



**LAND USE & ENVIRONMENT COMMITTEE**

**Meeting Minutes – February 15, 2018**

**Attendees:**

Jenny Biché	Rappahannock-Rapidan Regional Commission
Deirdre Clark	John Marshall Soil and Water Conservation District
Steve Cook	Virginia Department of Health
Joe Costello	Rappahannock-Rapidan Regional Commission
Michelle Edwards	Rappahannock-Rapidan Regional Commission
Mike Fisher	Madison County Planning Commission
Josh Frederick	Orange County
Andrew Hopewell	Fauquier County
Clint Hyde	Madison Gigabit
Joel Hyde	Madison citizen
Richard Jacobs	Culpeper Soil and Water Conservation District
Patrick Mauney	Rappahannock-Rapidan Regional Commission
John McCarthy	Piedmont Environmental Council
Mike Mosko	Madison County Planning Commission
James Sawyer	Fauquier County
Kyle Settle	Culpeper County

**Solar Energy Planning Considerations and Tools**

***Joe Costello, Rappahannock-Rapidan Regional Commission (RRRC)***

Joe Costello delivered a presentation on solar planning, including factors localities should consider when planning for utility scale-solar projects and GIS tools (see attached). He demonstrated use of one of the tools, PV Mapper, which is a free tool available at <http://pvmapper.org> through a partnership between the U.S. Department of Energy and several universities. This user-friendly tool can be used to screen parcels using preloaded weights, or local data can be uploaded to supplement the national sources. The weights can also be adjusted according to local priorities.

Deirdre Clark asked whether sensitive threatened and endangered species information is included in the PV Mapper tool. Michelle Edwards responded no it is not. Local governments could upload the data they received from the Department of Conservation and Recreation's Natural Heritage program into the tool, and only they would have access to the data in their account.

Mike Fisher asked if Madison County data is in PV Mapper's system. Mr. Costello replied yes for national data sources, such as USGS soils data or national monuments. More localized data, such as locally-important historic sites, may or may not be included. Mike Mosko asked whether the proposed solar farm site in Culpeper County and the one approved in Orange County are close to a transmission line. Mr. Costello answered yes, proximity to power infrastructure is a key factor in siting utility-scale solar projects.

Patrick Mauney asked if a regional solar GIS map created by RRRC using PV Mapper would be of interest. Mr. Mosko responded that getting assistance from RRRC creating a map and score for an individual project would be more useful.

Further questions and comments regarding the solar planning tools presented or requests for assistance in using them should be directed to Joe Costello at [jcostello@rrregion.org](mailto:jcostello@rrregion.org) or (540) 829-7450.

Following Mr. Costello's presentation, Ms. Edwards asked each of the localities represented to share their experience in planning for solar projects.

### ***Orange County***

Josh Frederick stated Orange County had no solar regulations in place when its first utility-scale solar application was received. The solar ordinance they drafted was not passed. The County's Special Use Permit provisions in the Zoning Ordinance includes energy projects, which provided a mechanism for handling the application. The project location is out of sight, so the Board of Supervisors approved it.

John McCarthy asked whether decommission provisions were included in the permit, to which Mr. Frederick responded yes. The permittee has to keep a bond and the County can require an increase to the amount if the cost estimate goes up. The permittee must submit a third-party estimate every five years. In this case, decommissioning includes removal and restoration to agricultural use.

Mr. Mosko asked whether Orange County has any plans to revisit a possible solar ordinance. Mr. Frederick replied possibly. The Board held off because of the state considering regulations. An attendee asked whether the property was in land use, to which Mr. Frederick responded yes-real estate, and also machine and tools tax. He also noted that the solar company proposed a cap on fees, which the County denied.

Andrew Hopewell asked how solar energy is handled in Orange County's comprehensive plan. Mr. Frederick answered that their comprehensive plan does not address energy, but potential conflicts such as viewshed and agricultural lands are included. As a result, planning staff were able to make recommendations based on those guidelines.

Mr. Frederick noted that the permit included vegetation requirements to screen the site from view. The permittee must fill a 100-foot buffer that emulates a natural pattern including use of native species. When asked whether easements to ensure sunlight can reach the solar panels were included, he responded no.

### ***Fauquier County***

Mr. Hopewell stated that Fauquier County approved a solar project in Remington in 2015. It was handled through a comprehensive plan amendment. The project is not screened the way they would like, but is away from main thoroughfares, so it is not as impactful. Ms. Clark asked how the vegetation is maintained. Mr. Hopewell replied that grass at the site is mowed regularly.

He noted there were re-zonings involved with the project. In Fauquier County solar projects can only be built on agricultural and industrial zones. Mr. Mosko asked whether a bond was required, to which Mr. Hopewell responded yes. There were also buffer requirements.

