

## Loudoun Wildlife Conservancy 2024 General Assembly Bill Positions POST-CROSSOVER

This bill list is up-to-date as of Crossover (February 13, 2024). Please note that bills are still constantly changing as they move through their second chamber. Click on the bill title to see its updates. The link below each bill will take you to one pagers with talking points for you to use when speaking with your legislator.

### LAND CONSERVATION AND HABITAT

Crossed Over into <b>Senate</b> : <i>SUPPORT</i>	Crossed Over into <b>House</b> : <i>SUPPORT</i>
<p><a href="#">HJ74</a>: Designates the week of the new moon in April, in 2024 and in each succeeding year, as International Dark Sky Week in Virginia.</p>	<p><a href="#">SB455</a>: Establishes the Wildlife Corridor Grant Fund to provide grants for projects that conserve or enhance wildlife corridors prioritized by the Wildlife Corridor Action Plan and associated wildlife crossing infrastructure projects.</p>
<p><a href="#">HB47</a>: Requires, for the retail sale of any invasive plant species on a list established by the Department of Conservation and Recreation, such plant be accompanied by conspicuous signage that identifies the plant as invasive  <a href="https://vcnva.org/wp-content/uploads/2024/01/HB47-SB306-support.pdf">https://vcnva.org/wp-content/uploads/2024/01/HB47-SB306-support.pdf</a></p>	<p><a href="#">SB306</a>: Requires, for the retail sale of any invasive plant species for outdoor use on a list established by the Department of Conservation and Recreation, such plant be accompanied by conspicuous signage that identifies the plant as invasive.  <a href="https://vcnva.org/wp-content/uploads/2024/01/HB47-SB306-support.pdf">https://vcnva.org/wp-content/uploads/2024/01/HB47-SB306-support.pdf</a></p>
<p><a href="#">HB309</a>: Requires the Department of Forestry, in coordination with a stakeholder advisory group, to develop a Forest Conservation Plan no later than November 1, 2025, and update such plan every five years  <a href="https://vcnva.org/wp-content/uploads/2024/01/HB309-support.pdf">https://vcnva.org/wp-content/uploads/2024/01/HB309-support.pdf</a></p>	<p><a href="#">SB461</a>: Requires the Department of Forestry, in coordination with a stakeholder advisory group, to develop a Forest Conservation Plan no later than November 1, 2025, and update such plan every five years thereafter.</p>
<p><a href="#">HB459</a> (/HB170): Allows any locality to adopt an ordinance providing for the conservation of trees during the land development process.</p>	<p><a href="#">SB121</a>: Allows any locality to adopt an ordinance providing for the conservation of trees during the land development process.  <a href="https://vcnva.org/wp-content/uploads/2024/01/HB459-and-SB121-support.docx.pdf">https://vcnva.org/wp-content/uploads/2024/01/HB459-and-SB121-support.docx.pdf</a></p>
<p><a href="#">HB1100</a>: Conservation of trees during land development process. Expands current provisions that provide that certain localities in Planning District 8 (Northern Virginia) may, by ordinance, require conservation of trees during the land development process by making such provisions available to localities statewide            ~Counties, Cities, and towns</p>	

Crossed Over into <b>Senate</b> : <i>SUPPORT</i>	Crossed Over into <b>House</b> : <i>SUPPORT</i>
<p><a href="#">HB529</a>: Expands existing local government authority to conserve or replace trees during the development process by allowing localities to establish higher tree canopy replacement percentages, based on density per acre, lot size, or any other measurement relevant to the practices of the locality to achieve MS4 stormwater nutrient reductions, mitigate urban heat islands, increase resilience to climate change, including reducing coastal and inland flooding, and mitigate air pollution.</p> <p><a href="https://vcnva.org/wp-content/uploads/2024/01/HB529-support.docx.pdf">https://vcnva.org/wp-content/uploads/2024/01/HB529-support.docx.pdf</a></p>	
<p><del><a href="#">HB528</a>: Provides that no association shall prohibit an owner from installing managed conservation landscaping, defined in the bill, upon such owner's property unless such prohibition was recorded in the declaration for the association.</del></p> <p><del><a href="https://venva.org/wp-content/uploads/2024/01/HB528-support-1.pdf">https://venva.org/wp-content/uploads/2024/01/HB528-support-1.pdf</a></del></p> <p>CONTINUED</p>	
<p><a href="#">HB1167</a>: Authorizes any locality to adopt an ordinance prohibiting the sale of English ivy, with violations punishable by a civil penalty</p>	
<p><del><a href="#">HB1297</a>: Provides that beginning July 1, 2026, after required distributions for transportation and localities under current law, up to \$200 million of the remaining recordation tax revenues shall be distributed for specified land protection and preservation purposes.</del></p> <p>FAILED TO CROSS OVER</p>	
	Senate Bills: <i>OPPOSE</i>
	<p><del><a href="#">SB299</a>: Repeals provisions relating to the establishment of the Cave Board and transfers the duties of the Cave Board to the Board of Conservation and Recreation.</del></p> <p><i>DEFEATED</i></p>

