

CITY OF LARAMIE/ALBANY COUNTY ENVIRONMENTAL ADVISORY COMMITTEE

CITY COUNCIL CHAMBERS, CITY HALL
406 IVINSON AVE, LARAMIE, WY 82070
THURSDAY, FEBRUARY 2, 2023 AT 6:00 PM

The City of Laramie/Albany County Environmental Advisory Committee meetings are open to the public. Requests from persons with disabilities must be made to the City Manager's Office 24 hours in advance of the meeting.

You may also attend the meeting via Zoom at the following link:

[https://cityoflaramie.zoom.us/j/88689418912?
pwd=OG85eHdWcGtLa0U1UjZ0ZXJjaDZUdz09](https://cityoflaramie.zoom.us/j/88689418912?pwd=OG85eHdWcGtLa0U1UjZ0ZXJjaDZUdz09)

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA AND MINUTES**
 - 2-A. **Changes and Approval of Agenda**
 - 2-B. **Thursday, December 1, 2022 EAC Meeting Minutes**

Documents:

[EAC MINUTES 12-1-22.PDF](#)

3. **DISCLOSURES**
4. **CITIZEN COMMENTS- Non-Agenda Related Topics- No Action Can Be Taken**
5. **ENVIRONMENTAL ADVISORY COMMITTEE AND STAFF: Reports And Comments**
 - 5.A. **CITY**
 - 5.B. **COUNTY**
6. **NEW BUSINESS**
 - 6.A. **Legislative Update, Senate File 92, Small Customer Electrical Generation - Claire Deuter, Net Metering Coalition, PRBRC**

Documents:

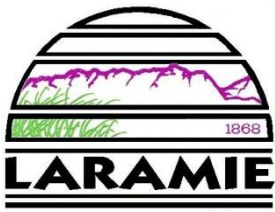
[NET METERING_ENGROSSED SF92 CHANGES.PDF](#)
[EAC - NET METERING REVISED BILL 2021.PDF](#)

- 6.B. **Pronghorn Behavior In Relation To Wind Turbines - Rhiannon Jakopak**
7. **OLD BUSINESS**
 - 7.A. **City Of Laramie Municipal Emissions Plan Update - Corrinne Scieszka**
 - 7.B. **CAPP Technical Subcommittee Report - Eric Krszjanek / Ramsey Bentley**

7.C. **City/County CAPP Update Report - David Gertsch / Darren Parkin**

8. **DATE OF NEXT REGULAR MEETING- April 6, 2023**

9. **ADJOURN**



City of Laramie

City Manager's Office
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MINUTES

Laramie/Albany County Environmental Advisory Committee Thursday, December 1, 2022 at 6:00 PM

1. CALL TO ORDER

Meeting convened at 6:04 p.m.

Members present: Ramsey Bently, Evelyn Hill, Rhiannon Jakopak, Eric Krszjzaniek, Kayla Matlock (arrived at 6:19 pm), and Ellen Currano.

Members absent: Mary Grace Bedwell.

There was a quorum present at all times.

Council Liaison: Erin O'Doherty.

County Liaison: Pete Gosar.

Staff Present: Darren Parkin, Natural Resources Manager; and Nancy Bartholomew, City Clerk. J

Guests: Corrine Scieszka and Jarad O'Brien.

2. APPROVAL OF AGENDA AND MINUTES

2-A. Changes and Approval of Agenda

MOTION BY KRSZJZANIEK, seconded by Jakopak, to approve the agenda be approved as submitted.

MOTION CARRIED by voice vote and raised hands.

2-B. Thursday, October 6, 2022, Environmental Advisory Committee Meeting Minutes

MOTION BY KRSZJZANIEK, seconded by Bentley, to approve the Minutes from October 6, 2022 as written.

MOTION CARRIED by voice vote and raised hands.

3. DISCLOSURES -- Ex-parte communications; potential conflicts of interest

No disclosures.

4. CITIZEN COMMENTS - Non-Agenda Related Topics - No Action Can Be Taken

No Citizen Comments.

5. ENVIRONMENTAL ADVISORY COMMITTEE AND STAFF: REPORTS AND COMMENTS

5.A. EAC Term Extensions - Darren Parkin

Current EAC members terms have been extended until the end the Casper Aquifer Protection Plan (CAPP) update.

