

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

Approved Minutes

August 20, 2026

1:30 p.m.

Virginia Department of Transportation
Lockwood Building
1st Floor, Training Room A
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 20, 2026 at 1:30 p.m.

Members Present:

David Essah – State Corporation Commission (SCC)

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

Rob Hofrichter – Virginia Department of Transportation (VDOT)

Alex Jones – Virginia, Maryland & Delaware Association of Electric Cooperatives

Robert Kell – Clean Air Task Force – Virtual attendance from office in Marion, VA (residence more than 60 miles)

Scott Kennedy – Appalachian Power Company

Joe Lerch – Virginia Association of Counties

Laura Meadows – Dominion Energy

Members Absent:

Mitchell Smiley – Virginia Municipal League

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

Ryan Balluck – VDOT

Steve Jack – VDOT

Chris Berg – VDOT

Jay-Ar Llamido – SCC

Jamie Bitz – Commission on Electric Utility Regulation

Mansour Mahban – VDOT

Vanloan Nguyen – VDOT

Garrett Gee – Southern Environmental Law Center

Andy Payne – VDOT

Kathryn Pobre – VDOT

Joanna Hatfield – Dominion Energy

Brent Polland – VDOT

DJ Hickman – VDOT

Graham Sheridan – Virginia Clean Cities

Elizabeth Hundt – Southern Environmental Law Center

Jimmy Upshaw – VDOT

1. Call to Order

The meeting was called to order at approximately 1:33 p.m.

2. Welcome and Safety Message

Robert Hofrichter, Director of the VDOT Office of Land Use, welcomed attendees to the meeting. Attendees in the room and those attending virtually pursuant to the approved electronic meetings policy introduced themselves. Mr. Hofrichter gave a brief safety message about heat stroke and exhaustion.

3. Electronic Participation

Mr. Hofrichter determined that a quorum was present in the room. There were no objections to the electronic participation of any attendees.

4. Approval of July 23 and August 6 Minutes

The minutes of the previous two meetings were approved by voice vote.

5. Discussion of Transmission Line clearance requirements

The work group discussed the materials shared by Laura Meadows of Dominion Energy, including depictions of typical underground engineering, preferred right-of-way widths, and an example transmission line along Route 28. The Route 28 example (monopole, 230kv) showed how structures are used to maintain height ceilings, accommodate various infrastructure needs such as crossing over a bridge, and maintain vegetation. It was noted that the utilities' vegetation preference is typically for scrub/shrub vegetation of no more than 10 ft. in height. Additionally, the group noted that while there are many more miles covered by 230kv lines on the transmission system, 500kv lines are the backbone of the system.

A question was raised as to whether VDOT has the ability to tell energy companies what kind of line can go in different locations outside of the highway right-of-way. The permission for placement of different lines comes from the SCC, not VDOT. The VDOT-related impacts are more temporary and related to traffic control. The energy companies coordinate with VDOT, but there are no permit requirements.

The group discussed the overhead spacing requirements for metal gantries near overhead transmission lines. If a gantry is too close, the sign structure will take on voltage. The energy companies would prefer to avoid situations where they have to relocate roadway signs. VDOT staff flagged that in addition to overhead clearance, lateral clearance requirements need to be considered. The group discussed the impact of duct banks.

Following up on a conversation from a previous meeting, VDOT shared that the only scenic byway that is also a limited access highway is Route 15. Mr. Hofrichter also revisited the prior conversation about whether "transmission line" needs to be defined as part of the work group's efforts. Various potential definitions and the pros and cons of each were discussed, noting that required approval by the SCC, a kilovolt threshold, or the differentiation between transmission and distribution could be added to a potential definition. It was noted that it would be difficult to establish a definition that would provide enough flexibility for the utility companies but also provide enough guidance to VDOT staff to be able to interpret.

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

Bob Fasick of NextGen Highways and Scott Kennedy of Appalachian Power Company submitted proposed edits to the regulations for work group review. Mr. Fasick included notes about the process for transmission line siting in Wisconsin and highlighted potential edits to add flexibility. He also noted that Wisconsin charges for tree removal, which was further discussed by the group, with VDOT staff sharing that they would need to look into the current internal guidelines on this issue.

Mr. Kennedy suggested adding a definition for emergency access to the regulation, noting that while the information may be contained in the permit, it should be added to the regulation for clarity. Mr. Kennedy also brought up requirements for the utility to plant trees in the right of way, and discussion ensued about the planting requirements and the reasons for those requirements (primarily erosion control). Mr. Kennedy noted access concerns, and Mr. Hofrichter shared that those situations which included gates across limited access fencing would be considered limited access control changes and require approval from the Commonwealth Transportation Board. Mr. Hofrichter also explained that many of the recommendations proposed could be added to VDOT's internal guidance for staff as opposed to amending the regulations.

Mr. Fasick brought up that utility companies have multi-year plans and that communication between the companies and VDOT about long-range plans could be improved. VDOT staff explained that because of various planning factors such as the Six-Year Improvement Program, VTrans, and other long-range plans, VDOT may not know plans for specific corridors. However, it is likely that the utilities will know their long-range plans and can share this with VDOT. Ms. Meadows noted that Dominion holds quarterly meetings with the VDOT NOVA District, particularly with impacted VDOT Residencies, and is working to establish meetings with the Hampton Roads District. More work may be needed to ensure all of the appropriate VDOT staff are attending those meetings.

7. Public Comments

No specific public comments were received.

8. Work Assignments and Next Meeting

Mr. Hofrichter asked work group members to send him any final comments on the regulations and the permit process in the next few days. He clarified that the work group's end product to submit to the General Assembly could include recommendations beyond just changes to the law and regulations. A suggestion was made for VDOT to establish flow charts of the pre-permit process, which could include the above-noted district-level meetings.

After this meeting, pending any further comments, VDOT will begin drafting the study report for expected discussion at the next meeting. The next meeting will be held on September 10.

9. Adjournment

Mr. Hofrichter adjourned the meeting at approximately 3:20 p.m.