

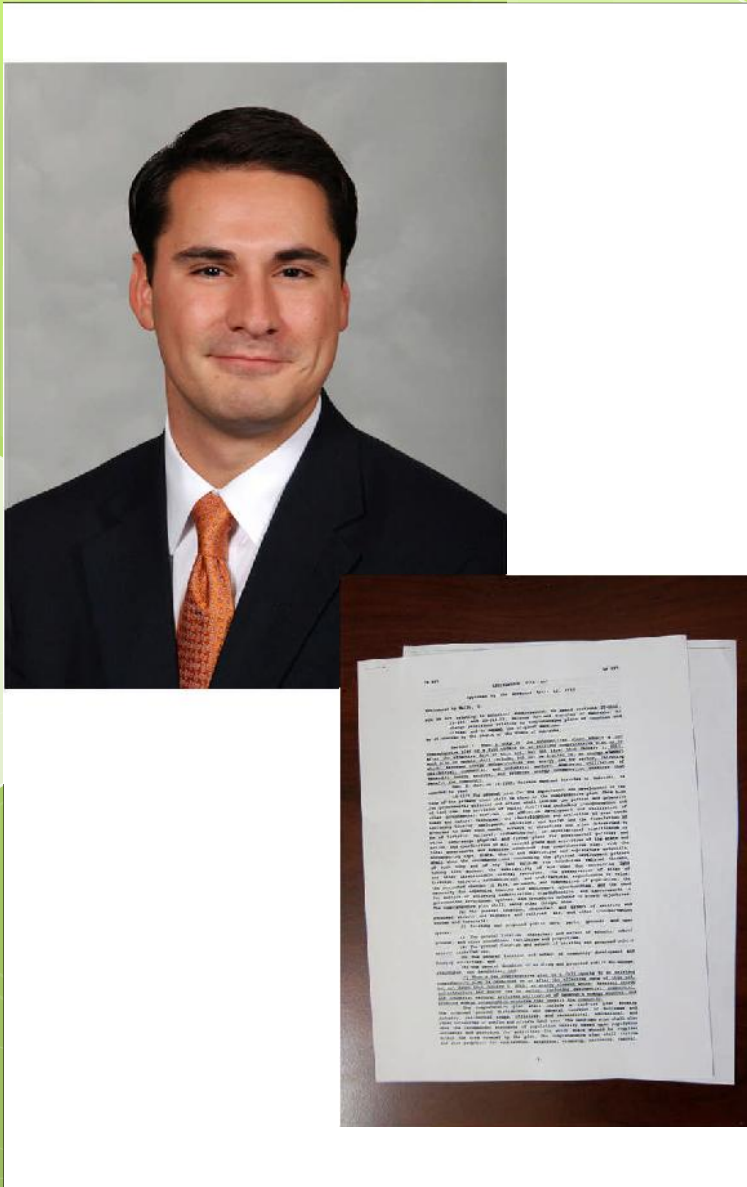
April 1, 2011

# The Energy Element and Sustainability in Nebraska's Comprehensive Plans

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2011 Nebraska Annual Planning and Zoning  
Conference

1



# LB 997

In 2010, Senator Heath Mello introduced LB 997

LB 997 required all municipalities, except villages and counties to adopt an Energy Element into the Comprehensive Plan by January 1, 2015

## Session Discussion

- **LB 997 (2010)**
- **LB 997 requirements**
- **Smaller Community and County Models**
- **Larger Community and County Models**
- **Issues with legislation**
- **Next steps**

## LB 997

- **In 2010, Senator Heath Mello introduced LB 997**
- **LB 997 applies to:**
  - Metropolitan Class cities
  - Primary Class cities
  - Cities of the First Class
  - Cities of the Second Class
  - Counties
  - Villages are exempt

## LB 997 – When

- **An Energy Element is required when:**
  - A new comprehensive plan is completed
  - A full update to an existing comprehensive plan is completed; or
  - By January 1, 2015

## LB 997 – What it is Not

- LB 997 is not a “Climate Change” or “Green House Gas Emissions” Plan
  - Different focus, similar outcomes
- LB 997 is not a Sustainability Master Plan
  - Considers other issues like solid waste, water use, etc.
- LB 997 is not an Environmental Master Plan
  - Includes protection and preservation of sensitive and unique habitats and natural systems

## LB 997 – What it is

- LB 997 is a tool for reducing energy use
- LB 997 is a way for communities to save money on energy
- LB 997 is an opportunity to eliminate barriers to energy efficiency
- LB 997 is a chance to increase energy independence

## LB 997 – What is Energy

- **LB 997 does not define “Energy”**
- **The assumption is that “Energy” includes electricity, natural gas and any other source.**

