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[00:00:05] All right. Good morning, everyone. Good morning. Welcome to the October 29, 2024 meeting of the legislative committee. We have three items on our agenda this morning. First, we'll have an overview and discussion of issues related to street takeovers and stunt driving. We'll then review the draft legislative program with some of the updates that have been made based on our previous meeting and then we have two pretty robust consideration items to discuss. So we will

[00:00:42] kick it off with the street takeover and stunt driving discussion and I think board members probably are familiar with this issue but want to bring you up to speed on the work that we've been doing to try to get this issue addressed in the General Assembly in the upcoming session. So I'll turn it over to Bob Blakely from the police department, who's going to talk it through with us, and we'll have some opportunities for board members to ask questions. Good morning, Mr.

[00:01:14] Chairman, members of the board. It's Bob Blakely, Assistant Chief of Police for Operations. And just to recap what we're talking about in the street takeover issue, at the end of 2022 in particular, we saw a significant increase in the number of street takeover or exhibition stunt driving type incidents, which would just occur on private property, mostly in some public property where vehicles would kind of take over a shopping center parking lot, begin doing donuts

[00:01:47] and burnouts. At the beginning of 2024, we kind of put together a task force, an ad hoc style task for us to deal with these situations and what we found was when we could find enough information to know that it was going to happen we could bring to bear typically about 30 police officers that would be specifically assigned to this type of operation and we could just prevent it from occurring and that was a very good preventative tool and but what we found was many many times due to coordinated efforts on the part of the organizers we we would not be able to

[00:02:23] intervene and they would occur. And so we would stumble upon them. That was most evident in March of 2024 when you all saw videos of one of our police officers who just stumbled upon one of these car meets in the back of an industrial complex and the spectators consumed her vehicle and damaged it. We made three arrests in that case, one as far as Pennsylvania for damaging the vehicle.

[00:02:53] One of our police officers was struck by a vehicle fleeing that scene. So they are very dangerous. In May of 2024, a spectator in Prince George's County, Maryland was shot and killed at one of these exhibition car meets. And then in June in 2024, two people were shot and killed at a car meet, similar exhibition-style car meet in Prince George's County, Maryland.

[00:03:19] So what we found in our own investigations and certainly the ones around the region is these are regional issues. Just as I said, we made an arrest from a person from Pennsylvania. And the folks involved in the shootings in Prince George's County, we linked to car meets in our area as well as other parts of Virginia.

[00:03:40] So it is certainly a regional issue. In June of 2024, Maryland enacted legislation to address exhibition and stunt driving. And they also have a task force, and we have been sharing information and coordinating activities very regularly, and I think with a good deal of success.

[00:04:00] And I think what our initiative here is is to address a legislative shortfall in the area of exhibition driving. The Code of Virginia, specifically reckless driving, does have a general statute that allows us, in most cases, to be able to address this issue.

[00:04:17] it does not address the aiders and embedders or folks that are blocking traffic so that this type of activity can occur or other people who are supporting it. But if you look at the racing statute in Virginia, it does have provisions for that. So our suggestion or proposal essentially adds language into that racing statute that would support our ability to charge everyone involved in these activities a little bit more coordinated and significantly increased penalties, which includes vehicle impoundments and things like that. So it's a good initiative. I appreciate all

[00:04:56] the support we've received to work on it. And I know we have some work to do still, but I appreciate you discussing this with us. Okay. Thank you. And it goes without saying, obviously there are car meetups in Fairfax County and elsewhere that are perfectly lawful and legal. That's not what we're talking about here. We're talking about organized events where those participating know that there will be dangerous and illegal activities taking place. And we're talking about going to Richmond to get some stronger tools to help address it, but it's important to note we already do have some tools. So if you're out there thinking about participating in one of these events in Fairfax

[00:05:36] County, you very likely will be charged with a crime because people have been and we continue to do that. It's unacceptable in our community to be participating in these kind of events. I wanted to bring this to the board to let you know we will likely have as one of our initiatives this year, this

legislative effort. We've had some conversations with a couple members of our delegation who I think are interested in bringing it forward, but wanted to give you all the opportunity to ask any questions or share any thoughts you might have on the topic. Chair McAfee.

[00:06:10] First, I want to thank our police department for taking the initiative on this. I know you've done a lot of work with, you know, the rest of our staff here to get us to this point. And I do think this is a really important tool for us to have, recognizing that we might not get in Richmond exactly what we want, but something is better than nothing.

[00:06:33] And to that end, you know, I think obviously the police department still will have the discretion if they have this tool to separate out what you mentioned, which are completely lawful, allowed, in some cases charity or community driven car meetups, which is very different than what you're describing.

[00:06:53] and so there's a huge distinction between the two. I guess my only question is, since Maryland has already enacted some legislation to deal with this, one, have they found weaknesses in that that we could learn from to better inform what we're doing? And then two, if not, if this is something that's working in Maryland, just from a regional perspective, as similar as we can be to theirs I think would be helpful because what you don't want to have is these groups are operating in the DMV area. They find a niche in one jurisdiction and then they become the one that

[00:07:31] becomes the host. And so I think as similar as we can be to theirs if theirs is working or if there's things we can learn from theirs to think about when we're coming up with what our final language is I think would be helpful. Okay. Supervisor Lusk. Thank you, Mr. Chairman. I just want to commend our police department for the work that they're doing on this. And I'll articulate that in my district, we had one of these meetups with more than a thousand cars. And to think about that being organized in such a short period and acknowledging that it makes our communities

[00:08:10] unsafe. I appreciate that we're trying to strengthen the penalties. And what I'll say, I'm a car guy, I like cars, and most of the guys who are a part of this love their cars. So if there's a way for us to impound that car, that's going to cause them a lot of pain.

[00:08:31] So I think this idea is one that we definitely want to pursue, and I think making it more restrictive, harsher penalties are going to make people think, secondly, about coming to Fairfax County and doing this in our jurisdiction. So thank you.

[00:08:48] Supervisor Herdy and then Palchuk. I'm just going to echo the thank you, and I'll go a step further. Thank you for the very vocal, we won't tolerate this in Fairfax County, and advertising the arrests and letting it be known you come to them here in Fairfax County, you're going to get arrested, because I think that message is as important as the legislation.

