

Chs. 28 & 29 (2026 Acts of Assembly) Work Group Meeting

Approved Minutes

August 6, 2026

1:30 p.m.

Virginia Department of Transportation
Lockwood Building
3rd Floor, Meeting Room C
9120 Lockwood Blvd.
Mechanicsville, VA 23116

A meeting of the Chs. 28 & 29 Work Group was held at the Virginia Department of Transportation Lockwood Building on August 6, 2026 at 1:30 p.m.

Members Present:

Sam Brumberg – Virginia, Maryland & Delaware Association of Electric Cooperatives (VMDAEC)

Rob Hofrichter – Virginia Department of Transportation (VDOT)

Neil Joshipura – State Corporation Commission (SCC)

Scott Kennedy – Appalachian Power Company – Virtual attendance from office in Blacksburg, VA (residence more than 60 miles)

Laura Meadows – Dominion Energy

Randy Satterfield – NextGen Highways – Virtual attendance from office in Wisconsin (residence more than 60 miles)

Members Absent:

Jamie Bitz – Commission on Electric Utility Regulation

Joe Lerch – Virginia Association of Counties

Trieste Lockwood – Lockwood Strategies

Mitchell Smiley – Virginia Municipal League

Additional Attendees (attending both in-person and virtually):

Ryan Balluck – VDOT

DJ Hickman – VDOT

David Essah – SCC

Jorg Huckabee-Mayfield – VDOT

Bob Fasick – NextGen Highways

Steve Jack – VDOT

Victoria Hamilton – Southern Environmental
Law Center

Alex Jones – VMDAEC

Alleyn Harned – Virginia Clean Cities

Andy Payne – VDOT

Carrie Hearne – Commission on Electric Utility
Regulation

Kathryn Pobre – VDOT

Brent Polland – VDOT

Joshua Heslinga – VDOT

Luke Somers – Apex Clean Energy

1. Call to Order

The meeting was called to order at approximately 1:32 p.m.

2. Welcome and Safety Message

Robert Hofrichter, Director of the VDOT Office of Land Use, welcomed attendees to the meeting and provided a safety briefing to the group.

3. Approval of July 23 Minutes

Due to the lack of a quorum in the room, approval of the July 23 meeting minutes was deferred to a future meeting.

4. Roll Call

Attendees in the room and those attending virtually pursuant to the approved electronic meetings policy introduced themselves.

5. Discussion of Potential Changes to 24VAC30-21 and 24VAC30-151

- **24VAC30-151-400**

This section of the Land Use Permit Regulations requires that where utility facilities are directed to be relocated in conjunction with a transportation project, unless otherwise specifically provided by the Code of Virginia or 24VAC30-151, all relocation is to be done in a timely manner. A question was asked as to the definition of “timely manner,” since relocation could take up to three years, including up to 14 months of review by the State Corporation Commission.

This lengthy timeframe was noted as another reason why it may be better to predetermine where these transmission lines could go, such as along limited access highways, which was discussed at the last meeting. A question was raised about the implications of the Six-Year Improvement Program and the SMART SCALE process.

A question was also raised about whether the state buying the right-of-way for future utility relocation would accelerate the relocation time frame. It was determined that this would be unlikely, as it would also be challenging for VDOT to find the land for the relocations, which again highlighted the preference for limiting the location of new transmission line infrastructure to limited access highways. Possible time savings were noted in terms of any required environmental review.

The group discussed adding a new subsection B to 24VAC30-151-400 to specifically address the requirements for underground transmission lines. VDOT attendees discussed whether any internal documentation would need to be revised, focusing on scoping worksheets used to highlight risks early in the process for preliminary engineering. Requirements could be added for VDOT staff to contact the utility as soon as possible.

