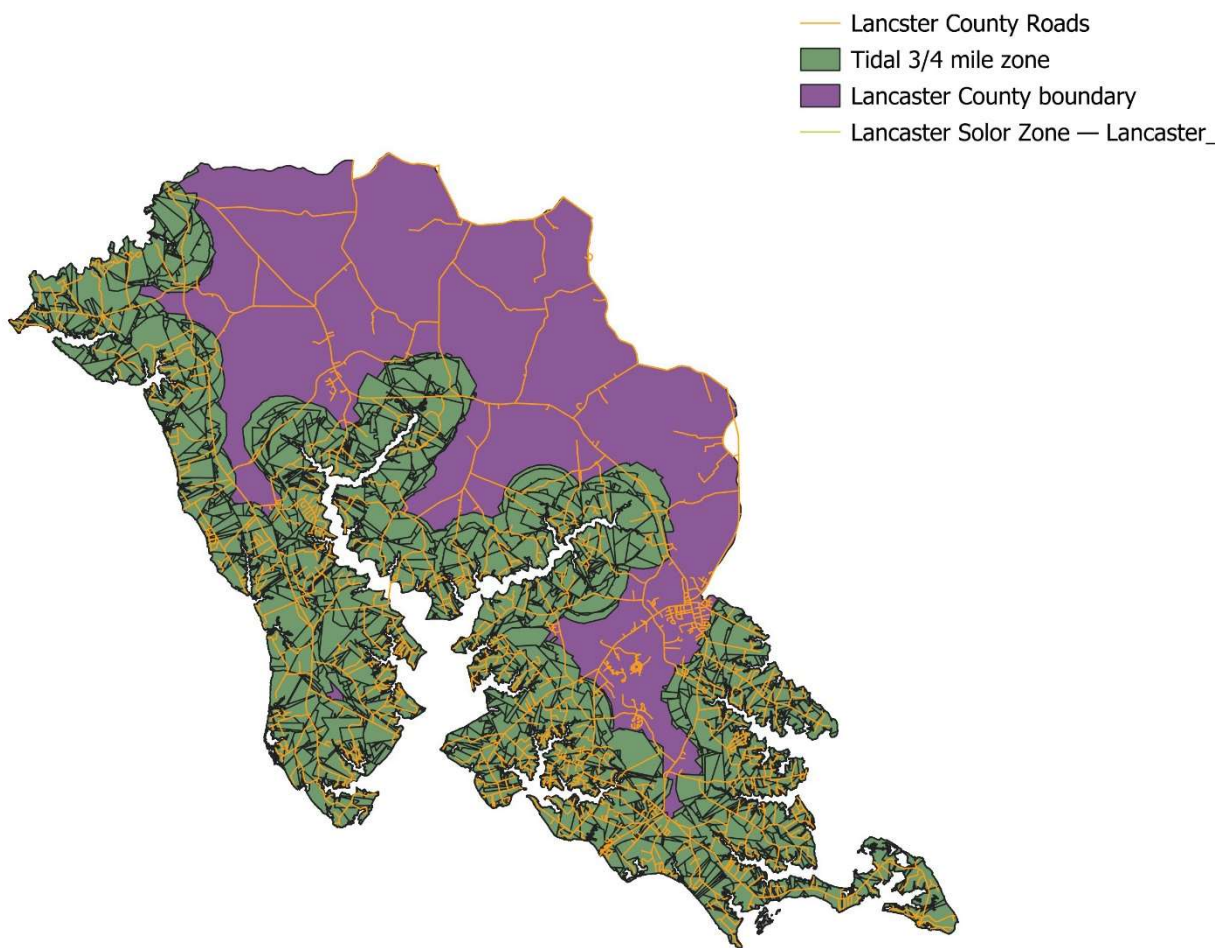


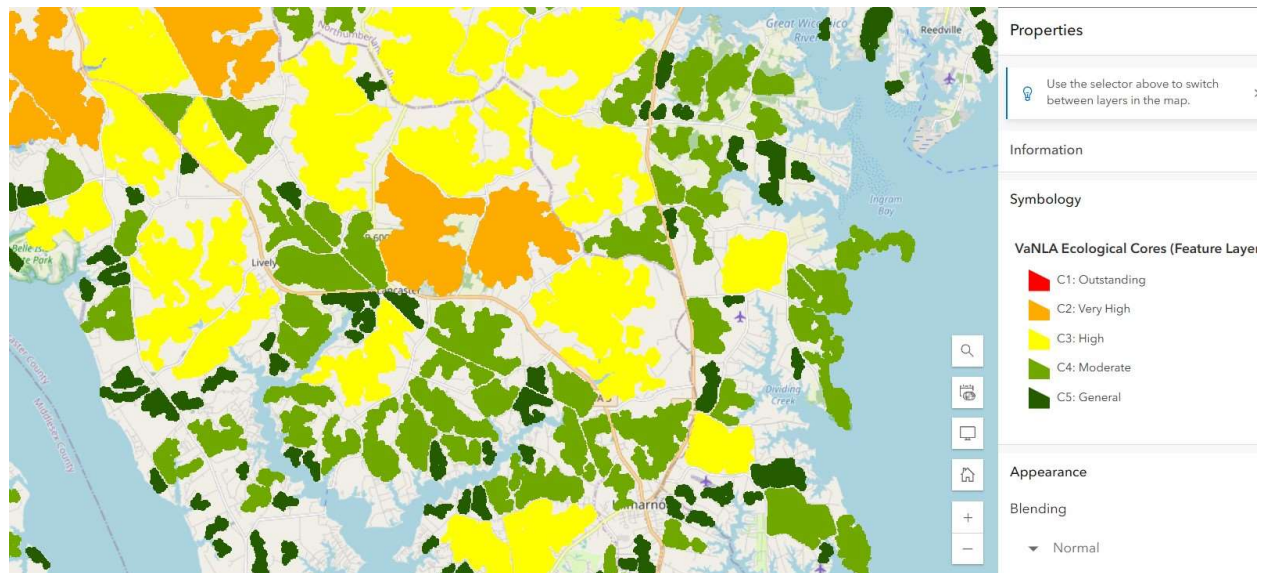
A revision to the Lancaster County Zoning Ordinance § 28-5, **Utility Scale Solar**

, to add a prohibition of Utility Scale Solar Energy Facilities within 0.75 mile from tidal waters. The utility scale solar energy facility applicant, upon request by the zoning administrator, may be required to provide documentation by a Virginia Licensed engineer, surveyor or landscape architect that no part of the utility scale solar energy facility shall be closer than 0.75 mile from tidal waters in the county.

GIS map of proposed utility scale exclusion zone:



GIS Map of High Value Ecological Forest in Lancaster County – source Virginia DCR:



Discussion:

The lands and waters of Lancaster County Virginia are its most important asset and the interaction between land and water are a key part of its identity. The development of larger scale solar facilities has the potential to irreversibly alter this identity. When land is converted from agriculture or forest to solar many ecological benefits are lost including carbon sequestration, minimizing heat island effects, minimizing altering micro climates, regulating and cleaning water flows. One acre of forest can provide up to \$6000 per year of economic benefits.

In 2022 HB206 was passed by the Virginia Legislature and requires, as a condition for a permit by rule for a small energy project, that if the Department of Environmental Quality determines that there will be a significant adverse impact on wildlife, historic resources, prime agricultural soils, or forest lands, the applicant must also submit a mitigation plan with a 45-day public comment period. The bill specifies that a disturbance of (i) more than 10 acres of prime agricultural soils, (ii) more than 50 acres of contiguous forest lands, or (iii) forest lands enrolled in a forestry preservation program is deemed to be a significant adverse impact on natural resources.