[00:09:09] Supervisor Palchuk. Yeah, also second the thank you. And I would say, while we're waiting for the legislation, Just making sure we continue to educate and make sure our communities, especially those who may feel less comfortable reaching out to the police but feel unsafe seeing this in their neighborhoods, know to reach out.

[00:09:30] Continue to do that maybe through NCS and our other avenues. And also I think it's Major Henson's last week before retiring after 30 years. So just want to say thank you, and it's a good time. I know he spent many years working on traffic and traffic enforcement, so calling this the Major Hansen legislation.

[00:09:50] Thank you for that, Supervisor Palachuk, and I'll make sure to pass that along. He's always been very passionate about traffic safety, and it's always bittersweet when someone walks away that really loves a particular area, but I'll make sure to pass along your words.

[00:10:07] He'll appreciate that. Thank you. Supervisor Jimenez? Again, just echoing what everyone has said. thank you so much the police and your efforts I know it's dangerous work that you put yourselves in when when this happens and it's kind of like a it's a rushed response right and everyone's out there trying to flee and you're trying to figure out what's happening and be very dangerous for officers but when I thank the chair for highlighting this important issue that occurs in many of our districts or has occurred in our districts and really it's a public safety concern you know folks come out someone might be out there walking or in the wrong place at the wrong time unfortunately and get struck as has

[00:10:45] happened so I think that we really need to push this enrichment and make sure that our that our residents are safe and that they're not out there maybe trying to stop it themselves or trying to figure out what's happening they go out to try to take a video and then get hit so obviously a major public safety concern thank you okay all right all right so stay tuned as I said we do anticipate this being one of our initiatives this year so board members we'll see that as soon as it's ready. Thank you, Mr. Blakely. Okay, our next item will be a review of the draft program, which board members should have, and we'll just walk through the relatively

[00:11:25] few changes from our previous meeting. Ms. Arco, you want to kick us off? Sure, Mr. Chairman. So starting on page four is the first change from the last version of the board of the program that the board saw at our last legislative committee meeting. At the bottom of page four in the governance section. At the last meeting we talked about the taxation language and just kind of trying to streamline that a little bit and condense it and also adding in language from a position that previously appeared at the end of the program related to local property tax exemptions and the importance of them being local option and flexible for you all to implement if you choose. And so

[00:12:01] that's been incorporated into that position. So next on page five in the local flexibility section It's only, there's a little note in red, which we've talked about a couple of times, sometimes when a board authority or commission asks you all to retain a position, we showed that in here for you all, so you can see that they supported that.

[00:12:23] And so in this case, ECRAC, the Environmental Quality Advisory Council, recommended that we retain in the legislative program this bullet related to green buildings, residential codes. And so we have retained that in this program.

[00:12:40] All right. And then, Mr. Chairman, moving on to page six, we added in the budget priorities section a bullet. At the last meeting, we had some discussion about jail per diems and, you know, kind of how the state funds or doesn't fund that.

[00:12:56] And so we did have a position already in the program related to that, but we pulled some of that into this budget priorities position to heighten it a little bit. And then when we get to that position, we added some new language, so we'll point that up then. All right. On page 10 in the economic development and diversification position, there's just some copy editing. It's very small changes.

[00:13:18] And then if you flip to page 11, that's the jails position. And you can see that there's a new bullet in there. We looked at some of the language that VACO is using, as was suggested at the last meeting, in

terms of local jails and the Department of Corrections and sort of the issue of state responsible versus locally responsible inmates.

[00:13:37] And so we added that new bullet in there. Right. And then on page 14, under long-term care workforce needs, Arielle, do you want to explain the changes there? Mr. Chairman, members of the board, Arielle McAloon, Human Services Legislative Liaison.

[00:13:57] In the long-term care workforce needs position, after the discussion at the last legislative committee meeting and the board direction, We had updated this position to focus on building the workforce capacity through a number of means like workforce development, career development opportunities, the community college system, including state funding for those types of programs that would ensure that people going into these positions would receive training and help support those professionals.

[00:14:36] And then we just made a couple of small changes to the language that we had previously included there. Oh, and we just broadened it a little bit to note that just these positions would occur across the long-term care system, to just acknowledge that people in various settings could benefit from these programs.

[00:15:02] Okay, great. Then, Mr. Chairman, on page 15, in the affordable housing position, we added, and sometimes we've done this in the past, figure of what is being advocated for at the General Assembly in terms of funding for the Virginia Housing Trust Fund and so the number is 300 million is the request for this year and so we've added just that dollar amount to that position Supervisor Patrick thank you not I appreciate that sir could you just

[00:15:34] remind us what it was previously what it is currently I don't know if she knows though what the statewide amount is because this would be 300 million additional dollars but if we don't know off the top of our heads we can come back to you and get that okay yeah i think we can come back on okay no worries thank you um and then finally on the last page um on page 17 in the transportation safety and coordination position we added a mention of school zones we call out a number of items in that um in that position um the issue of school zones was raised to us recently

[00:16:13] and so we added a small amount of language to reflect that okay yeah and this this came uh we actually heard from supervisor palchuk from yes your office i think a particular neighborhood in in your district was entered in this and i think it's actually a good point we've talked a lot about flexibility in our activity centers and transit areas which makes a lot of sense but so does flexibility in school zones so we added that to the conversation uh supervisor stork i want to go back to page 11 and about the jails in the language that's there I'm a big

[00:16:53] supporter of the state frankly treating localities fairly more fairly particularly when the reimbursement as well as the value the benefits maybe and even I would say the importance of inmates being able to get into the state system because that offers training that is not available and I don't know of any local or regional jail that that's available. Other than locally, you can get GED support, some education support. But there's none of the other training that is essential, I think, for helping people to move forward with their lives once they are released. The language that's

[00:17:27] here, though, leaves it, frankly, up to the local jail. And maybe politically, that's what we have to do statewide, but I don't support that at all because what it does is inmates that are kept Locally don't get

the training and support that they need and I don't think that's that's about rehabilitation That's about maybe for some areas. It's about money. I don't think that's been our position locally So I think we should look at Changing that language so it says unless it says right now unless a local or regional jail agrees to continue holding such inmates at the applicable per diem rate

[00:18:05] So I want to bring that up and have that in your point of discussion What's the what is the change you you would? Well, what this is saying, I mean, in my mind, we should be advocating for inmates to get into the state system because it offers the kind of training and support that is essential for rehabilitation and being able to move on with their lives when they return to the community.

