Virginia Solar Energy Development and Energy Storage Authority Meeting Minutes

**April 19, 2022**

**10:00AM – 12:00 PM**

**Fairfield Area Public Library**

**Call to Order**

Ms. Robb indicated that there needed to be a physical quorum present to conduct any business, but that the Authority could consider this an informational meeting and called such meeting to order at 10:10 a.m.

**Members Present:** Angela King, Cliona Robb, Cody Nystrom, Paul Duncan, Rumy Mohta, Jon Hillis (remote via Webex)

**Members Absent:** Katharine Bond, John Ockermanm Damian Pitt, Colleen Lueken, Will Gathright, Harry Godfrey, Ken Hutcheson

**Staff Present:**

Virginia Energy: Ken Jurman, Aaron Berryhill

**Review of Past Meeting Minutes**

Ms. Robb pointed out a discrepancy in the planned future meeting dates. The dates were changed accordingly, however, since there was not a quorum present at this meeting, approval of the October 2021 meeting Minutes was postponed until the Authority’s next meeting.

**Update on 2022 Legislation**

Staff an gave a brief overview on legislation that passed in the 2022 legislative session. These bills covered a broad range of topics including

* Allowing for taxation of solar projects five MW and lower
* Exemption from state and local taxation for solar on the roof of a residential dwelling or a structure on an agricultural zoned property
* Development of a report and map or repository of prime farmland to address solar siting concerns.
* Changes to DEQ’s Permit by Rule requiring mitigation plans for solar projects that disturb more than 10 acres of “prime agricultural soils” or more than 50 acres of contiguous forest lands or forest lands enrolled in a forestry preservation program
* Allowing net metering customers to enter an agreement for local facilities usage charges and removal of the 7% cap for net metering in coop territories.
* Updates provisions related to American Electric Power's participation in a municipal net energy metering pilot program and creates similar requirements for a municipal net energy metering pilot program for Dominion Energy
* Directing two workgroups to study shared solar programs - one for Appalachian Power and Old Dominion Power and one for electric cooperatives.
* Requiring APCo and Dominion to prioritize procurement of renewable energy certificates from eligible sources located in Virginia

Ms. Robb then focused on two bills where the Authority could participate in, including:

* Senate Bill 600 which directs the State Corporation Commission to convene a stakeholder workgroup to evaluate shared solar programs for American Electric Power, and also directs the Virginia, Maryland, and Delaware Association of Electric Cooperatives and the Coalition for Community Solar Access to jointly convene a stakeholder process to evaluate shared solar programs for electric cooperatives. Reports for both are due by November 30, 2022.
* House Bill 206 which addresses small renewable energy projects and their impact on natural resources. If DEQ determines that there will be a significant adverse impact on wildlife, historic resources, prime agricultural soils, or forest lands, the applicant must also submit a mitigation plan as a condition for their permit and directs directs the DEQ to convene an advisory panel to assist in developing regulations to implement this process.

One bill in particular (HB 774/SB 499) directly calls on the Authority to participate on a State Corporation Commission taskforce to analyze the life cycle of renewable energy facilities including:

* the feasibility, costs, recycling and salvage opportunities, waste strategies, and liability for the decommissioning of renewable energy materials
* potential impacts of underground infrastructure post-decommissioning
* potential impacts of the life cycle on farming, forestry, and sensitive wetlands
* potential beneficial economic impact of solar, wind, and battery storage development

A final report to the Governor and several House and Senate committees is due no later than May 1, 2023.

**DEQ Solar and Stormwater Memo and Implementation Framework**

Erin Ervin Belt, Manager, DEQ Office of Stormwater Management gave an overview of DEQ’s stormwater management and provided and overview of the framework for the implementation of more stringent stormwater management requirements for solar projects announced in a March 29, 2022 memorandum.

Ms. Belt indicated that DEQ has determined that the act of installing ground mounted solar panels is negatively changing the runoff characteristics of the soil an impacting rivers and streams. The new requirements are designed to address the post-construction stormwater calculations and management plans.

The original memo detailing the new requirements was issued on March 29, 2022 and would have gone into effect immediately. However, on April 14, 2022, DEQ issued a second memo in which the agency recognized the contractual, financial, and other obligations with many utility-scale solar projects currently in design—especially for those in advanced stages of design or implementation and how the March 29 memo would negatively impact these projects. As such, the April 14 memo delays implementation and will apply to projects that fail to obtain an interconnection approval from PJM or electric utility by December 31, 2024.

**Discussion of the 2022 Annual Report**

Ms. Robb led a discussion of the 2022 Annual Report and discussed the timing of the report and assigned

**Public Comments**

No public comments were made and the meeting adjourned at 11:22.