



# 2020 GENERAL ASSEMBLY LEGISLATIVE UPDATE

February 6, 2020

# Resiliency – Shoreline Resiliency Fund

- HB22 (Lindsey) – Changes from lending to grant program
  - ▣ Assigned to appropriations subcommittee
- HB751 (Jones) & SB320 (Lewis) – Renames to Community Flood Preparedness Fund, creates low-interest loan program and may be used to implement community-scale mitigation activities

# Resiliency – State Organizational Structure

- HB1313 (Hodges) – Chief Resiliency Officer designated with additional authority to coordinate across departments
  - ▣ Assigned to appropriations subcommittee
- HB389 (Miyares) – Establishes Commonwealth as nonfederal sponsor for ACOE projects, Governor reports on agency roles in 1 year
  - ▣ Continued to 2021

# Resiliency – Climate Change Planning

- HB672 (Willett) – State agencies required to assess impacts of new regulations & policies on climate change
  - ▣ Local & regional planning commissions required to consider impacts of climate change in adopting comprehensive plans, regional strategic plans, & zoning ordinances
  - ▣ Substitute engrossed by House

# Resiliency – “Soggy Socks” revised

- HB1364 (Hodges) – Creates pilot program allowing Middle Peninsula Chesapeake Bay Public Access Authority to research if RPA can be modified to protect property from recurrent flooding and improve water quality
  - ▣ Continued to 2021
  
- HB1366 (Hodges) – Creates program with DEQ and VDH to identify solutions for septic tanks in the RPA that are prone to recurrent flooding
  - ▣ Continued to 2021

# Resiliency – Insurance & Living Shorelines

- HB794 (Askew) – Directs Virginia Resources Authority to establish a program to subsidize the purchase of flood insurance by low-income Virginians
  - ▣ Continued to 2021
  
- HB1375 (Hodges) – Asserts that living shorelines are preferred way to stabilize tidal shorelines and directs DCR and VIMS to create technical guidance to support projects designed to attenuate wave action
  - ▣ Reported from Subcommittee

# Stormwater – SLAF

- \$188M allocated for next biennium budget
- SJ53 (Lewis) – DEQ study to revise the priority ranking criteria for SLAF to include Nitrogen
  - ▣ Reported from Finance and Appropriations with Amendments

# Stormwater – Miscellaneous

- SB1067 (Kiggans) – Stormwater waivers for airports
  - ▣ Stricken at request of patron
- SB843 (Chapman Petersen) – Stormwater & ESC acceptance of plans in lieu of plan review
  - ▣ Administrative bill only applicable to DEQ
  - ▣ Passed Senate
- HB1205 (Tran) – Notice of discharge of deleterious substance into state waters
  - ▣ 8 hour time frame removed, DEQ in charge of communicating to VDH within 12 hours only if DEQ determines there is more than a *de minimus* impact on public health
  - ▣ DEQ will need to define what constitutes a *de minimus* impact
  - ▣ Passed House



# Stormwater – Water Quality Trading

- HB1393 (LaRock) & HB1464 (Gooditis) – Restricted export of credits from locality
  - ▣ Laid on table & continued to 2021
  
- SB747 (Hanger) – Limits credit transfers to private sector
  - ▣ VAMSA added language so this will not affect locality trading agreements and pro rata share programs
  - ▣ Reported from subcommittee

# Stormwater – Trees

- HB 520 (Bulova) – Directs DEQ to form a SAG and study the planting and preserving of trees as a land cover type and as stormwater BMP; report findings by Nov. 1, 2020
  - Passed House
  
- HB 221 (Mugler) – “Ches Bay watershed” trees be added to the list of the types of trees that a locality with a tree conservation ordinance is authorized to designate individually for preservation, amended to request that “flood mitigation” trees be added instead
  - Continued to 2021

# Utility Solar

- HB655 (Heretick)/ SB870 (Marsden) – Conditional zoning for solar projects
- HB657 (Heretick) – Solar facility “2232” review for “substantial accord” with comprehensive plan
- HB1131 (Jones) – Authorizes revenue sharing based on megawatt hours in exchange for full property tax exemption
- HB1434 (Jones) – Phased decrease in local property tax exemption

# Offshore Wind

- \$40 million budget proposal to support offshore wind staging and manufacturing activities at PMT
- \$275,000 budget proposal to create Virginia Office for Offshore Wind
  - ▣ Budget amendment proposed to fund office at \$1.025 million per year
- HB1526 (Sullivan) /SB851 (McClellan) – Virginia Clean Economy Act
  - ▣ Establishes a renewable portfolio standard (RPS) requiring 100% renewable electricity production by 2050
  - ▣ 5,200 MW must come from offshore wind by 2034

# Regional Greenhouse Gas Initiative

- HB981 (Herring) – Clean Energy and Community Flood Preparedness Act
  - ▣ Establishes CO<sub>2</sub> cap and trade program compliant with RGGI
  - ▣ Changes Virginia Shoreline Resiliency Fund to Virginia Community Flood Preparedness Fund
  - ▣ Directs 45% of RGGI proceeds to Virginia Community Flood Preparedness Fund