[00:18:30] This leaves it, frankly, up to the local jail. And I don't think it's necessarily in the best interest of the individual that just because the local jail or regional jail may want that inmate because it helps to, and I've heard, I mean, for those of you who may not, I'm the chair of the Finance Committee, this has been an ongoing discussion at VACO about how we do this, and some, and I hear from some regional and local jails that, you know, they can make money on the state reimbursement.

[00:19:00] I don't know how, but that's what they tell me. So I understand that some may wish that that be able to continue, but I don't think it's And I don't think we need to do that in Fairfax County, and I don't think we need to advocate for that in Fairfax County, that we require people to be, frankly, in the local jail where they at best get an hour of exercise a day on the roof of the county jail.

[00:19:23] There's no real programs, and this isn't a disparagement of the sheriff at all, but we just don't have the space and the kind of programs that allow people to get the training and development that they need. So I think the status quo, as I understand it, is that local or regional jails, perhaps not all, but ours, are trying to get inmates into the state correctional system.

[00:19:51] Historically, the state has not. The state is saying no. So what we're saying here is you need to. Because they save money. Frankly, they save money by keeping those inmates here locally. So the language here, as I read it, is saying that the state needs to accept them, and I take your point, unless the local or regional jail agrees to continue holding them.

[00:20:12] But I read the language as advocating for those inmates to get into the DOC system. You're raising concern with the last clause. I think it's the unless language that I think the state should be responsible.

[00:20:31] I mean, legally they're supposed to be, but historically they've not been. Yeah, maybe we should just, you know, take out the unless part and put after Virginia Department of Corrections to be primarily responsible for accepting state-responsible inmates into the state correctional system, period, and take out the unless part.

[00:20:52] I mean, because the problem is they're not doing it. And so if they're primarily responsible for doing that and aren't doing it, that should still be the fallback position. they should be doing it. I think the unless is, we're describing what happens if that can't happen, and what you're saying is, by describing what happens when that can't happen, it could be seen as advocating for that to happen, and I think that's what we're trying to get help with.

[00:21:19] Let me, I was going to suggest that we reach out to the sheriff, but they beat me to the punch, so let us know what we need to know. Yeah, press your button, and just tell us, give us your name. Good morning, everyone. My name is Katie Pavlchuk. I'm counsel for the Sheriff's Office.

[00:21:35] I have Lieutenant Armstrong with me who works in the Records Department, and he's very knowledgeable in the DOC process. And just to speak to the supervisor's issue or question about the unless portion of it, a lot of times the unless portion of it relates to inmates who are already part of our programs here in the ADC. So for example, I know everyone's familiar with our STAR program, inmates who are receiving that peer-led treatment, things like that. So oftentimes the inmates who are being kept in the adult detention center for that unless portion of it are inmates who are very

[00:22:10] involved in the programming in the jail, either our into work program through the Aramark or our STAR program. So the unless I think serves to, for those inmates to allow them to complete the programming they are currently undergoing in the jail as opposed to keeping them here and keeping them from doc programming if that makes sense so in other words a a transfer to doc could interrupt could negatively affect the inmate in some situations maybe we need to say that though

[00:22:44] unless they're participating in a local program of rehabilitation then you know we should add that to it instead of just an open-ended unless we don't want to make this in the interest of local governments and other parts of the state who have created a, you know, in essence, an economic development opportunity. Sure. And just to speak to, and Lieutenant Armstrong has a lot of numbers, if you wanted numbers, as far as DOC inmates who's kept here, who's not. I think in potentially in other areas around the state, there is a larger issue. We have an excellent relationship with DOC.

[00:23:20] So I think the numbers of individuals who I guess we would sort of say are stuck here on DOC sentences is relatively low at this juncture. I think there were, the relationship has gone back and forth. Very small. You know, the relationship goes back and forth, obviously, but also around the state can vary widely, I think.

[00:23:41] But our records folks have an excellent relationship. We have a very open line of communication with DOC. And so I think right now the only inmate we have who's sort of, we have one inmate who's out of compliance with DOC right now. Okay, why don't we work on some language along the lines that the chairman shared and we'll work with the sheriff's office and make sure you're comfortable with it.

[00:24:04] Supervisor Stork can move forward from there. Thank you, Mr. Chairman. And I would echo that, that it does ebb and flow. know a few years ago there was a huge number and and so and I pleased that the state has frankly done a better job accepting inmates and frankly the most important part of this is helping them get the training and opportunities that they're it's going to be essential to their rehabilitation symptom essential to their success when they return to society and as will 90% of individuals plus all right and the sheriff is doing a great job with the star program those

[00:24:41] are things that we have been leaders on the sheriff has been leaders on I don't want to take anything away from the work that she's done but I did I did want to try to adjust that issue more thank you thank you all thank you absolutely thank you yeah back to the words missing wordsmithing I apologize but back on page 14 and long-term care I very much appreciate the new language I have one minor suggestion on the line where it says funding that build workforce capacity and quality can we say services across the long-term care because it's not just the

[00:25:15] workforce that needs to be quality but just all the services sure thank you all right um anything else from board members on the program all right and just as a reminder um the program the draft

program will be made available to the public on thursday november 14th in advance of our public hearing on tuesday november 19th so we'll take the comments we've heard today incorporate them

[00:25:52] and post that um on november 14th in advance of the public hearing okay all right um next we'll move on to our consideration items we have two consideration items uh the first addresses energy and water use by data centers miss arco um and so mr chairman just before we start that i think we we have the number on the housing trust fund so answer that question all right late-breaking Supervisor Palchek members of the board we did get confirmation that the housing trust fund is funded at 87.5 million in FY 25 and in FY 26 so

[00:26:32] 175 over the biennium yeah that's statewide which we can also look at our numbers and compare those so thank you okay so then in the items for consideration, we have a lot of staff here in the room, so we can talk about this to the board's pleasure, but I'll start just by sharing a little bit of information. We received this proposal from EQAC, the Environmental Quality Advisory Council, and they submitted the idea of supporting legislation to require the reporting of energy, highlighting renewable energy, and water utilization

[00:27:11] by data centers. Part of their proposal is that counties or localities should collect this information and make it available publicly on a website so that the public can see the energy use, renewable energy use, water utilization. This is something that's gotten some attention in recent years, and so there's been a fair amount of discussion about it.

