BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

2022 ENVIRONMENTAL QUALITY POLICY STATEMENT

Protecting natural resources and sustaining efficient environmental stewardship is an overarching mission of government. Additionally, VML recognizes the importance and challenge of maintaining natural resources and managing environmental services while simultaneously encouraging economic growth and responsible human development in our cities, towns and counties.

To achieve these ends, VML pursues these goals:

1. Promoting environmental quality through a coordinated, comprehensive approach that addresses air and water quality, hazardous and solid waste management, energy conservation and use, protection of special lands and features including biological diversity**,** prudent land use policies, and noise abatement.

2. Attaining an equitable distribution of responsibilities among governments for resource protection and environmental services and attaining sufficient financial resources from the federal and state governments to implement mandates, without duplicating efforts.

3. Environmental resources cross jurisdictional boundaries and positive dispute resolution of issues should be supported.

4. Pursuing the orderly and planned development of communities and conserving natural and historic resources by encouraging the revitalization of older communities.

5. Promoting cooperation and coordination among governments, citizens, institutions, and organizations to achieve these goals while encouraging innovative, cost-effective solutions to environmental problems.

6. Advocating budget, legislation and policy initiatives that provide sufficient resources to implement the least costly and most efficient regulations.

WATER RESOURCES, QUALITY & CONSERVATION

Quality

Investing in water quality infrastructure is a shared State-Local partnership. The Commonwealth owns our streams, rivers, and Bay; localities own most water quality improvement treatment systems and related infrastructure. Sharing resources and investment responsibilities leads to more cost-effective, positive outcomes in public and environmental health as well as to other natural resources, recreational, and tourism benefits.

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

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

Recent years have seen significant improvements in water quality throughout the Commonwealth. However, without adequate funding sources and data to assist local governments and public service authorities, water quality will not continue to improve. Combined sewer overflows (CSOs) and sanitary sewer overflows (SSOs) are significantly expensive infrastructure undertakings, often costing hundreds of millions of dollars. Local CSO and SSO improvement projects are often mandated by federal and state law and regulation and require federal and state financial assistance. VML supports state financial assistance to local governments and public service authorities facing legislative mandates related to CSO or SSO management and remediation.

VML supports dedicated and adequate state appropriations to the Water Quality Improvement Fund to make full and timely payments under point source upgrade contracts with local governments. Additionally, VML supports dedicated and ample state financial assistance to the Stormwater Local Assistance Fund to address costs associated with the permit requirements of Municipal Separate Storm Sewer Systems (MS4).

Local governments are legally obligated to ameliorate water pollution and reduce its harmful effects and they are well-positioned to develop innovative, and meaningful community- based solutions. VML supports the ability of localities to employ credible and efficacious, low impact water pollution prevention and control measures without the additional burden of securing the prior review and/or permitting of state and federal agencies.

VML supports legislation providing localities with greater authority to preserve trees and planting which can reduce the heat island effect while increasing quality of life, carbon sequestration, and improve air quality and create opportunities for developers and local governments to have more tools for stormwater and flood mitigation.

VML supports an amendment to Code of Virginia § 15.2-961 that would allow local governments greater flexibility in the reforestation, preservation, and management of urban

forests.

Municipalities have made extraordinary investments and progress in reducing nutrients from wastewater treatment plants. Permitted waste load allocations to municipal wastewater treatment plants are central to localities' ability to comply with current water quality laws and to accommodate future growth and economic development. The Commonwealth should support regulatory stability as to existing facilities and their allocations. The Virginia Nutrient Credit Exchange Program should continue as the primary vehicle for new public or private sources to acquire allocations and/or credits with facilities owners' consent on agreed terms.

Additionally, when in an era of extraordinary state or national emergencies or other circumstances that result in long-term high unemployment, employee furloughs, and reduced wages, thus resulting in many ratepayers' difficulty in paying monthly water and wastewater bills, the state should be cognizant of municipal utilities' and public service authorities' reduced abilities due to lost revenue to undertake desired or required capital improvements to water quality treatment systems.

