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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

September 29, 2016

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: Memorandum of Understanding – Preliminary Community Solar Evaluation**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution concerning execution of a Memorandum of Understanding between Erie County and Rocky Mountain Institute for the evaluation of potential community shared solar sites.

Should your Honorable Body require further information, I encourage you to contact Commissioner Thomas R. Hersey, Jr. in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.

Dpty Erie County Executive

MCP/cw  
Enclosure

cc: Thomas R. Hersey, Jr. Commissioner

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Environment and Planning  
**Re:** Memorandum of Understanding – Preliminary Community Solar Evaluation  
**Date:** September 29, 2016

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### **SUMMARY**

It is recommended that the County Legislature approve the attached resolution authorizing the County Executive to enter into a Memorandum of Understanding (MOU) with the Rocky Mountain Institute (RMI). The MOU outlines the role and responsibilities of both parties, timeline, and other matters associated with the evaluation of a potential community solar project in Erie County.

### **FISCAL IMPLICATIONS**

The MOU is a non-binding agreement and does not involve a commitment of funds.

### **REASONS FOR RECOMMENDATION**

The MOU ensures clarity between the County and RMI relative to the tasks to be undertaken during the evaluation process. It avoids confusion about who is responsible for what tasks and establishes a general timeline for completion.

### **BACKGROUND INFORMATION**

Community solar projects provide an opportunity for renters, homeowners, businesses, and municipalities to subscribe to a portion of a solar energy project. These projects increase access to renewable energy and reduce utility costs for County residents. In 2015 the NYS Public Service Commission laid out a framework for community solar projects in New York State. Since then, DEP has engaged with community partners who are interested in promoting community solar project development in the County.

RMI is a non-profit and national leader in community solar projects. For example, in 2015 RMI began providing technical assistance for a community solar project in the greater Rochester, New York area that will serve about 2,500 residents.

RMI has offered to provide a preliminary feasibility analysis at no cost to the County. In this initial stage, the effort would be to clearly identify the stakeholders, process and activities required to successfully deploy an initial portfolio of at least 50 megawatts (MW) of community solar power in the County. Under the MOU, DEP will help convene partners who would be interested in participating in community solar projects. This effort has the potential to significantly increase access to renewable energy and to provide low cost electricity to Erie County residents.

## **CONSEQUENCES OF NEGATIVE ACTION**

Should approval of the attached resolution not occur, the project would be delayed indefinitely.

## **STEPS FOLLOWING APPROVAL**

The MOU will be executed by the County Executive or Deputy County Executive, and will be used as a guiding document during the preliminary study.

A RESOLUTION SUBMITTED BY:  
ENVIRONMENT AND PLANNING

RE: Memorandum of Understanding – Preliminary Community Solar Evaluation

WHEREAS, community solar projects have the potential to increase access to renewable energy and lower electric costs for participating Erie County residents; and

WHEREAS, Rocky Mountain Institute (RMI) is a national leader in supporting development of community solar projects; and

WHEREAS, RMI has offered to provide a preliminary feasibility analysis for siting community solar projects in Erie County; and

WHEREAS, RMI has offered to provide these services at no cost to the County; and

WHEREAS, this initiative aligns with other County efforts to increase sustainability.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or Deputy County Executive is hereby authorized to execute a non-binding MOU with RMI for a preliminary community solar evaluation; and be it further

RESOLVED, that the Clerk of the Legislature send certified copies of this resolution to the County Executive; the Deputy County Executive; the Erie County Comptroller; the Commissioner of the Department of Environment & Planning; the Deputy Commissioner of the Division of Environmental Compliance; and Kristen M. Walder, Assistant County Attorney.