



2019 ENVIRONMENTAL QUALITY POLICY STATEMENT

1 Protecting natural resources and sustaining
2 efficient environmental stewardship is an
3 overarching mission of government.
4 Additionally, VML recognizes the
5 importance and challenge of maintaining
6 natural resources and managing
7 environmental services while
8 simultaneously encouraging economic
9 growth and responsible human development
10 in our cities, towns and counties.

11
12 To achieve these ends, VML pursues these
13 goals:

- 14
15 1. Promoting environmental quality
16 through a coordinated, comprehensive
17 approach that addresses air and water
18 quality, hazardous and solid waste
19 management, energy conservation and
20 use, protection of special lands and
21 features including biological diversity,
22 prudent land use policies, and noise
23 abatement.
24
- 25 2. Attaining an equitable distribution of
26 responsibilities among governments for
27 resource protection and environmental
28 services and attaining sufficient financial
29 resources from the federal and state
30 governments to implement mandates,
31 without duplicating efforts.
32
- 33 3. Environmental resources cross
34 jurisdictional boundaries and positive
35 dispute resolution of issues should be
36 supported.
37
- 38 4. Pursuing the orderly and planned
39 development of communities and
40 encouraging the revitalization of older
41 communities.
42

- 43 5. Promoting cooperation and coordination
44 among governments, citizens,
45 institutions, and organizations to achieve
46 these goals while encouraging
47 innovative, cost-effective solutions to
48 environmental problems.
49
- 50 6. Advocating budget, legislation and
51 policy initiatives that provide sufficient
52 resources to implement the least costly
53 and most efficient regulations.

54 55 **WATER RESOURCES, QUALITY &** 56 **CONSERVATION** 57 **Quality**

58 Point (direct) and nonpoint (indirect)
59 sources of pollution continue to create
60 significant challenges in protecting water
61 quality: wastewater treatment plant
62 upgrades, urban and agricultural storm water
63 runoff, sedimentation, stream
64 channelization, specific agricultural
65 activities, pet wastes and use of agricultural,
66 yard, lawn care and homecare chemicals.

67
68 Water resource protection is critical
69 throughout all watersheds of Virginia. Local
70 governments, the state government, the
71 federal government and private interests
72 must recognize these threats and implement
73 precautions and protections that reflect their
74 level of responsibility for preventing and
75 mitigating offensive activities, safeguarding
76 local public and environmental health, as
77 well as maintaining the technical and
78 economic competence to respond to and
79 correct problems.

80
81 Recent years have seen significant
82 improvements in water quality throughout
83 the Commonwealth. However, without
84 adequate funding sources and data to assist

1 local governments and public service
2 authorities, water quality will not continue
3 to improve. Combined sewer overflows
4 (CSOs) and sanitary sewer overflows
5 (SSOs) are significantly expensive
6 infrastructure undertakings, often costing
7 hundreds of millions of dollars. Local CSO
8 and SSO improvement projects require
9 federal and state financial assistance. VML
10 supports state financial assistance to local
11 governments and public service authorities
12 facing legislative mandates related to CSO
13 or SSO management and remediation.
14
15 VML supports dedicated and adequate state
16 appropriations to the Water Quality
17 Improvement Fund to make full and timely
18 payments under point source upgrade
19 contracts with local governments.
20 Additionally, VML supports dedicated and
21 ample state financial assistance to the
22 Stormwater Local Assistance Fund to
23 address costs associated with the permit
24 requirements of Municipal Separate Storm
25 Sewer Systems (MS4).
26
27 Local governments are legally obligated to
28 ameliorate water pollution and reduce its
29 harmful effects and they are well-positioned
30 to develop innovative, and meaningful
31 community-based solutions. VML supports
32 the ability of localities to employ credible
33 and efficacious, low impact water pollution
34 prevention and control measures without the
35 additional burden of securing the prior
36 review and/or permitting of state and federal
37 agencies.
38
39 Municipalities have made extraordinary
40 investments and progress in reducing
41 nutrients from wastewater treatment plants.
42 Permitted waste load allocations to
43 municipal wastewater treatment plants are
44 central to localities' ability to comply with
45 current water quality laws and to
46 accommodate future growth and economic
47 development. The Commonwealth should