In the interest of increasing and improving the level of water quality data for impaired watersheds and waterbodies in Virginia, the State should leverage and actively employ state university assets (laboratories, equipment, etc.) and subject matter experts (scientists, graduate students, etc.) to collaborate with local governments to gather and analyze rigorous water quality data. Such high-quality data can then be used by state agencies and local governments to document the effectiveness of locally specific water quality improvement plans, which are required of localities with MS4 Permits, and aid the state in its duty to monitor and track the health of state waters.

To make implementation of the existing sales tax exemption more efficient and effective for localities and for the Department of Environmental Quality, VML supports an amendment to Code of Virginia §58.1-3660 enabling political subdivisions to self-certify equipment, facilities, devices, or other property intended for their own use in conjunction with the operation of their water, wastewater, stormwater, or solid waste management facilities or systems.

Conservation

Overuse and indiscriminate use of water, coupled with recurring drought conditions, require state and local leaders to promote water conservation to help avoid future water supply problems. Local or regional comprehensive water conservation plans should urge conservation through construction building material choices, grey water re-use, groundwater and aquifer recharge, rainwater harvesting, native and drought tolerant landscaping, appliances (such as dual flush toilets), rate structure, education, and water allocation.

Conservation Easements

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

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

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

Primacy

The state should work to maintain the State Health Department's primacy role in implementing the federal Safe Drinking Water Act (SDWA). Additionally, the annual funds provided to VDH by municipal utilities and public service authorities to ensure VDH has sufficient staffing to maintain primacy over the SDWA should not be diverted for other uses.

Water Supply

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

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

2. As a partner with local government in providing water supplies, the state should invest in regional projects to maximize the use of infrastructure and minimize environmental impacts.3. Maintaining and analyzing a sound surface and ground water database is an essential state responsibility.

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

5. VML supports adequate state environmental staffing in the areas of permitting, enforcement, communications and outreach, and research and development. VML believes that research funding is especially important in such areas as inter-basin transfers and groundwater recharge, which results in stronger technical assistance to municipal government and public service authorities.

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

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

VML supports the deployment of proven, safe, innovative water reuse technologies to replenish aquifers statewide.

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

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

9. The development of maximum contaminant levels for PFAS by the Virginia Department of Health in lieu of U.S. EPA should comply with the requirements applicable to the development of and be at least as protective as such levels by U.S. EPA in accordance with the Safe Drinking Water Act.

ENVIRONMENTAL EMERGENCIES

The state should assist through the Virginia Community Flood Preparedness Fund and other appropriations with paying for flood prevention and protection where localities take precautions, through shoreline resiliency and land use controls, to limit the cost of flood damage restoration.

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

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

VML supports a state requirement that rail operators serve on federally mandated Local Emergency Planning Committees.

SOLID WASTE MANAGEMENT

VML supports the continuation of certifying compliance with local ordinances for waste management facility proposals.

VML endorses developing local waste-to-energy and co-generation facilities as practical alternatives to landfill facilities.

VML supports efforts to ensure that Waste to Energy (WTE) is consistently defined as a renewable energy source in the Virginia Energy Plan and in any renewable energy standards relating to the Commonwealth. Currently the Code of Virginia defines "renewable energy" as including energy derived from waste.

VML supports state financial assistance in developing programs that reduce waste entering local landfills, thereby increasing their longevity. Such programs should emphasize processes that reduce waste, reuse materials, and recycle refuse.

Plastics serve many appropriate purposes in our society, yet their use in disposable products – especially in single-use products – has become ubiquitous and their polluting effects have followed. These products cost localities dearly in time and expense needed to unclog storm and sanitary drainage systems, damage to mowing equipment, ensnarement in trees and other vegetation, and more. Further, these products accumulate in area waters and wetlands where they harm wildlife, impair outdoor recreation, and degrade into compounds which are known toxins. VML continues to support a local governments option to regulate the distribution, sale or offer of disposable and other such single-use products, such as straws and extruded polystyrene food and

beverage containers. Exceptions shall continue to be made for bags and containers used for garbage, medical waste, and other refuse containment. As well as for disposable plastic wraps designed to ensure the safety and integrity of medical supplies and other sensitive products used in public health and safety, whose purpose and distribution shall be permissible.

VML acknowledges the actions of the General Assembly during the 2021 Regular Session (HB1902 Del. Carr) to prohibit the use of expanded polystyrene containers for food service and support the expanded authority of localities to regulate the use of expanded polystyrene in food service.

