

ENVIRONMENT AND ENERGY CONSERVATION COMMISSION
c/o Department of Environmental Services
2100 Clarendon Blvd., Suite 705
Arlington, VA 22201

July 22, 2019

The Honorable Christian Dorsey, Chair
Arlington County Board
2100 Clarendon Blvd.
Arlington, VA 22201

Re: E2C2 Feedback on Arlington's 2020 Legislative Priorities (Energy and the Environment)

Dear Chair Dorsey:

Thank you for the opportunity to provide feedback to help you prepare Arlington's 2020 legislative priorities package. We have organized our response based on the questions that you provided in your June 25 email.

1. If the Governor and legislature could take 1-3 actions that would affect the work of your group, what would most benefit Arlington?

Support 2019 Community Energy Plan Goals. Pursue legislation that will promote improved access to energy efficiency, renewable energy, energy resilience and energy storage by all sectors of the community on an equitable basis, consistent with the goals of Arlington's 2019 Community Energy Plan Update. Some examples are included below.

Solar Freedom Legislation: Support legislation to remove specific legal barriers¹ to development of solar electricity in Virginia. These barriers harm commercial, residential and public sector efforts to create jobs and reduce greenhouse gas emissions.

Legislative approval to join the Regional Greenhouse Gas Initiative (RGGI): Support the Department of Environmental Quality rule to regulate CO₂ emissions from the electric power sector in Virginia through participation in the existing Regional Greenhouse Gas Initiative. Support use of the proceeds from the market for carbon reduction to (1) incentivize greater energy efficiency and renewable energy investments, and (2) address public health, integrity of property, and economic and infrastructure resilience amid climate change.

¹ In 2019, Solar Freedom Legislation was proposed to eliminate or reduce 8 specific legal barriers. For details see HB 2329, <http://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+HB2329>, and SB 1456, <http://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+SB1456>.

2. *Given the state budget cuts over the past decade, what are the most important to restore? Are there other areas in the budget that should be expanded? Are there any funding cuts you would recommend?*

Agricultural Best Management Practices: Arlington has a strong interest in protecting and preserving State water quality, particularly in the Chesapeake Bay. Robust and reliable funding of Virginia's agricultural best management practices cost-share program is essential for meeting the Commonwealth's water quality goals. Common agricultural practices represent some of the easiest and most cost-effective steps Virginia can take to restore the Bay and protect local streams. Accordingly, E2C2 recommends that the budget for Agricultural Best Management Practices be increased to ensure that the Commonwealth improves water quality and protects Virginia's waterways.

Stormwater Local Assistance Fund: For the same reason, E2C2 recommends additional support for the Stormwater Local Assistance Fund, a program that provides matching grants to localities for effective storm water management practices. Storm water management has represented, for a number of years, one of the most costly County environmental programs. Although the General Assembly has increased the allocation in previous years, many municipalities and environmental groups estimate that a \$50 million investment is needed annually to help localities better manage polluted runoff.

3. *From your involvement in Arlington and the Commonwealth, what legislation can you anticipate in 2020 that might affect Arlington positively or negatively? In other words, is there anything we should anticipate and develop a strategy to address?*

Renewable Energy Performance Standard: Enact a mandatory Renewable Portfolio Standard (RPS) with enforceable near-term percentage targets to provide a market incentive for renewable power in Virginia, reduce greenhouse gas emissions, and keep Virginia competitive with neighboring states.

Energy Efficiency Resource Standard: Enact an Energy Efficiency Resource Standard (EERS) that requires utilities in Virginia to meet annual, long-term targets for reducing energy use, and requires that utilities meet their energy resource needs first through energy efficiency if that approach results in lower costs and emissions.

Implement Advanced Clean Car Standards: Adopt the Advanced Clean Car Standards which have been adopted by 13 states and the District of Columbia. Adopting these standards will provide Virginia with evidence-based standards designed to substantially reduce greenhouse gas emissions and will protect the state in the event that federal emissions standards are weakened.

Strengthen building codes: The efficiency elements of statewide building codes should be at least as strong as in the International Energy Conservation Code. Local governments should be permitted to impose stronger efficiency and renewable energy requirements within their jurisdictions.