[00:27:32] Just to kind of give a little bit of an overview, obviously data centers are facilities that are built to house computer servers and network connections. The demand for them has grown significantly as more things have just become connected to online and technology and things like that. And because of the kind of facilities they are, because of the kind of equipment that they house, they do place a lot of energy and water demands on the electrical system and just, you know, on water in general, because that's one of the primary ways of cooling

[00:28:08] some of the systems. And also, obviously, there can be an impact on greenhouse gases and other environmental impacts from that. And so, this issue of energy utilization and water utilization, as I said, has gotten a lot of attention in recent years. At the last General Assembly session in 2022, there were a couple of bills that were designed to address some of this. One of them, HB 910 was designed to do essentially what ECROC is talking about, but the reporting would be to the state.

[00:28:42] So it would have required data centers to report energy usage quarterly to the Virginia Department of Energy, and then the Virginia Department of Energy would kind of aggregate and de-aggregate some of that information. They would post it publicly, and everybody would be able to see it. That legislation also recommended including a study by the Secretary of Energy, a work group to kind of look at the energy needs that affect this sector and sort of how that plays with the existing grid and other demands on it.

[00:29:12] There was another bill, HB 116, which would have offered a sales and use tax exemption on data center purchases for data centers that meet certain energy efficiency standards. Ultimately, and there were a number of other bills related to undergrounding your data centers, siting of data centers, historical sites, all, you know, there were a lot of bills about this last year. Ultimately, the GA decided that they wanted to study this issue and so they sent it to JLARC, the Joint Legislative Audit and Review Commission, who is in the process of conducting a study. As part of their study, they've met with a lot

[00:29:48] of stakeholders, including our staff, and to talk through kind of some of these issues And then they will be presenting their report to the General Assembly in December at the JLARC meeting then. At the same time, the State Corporation Commission, the SEC, has also decided to look at and address some of the challenges and issues related to data centers and energy usage and things like that.

[00:30:12] Obviously, the county has been a strong supporter of environmental initiatives, renewable energy, using that to the greatest extent possible, and also just reducing our climate impact. And so that's something that we have had in the legislative program related to all environmental issues and the priority that the board has placed on those types of issues.

[00:30:35] And so we do have language in the program about increasing energy efficiency, improving resilience to climate change impacts and other innovative local approaches. We've asked the state for additional authority to give us sort of flexibility to be able to do some of those things, to be innovative. And so the staff recommendation on this item, given that JLARC is in the process of their study, the staff recommendation is to continue to monitor that study and also what's going on at the SEC.

[00:31:03] But really, the state is the best place to kind of receive this information and post it, I think, as our staff kind of tried to think through how we would implement this if we got that authority. You know, we'd have to get all the information. We'd have to figure out how to kind of standardize it, post it, what kind of enforcement mechanism would there be, and we're just not necessarily in the best position to do that.

[00:31:26] The state, on the other hand, is, and so part of our recommendation is that if such authority were to be considered, the reporting really should be back to either the state Department of Energy or to the SEC, who is obviously very familiar with and knowledgeable on energy issues. And so to sort of address that, we added a bullet at the bottom of page four in the item just related to this issue of data centers. That's the existing local flexibility position in the legislative program. And so we're recommending just adding some language specific

[00:32:00] to data centers to kind of call it out and, you know, make it a little bit more clear that that's included in our local flexibility. And then, again, we recommend following the studies. And then when the General Assembly begins and we see the myriad of legislation that we're likely to see, we'll bring them back to legislative committee for board discussion.

[00:32:22] So like I said, we have a lot of staff in the room. If the board has questions, we can talk about this in as much detail as you all would like. But that's kind of the gist of that item. All right. Thank you. And I think the timing is important to understand to consider here, you know, what we're talking about today is adding language to our program.

[00:32:43] So if we were to do that, that's the program that our delegation receives in advance of the General Assembly session. They will also have in advance of the General Assembly session the JLARC study, which I think will drive a lot of the conversation. And the language that we've Suggested here is broad because we don't want to get ahead of that JLARC study But I certainly anticipate when that study is released either when it's released before the session or during the session We'll have the opportunity to engage as we always do or in

[00:33:19] In a formal way through a letter to our delegation if we choose based on issues that are raised and highlighted in the in the JLARC study But today, I hope to get agreement on language to add to the program in advance of that.

[00:33:34] So let me go ahead and open it up for questions and comments on that topic. Mr. Chairman. Well, I, for one, am glad to see this come forward. I think on the posting of the energy use and other measures that you suggest the state could do a better job of than localities, I totally agree with that.

[00:33:56] I think one of the things that we forget is that the environmental impacts of these aren't just limited to the jurisdiction that they're in. And so that's another reason why the state should be doing this as opposed to jurisdiction by jurisdiction. I mean, there is no doubt in my mind that some of the data center construction around Fairfax County has an environmental impact on Fairfax County. And as, you know, the board will remember, I was hoping we could get some LEED certification requirements are equivalent in our zoning ordinance that we passed.

[00:34:26] And of course, we came up short, a little bit short in that area, not because we didn't want to, a majority of the board didn't want to, but because we didn't feel like we had the state enabling authority to do that. And so I do think this is a really important thing. I absolutely think we need to include it in our legislative package.