### Land Conservation And Habitat Budget Amendments

House Member Requests: <i>SUPPORT</i>	Senate Member Requests: <i>SUPPORT</i>
<p><a href="#">Item 360 #2h (Sickles)</a> Removes the requirement that acquisitions of lands for Natural Area Preserves be</p>	<p><a href="#">367 #3s (Marsden)</a> \$5 million annually for Wildlife Corridor Grant Fund</p>

limited to properties explicitly authorized by the General Assembly	
<a href="#">359 #2h (Sickles)</a> Provides an additional \$593,352 each year from the general fund and five positions to increase support for the Department of Conservation and Recreation's Natural Heritage Program	<a href="#">359 #1s (Deeds)</a> Provides an additional \$593,352 each year from the general fund and five positions to increase support for the Department of Conservation and Recreation's Natural Heritage Program
<a href="#">359#15h (Reid)</a> Out of the appropriation in this item, \$2,000,000 the second year from the general fund is provided for the Department to provide grants to homeowners associations in Planning District 8 for the removal and replacement of invasive species as defined by the Department.	<a href="#">436 #1s (Subramanyam)</a> This amendment provides \$500,000 GF the first year for the department to conduct a study of tree canopy loss due to road construction and identify opportunities for reforestation
	<a href="#">96 #1S (Marsden)</a> Adds \$5M each year for the Forest Sustainability Fund
	<a href="#">96 #3s</a> \$175k each year for a FTE for DOF Policy Analyst
	<a href="#">96 #4h (Lopez)</a> \$5M each year for the Forest Sustainability Fund

**DATA CENTERS AND POWER:**

<u>Crossed Over into Senate:</u> <i>SUPPORT</i>	<u>Crossed Over into House:</u> <i>SUPPORT</i>
<a href="#">HB338</a> : Requires a locality, prior to any approval for the siting of a data center, to perform a site assessment to examine the effect of the data center on water usage and carbon emissions as well as any impacts on agricultural resources within the locality.	<a href="#">SB285</a> : Requires a locality, prior to any approval for the siting of a data center, to require disclosure of water and power usage at full build-out and perform a site assessment to examine the effect of the data center on water usage, the regional electric grid, and carbon emissions as well as any impacts on agricultural, historic, and cultural resources within the locality. <a href="https://venva.org/wp-content/uploads/2024/01/SB-285-support.pdf">https://venva.org/wp-content/uploads/2024/01/SB-285-support.pdf</a> CONTINUED
<a href="#">HB337</a> : Provides that any local government land use application required for the siting of a data center shall only be approved in areas where the data center will (i) have a minimal impact on historic, agricultural, and cultural resources and (ii) not be within one-half mile of a national park, state park, or other historically significant site. <a href="https://venva.org/wp-content/uploads/2024/01/HB-337-support.pdf">https://venva.org/wp-content/uploads/2024/01/HB-337-support.pdf</a>	<a href="#">SB284</a> : Provides that any local government land use application required for the siting of a data center shall only be approved in areas where the data center will (i) have a minimal impact on historic, agricultural, and cultural resources and (ii) not be within one-half mile of a national park, state park, or other historically significant site. <a href="https://venva.org/wp-content/uploads/2024/01/SB-284-support.docx.pdf">https://venva.org/wp-content/uploads/2024/01/SB-284-support.docx.pdf</a>

