

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
SMALL RENEWABLE ENERGY PROJECTS; IMPACT ON NATURAL RESOURCES,
REPORT. (HB 206)**

REGULATORY ADVISORY PANEL MEETING MINUTES, MEETING #1

**MEETING LOCATION:
WORKFORCE DEVELOPMENT AND CONFERENCE CENTER
J. SARGEANT REYNOLDS COMMUNITY COLLEGE CAMPUS
1651 E. PARHAM RD, SUITE 108
RICHMOND, VA 23228**

Tuesday, June 28, 2022

Members Present (including primaries, alternates, and Subject Matter Experts SMEs):

In Attendance (Last, First):

| | | |
|-------------------------|---------------------|------------------------|
| Allmond, Josephus | Fogel, Jonah | Rolband, Mike |
| Anderson, Meade | Gordon, Chris | Rovner, Nikki |
| Aust, Mike | Hammond, Drew | Sanner, Margaret Peggy |
| Belville-Marrion, Jenny | Harbin, John | Schmidt, Kevin |
| Berryhill, Aaron | Hawk, Chris | Seward, Susan |
| Binder, Cathy | Higgins, Victoria | Shreve, Kyle |
| Boschen, Amelia | Holmes, Dan | Sili, Jeff |
| Brumberg, Sam | Howe, Kevin | Sims, Jessica |
| Cizenski, Michael | Ignosh, John | Sink, Dominika |
| Connors, Corey | Jacobs, Zach | Skiffington, Michael |
| Corradi, Rob | Jesensky, Kenny | Smiley, Mitchell |
| Crenshaw, Walter | Killius, Anna | Sydnor, Cutter |
| Davenport, Melanie | Lasher, Terry | Thomas, Rick |
| Dicks, III, Chip | Lerch, Joe | Utt, Tyson |
| Dodson, Chris | Marshall, Elizabeth | Vaughan, Evan |
| Drazenovich, Rick | Martin, Amy | Weber, Joe |
| Dreiling, Michael | Martin, James | Westcott, Jr., David |
| Dunscob, Judy | Moore, Martha | Wilder, Joe |
| Ericson, Jason | Murray, David | |
| Farrelly, Kevin | Orrell, Jim | |
| Flavin, Andrew | Pollard, Speaker | |

Members Absent:

| | | |
|---------------------|-----------------|-----------------------|
| Amores, Jon | Flowers, Todd | McDonald, Christopher |
| Bolthouse, Julie | Giese, Will | Newton, Jacob |
| Clark, Hilary | Green, Charles | Norris, Ben |
| Crockett, Robert | Guthrie, Joe | Piontek, Emily |
| Coggeshall, Charlie | Hammond, Jeff | Saunders, Ben |
| Crum, Katie | Hearne, Carrie | Seaford, Kevin |
| Daniels, Lee | Joshiyura, Neil | Sundstrom, Craig |
| Fanning, Patrick | Kane, Stephanie | Wortzel, Andrea |

Department of Environmental Quality – Renewable PBR Program:

| | | |
|----------------|-----------------|------------------|
| Dowd, Michael | Foster, Amber | Thompson, Tamera |
| Egghart, Chris | Meyer, Elena M. | Tripp, Susan |

Facilitators, Institute for Engagement & Negotiation (IEN), University of Virginia:

| | | |
|---------------------|-----------------|-------------|
| Cobb, Tanya Denckla | Oliva, Michelle | Rizk, Sarah |
| | Montserrat | |

The meeting began at approximately **9:05 am EST**.

Meeting Purpose: This regulatory advisory panel (RAP) has been established to advise and assist in developing regulations to mitigate the impacts of small solar projects on forest lands and prime agricultural soils. This group was formed in accordance with and to satisfy the requirements put forth in HB 206.

Introductions, Logistics: Michael Dowd introduced HB 206, the anticipated meeting process, and the UVA facilitation team members. He also introduced Freedom of Information Act (FOIA) requirements for the group and encouraged awareness and compliance with FOIA. Tanya Denckla Cobb then introduced herself and Michelle Montserrat Oliva as facilitation co-leads for the RAP process. Members of the group introduced themselves. The facilitators explained the roles of primaries, alternates, and subject matter experts, and the consensus process that the group will utilize.

Shared Goals Statement: The facilitator shared the draft Shared Goals Statement for the RAP: "To draft proposals (where possible, consensus proposals) to assist in the development of regulations for reasonable mitigation strategies for prime agricultural soils and forest lands pertaining to small renewable energy projects. After testing for consensus and discussion with the group, the statement was changed to "**Complete the work that the advisory board was charged to do under HB 206.**"

Presentations were given to provide background knowledge:

1. Department of Environmental Quality, Susan Tripp, Renewable Energy Permit by Rule Coordinator: Reviewed the existing solar permit-by-rule process.
2. Department of Energy, Michael Skiffington, Director of Policy and Planning: discussed the Virginia Clean Economy Act and how renewables fit into that legislation.
3. Department of Forestry, Terry Lasher, Assistant State Forester: Discussed key concerns about impacts on forest lands.
4. Department of Agriculture and Consumer Services, Keven Schmidt, Director, Office of Policy, Planning and Research: Discussed key concerns with impacts on prime soils.
5. Virginia Association of Counties, Joe Lerch, Director of Local Government Policy: Discussed key concerns from localities' perspectives (acknowledging that different localities may have different needs and concerns).

DEQ Director Remarks Michael Rolband, Director, DEQ. Director Rolband offered remarks regarding expectations to the RAP and answered a variety of questions from the RAP members.

Regulatory Process: Michelle Montserrat Oliva reviewed the stakeholder process, RAP Workgroups (WGs), and Issues Matrix. Workgroups were interested in setting up meetings between now and the next RAP which would be public FOIA-compliant meetings. Additionally, WGs for Mitigation and In-Lieu mitigation (WGs 3 and 4) were interested in combining, as these issues are closely linked. RAP members wanted to avoid different definitions for what was being mitigated *for* across different groups. It was noted that the functions and values of ecosystems, mitigation, and practices need to be agreed upon. It was suggested that this should be consistent on-site and off-site.

Major Logistical Decisions: It was decided that WGs are free to meet between RAP sessions, provided they abide by FOIA and are able to find their own space, and handle other logistics as they arise.

Individual RAP members self-sorted by interest groups (solar developers, environmental groups/environmental justice, subject matter experts, and local government representatives). These groups were given some time to agree on how to best represent their members across the different WGs.

WGs were then self-selected and stakeholders discussed setting up times for in-person meetings (if applicable).

The meeting concluded at approximately 3 pm EST.

Future Meetings:

Meeting 2 - **Tue Aug 2** (9:30 – 3:30): Issues

Location: Richmond (Workforce Development and Conference Center)

Meeting 3 - **Fri Aug 19** (9:30 – 3:30): Building Consensus (Day 1)

Location: Charlottesville – Hillsdale Conference Center, 550 Hillsdale Drive,
Charlottesville, VA 22901

Meeting 4 - **Tue Aug 23** (9:30 – 3:30): Building Consensus (Day 2)

Location: Richmond (Workforce Development and Conference Center)

Meeting 5 - **Wed Sep 28** (9:30 – 3:30): Wrap Up

Location: Charlottesville – Hillsdale Conference Center, 550 Hillsdale Drive,
Charlottesville, VA 22901