[00:34:43] I am okay with the draft language. in some areas seems redundant with other areas of our legislative agenda. And so, I mean, for example, we always, you know, want increased authority. We always want increased zoning authority, land use authority, taxing authority. And we always want, I mean, it'd be great. We already have in our legislative package the local fiscal impact element of it being evaluated. And so if the effort is to keep this vague and short in our package. We may be able to shorten it even more where we have

[00:35:20] redundancies that already exist in the legislative program elsewhere, but I generally am absolutely okay with this language. I do think, I appreciate that JLARC has already reached out to our staff and talked to him. I think we have to more than monitor this study. I think we need to be actively engaged. I still believe we have the best zoning ordinance criteria now for data centers that probably exist in Virginia. And I think we need to lead as much as we can. Anytime the door opens to JLARC, we need to walk through it, because what I don't want to see happen

[00:35:57] is the opposite occur, which is some of what we just passed get further restricted. And so we have to be doing two things. One, fighting to keep what we have, and then two, thinking about how we can even strengthen that moving forward and make sure that we maintain our local authority.

[00:36:13] So I'm okay with the language. It might even be able to be tightened up even more for the purpose of the package, but I think we should be actively involved in the JLARC study. So Mr. Chairman, just as an aside, because I'm sure others want to say things, but so yes, we've met with JLARC staff, including with our planning and development staff, you know, and all the sort of technical staff that deal with this every day.

[00:36:34] We've talked to them a lot about kind of how we do things in Fairfax County, what we do, and just about this local flexibility issue and how, you know, what we might want to do might be different for, you know, than other parts of the state or other localities. And we kind of go through a public process with our community, as you all just did when you updated your ordinance.

[00:36:51] And so we did advocate with them a fair amount. They've come back with some questions, but we have been engaged with them and will continue to do that. So I appreciate that. And the only other

thing that I would say is, yes, I think even without this language, Our land use positions and requests for authority and flexibility could be inferred.

[00:37:09] I think we were just trying to make it a little more specific because it's been, you know, just an issue that we wanted to call out. But we can certainly look if we need to streamline a little bit. Okay. I see Stork, Alcorn, Palchuk, Lusk, Jimenez. Mr. Stork?

[00:37:27] My just quick, I've had a lot of conversations and been very engaged as part of the FACO Energy Committee, and Mike Turner has had a lead with that. just want to make sure that we're engaging and coordinating with Loudon because of their experiences. I know some of the issues and problems that they've had that we want to avoid. So, thank you.

[00:37:47] Yeah, we have been in touch with Loudon's legislative staff, and I know that some of their other staff have been looking at it and kind of working on it as well. But, yeah, that's a good point. Thank you. Okay, Supervisor Alcorn. Yeah, thank you. I appreciate the language. I think it makes sense. I don't think we can do anything more specific at this point but there are a couple of issues as the chairman noted certainly if we're looking to put new requirements in our zoning ordinance that might be something that you know we wouldn't need to or at least look to the General Assembly to provide clarification that we wouldn't have that kind of authority I would say there are a couple of issues

[00:38:25] relating to Loudon I believe Loudon has more than 70 data centers approved already through the buy-write process, but not built. I believe that's the right number. It's a lot. And so I sort of, to dovetail back some of these things, I think maybe not so much for Fairfax County, but perhaps for other counties, are beyond the land use process and therefore may need to be addressed or would better be addressed as a statewide or

[00:39:00] a regional requirement such as reporting if we do end up um i guess if the discussion and j lark ends up does come back and and does uh talk about maybe delegating more authority to localities um i totally understand concern about you know us having to compile the data but there are examples in other parts of our lane use system where frankly we um just require uh the applicant to report the information and post it publicly, certainly on the transportation side, TDM requirements similar.

[00:39:36] So that's not the best approach, but I certainly wouldn't want to totally dismiss, you know, anything along those lines that we might be able to get. But I'll just note, this is one thing I will be watching because, frankly, if the General Assembly does not move more in that direction, I, for one, would then advocate for us reconsidering our basically keeping certain industrial districts as bi-right and look at going back to do that, to review that.

[00:40:13] That was not a fun process, but let's see what the General Assembly does in terms of any additional authority along these lines. Thank you. Yeah, you know, I think to your first point about those data centers that are already in the pipeline in Loudoun or elsewhere, one thing, and I'm sure JLARC will be looking at this, is just the basic energy efficiency and building codes for data centers.

[00:40:37] And Virginia is relatively ahead of the curve in adopting the ASHRAE 90.4 standard. But that is a standard that is always moving and improving, and Virginia will have to make future decisions as to whether to adopt updated versions of that standard, which is statewide probably a better way of getting at the efficiency issue than each jurisdiction trying to establish their own standard or metrics or reporting.

[00:41:05] So I hope that's something that they will consider. I have Paucik, Lusk, Jimenez, Smith, Herity. Paucik. Thank you. I'll be very brief. Just following on, clearly, we all really care about including this in our package.

[00:41:23] I think, number one, I agree with where the chairman was going, is this is a strategic package, right? We already know that they're overwhelmed often with all of the regions and all of the requests they get from different groups.

[00:41:39] So I would encourage that we try to include it probably in bullets one or two of just local flexibility. That way it's not just land use, but it's tied to our environmental initiatives and energy conservation codes. I think those might be good places to look at it.

[00:41:58] The other question I have, because we've talked a bit about the region here, I don't know if it makes sense to add language in those first two bullets about local and or regional that I don't know that our regions are set up for that but if the state's not willing to go perhaps we can look at regional flexibility kind of as a second best option but definitely the first would be having the state move on this absolutely and just a clarification of what's on what's on page

[00:42:31] four in the package, the bullet points under local flexibility are all the existing bullet points with the exception of the highlighted portion here with respect to data centers, which maybe I should have quoted when we started. Personally, I think given the interest in data centers and the questions we get even from our delegation about data centers, it does make sense for it to be its own bullet point, and I'm usually the person saying, let's not add a bullet point.

[00:43:03] I think in this case, a standalone bullet point probably is merited. Okay. No, I understand now. I thought it was just general local flexibility. All right. Thank you. Okay. Supervisor Lusk. Thank you, Mr. Chairman, and supportive of, you know, this energy and water use requirement for data centers, and I'll just maybe ask a couple points.