MINUTES
Laramie/Albany County Environmental Advisory Committee
Thursday, April 7, 2022

5.B. Darren Parkin also updated the committee on extending the contract for Stantec to complete the CAPP, the NextEra project update, and thanked committee members for participating in Tuesday's CAPP meeting. The NextEra project is a 160-megawatt facility with an 80-watt battery backup.

5.C. David Gertsch also thanked the committee for their participation in Tuesday night's meeting.

6. OLD BUSINESS:

6.A. City of Laramie/Haub School Graduate Assistantship Report - Corrinne Scieszka

Speaker/Presenter: Corrinne Scieszka

Corrinne Scieszka finished the data for 2021 and has presented it to City Council. Also talked about additional strategies and tools to help further gather data. A draft plan will be out by May or June 2023.

6.B. Albany County Renewable Energy Subcommittee - Mary Grace Bedwell / David Gertsch

Speaker/Presenter: David Gertsch

David Gertsch talked about moving this project on to the Albany County Planning and Zoning Commission in January. Asked Eric Krszjzaniek if he would present at that meeting.

6.C. City/County CAPP Update Report - Erin O'Doherty / David Gertsch / Darren Parkin

Speaker/Presenter: Erin O'Doherty

Erin O'Doherty stated that the Steering Committee needs to provide more direction for the sub-committee.

Darren Parkin would like to see the plan adopted soon to allow regulatory adoptions.

Committee member Matlock arrived at 6:19 p.m.

David Gertsch said that they are getting closer to public meetings. The County has some concerns with non-conforming recommendations.

Commissioner Gosar joined @ 6:23 p.m.

Evelyn Hill asked where the money comes from for land purchases in the APO.

Darren Parkin said sometimes it is Specific Purpose Tax (SPT) money specified for purchases in these areas.

7. NEW BUSINESS:

7.A. CAPP Subcommittee Appointments - David Gertsch / Darren Parkin

Two (2) members of Albany County Planning and Zoning Commission (Hinkley & Hanning), Laramie Planning Commission (Moody & Schneider), and Environmental Advisory Committee were appointed to the Casper Aquifer Protection Plan Sub-Committee. The EAC needs to appoint two members.

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Laramie/Albany County Environmental Advisory Committee
Thursday, April 7, 2022

MOTION BY JAKOPAK, seconded by Hill, to appoint committee members Bentley and Krszjzaniek to the sub-committee for CAPP.

MOTION CARRIED by voice vote and raised hands.

8. DATE OF NEXT REGULAR MEETING – February 2, 2023

9. ADJOURN

MOTION BY KRSZJZANIEK, seconded by Hill, to adjourn the meeting.

MOTION CARRIED by voice vote and raised hands.

Meeting adjourned at 6:46 p.m.

Minutes taken by: _____ (Print)
Contact me at: _____ (phone number)

ARTICLE 1 - NET METERING

37-16-101. Definitions.

(a) As used in this chapter unless the context or a specific article otherwise requires:

(i) "Commission" means public service commission of Wyoming;

~~(ii) "Customer-generator" means a user of a net metering system;~~

(iii) "Electrical company" means any person, corporation or governmental subdivision, excluding municipalities, authorized and operating under the constitution and laws of the state of Wyoming which is primarily engaged in the generation or sale of electric energy;

(iv) "Electric cooperative" means any nonprofit, member-owned cooperative organized under the laws of the state of Wyoming and engaged in the business of distributing electric energy in the state of Wyoming;

(v) "Electric utility" means any electrical company, irrigation district or electric cooperative that is engaged in the business of distributing electricity to retail electric customers in the state;

(vi) "Irrigation district" means an irrigation district under W.S. 41-7-201;

(vii) "Net metering" means measuring the difference between the electricity supplied by an electric utility and the electricity generated by a customer-generator operating before July 1, 2024 that is fed back to the electric utility over the applicable billing period;

(viii) ~~"Net metering system"~~ "Small customer-generator" means a person operating a facility for the production of electrical energy that:

(A) Uses as its fuel either solar, wind, biomass or hydropower;

(B) Has a generating capacity of not more than twenty-five (25) kilowatts;

(C) Is located on the customer-generator's premises;

(D) Operates in parallel with the electric utility's transmission and distribution facilities; and

(E) Is intended primarily to offset part or all of the customer-generator's requirements for electricity.

(b) A person acting as a small customer-generator under this act shall not be considered a "public utility" as defined by W.S. 37-1-101.

