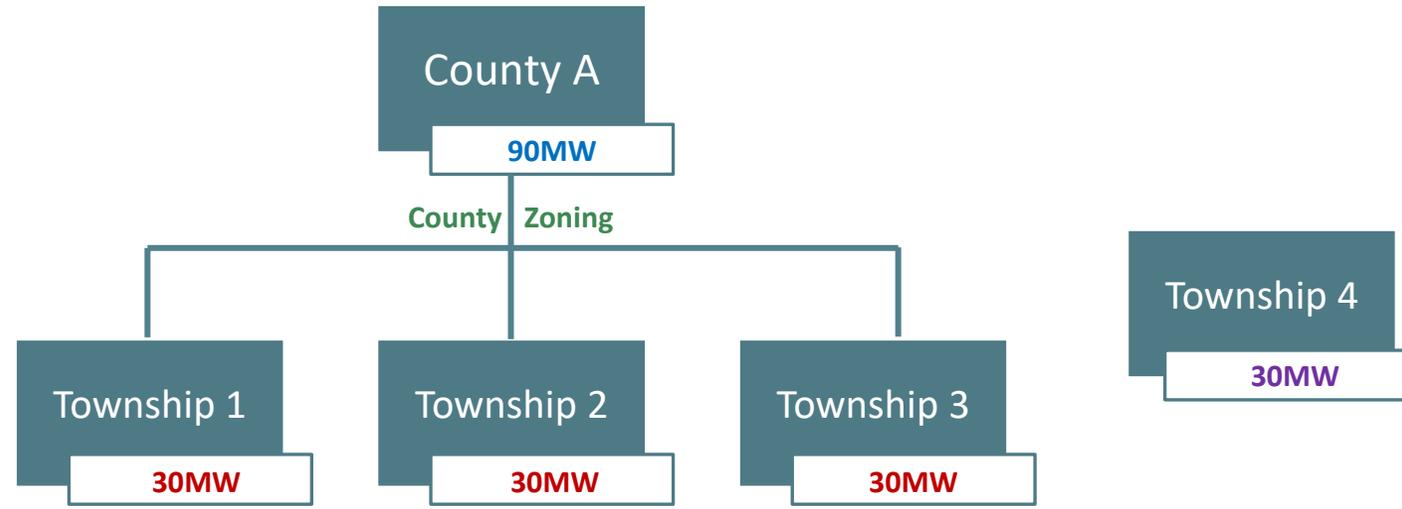
County A may claim  $\$2,500 \times 60 \text{ MW} = \underline{\$150,000}$ , as **permitter** for 60 MW.

Each township may claim  $\$2,500 \times 20 \text{ MW} = \underline{\$50,000}$ , as **hosts** for 20 MW.

# Example 2

County A contains four townships.  
It zones for three of these townships.  
Township 4 zones for itself.

A 120 MW wind farm spanning all four townships (30 MW in each) was permitted by the county and Township 4.



**All five municipalities should apply for the RRCA!**

County A may claim  $\$2,500 \times 90 \text{ MW} = \underline{\$225,000}$ , as **permitter** for 90 MW.

Townships 1, 2, and 3 may claim  $\$2,500 \times 30 \text{ MW} = \underline{\$75,000}$ , as **hosts** for 30 MW.

Township 4 may claim  $\$5,000 \times 30 \text{ MW} = \underline{\$150,000}$ , as **permitter and host** for 30 MW.

# Example Timeline for an Awardee



Remaining funding will rollover to a new round in FY 2025, until depletion.



# Renewables Ready Communities Award and PA 233

- Definition of local permitting will enable CREOs *and* “workable” ordinances, which allow for development but presumably contain more stipulations than a CREO.
- As such, the RRCA does not stipulate zoning particulars.
  - Any mutual agreement between developers and municipalities is acceptable.
- The incentive presented by the RRCA does not guarantee the success of local permitting.
  - A developer may still apply for MPSC certification if, for example, a municipality denies a project or enacts a moratorium.
  - Incompatible ordinances should only be implemented with knowledge of the PA 233 process.

# Renewables Ready Communities Award and PA 233

*Working alongside PA 233, the RRCA will. . .*

- Match the community benefits incentive found through State siting
  - Ensuring a clear, guaranteed renewable energy benefit for municipalities on *both* sides of the process.
- Incentivize developers to prioritize willing hosts by saving time and money.
  - Keep community-tailored projects competitive, allowing developers to use this as a hallmark of their firm.
  - Encourage developers to try local first and utilize state siting only when necessary.
- In summary, advance our clean energy goals by adding value to local permitting, increasing the share of megawatts built with greater community buy-in.

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# Questions?