Mr. Hopewell stated that Fauquier County is updating the Rural Land Chapter of its Comprehensive Plan to ensure prime agricultural land is not being lost. The Remington site was in the County's Service District, where development is encouraged to be sited.

### ***Madison County***

While Madison County has not received any applications for commercial solar projects yet, Mr. Fisher stated that they have been working on revising the zoning ordinance over the last year to get ahead of the situation. The Board of Supervisors did not approve it on the first try, but they are trying again. The non-commercial solar ordinance passed. The lack of a bond requirement was the reason the commercial ordinance did not pass. The County is currently trying to decide whether to allow commercial solar projects on agricultural land.

### ***Culpeper County***

Kyle Settle stated that Culpeper County is currently in the process of developing a solar ordinance for A1 (Agricultural) and RA (Rural Area) zoned property. The Board of Supervisors did not pass the proposed draft at the work session yesterday and instead sent it back to the rules committee. The commercial solar project application that the County received was pulled by the solar company, but they intend to resubmit.

### ***Solar Workshop Discussion***

Ms. Edwards stated that the Regional Commission will be hosting a solar planning workshop in partnership with the Piedmont Environmental Council. The tentative date is April 13, 9:00am-12:00 noon in Remington. The exact location is yet to be determined. Copies of the draft agenda were distributed to attendees for their input (see attached).

Mr. Mosko stated that he attended a Farm Bureau event where a lawyer presented on bonds and other legal issues surrounding solar projects. He suggested a similar speaker may be of interest. Mr. McCarthy offered that local case studies can also speak to this. Mr. Mosko further recommended including a discussion of pros and cons of using only special use permits to handle commercial solar projects. Ms. Edwards stated that it was a good idea which Joe Lerch with the Virginia Association of Counties should be able to address in his presentation. Mr. McCarthy agreed.

It was suggested that Virginia Department of Environmental Quality (DEQ) staff should cover stormwater/erosion and sediment control considerations, especially for by-right solar projects.

Mr. Settle stated that the biggest concern from an erosion and sediment control standpoint is mass grading. Mr. Mauney asked whether DEQ is asking for a bigger role in permitting. Mr. McCarthy responded yes, but the outcome of the request is uncertain.

Mr. Fisher stated he would like to know more about maintenance needs. Mr. Settle replied that solar panels are self-cleaning in this climate, so maintenance is minimal. Other attendees agreed.

Ms. Clark suggested promoting solar on public property should be incorporated into one of the presentations. Mr. Costello replied that LIDAR can help with finding best siting locations, and Mr. McCarthy noted that the Warrenton police station is looking into adding solar panels.

Ms. Edwards asked if Piedmont Environmental Council or any other group is putting together solar information for landowners. Mr. McCarthy responded no, but they will likely need to. Ms. Clark stated that the Land Trust of Virginia is moving in that direction.

The Regional Commission will provide additional details regarding the solar planning workshop to Committee members as it becomes available. Further questions and comments regarding the workshop should be directed to Michelle Edwards at [medwards@rrregion.org](mailto:medwards@rrregion.org) or (540) 829-7450.

### **RRRC Initiative Updates**

#### ***Upper Goose Creek TMDL – Jenny Biché, RRRC***

The Upper Goose Creek TMDL includes parts of northern Fauquier County and southern Loudoun County. The final public meeting for Implementation Plan development was held in June 2017, the public comment period ended in July, and DEQ submitted the Plan to the U.S. Environmental Protection Agency (EPA) in October. The EPA recently responded that more details on prioritization of implementation strategies are needed. The steering committee will reconvene the week of February 19<sup>th</sup> via teleconference to address EPA's comments.

Information regarding the Upper Goose TMDL Implementation Plan process can be found on RRRC's website at [www.rrregion.org/tmdl\\_goose.html](http://www.rrregion.org/tmdl_goose.html). For additional information, please contact Jenny Biché at [jkbiche@rrregion.org](mailto:jkbiche@rrregion.org) or (540) 829-7450.

#### ***Tween Rivers Agri-artisan Trail – Jenny Biché, RRRC***

The Tween Rivers Trail is a virtual agri-artisan trail created by RRRC's Regional Tourism Committee in 2017 to support these businesses in the Commission's five-county region. The trail has now grown from 35 trail sites to 64.

As part of a USDA Farmers Market Promotion Program grant, the Regional Tourism Committee has been hosting free quarterly workshops on a variety of agritourism-related topics. The next workshop will teach participants how to create tourism packages and promotions. It will be held on March 21 at 9:00am-12:00noon at Narmada Winery (see attached flyer). To register please go to <https://rrtourism.eventbrite.com>.

For additional information on the Tween Rivers Trail, please visit [www.tweenriverstrail.com](http://www.tweenriverstrail.com), or

contact Jenny Biché at [jkbiche@rrregion.org](mailto:jkbiche@rrregion.org) or (540) 829-7450.