37-16-102. Electric utility requirements.

(a) An electric utility:

(i) Shall offer to make available to each of its eligible small customer-generators ~~that has installed a net metering system~~ an energy meter that is capable of registering the flow of electricity in two (2) directions;

(ii) May, ~~at its own expense and with the written consent of the customer-generator,~~ install one (1) or more additional meters to monitor the flow of electricity in each direction;

(iii) ~~Except as otherwise provided in this paragraph,~~ shall not charge a small customer-generator any fee or charge that would increase the small customer-generator's minimum monthly charge to an amount greater than that of other customers of the electric utility in the same rate class as the small customer-generator. ~~This paragraph shall not apply on and after July 1, 2024 for small customer-generators other than existing customers as provided under W.S. 37-16-105(a). This paragraph is repealed on January 1, 2034 2039.~~

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37-16-103. Calculation requirements.

(a) Consistent with other provisions of this chapter ~~and except as provided in subsection (c) of this section~~, the net energy measurement ~~for existing small customer-generators as provided in W.S. 37-16-105(a)~~ shall be calculated in the following manner:

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(i) The electric utility shall measure the net electricity produced or consumed during the billing period, in accordance with normal metering practices;

(ii) If the electricity supplied by the electric utility exceeds the electricity generated by the customer generator, the customer-generator shall be billed for the appropriate customer charges for that month, in accordance with W.S. 37-16-102;

(iii) If the electricity supplied by the customer-generator exceeds that supplied by the electric utility, the customer-generator shall be credited or compensated for the excess kilowatt-hours generated during the month with the kilowatt-hour credit or compensation appearing on the bill for the following month for all metered locations of customer-generators supplied by the electric utility.

(b) At the beginning of each calendar year, any remaining unused kilowatt-hour credit accumulated during the previous year shall be sold to the electric utility, at the electric utility's filed avoided cost.

37-16-104. Safety and performance requirements.

(a) A ~~net metering~~-system used by a small customer-generator shall meet all applicable safety and performance standards established by the national electrical code, the institute of electrical and electronics engineers and underwriters laboratories.

(b) The small customer-generator shall at its expense provide lockable, switching equipment capable of isolating ~~the net metering~~ facility from the electric utility's system. Such equipment shall be approved by the electric utility and shall be accessible by the electric utility at all times.

(c) The electric utility shall not be liable directly or indirectly for permitting or continuing to allow an attachment of a ~~net metering-small customer-generator~~ facility, or for acts or

omissions of the small customer-generator that cause loss or injury, including death, to any third party.

(d) The small customer-generator is responsible for all costs associated with its facility and is also responsible for all costs related to any modifications to the facility that may be required by the electric utility for purposes of safety and reliability.

(e) The commission, after appropriate notice and opportunity for comment, may adopt by regulation additional control and testing requirements for small customer-generators that the commission determines are necessary to protect public safety and system reliability.

37-16-105. Treatment of existing customers; future requirements.

(a) Except as provided in subsection (b) and (c) of this section, no electric utility shall be obligated under this article to compensate any small customer-generator for any electricity produced on a net metering arrangement under this article. A small customer-generator that is producing electricity on a net metering arrangement under this article that is first operational before July 1, 2024 shall be considered an existing customer and shall be exempt from this section until July 1, 2039.

(b) The public service commission shall establish an appropriate compensation system to regulate the rates, terms and conditions of small customer-generators by electric utilities for electricity produced by small customer-generators that are first operational on or after July 1, 2024. The compensation system shall ~~prevent rate subsidization of customer-generators by other customers of an electric utility.~~ provide for just and reasonable rates, terms and conditions.

(c) Any cooperative electric utility that is exempt from retail rate regulation by the public service commission under chapter 17, title 37 of the Wyoming statutes shall not be subject to subsection (b) of this section and the board of directors of a cooperative electric utility shall, not later than April 1, 2024, adopt rates, terms and conditions to compensate small customer-generators that are first operational on or after July 1, 2024 and any cooperative electric utility shall comply with the following:

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(i) Give written notice to all of its member owners, not less than thirty (30) days prior to the effective date of the cooperative's initial rates, terms and conditions regarding compensation of small customer-generators and of the effective date of any subsequent change to the rates, terms and conditions, including procedures for the cooperative's member owners to comment on proposed rates;

(ii) Rates, terms and conditions adopted by a cooperative electric utility in accordance with this subsection shall be filed with the commission; and

(iii) Be subject to the complaint, investigation and resolution process pursuant to W.S. 37-17-104(d) and (e) regarding the rates, terms and conditions adopted by the board to compensate small customer-generators.