Please contact us:

Zona Martin, [MartinZ2@Michigan.gov](mailto:MartinZ2@Michigan.gov)

Ian O'Leary, [Olearyi@Michigan.gov](mailto:Olearyi@Michigan.gov)

Yingxin Wang, [WangY3@Michigan.gov](mailto:WangY3@Michigan.gov)

[Renewables Ready Communities Award Webpage](#)



# Agenda

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# Utility-Scale Renewable Siting

**Michigan Public Service Commission**

March 19, 2024

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# World's Leading Privately Held Sustainable Energy Company

## CORE BUSINESS

# Invenergy

### Our Foundation

Developing and operating sustainable energy projects around the world



### Wind

117 projects  
18,676 megawatts



### Solar

53 projects  
6,618 megawatts



### Storage

19 projects  
1,817 megawatt hours  
556 megawatts



### Natural Gas

13 projects  
6,071 megawatts

## DIVERSIFIED SOLUTIONS



### Invenergy Services

Award-winning asset management and operations with an owner's mindset



### Invenergy Transmission

Experience developing 4,100+ miles of transmission and collection infrastructure to bring power to market



### Reactivate

Collaborating with local partners to deliver renewable energy benefits to underserved people and places



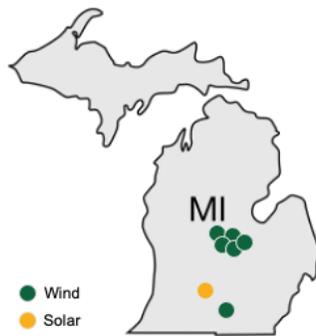
### ENERGIZE VENTURES

Investing in digital solutions that drive affordability, reliability and security for energy and industry



# Invenergy in Michigan

7 Projects | 1,108 Megawatts



**\$1.5 million**

invested annually in local taxes



**\$5.3 million**

in annual land and lease payments



**\$750,000**

paid in annual wages and benefits



**6 wind projects constructed and now operating**

totaling 908 megawatts



**1 solar project constructed and now operating**

totaling 200 megawatts



**379,000 American homes**

powered through electricity generated



**12 full-time**

operations & maintenance employees



**5 Michigan counties with operating projects**

including Calhoun, Gratiot, and Hillsdale Counties



**Annual donations**

to local education, emergency & veteran services, and environmental stewardship

# Development Process

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# Typical Project Timeline



## Development Timeline

3-7 years

### Development

Activities include permitting, environmental and interconnection studies, and public feedback

1-2 years

### Construction

Groundbreaking, construction, inspections and QA/QC, final commissioning and certification

35-50 years

### Operations

Operations and continuous maintenance of the equipment and land through decommissioning

# Development Process

---

- **Site Selection, e.g.:**
  - Siting: Landowner participation, community interest/feedback; Favorable land conditions – clear, flat, land; Grid capacity and demand; Permitting ordinances and requirements.
  - Landowner Agreement: Partnering with interested and willing parties. Landowners negotiate terms of agreements and decide what is in their best interest and the best interest of the land they steward.
  - Interconnection: Proximity to existing grid infrastructure, customer demand. Transmission approval process includes multiple years of studies with large upfront costs.
- **Studies and Due Diligence.**
- **Local Permitting and Government Agency Consultation.**
- **Contracting and Financing.**

# Development Process

---

- **Site Selection.**
- **Studies and Due Diligence, e.g.:**
  - Engineering: Geotechnical, Hydrology, Topography, Aerial Imaging.
  - Environmental: Wetland Delineation, Vegetation Management Plan, Wildlife Studies, Phase 1 Environmental Site Assessment, Cultural Resource Investigation.
  - Other: Title Review and ALTA Survey, Landscaping Plan, Drain Tile Mapping, Economic Impact Analysis, Road Survey, Acoustic Modeling, Decommissioning Studies and Planning.
- **Local Permitting and Government Agency Consultation.**
- **Contracting and Financing.**

# Development Process

---

- **Site Selection.**
- **Studies and Due Diligence.**
- **Local Permitting and Government Agency Consultation, e.g:**
  - Local Engagement: Property owners and neighbors, Township/County Boards and Planning Commissions, Zoning Administration, Road and Drain Commissions, Fire Departments/EMS, Assessor/PILT
  - Agency Consultation: EGLE, MDNR, MDARD, USFWS, MDOT, MSHPO, FAA, USDA.
  - Layout: Landowner agreements, Property lines, Cultural/Archaeological, Roads and Road use agreements, Wetlands, Habitats, Structures, Pipelines, Trees, Airspace, Drainage, Topography and soil properties
- **Contracting and Financing.**

# Development Process

---

- **Site Selection.**
- **Studies and Due Diligence.**
- **Local Permitting and Government Agency Consultation.**
- **Contracting and Financing, e.g.:**
  - Customers typically require that projects that have landowner approval, interconnection approval, and all permits (siting, environmental, etc.).
  - Developers carry millions of dollars in costs for years on end prior to securing final approvals. Delays in the approval processes often are a driving contributor to pricing uncertainty.

