

MEMORANDUM

DATE: August 15th, 2018

TO: Members of VACo's Environment and Agriculture Steering Committee
(Chair: Susan Seward, Sussex County)
(Agriculture Subcommittee Chair: Harrison Moody, Dinwiddie County)

FROM: Chris McDonald, VACo Director of Government Relations

SUBJECT: Agenda Package for August 16, 2018 Steering Committee Meeting

COPY: County Liaisons and VACo Staff

Environment and Agriculture Steering Committee

Thursday, August 16, 2018

1:30-3:00 p.m.

Fredericksburg Expo & Conference Center

2371 Carl D. Silver Parkway

Fredericksburg, VA 22401

Please find enclosed an updated agenda package for the committee's upcoming meeting on Thursday, August 16 during the County Officials' Summit. Please note that the location is the Fredericksburg Expo and Conference Center (directions enclosed).

The chief objective of the August 16 steering committee meeting is to discuss and agree on a set of preliminary legislative position statements that will be incorporated within VACo's Draft 2019 Legislative Program, which will be distributed to all counties later in the fall and revisited for final consideration during VACo's Annual Conference at the Omni Homestead in Bath County, November 11-13, 2018. The committee's adopted legislative program from last year is included in your packet.

Please see below for the link to the County Officials' Summit website, which contains the agenda, registration form and other details about the full range of events being held August 16-17. Registration is \$40 for VACo members, but free if you plan to attend only the Steering Committee meetings. We would encourage you to attend the full Summit, as the morning will feature speeches by United States Senate incumbent Tim Kaine and challenger Corey Stewart, as well as by candidates in several Congressional races.

For more information, please visit the 2018 VACo County Officials' Summit [website](#).

Please contact me at 804-343-2503 or cmcdonald@vaco.org if you have any questions. We look forward to seeing you at the Summit.

DIRECTIONS

VACo County Officials' Summit
Fredericksburg Expo & Conference Center
2371 Carl D. Silver Parkway
Fredericksburg VA

From Points North & South:

- Take Interstate 95 to Exit 130B (Route 3 West / Plank Road Toward Culpeper) and stay right.
- Turn right at the light onto Carl D. Silver Parkway (into Central Park).
- Follow the Parkway through Central Park.
- Continue straight through the Fall Hill Avenue intersection.
- The Fredericksburg Expo Center will be on your right side in less than a 1/2 mile.

From Points East:

- Take Route 3 West / Plank Road Toward Culpeper and stay right.
- Turn right at the light onto Carl D. Silver Parkway (into Central Park).
- Follow the Parkway through Central Park.
- Continue straight through the Fall Hill Avenue intersection.
- The Fredericksburg Expo Center will be on your right side in less than a 1/2 mile.

From Points West:

- Take Route 3 East / Plank Road Toward Fredericksburg and stay left.
- Turn left at the light onto Carl D. Silver Parkway (into Central Park).
- Follow the Parkway through Central Park.
- Continue straight through the Fall Hill Avenue intersection.
- The Fredericksburg Expo Center will be on your right side in less than a 1/2 mile.

Environment and Agriculture Steering Committee Agenda

August 16, 2018

1:30-3:00 p.m.

Fredericksburg Expo & Convention Center
Ballroom C

- I. Welcome and Introductions**
Chair Susan Seward, Sussex County Board of Supervisors
- II. Review of 2018 General Assembly Work and Relevant Issues**
VACo Staff
- III. Review of VACo's Legislative Program Development Process**
VACo Staff
- IV. Review of New Agriculture Subcommittee**
Harrison Moody, Dinwiddie County Board of Supervisors
VACo Staff
- V. Review of Draft 2019 Legislative Program**
VACo Staff
- VI. Discussion of 2019 Positions**
Solar Freedom Legislative – Jeff McKay, Fairfax County Board of Supervisors
New Agriculture Positions – Harrison Moody, Dinwiddie County Board of Supervisors
Other Proposals – Committee Members
- VII. Other Business**
- VIII. Adjourn**

ENVIRONMENT AND AGRICULTURE

Priorities

Water Quality Improvement Funding

VACo supports effective partnerships among and across all levels of government to improve water quality.

State and federal agencies must consider the fiscal impact on local governments of initiatives to reduce loadings of pollutants into state waters from both point and non-point sources. If comprehensive, watershed-wide water quality improvement strategies are to be effective, adequate financial and technical assistance from federal and state governments will be necessary. VACo supports improved water quality, but will oppose strategies that penalize local governments by withdrawing current forms of financial assistance or imposing monitoring, management, or similar requirements on localities without providing sufficient resources to meet water quality goals. VACo opposes the imposition of a state fee, tax or surcharge, on water, sewer, solid waste, or any service provided by a local government or authority.

Hydraulic Fracturing

VACo supports a state regulatory program for hydraulic fracturing (or “fracking”) that addresses the potential to tap into natural gas reserves in ways that protect public and private groundwater supplies and preserve local government authority to regulate and/or ban this type of mining activity through their land use ordinances.

Specifically, VACo supports a regulatory program with the following components:

- A requirement for permit applicants to provide certification to the Department of Mines, Minerals, and Energy that the activity and associated activities are consistent with applicable local ordinances;
- Authority for local governments to require documentation that all state requirements are met as a condition for local approval;
- Requirements for operators of hydraulic fracturing operations to demonstrate adequate financial assurance to ensure the availability of adequate resources to correct any damages that could result from drilling operations;
- Through a portion of permit fee revenues, the establishment of a state fund to defray local costs associated with the training of first responders for fracking-related emergencies;
To assure continuity in protection of health and natural resources, that provisions in the Memorandum of Agreement between the Department of Mines, Minerals and Energy (DMME) and the Department of Environmental Quality (DEQ) of August 12, 2014, be strengthened and perpetually institutionalized by statute or regulation; and
- Disclosure of all chemicals and chemical mixes used in the “fracking” process prior to their use.