[00:43:30] One and looking at the I guess it's the HB 116 which is the rip Sullivan Legislation just trying to understand kind of how the definition of what energy efficiency has I'm looking at this and it's not super super clear to me But I think if there's a way for us to maybe have a little bit Clarification later for us in terms of what that exactly means He's got a couple bullet points here in terms of how it's defined But what does this actually mean because I think a layperson looking at this is going to go

[00:44:05] What does this power usage effectiveness score of no greater than 1.2? What does that mean? And then on the second bill the 916 or 910 Really really appreciate this one too and just want to make sure that we're being very specific and clear about what might be the consequences if a company does not, I mean, a data center company does not come into compliance with both usage and reporting.

[00:44:38] So, you know, what's going to be the little stick there if we don't have compliance? And then the last point I want to make is one that's going to be connected to a presentation a little bit later today, which is on the PFAS, and just trying to think about kind of what's the impact data centers on PFAS And then what do we have as ways to mitigate those impacts as it relates to the data centers specifically?

[00:45:06] So I just want to make sure that we are including those items as we move forward with these two proposals and then the language that we've talked about here today. So thank you. Just for clarification, because those bills are dead, as we know, and the JLARC study is being done, we're getting those recommendations in December. So is it your anticipation that the JLARC report will be done in a

timely enough fashion where legislators will then be assigned portions of the JLARC recommendations to carry in the way of bills? Because I think that past bills are,

[00:45:44] you know, all off the table awaiting this study in December. So we really don't know what's coming up in this next session. Right. So I think to some degree that's true. I would say that sometimes people do put in bills, even though there's a study or even though it got rejected the year before. And given that this year is going to be prior to an election year, there are likely to be a bunch of bills that are connected to JLARC and some that just are not to. But yes, I think in terms of JLARC, the idea behind their reporting date at the beginning of December is to try to be able to carry out some of those recommendations. Now, we obviously don't know where JLARC is going to go, but we also don't know what kinds of recommendations they might

[00:46:23] have, how many of them might be legislative, how many of them might be kind of fall in this area. But yes, I expect that we'll see bills related to whatever the outcome of that study is. So I think it's a stay tuned, and I think what you're hearing from all of us is there's enough interest in this issue that, you know, we want to see those bills and discuss them in committee.

[00:46:41] Yeah, bring them back for sure. And just for Mr. Chairman, for clarification, the points still are around kind of how we're defining energy efficiency and how we're going to ensure compliance. I think even if the bills don't come back in their current form, I'm assuming there's going to be elements that would come in any future bills that are introduced.

[00:47:00] Thank you. Okay, Supervisor Jimenez. Thank you, Mr. Chairman, and thank you for highlighting this and putting this in. I think the language around environmental and community impacts is something all of us are interested in when it comes to Fairfax County and the residents of Fairfax County, as we've had these discussions many times.

[00:47:19] I just want to highlight one quick thing. I'm looking forward to the JLARC study coming out. One of the things that continues to go back and forth like a game of pong to me is the question of water usage. We'll talk to experts and trust them. We brought them into our office, the folks who build the data centers, the folks who manage the data centers every day.

[00:47:38] And they say that nowadays, most of the data centers that are built, the amount of water they use is just for flushing the toilet, right? And then we'll talk to other folks, and they say that the water usage is quite high. so it keeps going back and forth which one is it and so when we talk to experts in here one thing and then we talk to other folks in here and others it can be very confusing so I'm looking forward to kind of getting to the bottom of this and figuring out what is happening I've been texting this morning with one of the folks who who operates a data center and he's like that is an old old you know talking point we don't use water the way we the way people think we flush a toilet

[00:48:14] for the for the employees and that's the water usage that's happening so anyways looking forward of finding out getting more to the bottom of some of these these things that keep going back and forth so um anyways the point of the story is very very much needed language as we move forward in the discussion of data centers here in fairfax county and throughout the state thank you yeah that is a frustrating conversation although i'll say the good news is we have the right people to ask about water usage and that's fairfax water and because they do know how much water usage data centers in the county have used and and it was noted in the in the report so i i tend to go back to that because I recognize both sides have a different version of the story but Fairfax Water

[00:48:54] actually sends them the water so they can tell us. Supervisor Smith. Thank you. I just wanted to follow up on the reporting of the energy data and I appreciate your comments on that. I don't think the power isn't just collecting information. It's getting it to the people that can make changes and make sure we have the right building codes and the ASHRAE and all that. So I do think it needs to be a state focus when we talk about that.

[00:49:19] Thank you. Okay, Supervisor Herdy? Yeah, I'm just going to be really, really brief. One, thank you for the recommendation. I think it's the right one to wait for the JLARC study to go. Number two, on the water, there's been a lot of technological advances in cooling, and we just need to remember that as we move forward.

[00:49:37] What works today will hopefully be better tomorrow, will be better the day after tomorrow, and we've seen that in this industry more than any other. Supervisor Alcorn, last word on this one. Yeah, thank you. I mean, it's written in such a way. I think it's fine.

[00:49:53] But, you know, there is so much innovation going on right now around data centers. You know, the state controls power generation as well. And I'd love to see us be at the table because there are some clean power, some renewable energy solutions that, you know, are coming online.

[00:50:11] And so it's not always, I think, us restricting things. Sometimes it might be, you know, done the right way, incentivizing or encouraging things. So let's keep that in mind, too. Just real quick to that point is within the scope of the JLARC study, looking at the current tax incentives in Virginia for these and whether what we really should be doing is providing tax incentives for environmental innovation in developing data centers instead of just the flat out.

[00:50:39] I mean, right now, Virginia is very aggressive in this space through tax incentives, and, you know, for me, I'd sure love to see some specific ones related to environmental stewardship. I just don't know if that's in the scope of the JLARC analysis. So, Mr. Chairman, we'll look and see the full study to see.