48 support regulatory stability as to existing
49 facilities and their allocations. The Virginia
50 Nutrient Credit Exchange Program should
51 continue as the primary vehicle for new
52 public or private sources to acquire
53 allocations and/or credits with facilities
54 owners' consent on agreed terms.
55 In the interest of increasing and improving
56 the level of water quality data for impaired
57 watersheds and waterbodies in Virginia, the
58 State should leverage and actively employ
59 state university assets (laboratories,
60 equipment, etc.) and subject matter experts
61 (scientists, graduate students, etc.) to
62 collaborate with local governments to gather
63 and analyze rigorous water quality data.
64 Such high-quality data can then be used by
65 state agencies and local governments to
66 document the effectiveness of locally
67 specific water quality improvement plans,
68 which are required of localities with MS4
69 Permits, and aid the state in its duty to
70 monitor and track the health of state waters.
71

72 **Conservation**

73 Overuse and indiscriminate use of water,
74 coupled with recurring drought conditions,
75 require state and local leaders to promote
76 water conservation to help to avoid future
77 water supply problems. Local or regional
78 comprehensive water conservation plans
79 should urge conservation through
80 construction building material choices, grey
81 water re-use, rainwater harvesting, native
82 and drought tolerant landscaping, appliances
83 (such as dual flush toilets), rate structure,
84 education and water allocation.
85

86 **Conservation Easements**

87 Water authorities and similar local agencies
88 should have the power to receive
89 conservation easements under the authority
90 of the Conservation Easement Act.
91

92 The Virginia Outdoors Foundation's
93 operating costs should be fully funded.
94

1 State incentives (in-lieu of tax credits) need
2 to be created for local governments seeking
3 to place land designated for watershed
4 protection in conservation easements.

5 **Primacy**

6 The state should work to maintain the State
7 Health Department's primacy role in
8 implementing the federal Safe Drinking
9 Water Act.

10

11 **Water Supply**

12 VML believes these principles governing
13 the role of the Commonwealth must guide
14 state water supply planning:

15

16 1. The availability of a safe, adequate and
17 reliable water supply is essential to the
18 public health and the economic vitality of
19 the Commonwealth and its local
20 governments. The state should participate in
21 providing funding mechanisms for local and
22 regional water supplies.

23

24 2. As a partner with local government in
25 providing water supplies, the state should
26 invest in regional projects to maximize the
27 use of infrastructure and minimize
28 environmental impacts.

29

30 3. Maintaining and analyzing a sound
31 surface and ground water database is an
32 essential state responsibility.

33

34 4. The state must take an advocacy role to
35 support local water supply projects that
36 conform to state regulations. This includes
37 taking the lead in negotiating multi-state
38 issues.

39

40 5. VML supports adequate state
41 environmental staffing in the areas of
42 research and development, including legal
43 research into issues such as inter-basin
44 transfers or groundwater recharge, which
45 results in stronger technical assistance to
46 municipal government.

47

48 6. The State should encourage water
49 conservation measures to promote wise use
50 and prevent and minimize waste through
51 incentives and educational programs.

52 7. The Commonwealth should consider use
53 of reclaimed water to meet non-potable
54 needs as part of its water resources to reduce
55 the demand on high quality potable water
56 supplies where practicable and
57 environmentally beneficial. State officials
58 should assist local governments and
59 communities in promoting wastewater
60 reclamation and reuse.

61

62 Beyond conservation measures, VML
63 supports the deployment of proven, safe,
64 innovative water reuse technologies to
65 replenish aquifers statewide.

66

67 8. Water is essential to a healthy ecosystem.
68 Stream flows to support beneficial in-stream
69 uses should be protected in the process of
70 providing sufficient water to meet public
71 drinking water requirements.