Positions

Aquifer Protection

VACo supports initiatives by the state to assure adoption of actions to reduce high chloride concentrations and loss of artesian head pressure in Virginia's aquifers. VACo also supports a review of regulations and supports education initiatives that promote reclamation of water on a local level for industrial and irrigation uses to offset future demands on all ground and surface water used for human consumption.

Biosolids

Land application of exceptional quality and Class B biosolids, when conducted properly, provides important benefits to the public and Virginia's agricultural sector. In order to reduce the risks of improper application, protect the environment, and maintain public health and safety, VACo supports an effective statewide regulatory program governing land application of biosolids. Such a program should not infringe upon the authority of local governments to monitor compliance. VACo supports the ability of local governments to propose amendments to biosolids permits as they are considered by DEQ.

Dam Safety

VACo supports dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards. VACo encourages the Department of Conservation and Recreation (DCR) to institute reasonable calculations of probable maximum precipitation rainfall amounts that accurately identify at-risk structures and facilitate the most efficient targeting of scarce resources to the neediest structures. VACo supports programs that keep downstream owners and developers aware of potential inundation zones. VACo also supports sufficient state and federal funding for the repair and maintenance of dams.

Renewable Energy and Energy Efficiency

VACo supports initiatives among all levels of government to reduce dependence upon foreign sources of energy, reduce emissions of greenhouse gases, and improve energy efficiency. VACo supports production of renewable energy in Virginia through the implementation of Renewable Portfolio Standards. VACo also supports responsible policies that enable coal and natural gas extraction, processing, and transport while protecting agriculture and natural resources.

Invasive Species and Noxious Weeds

VACo encourages robust funding for, and the complete implementation of, the Virginia Invasive Species Management Plan. VACo supports an amendment to the term, "noxious weeds," enabling additional invasive plants to be considered for regulation. All programs and proposals should be evaluated for their commercial impact, allowing no more than a negligible impact on Virginia's agricultural industry.

Land Conservation

VACo encourages targeted initiatives to facilitate the protection of land for conservation purposes. VACo supports the creation a Purchase of Development Rights program that provides state funding for the Virginia Land Conservation Foundation and participation incentives for landowners. Such programs preserve prime soils for food production and protect important forest land and environmentally sensitive areas in the Commonwealth.

VACo supports voluntary state and federal conservation programs, including the United States Department of Agriculture's (USDA) Environmental Quality Incentives Program and the Conservation Stewardship Program, to assist producers with the implementation of best management practices.

Large Utility Projects

VACo supports the provision of adequate direction and resources for DEQ to improve monitoring and enforcement of Erosion and Sediment Control and Stormwater requirements by entities constructing large-scale utility projects. DEQ should conduct a review of the annual standards, specifications, and construction general permit requirements to determine adequate protection of water quality and natural resources.

Non-Point Source Pollution

VACo supports a well-financed state program to address non-point source runoff from agricultural operations. The program should encourage implementation of priority best management practices such as nutrient management planning, use of cover crops, continuous no-till farming and development of forested riparian buffers and livestock stream exclusion.

Predator Control

VACo urges state and federal agencies to support the agricultural industry by allowing farmers and producers sufficient flexibility when protecting livestock against predatory animals. VACo encourages the USDA Wildlife Services Division and the Virginia Department of Agriculture and Consumer Services to allow producers access to the predator control tools required for the continuation of effective livestock production. VACo also supports USDA's Livestock Indemnity Program and the financial relief it provides to producers who have lost livestock to the attacks of federally protected predators.

Rural Broadband

VACo supports initiatives by USDA's Rural Telecommunications Program (RTP) to expand broadband access to our nation's most rural communities. VACo believes that closing the digital divide ensures that all Virginia communities can compete in the 21st century economy. Connectivity is critical for emergency communications, education, economic development, health care, and more. Therefore, VACo urges robust funding for USDA's RTP.

Southern Rivers Watershed

VACo supports continued funding for the Southern Rivers Watershed Enhancement Program to improve water quality in non-Chesapeake Bay watersheds.

Stormwater Programs

VACo supports state funding that enables local governments to meet the costs associated with local stormwater management programs. VACo opposes legislation that amends the stormwater management laws in ways that do not fully satisfy the resource and funding needs of the DEQ as well as stormwater legislation that imposes additional unfunded mandates or other financial burdens upon local governments. VACo supports legislation that proposes creative and cost-effective stormwater management practices.

Additionally, VACo supports initiatives that clarify and modernize stormwater regulations and permitting processes, including (but not limited to) measures that makes permitting more efficient, reevaluates the fee structure system, and allows for considerations of factors such as long-term maintenance costs.

Finally, VACo supports legislation that proposes innovative solutions to facilitate compliance with stormwater standards in ways that promote economic development while achieving water quality goals.

Onsite Wastewater Systems

VACo supports legislation ensuring that potential buyers of real property are told about the type, size and maintenance requirements and associated costs of the wastewater systems on the property prior to the signing of the initial sales contract and the recordation of engineered systems plat and deed at the time of sale.

Uranium Mining

VACo supports continuation of a moratorium on uranium mining and milling within the Commonwealth of Virginia.

Virginia Cooperative Extension

VACo supports sufficient funding for the Virginia Cooperative Extension Service.

Water Supply Planning

VACo supports appropriations adequate to ensure full funding by the state for the ongoing development and implementation of state-mandated water supply plans. VACo does not support overly burdensome permitting processes or applications for water usage.

Zoning Authority

VACo supports maintaining local zoning authority regarding solar farms and other energy or utility projects to protect agricultural and other local considerations.