4. ***Among businesses, other local governments, or interest groups, who would be our natural allies, if any, both in our community and around the Commonwealth on any of these issues? We are always more effective when we create a statewide team.***

On regional issues, our allies would likely include such groups as the Metropolitan Washington Council of Governments, Northern Virginia Regional Commission, members of which would likely support legislation protecting the Chesapeake Bay. Other Northern Virginia localities, like Falls Church, Alexandria, and Fairfax County may also have similar priorities as Arlington. Coastal communities like those in Hampton Roads may be good partners in advocating for greater attention to issues related to climate change resilience and sea level rise. Broad-based nonprofit environmental organizations with a strong presence in Richmond, such as the Sierra Club, Southern Environmental Law Center (SELC) and Virginia Conservation Network, also can be helpful allies on a wide range of issues. On specific issues, groups such as the Washington Area Bicyclist Association (bicycle safety proposals), the Virginia Association of Soil and Water Conservation Districts (stormwater), and The Nature Conservancy (land conservation) would likely be natural allies.

5. ***Is there anything else that you would like to suggest to help us best develop our 2019 legislative priorities?***

Legislation to Address Plastic Pollution: Recognition of the harmful impacts of single-use plastic has prompted a groundswell of legislative action by countries around the world; at least 127 countries have introduced bans or taxes on the use of plastic bags and/or on other common types of single-used plastics. Within the United States California, Hawaii, New York and Maine have all signed different types of plastic bans into law, and at least four additional states have legislation in progress. More than 300 US municipalities have passed bans or taxes on some form of plastic. We recommend that the following be pursued:

- Pass legislation banning or allowing localities to ban the use of plastic bags by grocery stores and retail establishments exceeding a certain size.
- Institute a fee or allow localities to institute a fee for paper bags or reusable bags to incentivize consumers to bring their own bags with them.
- Ban distribution or allow localities to ban the distribution of plastic straws, except in limited circumstances (for instance hospitals and nursing homes). Ban or allow localities to ban plastic stirrers and polystyrene containers for which there are many less harmful alternatives.
- Assess statewide patterns (including county level disaggregation) of single use plastic consumption, to develop a baseline against which future changes can be assessed. County level disaggregation would also allow linking plastics to CO₂ production and municipal finances in the future.

Environmental Justice: Establish and fund a permanent Advisory Council on Environmental Justice and a state office to identify and evaluate environmental justice issues and to advise the Governor, legislature, and local governments about such issues and possible solutions.

Community Solar: Allow ratepayer subscriptions (e.g. “community solar”) for electricity from solar-produced power for all rate payers, including community net metering. Any legislation permitting community solar subscriptions should not foreclose other Power Purchase Agreement options. Community solar must not be limited to utility-sponsored programs.

Emergency preparedness: Provide the Department of Mines, Minerals and Energy (DMME) with authority and funding to work with local governments to use distributed solar and battery storage technology to establish resiliency hubs and emergency centers and shelters around the Commonwealth, focusing as a priority on low income and other vulnerable populations. These facilities may be increased in size to serve other critical facilities, such as hospitals, police and fire stations. DMME or local governments should be authorized to sell storage services and energy to utilities or others during non-emergency periods and apply the funds to meet resiliency functions.

Establish a Green Bank: Direct the Department of Mines, Minerals, and Energy (DMME) to establish a “Green Bank” of public and private funds to serve as a catalyst for innovation and implementation of advanced energy efficiency practices, renewable energy deployment, and other environmental programming throughout the Commonwealth.

Facilitate Energy Benchmarking: Enact an energy benchmarking bill and develop uniform benchmarking guidelines to encourage the development of a strong market for building efficiency. Benchmarking brings building owners’ attention to energy efficiency, resulting in behavioral and operational changes” that reduce energy consumption.

Create the Virginia Energy Efficiency Revolving Fund: Provide no interest loans to localities, public schools and public institutions of higher education for energy efficiency projects. This proposal (sponsored by Sen. Wagner and Del. Sullivan in 2018) would promote sound long-term decisions by localities to invest in energy efficient infrastructure.

Energy Efficiency and Renewable Energy Financing -- Residential PACE: Arlington County and its allies were successful in securing state legislative authority to implement Commercial Property Assessed Clean Energy (C-PACE) financing programs in 2015. A useful follow-up would be to build on this precedent by securing authority to implement a Residential PACE program in the future.

We appreciate the opportunity to provide our comments.

Respectfully,

A handwritten signature in black ink, appearing to read "K. Michael Hanna".

Mike Hanna, Chair

Environment and Energy Conservation Commission