72

73 Local governments must continue to
74 participate in the discussion of any water
75 resource proposals, including the current
76 statewide water supply planning process.

77

78 **ENVIRONMENTAL EMERGENCIES**

79 The state should assist with paying for flood
80 protection where localities take precautions,
81 through land use controls, to limit the cost of
82 flood damage restoration.

83

84 Localities need increased funding for state-
85 mandated dam safety infrastructure
86 improvements.

87

88 In the event of an environmental emergency,
89 either man made or an act of God, local
90 government officials need maximum
91 discretion to determine measures to be taken
92 beyond those dictated by the state and
93 federal government, as well as ready access
94 to information and assistance.

1
2 VML supports a state requirement that rail
3 operators serve on federally mandated Local
4 Emergency Planning Committees.
5 **SOLID WASTE MANAGEMENT**
6 VML supports the continuation of certifying
7 compliance with local ordinances for waste
8 management facility proposals.
9
10 VML endorses developing local waste-to-
11 energy and co-generation facilities as
12 practical alternatives to landfill facilities.
13
14 VML supports efforts to ensure that Waste
15 to Energy (WTE) is consistently defined as a
16 renewable energy source in the Virginia
17 Energy Plan and in any renewable energy
18 standards relating to the Commonwealth.
19 Currently the Code of Virginia defines
20 "renewable energy" as including energy
21 derived from waste.
22
23 VML supports state financial assistance in
24 developing programs that reduce waste
25 entering local landfills, thereby increasing
26 their longevity. Such programs should
27 emphasize processes that reduce waste,
28 reuse materials, and recycle refuse.
29
30 Plastics serve many appropriate purposes in
31 our society, yet their use in disposable
32 products – especially in single-use products
33 – has become ubiquitous and their polluting
34 effects have followed. These products cost
35 localities dearly in time and expense needed
36 to unclog storm and sanitary drainage
37 systems, damage to mowing equipment,
38 ensnarement in trees and other vegetation,
39 and more. Further, these products
40 accumulate in area waters and wetlands
41 where they harm wildlife, impair outdoor
42 recreation, and degrade into compounds
43 which are known toxins. VML supports
44 legislative approval of a local government
45 option to regulate the distribution, sale or
46 offer of disposable plastic bags and other
47 such single-use products, such as straws and

48 extruded polystyrene food and beverage
49 containers. Exceptions shall be made for
50 such bags and containers used for garbage,
51 medical waste, and other refuse
52 containment, and for disposable plastic
53 wraps designed to ensure the safety and
54 integrity of medical supplies and other
55 sensitive products used in public health and
56 safety, whose purpose and distribution shall
57 be permissible.
58
59 **RECYCLING**
60 VML supports recycling and reuse wherever
61 possible to promote better and wiser use of
62 our resources.
63
64 **HAZARDOUS WASTE**
65 Advanced technology, waste minimization,
66 and waste exchange should be used, to the
67 extent possible, to eliminate or reduce
68 hazardous waste.
69
70 VML recognizes the need for hazardous
71 waste treatment and disposal facilities to
72 provide adequate capacity for wastes
73 generated within state borders. VML
74 encourages the Commonwealth to establish,
75 and if necessary, to operate, hazardous waste
76 facilities appropriate for improving the
77 treatment, storage, or disposal of hazardous
78 waste generated within Virginia.
79
80 Adequate state and federal funding should
81 be provided for cleaning up abandoned and
82 hazardous waste sites. Expedient clean-up
83 of sites is essential.
84
85 The Commonwealth should address the
86 collection of household hazardous waste by
87 collecting it or providing liability coverage
88 for local collection programs. Consumer
89 education and discouraging reliance on
90 household chemicals should be encouraged.
91 The state needs to address pharmaceuticals
92 and associated endocrine disruptors,
93 including collection/disposition, and to
94 encourage pharmacies to accept unused

1 pharmaceuticals. State research institutions
2 should examine and provide policy
3 recommendations on the impact of
4 pharmaceuticals and endocrine disruptors to
5 water quality, agricultural products, and
6 human health.