<p>FAILED TO CROSS OVER</p>	<p>CONTINUED</p>
<p><a href="https://venva.org/wp-content/uploads/2024/01/HB116-SB-192-support-data-centers.docx.pdf">HB116</a>: Requires data center operators to meet certain energy efficiency standards in order to be eligible for the sales and use tax exemption for data center purchases. <a href="https://venva.org/wp-content/uploads/2024/01/HB116-SB-192-support-data-centers.docx.pdf">https://venva.org/wp-content/uploads/2024/01/HB116-SB-192-support-data-centers.docx.pdf</a> CONTINUED</p>	<p><a href="#">SB192</a>: Requires data center operators to meet certain energy efficiency standards in order to be eligible for the sales and use tax exemption for data center purchases. CONTINUED</p>
<p><a href="#">HB340</a>: Provides that the construction and reconstruction of any underground, in whole or in part, electrical transmission lines of at least 69 kilovolts and less than 500 kilovolts along a highway right-of-way under the jurisdiction of the Department of Transportation in Planning District 8 where a data center proposal is under construction in an area located within a half mile of a National Battlefield Park and within one mile of a state forest is in the public interest. FAILED TO CROSS OVER</p>	<p><a href="#">SB286</a>: Provides that the construction and reconstruction of any underground, in whole or in part, electrical transmission lines of at least 69 kilovolts and less than 500 kilovolts along a highway right-of-way under the jurisdiction of the Department of Transportation in Planning District 8 where a data center proposal is under construction in an area located within a half mile of a National Battlefield Park and within one mile of a state forest is in the public interest. FAILED IN COMMITTEE</p>
<p><a href="https://venva.org/wp-content/uploads/2024/01/HB1010-support.docx.pdf">HB1010</a>: Requires that any local government land use application required for the siting of a data center, as defined in the bill, be approved only for areas that are one-quarter mile or more from federal, state, or local parks, schools, and property zoned or used for residential use. <a href="https://venva.org/wp-content/uploads/2024/01/HB1010-support.docx.pdf">https://venva.org/wp-content/uploads/2024/01/HB1010-support.docx.pdf</a> FAILED TO CROSS OVER</p>	<p><a href="#">SB289</a>: Regulations that require certain stormwater management techniques for land disturbances related to data center operation, as defined in the bill, that is located within one mile of any land owned or operated as a unit of the National Park Service or designated as a Virginia State Park or state forest. CONTINUED</p>
<p><a href="https://venva.org/wp-content/uploads/2024/01/HB910-Talking-Points.docx.pdf">HB910</a>: Requires each data center located in the Commonwealth to make a quarterly energy source report to the Department of Energy's Division of Renewable Energy and Energy Efficiency <a href="https://venva.org/wp-content/uploads/2024/01/HB910-Talking-Points.docx.pdf">https://venva.org/wp-content/uploads/2024/01/HB910-Talking-Points.docx.pdf</a> CONTINUED</p>	<p><a href="#">SB191</a>: directs the Commission to initiate a proceeding, on or before December 31, 2024, (i) to determine if the current allocation of costs among customers and the different classifications of customers of electric utilities results in customers that are data centers receiving unreasonable subsidies from other customers or classifications of customers and (ii) if it determines unreasonable subsidies exist, to amend such allocation of costs. <a href="https://venva.org/wp-content/uploads/2024/01/SB191-Talking-Points.docx.pdf">https://venva.org/wp-content/uploads/2024/01/SB191-Talking-Points.docx.pdf</a> CONTINUED</p>
<p><a href="#">HJR30</a>: Requests the State Corporation Commission, in consultation with the Department</p>	<p><a href="#">SB288</a>: Provides that any local government land use application required for the siting of a data</p>