RECYCLING

VML supports recycling and reuse wherever possible to promote better and wiser use of our resources.

In recent years, the global recycling market has contracted, especially for plastics. As a result, municipal solid waste landfills are now receiving significant additional volume of plastics and other materials that for decades had been diverted to recycling markets. The additional volume not only wastes reusable materials but shortens the life of landfills. VML supports the General Assembly directing a study of the contracted global recycling market, the effects and costs this has had on municipal landfills, to consider policies, such as bottle deposits, and other possible solutions to minimize those effects with the goals of maximizing recycling to the extent possible and thus helping extend the life of landfills.

VML supports the concept of a circular economy, which is an economic system aimed at preventing waste and the continual use of resources. A circular economy encourages systems that reuse, share, repair, refurbish, remanufacture, compost, and recycle to create a close-loop system, minimizing the use of resource inputs and the creation of waste, pollution and carbon emissions. A circular economy can bring about the lasting benefits of a more innovative, resilient, and productive economy.

HAZARDOUS WASTE

Advanced technology, waste minimization, and waste exchange should be used, to the extent possible, to eliminate or reduce hazardous waste.

VML recognizes the need for hazardous waste treatment and disposal facilities to provide adequate capacity for wastes generated within state borders. VML encourages the Commonwealth to establish, and if necessary, to operate, hazardous waste facilities appropriate for improving the treatment, storage, or disposal of hazardous waste generated within Virginia.

Adequate State and federal funding should be provided for cleaning up abandoned and hazardous waste sites. Expedient clean-up of sites is essential.

The Commonwealth should address the collection of household hazardous waste by collecting it or providing liability coverage for local collection programs. Consumer education and discouraging reliance on household chemicals should be encouraged.
The state needs to address pharmaceuticals and associated endocrine disruptors, including collection/disposition, and to encourage pharmacies to accept unused pharmaceuticals. State research institutions should examine and provide policy recommendations on the impact of

pharmaceuticals and endocrine disruptors to water quality, agricultural products, and human health.

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

PARKS, OPEN SPACE AND CULTURAL RESOURCES

As Virginia's population grows and diversifies, and as residential and other development expand into previously undeveloped areas, there is an increasing need to conserve open-space lands for scenic beauty, wildlife habitat, agricultural and forestry production, and outdoor recreation.

VML supports state funding at no less than $20 million annually, as required by state law, for the Virginia Land Conservation Fund for local land preservation . VML also supports sufficient funding for the Virginia Farmland Preservation Fund and other such programs for matching grants to localities for qualifying purchase of development rights (PDR) programs.
VML supports the renewal of federal funding for parks, historical structure preservation and recreational opportunities. The federal Land and Water Conservation Fund (LWCF) program provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities. VML encourages state officials to work with local officials in combining matching dollars for LWCF grants for local and regional facilities.

NOISE CONTROL

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

ELECTRIC VEHICLES AND EV CHARGING STATIONS

Virginia expects to continue seeing growth in the number of electric vehicles traveling local roads and state highways. Growth in the number of electric vehicles will help reduce nitrogen oxides and other air pollutants. However, the quickly growing electronic vehicle market also increases the demand for electric vehicle charging stations. Virginia should continue working with the private sector to provide funds to develop a statewide EV charging network and with localities to provide funding support for electric public transit vehicles and other municipally-owned vehicles.

ENERGY CONSERVATION, GREEN BUILDING & CLIMATE CHANGE

The state should maintain an overall state energy plan that includes provisions for conventional and renewable energy; support for research and development into energy efficiency, conservation, and renewable energy technologies; alternative fuels and advanced vehicle technologies; energy infrastructure; and increasing resilience relative to energy emergencies.

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

VML also acknowledges the Virginia Clean Economy Act of 2020 and its emphases on retiring carbon-emitting electric generation facilities and dramatically increasing renewable energy sources so that Virginia's electric grid is carbon-free by 2050. The Act also expands energy-efficiency programs, increases SCC oversight of ratemaking and ratepayer protections, and moves Virginia to join the Regional Greenhouse Gas Initiative (RGGI).

Energy conservation and efficiency should be major considerations in formulating state and local energy policies and plans, as they are often the most cost effective.
VML supports state assistance to help local governments, businesses and residents obtain energy audits. VML also supports state tax incentives for (1) energy efficiency; and (2) homeowners using renewable energy, including solar, geothermal, wind and others.