7
8 Electrical and electronic products contain
9 known toxic and hazardous components
10 which must be tightly control when such
11 products are disposed (e-waste). Most such
12 components can be safely harvested and
13 recycled or reused, reducing the
14 environmental impacts of mining and
15 producing new components from virgin
16 materials, such as rare earth elements, which
17 are increasingly scarce and costly to obtain.
18 VML supports legislative efforts to increase
19 the reuse and recycling of all electrical and
20 electronic products, devices and related
21 materials, as well as economic and business
22 development models to grow the necessary
23 skill, capability and infrastructure within
24 Virginia to improve the ability of localities,
25 small businesses and citizens to easily,
26 conveniently and ethically recycle their e-
27 wastes.

28 29 **PARKS, OPEN SPACE AND** 30 **CULTURAL RESOURCES**

31 VML supports the renewal of federal
32 funding for parks, historical structure
33 preservation and recreational opportunities.
34 The federal Land and Water Conservation
35 Fund (LWCF) program provides matching
36 grants to States and local governments for
37 the acquisition and development of public
38 outdoor recreation areas and facilities. VML
39 encourages state officials to work with local
40 officials in combining matching dollars for
41 LWCF grants for local and regional
42 facilities. VML also supports additional state
43 funding for local land preservation through
44 Virginia Land Conservation Foundation
45 (VLCF) grants and matching grants to
46 localities for qualifying purchase of
47 development rights (PDR) programs

48

49 **NOISE CONTROL**

50 State and federal governments must assume
51 the regulatory and financial responsibility of
52 attaining satisfactory noise levels adjacent to
53 major highways, railways and airports

54

55 **ENERGY CONSERVATION, GREEN** 56 **BUILDING & CLIMATE CHANGE**

57 The state should maintain an overall state
58 energy plan that includes provisions for
59 conventional and renewable energy; support
60 for research and development into energy
61 efficiency, conservation and renewable
62 energy technologies; alternative fuels and
63 advanced vehicle technologies; energy
64 infrastructure; and increasing resilience
65 relative to energy emergencies.

66

67 VML acknowledges passage of the Grid
68 Transformation and Security Act of 2018
69 and its emphases on grid modernization,
70 solar and wind energy, energy efficiency
71 and conservation, weatherization programs
72 and consumer protections. VML further
73 notes that the State Corporation Commission
74 (SCC) and utilities will develop stakeholder
75 groups regarding the Act's mandate that
76 utilities invest approximately \$1 billion in
77 energy efficiency by 2028, and VML
78 encourages the SCC and utilities to include
79 local government representatives in those
80 stakeholder groups.

81

82 Regulations and emergency orders should
83 include alternatives that consider the
84 economic impact on political subdivisions
85 that border neighboring states.

86

87 Energy conservation and efficiency should
88 be major considerations in formulating state
89 and local energy policies and plans, as they
90 are often the most cost effective.

91 VML supports state assistance to help local
92 governments, businesses and residents
93 obtain energy audits. VML also supports
94 state tax incentives for (1) energy efficiency;