## LB 997 – Requirements

- **An Energy Element is required to:**
  - Assess the energy infrastructure
  - Energy use by sector (residential, commercial, industrial)
  - Evaluate utilization of renewable energy resources
  - Promotes energy conservation measures that benefit the community

## LB 997 – Requirements

- **Assess the energy infrastructure**
  - The bill does not specifically speak to what an assessment is
  - The assumption is that the “element” will need to talk about the age and capacity of the existing distribution systems

## LB 997 – Requirements

- **Energy use by sector (residential, commercial, industrial)**
  - Basically this is the amount of kilowatt hours and therms used in each of the sectors.
  - What time should a community look at?
  - Opinion only is a minimum of 5 years in order to establish some sort of trend

Year	Residential (KW)	Commercial (KW)	Industrial (KW)	Irrigation (KW)	Total (KW)	Annual Change (%)
2004	6,236,937	4,277,396	NA*	75,764		
2005	6,523,970	4,447,524	NA*	94,550	11,066,044	
2006	6,400,001	4,456,524	NA*	55,026	10,911,551	-1.40%
2007	6,689,642	4,485,290	NA*	78,375	11,253,307	3.13%
2008	6,556,008	4,405,497	NA*	61,101	11,022,606	-2.05%
2009	6,550,031	4,504,422	NA*	152,989	11,207,442	1.68%
<b>Total</b>	<b>32,719,652</b>	<b>22,299,257</b>		<b>442,041</b>	<b>55,460,950</b>	<b>1.28%</b>

## LB 997 – Requirements

- **Evaluate utilization of renewable energy resources**
  - This is a difficult/easy task and depends on what a community or county has undertaken



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## LB 997 – Requirements

- **Promotes energy conservation measures that benefit the community**
  - Typically this is a discussion of potential steps that can be undertaken to lower consumption
  - Also could be a discussion of different types of renewable energy sources



## LB 997 – Smaller Cities & Counties

- **Model Energy Element** – Nebraska League of Municipalities
- **Henderson, Nebraska**
- **Benkelman, Nebraska**
- **Lincoln County, Nebraska Nebraska**
- **Sarpy County Energy Element Project**

## LB 997 – Smaller Cities & Counties

- **Model Energy Element:**
  - Boilerplate Energy Element
  - Accepted by Senator Mello



## LB 997 – Smaller Cities & Counties

- **Model Energy Element:**

- References Nebraska Energy Office:
  - Statewide statistics for energy Infrastructure and use by sector
  - Statewide statistics for utilization of renewable energy sources
  - Programs for energy savings



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## LB 997 – Smaller Cities & Counties

- **Model Energy Element:**

- References Nebraska Energy Code
- Includes options for communities:
  - With available energy information
  - Without available energy information
- Includes language about community Energy Efficiency Programs
- Contact the League at: [www.lonm.org](http://www.lonm.org)

## LB 997 – Smaller Cities & Counties

- **Henderson and Benkelman:**
  - Model developed for new Comprehensive Plans by MPC
  - Examined the minimum requirements of the new statute
  - Could only review electric energy consumption (natural gas providers would not provide information)
  - No comment from Sen. Mello's office



## LB 997 – Smaller Cities & Counties

- **Lincoln County:**

- Will likely be similar to the Henderson and Benkelman models
- Budget is very limited for including this new element into the new plan



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## LB 997 – Smaller Cities & Counties

- **Sarpy County Energy Element:**
  - Community-wide effort
    - Public involvement process
    - Core Committee (Public & Private sectors)
    - County officials and workers
  - 8 month process designed to:
    - Engage and inform
    - Serve as a catalyst for action
    - Provide specific steps and measure progress

## LB 997 – Smaller Cities & Counties

- **Sarpy County Energy Element:**
  - Data collection:
    - Research and summarize similar efforts
    - Research, compile, analyze local energy data (providers, county workers, etc.)
    - Establish benchmarks



## LB 997 – Smaller Cities & Counties

- **Sarpy County Energy Element:**

- Community issues, expectations, aspirations:
  - Core Committee
  - Public meetings
  - Public officials



## LB 997 – Smaller Cities & Counties

- **Sarpy County Energy Element:**
  - Components:
    - Overview - existing energy conditions/resources
    - Community's energy goals
    - Energy policies, objectives and standards
      - Supply & delivery
      - Conservation & efficiency
      - Development of renewable resources
    - Implementation strategies & measures

## LB 997 – Larger Cities & Counties

- **Omaha Comprehensive Energy Management Plan**



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## LB 997 – Larger Cities & Counties