[00:50:57] I will say when we met with JLARC, we did include our DTA staff as well, because obviously those tax issues have been important to us, and we've seen bills in previous General Assemblies related specifically to the way that they're taxed and assessed. In general, the study is looking at the impacts of data center industry on energy demand in Virginia, including the state's ability to transition from fossil fuels to renewable energy sources.

[00:51:20] The study will also review how zoning and regulatory restrictions can affect data center development. And so that's kind of the big picture of what they're looking at. Like I said, we talked to them about tax, and we'll look back and see how much of that is part of their mandate.

[00:51:36] Yeah, I'd be curious to know that. Thank you. Just a cautionary note as the tax conversation comes up, what would worry me is if there were efforts or legislation or discussion to restrict the local tax revenue that comes from data centers.

[00:51:53] Delegate Sullivan's bill was restricting the state sales and use tax, but somebody will have the bright idea that local governments shouldn't be collecting tax revenue from data centers. And I will say, Mr. Chairman, there was a bill a couple of years ago.

[00:52:09] It did pass. We talked about it at Legislative Committee a lot because we opposed it, but a lot of other localities didn't really get into it at the time. And it had to do with how those facilities were being

assessed. And the state kind of artificially changed the assessment process because they didn't like the ways that it was sort of being done.

[00:52:27] You know, obviously, our staff has to follow best practices and all of those kinds of things. And so they were doing assessments in a way that was more accurate, they felt. Um, but I think the data center industry didn't enjoy that. And so, um, so they kind of walked some of that back, but yeah, it's been an issue that, you know, we're aware we need to keep an eye on.

[00:52:46] Okay. All right. Let's move on to our next consideration item, uh, which relates to solar energy. Yeah. And so Kristen is going to, um, page, page six of your consideration item, page six of the consideration items. Kristen's going to walk us through this.

[00:53:01] Again, we have a lot of staff in the room. These two proposals also came from equac and so we'll kind of talk through that Mr. Chairman members of the board Kristin can ask the assistant county attorney and equac submitted two proposals that Address solar energy and the first is for legislation that would give authorities Or that would give localities the authority to mandate solar energy on buildings and parking lots for either by right or special exception projects and the county has shown great commitment, as the board knows, to increasing energy efficiency and combating

[00:53:38] climate change. For example, the county's comprehensive plan encourages the design and construction of new buildings to use energy and water resources efficiently. And that includes the use of renewable energy resources, such as solar. In addition, the zoning ordinance is Intentionally permissive and solar energy is currently allowed in all zoning districts The issue with the proposal are the unintended negative Consequences of requiring solar energy on certain buildings

[00:54:14] So if the county were to receive this authority, it would have to be clear carefully examined for how it could be implemented staff can go into the details of what those negative consequences would be but For example, one would be cost, because especially for new projects, it can be cost prohibitive.

[00:54:33] And the second would be if sites are not necessarily appropriate, and if they're not receiving enough sunshine to be able to convert that to sufficient energy. The recommendation from staff for this proposal is to continue to support legislation, but that would allow for flexibility for the county and to bring any specific legislation back to the

[00:55:07] legislative committee to be considered by the board. For the second proposal, this one targets the allocation of interconnection costs. And in 2022, Dominion Energy imposed certain requirements that solar installers had to meet to connect their mid-sized solar projects to the utility's electric grid.

[00:55:30] Currently, though, the installer bears 100% of those costs, including those costs that are on Dominion's side of the meter. And so the consequences of this are that the costs are so prohibitive that certain projects are not able to move forward.

[00:55:48] And the need for this equipment and Dominion's authority to acquire it currently being challenged before the SEC as the board knows and they had the board in May of 2024 submitted a letter voicing their support for the examination and reallocation of of those fees and there was legislation last year that would have addressed this as well and the county supported these bills that's HB 117 by Delegate Sullivan and SB 346 and this bill in at least in

[00:56:27] relevant part would have allocated the fees so that the cost of the equipment that's required is paid by the solar installer at their on their premises but the part that is on Dominion's side of the side of the equation would be dominion's cost um again the recommendation by staff is to continue to support this let this type of legislation to carefully monitor um what the what the outcome and what the discussions are

[00:57:03] with the sec and to bring any specific legislation back to the board okay um let me just on start with proposal b on the interconnection costs and obviously this is something that we spent a fair amount of time on and continue to work on and I guess the SEC decision is pending or I don't know if we know the timeline on that or if there perhaps there isn't one they decide when they decide.

[00:57:36] I'm going to defer to staff that I know has been following along. Good morning Mr. Chairman. Joanna Faust from the county attorney's office. In that pending SEC proceeding that is being referenced there was an order issued that made certain findings. It basically directed a pilot study.

[00:58:01] It also directed Dominion to open a new docket proceeding with the results of their proposed revisions to the terms and conditions applicable to interconnection customers. That is due on November 15, 2024, so it should be soon.

[00:58:17] And what is the pilot study? So the pilot study that the commission said is that there are concerns surrounding the costs, concerns amounting grid safety, and therefore they wanted to open a formal evidentiary proceeding that would allow parties to establish the factual record and do considerations of certain projects with testimony about those projects. Okay, all right, so we will wait for November 14th and appreciate staff's great work on this. We had a letter earlier this year, last year perhaps it was, this year, and we have been

[00:58:54] deeply, deeply engaged in a very technical way on this issue. I think one thing I would say, and I'm violating all my own rules here today about the program, but on page eight of the program, in the fourth bullet where we talk about providing incentives to encourage solar energy on existing buildings, we don't specifically mention interconnection fees and interconnection issues.

[00:59:21] And I suspect, Mr. Morrill, you can tell me if I'm completely off base here, but even when we learn that decision on November 14th, this is not the last interconnection cost-sharing discussion or debate that will come up.

[00:59:39] Good morning. I'm John Morrill from OEEC. No, I'm sure that there will be ongoing discussions throughout the industry regarding interconnection costs. So I think it makes sense for us in that fourth bullet on page 8 to add a reference to fair allocation of interconnection costs.

[00:59:59] It doesn't need to be hyper-specific, but maybe we can work with Mr. Morrill just to add that language. Okay. Let me go ahead and open it up to board members on Proposal A or Proposal B, Mr. Chairman.