1 and (2) homeowners using renewable
2 energy, including solar, geothermal, wind
3 and others.
4
5 VML supports the construction of buildings
6 that are energy efficient, maximize natural
7 light, minimize stormwater runoff, use
8 recycled materials and use other
9 environmentally sustainable practices.
10 Local governments, state agencies, and
11 developers can obtain green building
12 practices guidance from organizations such
13 as the U.S. Green Building Council which
14 promulgates the LEED (Leadership in
15 Energy and Environmental Design) Green
16 Building Certification System.
17
18 VML supports the efforts of the Virginia
19 Department of Conservation and Recreation,
20 the Virginia Department of Housing and
21 Community Development, the Department
22 of Environmental Quality and others to
23 implement green building design and
24 construction and encourages greater use of
25 these environmentally sound and energy
26 efficient techniques. Ideally, all public
27 buildings should be LEED, or the
28 equivalent, certified.
29
30 VML encourages the Commonwealth to
31 institutionalize best practices by developing
32 building code standards that enhance
33 environmental sustainability and energy
34 efficiency and to enact policies that enable
35 local governments to promote environmental
36 sustainability and energy efficiency in
37 construction. The Board of Housing and
38 Community Development is to be
39 commended for adopting the latest model
40 codes for commercial buildings.
41 Accordingly, VML supports adopting all
42 provisions of the 2018 International Energy
43 Conservation Code for residential
44 construction.
45
46 VML recognizes that the impacts of global
47 climate change, as it relates to relative sea-

48 level rise, habitat destruction and alteration,
49 temperature increase, and variations in
50 seasonal rainfall patterns, has the potential
51 to negatively impact our communities. State
52 officials should provide tools to localities to
53 take inventory of greenhouse emissions
54 output and assist with greenhouse gas
55 emission reduction plans. Additionally, the
56 Commonwealth should participate in
57 regional collaborations to reduce greenhouse
58 gas emissions.

59
60 **SOLAR & CLEAN ENERGY USE**

61 Clean energy sources should be encouraged,
62 with both long and short-range energy usage
63 designed to maximize conservation of
64 energy resources.
65

66 Virginia should continue to allow and
67 expand on renewable energy generation and
68 the deployment of distributed energy
69 infrastructure for all residents, businesses,
70 local governments and utilities operating in
71 the state. These measures will help to reduce
72 energy costs to consumers and increase the
73 available supply of energy without further
74 degradation of the environment. It is
75 important that net metering with retail
76 compensation be retained or improved with
77 the ability for production above specific site
78 needs. Any claims of harm to the grid as a
79 result of distributed solar should be
80 accompanied by holistic studies which also
81 consider the benefits of distributed solar.
82

83 VML supports efforts to protect current net
84 metering compensation and to allow for
85 increased system capacity purchased to
86 reflect future needs. The current limitations
87 on non-utility scale photo voltaic generation
88 system size should be examined for removal
89 of restrictions. VML requests provisions for
90 true community solar to be allowed to gain a
91 broader set of customers for solar energy,
92 including third-party owned and financed
93 community solar.
94

1 VML supports the creation of an
2 independent office of the consumer advocate
3 within the state government to actively
4 participate in the siting of gas, liquid and
5 electric transmission lines.

6

7 **CHESAPEAKE BAY**

8 The Chesapeake Bay provides vital
9 economic and recreational benefits to all
10 Virginians. The Commonwealth and federal
11 government must assume responsibility for
12 leading the clean-up of the Bay and work
13 with its local governments -- in addition to
14 the neighboring states -- to develop
15 interstate as well as intrastate strategies
16 designed to "Save the Bay." The
17 Chesapeake Bay is a national treasure, and
18 the state must work with the federal
19 government to ensure adequate financial
20 resources are available to implement the
21 plan for complying with federal Clean Water
22 Act. At the federal level VML supports
23 accountability and oversight which seeks to
24 achieve greater cost-effectiveness in meeting
25 pollution reduction targets. This will help
26 localities address the expensive costs
27 associated with the Chesapeake Bay
28 cleanup.

29

30 Living resources such as oysters, crabs,
31 mussels and underwater grasses are critical
32 to water quality. Oysters and mussels in
33 particular have the capacity to filter
34 sediments and reduce pollutants. While
35 reductions from sewage treatment plants and
36 urban runoff are important to restoring the
37 Bay, it will become increasingly expensive
38 to reduce a smaller amount of pollutants
39 from these sources resulting in a diminishing
40 return for investment. Increasing those
41 living resources that improve water quality
42 should be considered as an alternative to or
43 work in combination with expensive
44 retrofits of urban areas in an attempt to
45 reduce costs and pollutants.