- **Omaha Comprehensive Energy Master Plan:**
  - Builds on adopted Environment Omaha Plan
  - Energy focused
  - 4 phase project
    - Baseline existing conditions
    - Develop implementation framework
    - Assess existing planning and building codes
    - Create a comprehensive plan
  - 1 year timeframe

## LB 997 – Larger Cities & Counties

- **Omaha Comprehensive Energy Master Plan:**
  - Baseline existing conditions
    - Coordinate with Environment Omaha Plan
    - Atmospheric emissions / tropospheric ozone inventory
      - Municipal operations / community contributions
  - Omaha energy profile
    - Analysis of current energy data & policies

## LB 997 – Larger Cities & Counties

- **Omaha Comprehensive Energy Master Plan:**
  - Develop implementation framework
    - Primary focus on energy (other issues considered)
    - City and community operations
    - Public engagement process (open house, surveys, etc.)
  - Provide methods for:
    - Evaluating performance targets and outcomes
    - Ongoing measurement and reporting
    - Qualitative and quantitative analyses of strategies
    - Priorities, timelines, limitations, economic development benefits and risks

## LB 997 – Larger Cities & Counties

- **Omaha Comprehensive Energy Master Plan:**
  - Assess existing planning and building codes
    - Review of planning and building codes
    - Stakeholder engagement process
    - Code improvement recommendation report
    - Efficiency strategies for affordable housing

## LB 997 – Larger Cities & Counties

- **Omaha Comprehensive Energy Master Plan:**
  - Create Plan
    - Goals based on – Environment Omaha Plan
    - Strategies based on – baseline / forecasts, stakeholder input, other communities best practices

## LB 997 – Larger Cities & Counties

- **Omaha Comprehensive Energy Master Plan:**

- Goal setting process
  - Start with inventory
    - City vehicle fuel use (example)
  - Establish forecast
    - Increasing at 5% per year
  - Consider alternative outcomes
    - Reduce increase to 2%, no increase, reduce fuel use by 1% per year
- Select goal (Confirm or revise EO goal / metric)

## LB 997 – Larger Cities & Counties

- **Omaha Comprehensive Energy Master Plan:**
  - Strategy setting process
    - Use inventory results to set priority areas
    - Identify strategies based on existing activities, stakeholder and public input, and best practices from other communities
      - Improve vehicle maintenance, reduce trips, increase telecommuting, purchase more energy efficient vehicles, switch to CNG powered vehicles, etc.
  - Evaluate and establish strategies required to achieve goals

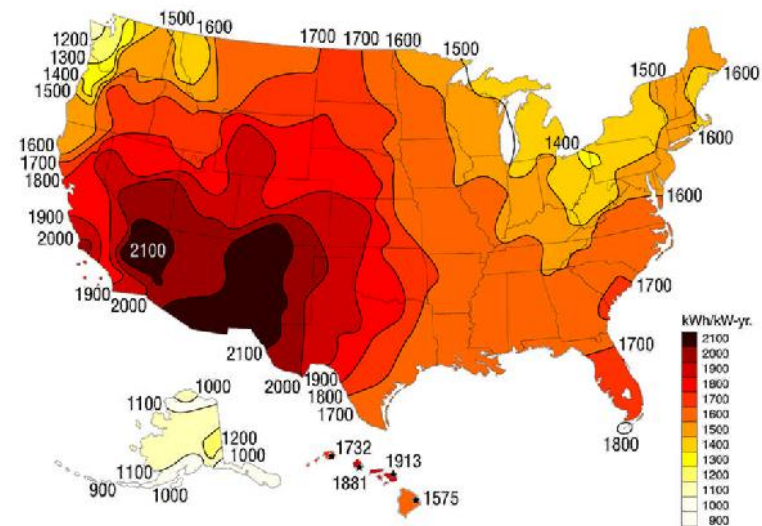
## LB 997 – Benefits

- Promotes energy conservation
- Opens a dialog between communities and energy providers
- Provides communities with a tool for reducing energy related expenses
- Follows Nebraskans historic conservation ethic



## LB 997 – Issues

- **Bill lacks specifics**
- **There are too many vague terms and requirements**
  - How much information and data does a community or county need to include?
  - What should an “Energy Element” really look like?



## LB 997 – Issues

- **Bill assumes that data is easily available**
- **Natural gas companies, unless they are a public utility, are not bound to release consumption data**
- **No means to know conditions of the existing natural gas infrastructure**
- **Can be expensive to create a full plan**

## LB 997 – Next Steps

- **Revisit the law to:**
  - Better define what is intended and expected
  - Provide a means to require natural gas companies to release consumption data
- **Develop a set of Nebraska based “best practices” that can be shared**
- **Educate the public and develop local experts to help improve success**
- **Develop a similar bill for the State**

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