

SENATE BILL NO. 588

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources

on _____)

(Patron Prior to Substitute—Senator Marsden)

A BILL to require the Department of Energy and Department of Environmental Quality to develop criteria for the purpose of determining the appropriateness of sites for solar facilities.

Be it enacted by the General Assembly of Virginia:**1. § 1. A. As used in this act:**

"Host locality" means any locality within the jurisdictional boundaries of which construction of a solar facility is proposed.

"Solar facilities" means commercial solar photovoltaic (electric energy) generation facilities. "Solar facilities" does not include any solar project that is (i) described in § 56-594, 56-594.01, 56-594.02, or 56-594.2 of the Code of Virginia or (ii) five megawatts or less.

B. The Department of Energy and Department of Environmental Quality (the Departments) shall develop a set of criteria to be used by reviewers to (i) assess the appropriateness of potential siting areas and (ii) assign a siting appropriateness score from one to 100 for each area upon the request of the land owner and the solar facility developer. The criteria shall include (a) topography, (b) proximity to transmission lines, (c) tree coverage, (d) agricultural use, (e) potential for screening, and (f) other relevant criteria as determined by the Departments.

C. The Departments shall establish a scoring committee to review applications for proposed solar facilities. The scoring committee shall consist of as many members as deemed appropriate by the Departments including at least one solar facility developer and shall also include one appointment each by the Governor, the Speaker of the House of Delegates, and the Senate Committee on Rules.

D. Beginning January 1, 2027, a developer, with the consent of the landowner of a potential siting area, may request the Departments to provide to the developer a siting appropriateness score based on the criteria developed pursuant to this act. A completed application for a proposed solar facility shall address the criteria established by the Departments. The Departments shall submit the completed application to the scoring committee for evaluation. The scoring committee shall complete its evaluation within a time frame as established by general law and shall submit its score, along with the criteria and documentation used to determine the score, for the proposed solar facility to the locality. The locality shall continue to have final authority for approval or disapproval of such solar facility.