46

47 The Commonwealth must continue to fully
48 fund the Water Quality Improvement Fund
49 and provide financial assistance for local
50 government water quality improvement
51 projects in Virginia at appropriate levels
52 designed to clean up the Bay and its
53 tributaries. The Commonwealth would
54 defeat the spirit of community partnership if
55 it required local governments to undertake
56 unfunded mandates for water quality
57 improvement projects.

58

59 **HIGHWAY BEAUTIFICATION**

60 VML is discouraged that modification to the
61 Federal Highway Beautification Act has
62 undermined local authority and continues to
63 allow tree-cutting simply for billboard
64 visibility. The General Assembly should
65 enact legislation that restores local
66 government authority to remove billboards
67 along federal highways through
68 amortization; supports local governments'
69 ability to require non-conforming signs
70 along federal highways to comply with size
71 and height requirements without cash
72 payments; allows local governments to
73 require the removal of billboards in
74 inappropriate locations, especially in rurally-
75 designated scenic, historic, and residential
76 areas; and provides local governments with
77 the authority by local ordinance to prohibit
78 the construction or to determine the
79 placement of any new billboards.

80

81 VML encourages the local identification of
82 roads with special natural, historical, scenic,
83 or cultural values and encourages local
84 enhancement and protection of these scenic
85 byways.

86

87 VML encourages assisting in the progress
88 towards a reduced consumer waste
89 environment by invoking extended producer
90 responsibility. We ask that producers and
91 first importers of plastic products consider
92 having a strategy for how they will recover
93 or dispose, without cost to taxpayers, their

1 products when consumers are done with
2 them, as a condition of sale in a
3 municipality. This strategy should include
4 measurable results, outcomes and timetables
5 for achievement.

6
7 **TRANSPORTATION AND LOCAL**
8 **LAND USE PLANNING**

9 VML supports the re-initiation of the state's
10 former environmental review procedure for
11 state highway projects. VML recognizes the
12 potential benefits of such a procedure
13 including the benefits to transportation
14 planning and resource management.

15
16 However, any such procedure and/or review
17 is incomplete if it does not evaluate the
18 proposed impacts against the state-required
19 local comprehensive plans. VML believes
20 that the environmental review process for
21 public roads should incorporate the local
22 comprehensive plan and involve and take
23 into the account the views of local officials.

24
25 In all permitting, the DEQ should defer to
26 local zoning decisions prior to the issuance
27 of any permits. Moreover, in exercising its
28 permitting authority, DEQ should recognize
29 the possible cumulative impacts of its
30 permitting activities.

31
32 **HAZARDOUS LIQUID AND GAS**
33 **PIPELINES**

34 The Commonwealth and local governments
35 should adopt appropriate restrictions on
36 development near liquid and gas pipelines
37 and require liquid and gas pipeline operators
38 to take safeguards to reduce the risk of oil,
39 gas and other pipeline product spills and
40 leaks, particularly in environmentally
41 sensitive areas.

42
43 **BIOSOLIDS**

44 VML supports and encourages the beneficial
45 recycle/reuse of biosolids on farms and as a
46 crop nutrient and soil amendment in
47 accordance with federal and state handling

48 and disposal regulation and supports local
49 authority to monitor and reasonably regulate
50 biosolids. VML supports full compliance
51 with all applicable federal, state and local
52 requirements regarding production at the
53 wastewater treatment facility, and
54 management, transportation, storage and use
55 of biosolids away from the facility. This
56 includes good housekeeping practices for
57 biosolids production, processing, transport
58 and storage, and during final use or disposal
59 operations.

60
61 **URANIUM MINING**

62 Uranium mining, milling and waste disposal
63 of generated wastes poses health and
64 environmental problems for Virginians.
65 VML supports studies that evaluate the
66 impacts of radiation and other pollutants
67 from mill tailings on (1) downstream water
68 supplies; and (2) the health and safety of
69 uranium miners.