***Regional Food Policy Council – Michelle Edwards, RRRC***

The Rappahannock-Rapidan Food Policy Council launched the Purely Piedmont label program, in the fall of 2017, to market the region’s locally-grown food and beverages. RRRC has secured a state-level trademark for the Purely Piedmont brand from the Virginia State Corporation Commission. The trademark currently covers fruit, vegetable, meat and dairy products, but not beverages. In order to apply for a trademark, evidence must be provided of the mark’s use in the category being applied for. Once that evidence can be secured from beverage producers in the region, RRRC will apply for those categories. (See 21VAC5-120-100 Categories 29 and 31 for a full listing of products currently covered by the Purely Piedmont Trademark at <https://law.lis.virginia.gov/admincode/title21/agency5/chapter120/section100>)

The three-year Farmers Market Promotion Program grant that RRRC received from the USDA funds the Purely Piedmont campaign, as well as marketing activities for the Tween Rivers Trail, Piedmont Environmental Council’s Buy Fresh Buy Local program, Culpeper Farmers Market and Madison County Farmers Market. Ms. Edwards shared the following notable statistics from the grant’s first annual report (Oct 2016 – September 2017):

- 160,000 Consumers, farmers or buyers were reached
- 37,000 reported they gained knowledge on how to buy or sell local food via surveys
- Created or maintained 40 jobs
- Assisted 8 new beginning farmers in going into local/regional food production
- 70% of Tween Rivers Trail members saw an increase in customers
- Culpeper Farmers Market saw an 11% increase in attendance at its education programs marketed through the grant
- Sales at the Madison Farm Market increased by 70%

Window clings with the Purely Piedmont logo and website address are now available thanks in part to a suggestion from a farmer in the region who signed up for the label program. A postcard mailer, billboard in Culpeper and advertisement on the Culpeper – Orange Connector bus are planned for May/June 2018. Any suggestions for advertising in Fauquier or Rappahannock Counties are appreciated.

The Food Policy Council’s next meeting will be held on Tuesday, March 20, 2018, at 5:30 pm in the RRRC conference room. For further information about the regional Rappahannock-Rapidan Food Policy Council, including upcoming meetings, please contact Michelle Edwards at (540) 829-7450 or [medwards@rrregion.org](mailto:medwards@rrregion.org), or visit RRRC’s Regional Food System webpage at [www.rrregion.org/foodsystem.html](http://www.rrregion.org/foodsystem.html). To learn more about the Purely Piedmont label program, including free producer registration, please visit [purelypiedmont.com](http://purelypiedmont.com).

***Homeowners Guide – Michelle Edwards, RRRC***

During the previous Committee meeting, Ms. Edwards led attendees in the first annual review of the “Homeowners’ Guide to a Watershed-friendly Backyard,” published by RRRC in 2016.

Members were asked to provide recommended updates to the resources and contacts listed at the end of each chapter, while the remainder of the content will remain the same. The updated version can be now found on RRRC's Rainscaping webpage or via the following direct link: [www.rrregion.org/pdf/publications/environment/Homeowners%20Guide%20to%20Watershed%20Friendly%20Backyard%20Final.pdf](http://www.rrregion.org/pdf/publications/environment/Homeowners%20Guide%20to%20Watershed%20Friendly%20Backyard%20Final.pdf).

### **Member Roundtable**

- **Josh Frederick, Orange County**– The County is currently conducting its five-year review of the comprehensive plan.
- **Deirdre Clark, John Marshall SWCD**– The District will be applying for funding to implement the Goose Creek TMDL Implementation Plan when it becomes available.
- **Mike Fisher, Madison County**– The County recently updated its comprehensive plan. The Board of Supervisors declined to hire a County Planner, but the County's Planning Commission will continue asking.
- **Andrew Hopewell, Fauquier County**– The County recently appropriated \$3.5 million in additional funds for the Catlett-Calverton sewer project and revised its sewer ordinance.
- **John McCarthy, Piedmont Environmental Council**– John noted that Fauquier County released a Request for Proposals for the Regional Food Port feasibility study. Bids are due by February 28<sup>th</sup>.
- **Steve Cook, Virginia Department of Health (VDH)**– The Department is considering privatization of its onsite sewage program.
- **Kyle Settle, Culpeper County**– The County is working with the Army Corps of Engineers on developing a watershed management plan for Lake Pelham and Mountain Run. They are currently waiting on a scope of work and cost-share agreement.

### **Next Land Use & Environment Committee Meeting:**

The next Land Use and Environment Committee meeting is scheduled for May 17, 2018 at 10:00 am – 12:00 noon in the RRRC conference room. Please provide any suggestions for future meeting topics to Michelle Edwards at [medwards@rrregion.org](mailto:medwards@rrregion.org).