I spoke in person with Delegate Michael Weibert, Fauquier who sponsored this important legislation and he agreed that existing runoff measures by solar developers are inadequate and have failed in many cases. He was supportive of this proposal for an enhanced buffer to protect tidal resources.

Research is underway by Virginia Tech to a comprehensive six-year study to determine how utility-scale solar farms impact stormwater runoff and local soil and water quality throughout the state. A white paper from this study entitled “ Soil-Site Management Protocols & Best Management Practices (BMPs) for Utility Scale Solar Site (USS) Development and Management in Virginia” dated May 12, 2024 notes:” There is also a general lack of USS-specific research and findings in the mid-Atlantic region that compare actual versus predicted stormwater runoff and sediment losses.”

Virginia DEQ director Mike Rolband said in 2023 that nearly 70% of the 77 large solar installations his agency was overseeing at the time (many smaller projects are regulated by localities) had “significant” noncompliance issues. About 30% had pending violations or consent orders — agreements that dictate how a site must get back into compliance.

Our neighbor to the north, Northumberland County recognizes the value of our waters and recently amended their solar ordinance to provide a .75 buffer to tidal waters for utility scale solar.

In recent years rainfall amounts in storms have often exceeded historical norms and this will also cause excess runoff especially when faulty models and engineering are used to design the solar development.

Conclusion: I am requesting that Lancaster County amend its solar ordinance to provide a .75 mile buffer for utility scale solar projects. This is the only option to ensure our tidal waters will not be damaged.

Respectfully submitted,

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