VML supports the construction of buildings that are energy efficient, maximize natural light, minimize stormwater runoff, use recycled materials and use other environmentally sustainable practices. Local governments, state agencies, and developers can obtain green building practices guidance from organizations such as the U.S. Green Building Council which promulgates the LEED (Leadership in Energy and Environmental Design) Green Building Certification System.

VML supports the efforts of the Virginia Department of Conservation and Recreation, the Virginia Department of Housing and Community Development, the Department of Environmental Quality and others to implement green building design and construction and encourages greater use of these environmentally sound and energy efficient techniques. Ideally, all public buildings should be LEED certified or its equivalent.

VML encourages the Commonwealth to institutionalize best practices by developing building code standards that enhance environmental sustainability and energy efficiency and to enact policies that enable local governments to promote environmental sustainability and energy efficiency in construction. The Board of Housing and Community Development is to be commended for adopting the latest model codes for commercial buildings. Accordingly, VML supports adopting all provisions of the 2018 International Energy Conservation Code for residential construction.

VML recognizes that the impacts of global climate change, as it relates to relative sea-level rise, habitat destruction and alteration, temperature increase, and variations in seasonal rainfall patterns, has the potential to negatively impact our communities. State officials should provide tools to localities to take inventory of greenhouse emissions output and assist with greenhouse gas emission reduction plans.
Additionally, the Commonwealth should participate in regional collaborations to reduce greenhouse gas emissions.

RENEWABLE ENERGY, SOLAR, & WIND ENERGY

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

The Virginia Clean Economy Act of 2020 sets the Commonwealth on a path to be carbon-free by 2050. The act focuses on renewable energy generation, energy efficiency, distributed solar, offshore wind, and energy storage, among other things.

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

Virginia's utility-scale solar and shared solar markets will dramatically expand in the years ahead to meet clean-energy mandates. Expansion of utility-scale solar will impact tens of thousands of acres. Shared solar will be smaller in scale, but also will impact thousands of acres. Solar developers should continue working cooperatively with local governments on project siting, zoning, revenue-sharing, and other matters as the renewable energy market expands.

Additionally, onshore wind projects are expected to appear in Virginia's higher elevations. Such projects are necessarily large-scale and may visually impact scenic landscapes and avian wildlife. Onshore wind developers necessarily must work early in the project development process with local governments on siting, zoning, visual impact, revenue and taxation, and other issues.

Virginia is poised to host the nation's largest offshore wind power project. The General Assembly has declared 5,200 MW of offshore wind power to be in the public interest and that such amount of power generation be operational by December 2034. This offshore construction project will be some 27 miles off Virginia Beach's coast. As the project is constructed, the Commonwealth and the project's utility owner should continue working closely with coastal communities who may be impacted by and benefit from it.

Additionally, the General Assembly and the State Corporation Commission should continue monitoring potential impacts to ratepayers, especially to ensure that low-income Virginians are not disproportionately impacted by any rate increases.

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

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

ENVIRONMENTAL JUSTICE

VML supports the fair treatment and full participation of all people, regardless of race, color, national origin, faith, disability, or income in the transparent development, implementation, and enforcement of environmental laws, regulations, and policies.

It is recognized that communities of color and low-income communities have often been disproportionately negatively impacted by development of environmental policies and programs and in the siting of major public and private infrastructure projects and other developments. These communities are generally referred to as environmental justice communities and are often found to have seen a lack of investment resulting in less tree canopy, and inconsistent access to locally produced and sourced food in particular which has had a significant impact on community health, welfare, and sustainability. Environmental justice communities often have unique environmental and historic challenges as a result of disinvestment.

Local governments have principal authority over local land use. Local governments also have specific and important insights on proposed environmental policies and programs and on development's environmental, social, cultural, and economic impact.

VML believes localities can and should play a more collaborative role in the development of state environmental policies and programs and in determining infrastructure site suitability. Local governments have a clear interest in protecting their local vulnerable communities from disproportionate environmental and health impacts.