<p>of Energy, to study performance-based regulatory tools for investor-owned electric utilities in the Commonwealth.  <a href="https://vcnva.org/wp-content/uploads/2024/01/VCN-TPs-HJ30-SJ47-Reg-Reform-Study-1.pdf">https://vcnva.org/wp-content/uploads/2024/01/VCN-TPs-HJ30-SJ47-Reg-Reform-Study-1.pdf</a>*</p>	<p><del>center shall be approved only in accordance with certain notice and noise abatement requirements</del>  <a href="https://venva.org/wp-content/uploads/2024/01/SB288-Talking-Points.docx.pdf">https://venva.org/wp-content/uploads/2024/01/SB288-Talking-Points.docx.pdf</a>          FAILED IN COMMITTEE</p>
<p><del><b>HB1288:</b> Requires that a public electric utility or a public utility authorized to furnish water or water and sewer service include a separate classification for data centers when satisfying the existing requirement that any rate, toll, charge, or schedule of a public utility is only considered to be just and reasonable by the State Corporation Commission if the public utility has demonstrated that such rates, tolls, charges, or schedules contain reasonable classifications of customers.</del>  <a href="https://venva.org/wp-content/uploads/2024/01/HB1288-Talking-Points.docx.pdf">https://venva.org/wp-content/uploads/2024/01/HB1288-Talking-Points.docx.pdf</a>          CONTINUED</p>	<p><del><b>SB708:</b> Increases the maximum capacity of qualifying electrical transmission lines, for purposes of the pilot project for underground transmission lines, from 230 kilovolts to 500 kilovolts.</del>  <a href="https://venva.org/wp-content/uploads/2024/01/SB708-Talking-Points.docx.pdf">https://venva.org/wp-content/uploads/2024/01/SB708-Talking-Points.docx.pdf</a>          CONTINUED</p>
<p><del><b>HB109:</b> Requires each incumbent electric utility that is a member of or has established a regional transmission entity for purposes of management and control of its transmission system as required under current law to submit an annual report by February 1 of each year.</del>  <a href="https://vcnva.org/wp-content/uploads/2024/01/HB109-support-PJM-Transparency.pdf">https://vcnva.org/wp-content/uploads/2024/01/HB109-support-PJM-Transparency.pdf</a></p>	<p><del><b>SB664:</b> Prohibits the costs associated with the construction or extension of any electric distribution infrastructure that primarily serves the load of a data center from being recovered from any other customer.</del>          CONTINUED</p>
<p>House Bill: <b><i>OPPOSE</i></b>  <del><b>HB636:</b> Establishes a procedure under which an electric utility or independent power provider (applicant) is able to obtain approval for a certificate from the State Corporation Commission for the siting of an energy facility rather than from the governing body of a locality. Under the bill, applicants are authorized to submit an application to the Commission if (i) the locality fails to timely approve or deny an application; (ii) the application complies with certain requirements for Commission approval, but a host locality denies the application; or (iii) the locality amends its zoning ordinance after it has notified the applicant that its requirements are compatible with the requirements for Commission approval, and the amendment imposes additional requirements that are more restrictive. The bill provides that an applicant who is issued a certificate by the Commission for an energy facility is exempt from</del></p>	

obtaining approvals or permits, including any land use approvals or permits under the regulations and ordinances of the locality.

**CONTINUED**

Data Center Budget Amendments

House Member Requests: <b>SUPPORT</b>	Senate Member Requests: <b>SUPPORT</b>
<p><a href="#">25 #6h (Thomas)</a> \$500k yearly from the general fund in support of a pending House Joint Resolution which directs the Joint Legislative Audit and Review Commission (JLARC) to study the impacts of data center development on Virginia's environment, economy, energy resources, and ability to meet carbon-reduction goals.</p>	<p><a href="#">25 #2s (Roem)</a> \$500k for the JLARC study to evaluate impacts of data centers</p>

**GOOD GOVERNANCE**

<p>Crossed Over into <b>Senate: SUPPORT</b></p>	
<p><a href="#">HB538</a>: Implementation of the Virginia Student Environmental Literacy Plan Grant Program and Fund for school districts to develop local student environmental literacy plans and, with consultation from the Department of Education, to maintain a state environmental literacy plan.  <a href="https://venva.org/wp-content/uploads/2024/01/Support-HB538.pdf">https://venva.org/wp-content/uploads/2024/01/Support-HB538.pdf</a>            FAILED TO CROSS OVER</p>	
<p><a href="#">HB1000</a>: Establishes the Environmental Justice Task Force            FAILED TO CROSS OVER</p>	
<p><a href="#">HB1157</a>: Requires the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Historic Resources, and the Virginia Marine Resources Commission to establish policies and procedures for consulting with federally recognized Tribal Nations in the Commonwealth when evaluating certain permits and reviews  <a href="https://vcnva.org/wp-content/uploads/2024/01/HB1157-support.docx.pdf">https://vcnva.org/wp-content/uploads/2024/01/HB1157-support.docx.pdf</a></p>	
<p><a href="#">HJR24</a>: Creates a 13-member joint subcommittee for a one-year study of the Dillon Rule and its impact on Virginia's localities.            CONTINUED</p>	

	Senate Bills: <b>OPPOSE</b>
	<a href="#">SB446</a> : Consolidates the State Air Pollution Control Board, State Water Control Board, and Virginia Waste Management Board and transfers the duties of such boards into a new Board of Environmental Resources. <b>CONTINUED</b>

Good Governance Budget Amendments

House Member Request: <b>SUPPORT</b>
<a href="#">359 #20h (Cole)</a> \$500k the first year from the general fund for the Environmental Literacy Fund. This amendment is a placeholder until a fiscal impact statement for the legislation is provided.