# Environmental Planning

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- **Goal: Develop environmentally responsible projects, plan and design to avoid and minimize potential impacts to sensitive resources**
- Environmental assessments and considerations:
  - Wetlands delineations (USACE/EGLE)
  - Identify extent & location of wetlands and surface waters
  - Species & habitat assessments (MDNR/USFWS)
  - Identify potential for occurrence of species of concern and their habitats
  - Phase 1 Environmental Site Assessment (ESA)
  - Vegetation Planning for Solar Development
  - Cultural/archaeological survey

# Commonly Applicable Federal Laws and Guidelines

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## **Federal Laws**

- Endangered Species Act (ESA)
- Bald and Golden Eagle Protection Act (BGEPA)
- Migratory Bird Treaty Act (MBTA)
- Clean Water Act (Sections 401 / 404 and Section 10)
- National Environmental Policy Act (NEPA)
- National Historic Preservation Act (NHPA)

## **Federal Guidelines**

- US Fish and Wildlife Service's ("USFWS") Land-Based Wind Energy Guidelines ("WEG")
- USFWS Eagle Conservation Plan Guidance ("ECPG")
- USFWS Federally Listed Bats Summer Survey Guidelines
- US Army Corps ("USACE") Wetlands Delineation Manual & Regional Supplements

# Commonly Applicable State Laws and Guidelines

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## **Michigan Department of Energy, Great Lakes, and Energy (EGLE) - Natural Resources and Environmental Protection Act (NREPA)**

- Part 31 Water Resources Protection – Floodplain Regulatory Authority and NPDES Permit-by Rule
- Part 91 Soil Erosion and Sedimentation Control
- Part 301 Inland Lakes and Streams
- Part 303 Wetlands Protection

## **Michigan Department of Natural Resources (MDNR)**

- Director's Order No. FO-224.13

## **Michigan Department of Agriculture & Rural Development (MDARD)**

- Part 116, Farmland and Open Space Preservation

## **The Drain Code of 1956**

## **Michigan State Historic Preservation Office**

**Any other state and county wildlife and water laws, guidelines or permit conditions**

**Thank you for your time!**

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# MPSC Renewable Energy Siting Meeting



March 19, 2024

# Agenda

1. Framing
2. Legal Interpretations
3. Questions for Consideration



## Compatible Renewable Energy Ordinances

- Applicability
- Defining a CREO



## Timelines

- CREO
- Delays
- Sequencing
- Community benefits agreements



# **Application Process and Considerations**

**Intervention Funding**

**Community Benefits Agreements**





michigan  
**EIBC**

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# March 7 - Questions from Staff

## We are still seeking feedback on the questions posed in our March 7 meeting:

1. What guidance or information are local units of government and communities seeking from the MPSC about implementing the new siting law (Public Act 233)?
2. What lessons learned, resources, or expertise do local units of government and communities have to share with the MPSC?
  - 2a. What types of consultant specialties were needed and who are the consultants you worked with in your evaluation of past developer applications?
3. How can the MPSC incorporate local considerations into the process when a developer files an application at the MPSC?
  - 3a. How should the MPSC determine the amount of the 1-time grant (up to \$75,000 per affected local government and not more than \$150,000 in total) for local intervenor compensation?

### Sign up for email distribution list:

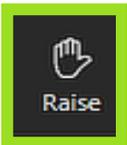
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# How To Submit A Comment

## Online

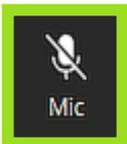
All attendees will be muted until called upon to speak which is on a first-come, first-serve basis.

### To Be Called On:

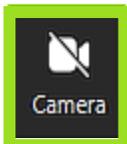


Raise your hand by clicking on the “Raise” icon.

### When Called On:



Unmute your mic by clicking on the “Mic” icon.



You may turn on your camera by clicking on the “Camera” icon.

## Written Comments

### Email To:

[Lara-mpsc-commissioners2@michigan.gov](mailto:Lara-mpsc-commissioners2@michigan.gov)

### Mail To:

Michigan Public Service Commission  
Attn: Cathy Cole  
P.O. Box 30221  
Lansing, MI 48909

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# Next Steps and Closing

- Thank you for your input and participation in today's meeting.
- Your input is needed:
  - **Please send your responses to the questions and comments by March 31, 2024**
  - All responsive submissions will be posted on the Renewable Energy and Storage website

## Written Comments

### Email To:

[Lara-mpsc-commissioners2@michigan.gov](mailto:Lara-mpsc-commissioners2@michigan.gov)

### Mail To:

Michigan Public Service Commission  
Attn: Cathy Cole  
P.O. Box 30221  
Lansing, MI 48909

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# Upcoming Meetings

- **Friday, April 5, 2024** via Microsoft Teams
  - Sign up for our email distribution list for details
- **Friday, April 26, 2024** via Microsoft Teams
  - Site plans
- **Friday, May 17, 2024**

**Sign up for our email distribution list:**

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