Environmental justice considerations are especially important when it comes to state regulatory processes for permitting major proposed public infrastructure or private infrastructure that is to have public benefit. Examples of such infrastructure include transportation facilities, electric generation and transmission facilities, solid waste facilities, and pipelines. As the state through its environmental regulatory boards and agencies increases its focus on environmental justice matters – especially on infrastructure siting and permitting matters – it is imperative that the state collaborate with local governments, especially in a project's pre-planning and planning stages. In such early collaboration, it is important that the state ensure the locality has all relevant information and other subject resources so that the locality may meaningfully contribute to state's planning and other regulatory processes and promote fair treatment**.**

FLOODING

Virginia is experiencing more frequent and often more extreme storm events. These more frequent and intense storm events often lead to major local flooding challenges to both natural stream channels and stormwater infrastructure. Local, recurrent flooding has become a major issue in low-lying coastal Virginia, though no region has been spared as severe precipitation events in all parts of the Commonwealth have resulted in growing stormwater-control costs.

The General Assembly has focused more attention and dedicated more funds to address recurrent flooding issues. Most recently, the General Assembly created the Virginia Community Preparedness Fund to assist through loans or grants for flood prevention or protection projects and studies localities affected by recurrent flooding, sea level rise, and flooding from severe weather events. VML supports a role for local governments and regional planning efforts in

identifying projects eligible for administration of Virginia Community Preparedness Funds for local, regional and river basin flood mitigation efforts as well as a coordinated flood mitigation, response and recovery efforts across agencies, regions, and localities.

VML supports continued policy and funding to support localities contending with growing stormwater and other flooding challenges. Such support includes additional flood-control studies, coastal mapping, updated precipitation forecasts, and local and regional planning funds and technical support.

CHESAPEAKE BAY

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

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

The Chesapeake Bay Phase III Watershed Implementation Plan (WIP III), with its 2025 deadline, is designed to bring together federal and state actions to reduce pollution in local waters and to improve the health of the Bay. While VML generally supports the goals of WIP III, it also must be acknowledged that it calls for often very costly improvements to locally-owned stormwater and wastewater treatment systems – thus underscoring even more the need for adequate federal and state financial assistance.

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

HIGHWAY BEAUTIFICATION

VML is discouraged that modification to the Federal Highway Beautification Act has undermined local authority and continues to allow tree-cutting simply for billboard visibility. The General Assembly should enact legislation that restores local government authority to remove billboards along federal highways through amortization; supports local governments' ability to require non-conforming signs along federal highways to comply with size and height requirements without cash payments; allows local governments to require the removal of

billboards in inappropriate locations, especially in rurally-designated scenic, historic, and residential areas; and provides local governments with the authority by local ordinance to prohibit the construction or to determine the placement of any new billboards.

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

VML encourages assisting in the progress towards a reduced consumer waste environment by invoking extended producer responsibility. We ask that producers and first importers of plastic products consider having a strategy for how they will recover or dispose, without cost to taxpayers, their products when consumers are done with them, as a condition of sale in a municipality. This strategy should include measurable results, outcomes, and timetables for achievement.

TRANSPORTATION AND LOCAL LAND USE PLANNING

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

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

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

HAZARDOUS LIQUID AND GAS PIPELINES

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

BIOSOLIDS

VML supports and encourages the beneficial recycle/reuse of biosolids on farms and as a crop nutrient and soil amendment in accordance with federal and state handling and disposal regulation and supports local authority to monitor and reasonably regulate biosolids. VML supports full compliance with all applicable federal, state, and local requirements regarding production at the wastewater treatment facility, and management, transportation, storage and use of biosolids away from the facility. This includes good housekeeping practices for biosolids production, processing, transport, and storage, and during final use or disposal operations.

URANIUM MINING

Uranium mining, milling and waste disposal of generated wastes poses health and environmental problems for Virginians. VML supports studies that evaluate the impacts of radiation and other

pollutants from mill tailings on (1) downstream water supplies; and (2) the health and safety of uranium miners.

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

HYDRAULIC FRACTURING

The process of hydraulic fracturing raises concerns about the potential pollution of groundwater, the depletion of water supplies and an increase in seismic activity in previously benign or inactive zones. The consequences potentially are costly, irreversible, and devastating to local communities. VML supports the state's prohibition on hydraulic fracturing in groundwater management areas.

COAL ASH/NUCLEAR WASTE

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