- **24VAC30-151-310**

This section of the Land Use Permit Regulations sets requirements for utility installations on limited access highways and states that new utilities will not be permitted to be installed parallel to the roadway longitudinally within the controlled or limited access right-of-way lines except that such installations may be installed under certain conditions, including that any alternative location must be determined to be contrary to the public

interest. This language needs to be updated to reflect the enactment of Chapters 28 and 29 of the 2026 Acts of Assembly, which state, “That in the siting of new electric transmission facilities, including high-voltage transmission lines, it is the policy of the Commonwealth that existing linear infrastructure corridors, including existing utility corridors and highways corridors, shall be prioritized over new corridors.”

Questions were raised regarding the requirement that “no tree removal or severe tree trimming is required for the installation.” It was requested that this language be revised to reference an “approved replacement plan” instead of prohibiting all removal. The definition of “severe tree trimming” was discussed, with Mr. Hofrichter noting that he will talk to the relevant VDOT staff about how this terminology is being interpreted. The group also discussed the potential implications of designated scenic byways. There is likely not a lot of overlap between scenic byways and limited access highways, but some examples may include Routes 15 and 211. VDOT will look into this and research whether any potential amendments to state law could be recommended.

A change was also recommended to the provision in 24VAC30-151-310 4 relating to the placement of longitudinal utility installations within limited access right-of-way to require that the placement be “as close to the edge” of the right-of-way as opposed to “along the outer edge.”

- 24VAC30-151-330 C

This subsection states that, “Longitudinal installations of overhead lines within the right-of-way shall be limited to single-pole construction.” A question was asked about the definition of “single-pole construction,” which was generally interpreted to mean standard distribution line poles, but VDOT will confirm this internally. It was noted that the language would allow for monopoles (ex. installations along Route 234). The group discussed the differences between single poles, monopoles, and H frames. It was noted that while the structure might not be in VDOT right-of-way, the goal would be to maximize the overhang.

The group discussed sound walls and the limitations for how tall walls within the right-of-way can be. A substantial sound wall could be a problem for utility line clearances, as could guide signs and other traffic-related items within the right-of-way. Particularly in limited access right-of-way, VDOT places large signs, lighting structures, and cameras, so significant coordination would be required for longitudinal installations of utility lines. The implications of blow-out right-of-way and conductor sag were also discussed. Dominion Energy will provide examples of these considerations.

It was noted that in considering overhang, the power company is responsible for protecting their conductors and a question was posed as to whether the overhang review process could be expedited.

- 24VAC30-151-300

Subpart 2 states that “utility facilities within the right-of-way and utility attachments to structures shall be of durable materials, designed for long service life, and be relatively free from the need for routine servicing and maintenance.” Clarity was requested regarding the definition of “routine servicing,” which Mr. Hofrichter noted is likely interpreted as daily servicing. He explained that the permit gives the permittee the right to conduct normal maintenance, but on limited access highways, anytime service is done, a standalone permit for that maintenance activity is required, except for emergency maintenance. This triggers VDOT notification to the Virginia State Police that the individuals conducting the maintenance are permitted in the right-of-way.

6. Discussion of VDOT Permit Process

Mr. Hofrichter summarized the VDOT permit process information shared by various VDOT construction districts, including the required reviews by the Federal Highway Administration (FHWA) for interstate highways. It was noted that 30 days should be added to the process for VDOT district-level reviews of limited access projects and roughly a week for VDOT Central Office review. Communication between the reviewer and requestor was highlighted, noting that early communication to confirm that the project is feasible would be helpful. Mr. Hofrichter noted the VDOT efficiencies agreement with FHWA and stated that changes to limited access control are governed by a different regulation, 24VAC30-401.

7. Work Assignments and Next Meeting

Mr. Hofrichter asked work group members to send him comments on the regulations and the permit process. He noted the next meeting will be in roughly two weeks, likely on August 20. He encouraged work group members to attend in person so that there will be a quorum in the room. He also noted that the group can discuss an outline for the study report at the next meeting.

8. Adjournment

Mr. Hofrichter adjourned the meeting at approximately 2:47 p.m.