**WATER**

Crossed Over into <b>Senate</b> : <b>SUPPORT</b>	Crossed Over into <b>House</b> : <b>SUPPORT</b>
<a href="#">HB1472</a> : Requires the State Water Control Board to ensure all activities allowed under any water certificate or permit are in compliance with the water quality standards promulgated by the Board. FAILED TO CROSS OVER	<a href="#">SB581</a> : Authorizes the Department of Environmental Quality to utilize and incorporate comprehensive groundwater, surface water, and aquifer data in its decision-making processes related to the issuance and renewal of groundwater withdrawal permits and surface water withdrawal permits
<a href="#">HB1085</a> : Requires the owner or operator of a publicly owned treatment works to monitor PFAS levels, as defined in the bill, in effluent, influent, and biosolids at least quarterly and report all such monitoring data on an applicable discharge monitoring report required by federal regulations. The bill requires the Department of Environmental Quality (the Department), in certain circumstances, to develop a PFAS action plan to identify and address sources of certain PFAS detected in a public water system's raw water source, perform outreach efforts regarding PFAS contamination, report annually on its activities, and work with certain entities in developing its PFAS action plans. The bill requires certain facilities that manufacture or use PFAS to report the use of such chemicals to the Department and to monitor such PFAS at least quarterly unless at another frequency at the direction of the Director of the Department. The bill also directs the	<a href="#">SB243</a> : Requires the owner or operator of a publicly owned treatment works to monitor PFAS levels, as defined in the bill, in effluent, influent, and biosolids at least quarterly and report all such monitoring data on an applicable discharge monitoring report required by federal regulations. The bill requires the Department of Environmental Quality (the Department), in certain circumstances, to develop a PFAS action plan to identify and address sources of certain PFAS detected in a public water system's raw water source, perform outreach efforts regarding PFAS contamination, report annually on its activities, and work with certain entities in developing its PFAS action plans. The bill requires certain facilities that manufacture or use PFAS to report the use of such chemicals to the Department and to monitor such PFAS at least quarterly unless at another frequency at the direction of the Director of the Department. The bill also directs the

<p>Department and the Virginia Department of Health to jointly establish a PFAS Advisory Committee to assist with PFAS-related activities and appoint such committee's members to include legislative members and a wide range of nonlegislative citizen members and to report annually to the Governor and the General Assembly on the Committee's activities and recommendations.</p>	<p>Department and the Virginia Department of Health to jointly establish a PFAS Advisory Committee to assist with PFAS-related activities and appoint such committee's members to include legislative members and a wide range of nonlegislative citizen members and to report annually to the Governor and the General Assembly on the Committee's activities and recommendations.</p>
<p><del><a href="#">HB357</a>: Directs the Department of Environmental Quality to establish a work group to develop (i) strategies for protecting the existing tidal and nontidal wetlands of the Commonwealth and (ii) plans for wetland restoration and creation to address losses and adverse impacts from human activities and climate change. The bill requires the work group to report its findings and recommendations to the Chairs of the Senate Committee on Agriculture, Conservation and Natural Resources and House Committee on Agriculture, Chesapeake and Natural Resources by December 1, 2024.</del> CONTINUED</p>	
	<p>Senate Bills: <b><i>OPPOSE</i></b></p>
	<p><del><a href="#">SB267</a>: Changes the standard for approval of a wetlands permit application from three members of a five-member wetlands board or four members of a seven-member wetlands board to a simple majority of those board members present and voting.</del> <b><i>DEFEATED</i></b></p>

Water Budget Amendments

<p>House Member Requests: <b><i>SUPPORT</i></b></p>	<p>Senate Member Requests: <b><i>SUPPORT</i></b></p>
<p><a href="#">365 #2h</a> Provides \$35.0 million each year from the general fund to meet the estimated fiscal year 2024-2026 biennium financial need for state matching grants through the Stormwater Local Assistance Fund</p>	<p><a href="#">365 #7s</a> \$50M each year for SLAF</p>
<p><a href="#">363 #7h</a> This amendment provides \$100,000 the first year from the general fund pursuant to House Bill 357.</p>	
<p><a href="#">359 #3h</a> Provides \$350,000 each year from the general fund and two positions to allow the</p>	



Department of Conservation and Recreation to expedite assistance it provides to Soil and Water Conservation Districts	
<a href="#">359 #5h</a> \$350k each year for 2 positions at DCR to assist SWCD	