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Laramie/Albany County Environmental Advisory Committee

January 2, 2021

RE: Position statement on newest proposed amendments to Wyoming's net-metering bill

Dear Laramie City Councilors and Albany County Commissioners,

The Environmental Advisory Committee (EAC) wrote to you in November expressing our concerns about proposed amendments to Wyoming's current net-metering statutes. This letter serves as an update on the status of net-metering legislation and a request that Laramie City Councilors and Albany County Commissioners contact state legislators to oppose proposed changes to net-metering. There will be a committee-approved bill up for discussion in 2021 that would repeal net-metering and has the potential to severely impact our plans for carbon neutrality and local job growth. A joint letter from counties and municipalities across Wyoming would be even more powerful, and EAC would be happy to work with you to make contacts with interested parties (e.g., Jackson, Teton County, Sheridan, Lander) and craft such a letter.

On Nov. 11, 2020, the Joint Corporations, Elections, and Political Subdivisions Interim Committee passed a net-metering bill as the very last agenda item, without opportunity for stakeholders affected by the bill to provide input on the amendment that was ultimately passed. This bill, assigned number 21LSO-0219, will repeal net-metering entirely and task the Public Services Commission with determining rates, terms, and conditions for customers with net-metering systems operational before July 1, 2021. Discussion of the bill will begin in the Senate, although it is not yet known when this will occur.

EAC adamantly opposes this bill. Net-metering is the policy that allows owners of small, on-site renewable energy systems to get credit for the extra power that they supply to the grid. The guarantee of fair payback for excess energy produced is essential to encourage investment in renewable energy systems, particularly rooftop solar, that will help Laramie/Albany County become carbon neutral, provide long-term cost savings, and support job growth. Our previous position statements have elaborated upon the importance of net-metering for our citizens. Here, we briefly recap key points.

- (1) Rooftop solar is an integral component of Laramie's plan to achieve carbon neutrality by 2050, and net-metering legislation makes rooftop solar financially viable. Future municipal solar installations (e.g. on the waste management facility, police building, municipal operations center, city hall) will require financial backing from the city, which is much more likely with the guarantee of fair payback for excess energy produced.
- (2) In times of economic transition for Wyoming, we need to be doing everything we can to provide employment opportunities for future generations. The rooftop solar industry itself provides stable, well-paying jobs for Wyoming citizens. But more importantly, major corporations like Amazon,

Walmart, and Facebook are committed to utilizing renewable energy to power their warehouses, data centers, and even fleet vehicles. Furthermore, during the last legislative session, Wyoming became the first state to pass laws aimed at encouraging development of the blockchain industry. There will be big energy demands for this industry, and the potential for renewable energy will be an important incentive for companies to relocate to Wyoming.

- (3) Net-metering legislation provides opportunities for communities to return “Brownfield” land, like the 4.6 acres of the Midwest Refinery on N. Cedar Street, to the tax rolls through renewable energy projects. The Center for Creative Land Recycling rebrands rehabilitated “Brownfields” with solar power as “Brightfields” and provides opportunity to invest in renewable energy without potential downsides. Further, property values adjacent to these sites will increase, providing additional tax revenues.
- (4) The assumption that those with rooftop solar are not paying their full share is controversial and has not been adequately documented. Further, such subsidization language does not recognize the environmental and social benefits of solar. Climate change, caused by humans burning fossil fuels, has and will continue to affect water resources and wildfire frequency and intensity in Albany County. The Mullen Fire decimated over 175,000 acres in our beloved Snowy Mountains, threatened 40% of our water supply, and severely impacted air quality for weeks as the fire burned.

Legislation that supports growth of renewable energy makes our communities more resilient. The proposed repeal of net-metering gives more power to the three big utility companies that operate in Wyoming, at the expense of the individual. This is the antithesis of the “Cowboy Way” that is the pride of Wyoming. Rather than repealing net metering, we advocate that the energy generation cap be increased and net-metering customers be guaranteed fair payback for excess energy generated.

We appreciate the attention to renewable energy and thank you for your consideration.

Respectfully,

The Laramie/Albany County Environmental Advisory Committee