70
71 VML supports the current moratorium on
72 the mining and milling of uranium in the
73 Commonwealth of Virginia until studies
74 demonstrate that it is safe for the
75 environment and health of citizens. Any
76 studies or efforts to develop a regulatory
77 framework should address the concerns,
78 warnings, and conclusions contained in the
79 National Academies of Sciences report to
80 the Commonwealth entitled "Uranium
81 Mining in Virginia" and dated December
82 2011. Furthermore, the state should take no
83 action to preempt, eliminate, or preclude
84 local government jurisdiction with respect to
85 whether uranium mining would be allowed
86 in the respective jurisdiction.

87
88 **HYDRAULIC FRACTURING**

89 The process of hydraulic fracturing raises
90 concerns about the potential pollution of
91 groundwater, the depletion of water supplies
92 and an increase in seismic activity in
93 previously benign or inactive zones. The
94 consequences potentially are costly,

1 irreversible and devastating to local
2 communities. VML supports a state
3 regulatory program that addresses these
4 concerns while protecting the authority of
5 local governments to regulate this type of
6 mining activity along with ancillary
7 activities through its land use ordinances.

8

9 **COAL ASH/NUCLEAR WASTE**

10 In order to ensure against accidental
11 contamination of ground and surface waters,
12 coal and other energy production by-
13 products should be required to be removed
14 to a permitted disposal facility meeting
15 Federal criteria for this class of
16 waste. Reclamation of such by-product
17 impoundment sites must be consistent with
18 Federal mine reclamation standards. These
19 requirements also apply to impoundment
20 sites that have been closed by capping in
21 place or have received approval for closure
22 by capping in place. VML recognizes
23 the Dominion Energy initiative to study all
24 of its coal ash ponds in order to identify the
25 ones with the highest risk. VML requests
26 that Dominion provide a detailed plan to
27 address the highest risk sites.

1 **Environmental Quality Appendix A** 48
2 49
3 **REMOVING BARRIERS TO** 50
4 **DISTRIBUTED SOLAR – TARGETED** 51
5 **ISSUES FOR CONSIDERATION** 52
6 53
7 The Grid Transformation and Security Act 54
8 approved by the 2018 General Assembly 55
9 authorizes and encourages many clean 56
10 power production activities, but Virginia law 57
11 still restricts the ability of local 58
12 governments, businesses, and others from 59
13 installing solar facilities for their own 60
14 use. VML supports efforts to remove 61
15 barriers and allow for stronger markets for 62
16 distributed solar to create savings for 63
17 taxpayers, meet local sustainability goals, 64
18 and support economic development. 65
19 66
20 Policy and legislative initiatives to provide 67
21 additional opportunities to install solar could
22 increase the security and resilience of the
23 electricity grid by supporting distributed
24 renewable energy projects with the potential
25 to supply electric energy to critical facilities
26 during a widespread power outage.
27
28 Specific issues for consideration include:
29
30 • Lifting the one percent cap on the
31 total amount of solar that can be net
32 metered in a utility territory to five
33 percent;
34 • Allowing local government entities
35 to install solar facilities of up to five
36 MW on government-owned property
37 and to use the electricity for schools
38 or other government-owned
39 buildings located nearby, if not
40 contiguous to the solar facility;
41 • Clarifying that third-party financing
42 using power purchase agreements
43 (PPAs) is legal statewide for all
44 customer classes and remove the 50
45 MW cap;
46 • Allowing all customers to attribute
47 output from a single solar array to

- multiple meters on the same or adjacent property of the same customer;
- Allowing the owner of a multi-family residential rental building to install a solar facility on the building or surrounding property and sell the electricity to tenants;
- Removing the restriction on customers installing a net-metered solar facility larger than required to meet their previous 12 months’ demand and allow 150 percent production;
- Raising the size cap for net metered non-residential solar facilities from one MW to two MW; and
- Remove or adjust standby and other grid access charges on residential facilities sized between 10-20 kW.