[01:00:17] Yeah, just quick on Proposal A. I'm understanding all the potential consequences that are a challenge, but is not what they're asking for something that is permissive? In other words, it's totally discretion, localities can decide. Is it something we could decide on a case-by-case basis, or is it literally?

[01:00:38] Because the way I read it, and I know we don't have the actual, I guess we wouldn't have the actual language at this point, But if this is another local land use, local taxation, flexibility issue for the

Board of Supervisors, we're always looking for permissive opportunities.

[01:00:55] So I'm trying to understand, is this permissive and why wouldn't we want this in our toolbox, understanding the challenges? Sure. So the proposal we got from ECRAC was to ask the General Assembly to give us the authority to require it.

[01:01:11] I think in the item, we tried to, partly based on staff's discussion about that issue in particular, you know, sometimes the General Assembly gives us a local option to do something, but they only give it to us in a certain way. So they might say, well, the localities have the option to ban something.

[01:01:28] They don't necessarily also give you the opportunity to structure a program that isn't a ban, but that has some kind of flexible implementation. And so because this is the proposal we received was about mandating it, We're kind of assuming that that would be a requirement, but we did try to include in here some language saying if we were going to get this kind of authority, it would need to be flexible so that it wasn't just required.

[01:01:50] You will be able to implement in a way that addressed some of the site-specific questions and things like that. Yeah, I mean, and that's an important distinction because we don't want to appear like we're doing something different than what our overarching strategies are in our legislative package, which is always giving local government the authority, increased opportunities for authority control, certainly in the land use process, and a lot of the environmental issues we've run into is we've run into a situation where we can't do something because the state prohibits it.

[01:02:19] If this is freeing up an option for us to do things in this space, we just need to be careful about making sure. We're not saying we don't want solar, and in some cases we wouldn't maybe even appreciate the opportunity to require it, but an absolute would be very problematic.

[01:02:37] So I think crosswalking our main focus of our legislative agenda against this is going to be important so that we don't look like we're saying two different things. Yeah, that's a good point, Mr. Chairman, so thank you for pointing that out. Okay, Supervisor Alcorn and then Palchuk. Thank you, Mr. Chairman.

[01:02:54] So yeah, on Proposal A, I totally get where staff's coming from, and I'm sympathetic to that. There are two, I guess, things that we might think about doing that we would have authority, I believe, to do already. And, Tracy, I guess my question is, and there's language in here about what's currently in the comprehensive plan, but we're not explicit about renewable energy, or at least solar, in that could that be something that could be looked at as part of the policy plan review that's being done now?

[01:03:28] Tracy Strong, Director of Department of Planning and Development. Yeah, we're looking at the policy plan. We're looking at the environmental goals as part of that in phase one. And so sort of the expectations and desire for what we're looking for in development is certainly something we can look at. Okay, great. I'd encourage that because that wouldn't obviously affect by right development, but certainly special exceptions, as mentioned by EQAC, or any rezoning application that could be used to guide the approval on that.

[01:03:57] My other question is – so this past weekend, I was in the town of Vienna. They had their own zoning ordinance. But at a dedication of a new solar facility over the parking lot at Church of the Holy Comforter. By the way, I love the name of that church.

[01:04:13] That's like one of the best names of all time. But they had to basically work with the town on changing some provisions in their zoning ordinance to allow for it. I know that we allow these solar panels in all zoning districts. But, for example, in their case, it ends up being an accessory structure.

[01:04:33] And so they had to basically change it. So I guess, Tracy, one of the things I would want to make sure, have we updated all the different parts of our zoning ordinance, for example, relating to accessory structures, where it makes sense for this to go?

[01:04:50] I guess, are we sure that we don't have some hidden impediments there on solar panel installation that we haven't found yet? I'm relatively certain. I'm hesitant to always say absolutely. We are zoning, excuse me, when we updated the zoning ordinance, I believe with ZMOD actually, or possibly even before, we now no longer require rooftop structures to be limited to the 25% of the roof, and they can actually extend above the maximum building height by five feet.

[01:05:25] It's not totally open, but that. And we would treat them as accessory structures in a parking lot, but I think our requirements would certainly allow that. And we actually do. I was just looking at our landscaping requirements, actually, that require tree cover in our parking lots, specifically say that a portion of what would be tree cover can actually be provided by shade structures like including solar because that certainly encourages and accommodates that.

[01:05:56] All right, that's great. I would just encourage staff to be open. As we hear from people who have proposals that might not be fitting and surprise us, frankly, in some ways, please stay on top of that and flag things that might need to be tweaked in the zoning ordinance or, frankly, anything with LDS, too.

[01:06:16] Thank you, Mr. Chairman. Okay, Supervisor Palchuk. Thank you, Mr. Chairman. First of all, just following up on that point, I was in Massachusetts visiting my aunt in a hospital and was pleased to see the whole parking lot with solar. So definitely anything we can do to encourage that in addition to the state.

[01:06:34] My big concern is also around, especially Proposal B, I've been following that since my time on the school board, and our concerns there are trying to get more of our schools to be able to connect, farm, and continue to see the impediments.

[01:06:51] So I guess I have two requests. One would be, so November 14th is a JLARC study. I believe on November 19th we'll be having before our board the Dunloring School land use proposal, which I believe includes the first full solar roof, perhaps new roof on a building in the schools.

[01:07:17] I don't know if it's the first new one. But I want to make sure that we know any impediments they may have. I don't know if you have any currently to being able to do that. And then including in our language, if I'm rereading page 8 correctly, we don't specifically highlight the impediment on public buildings, solar installations of public buildings, including schools and community centers, which staff, I think, so rightly addressed on page 7 of Proposal B.

[01:07:51] So there's a way we can really highlight that that continues to be a frustration of the impediments to doing this, just even on our public facilities, in addition to private ones that continues to be there for years. So whether it's through the SEC, fingers crossed, or through additional encouragement, that's such a huge impediment right now.

[01:08:12] Okay, Supervisor Behrman? So I share Supervisor Palchuk's concerns and points about the proposal B. That's actually what I wanted to comment on.

[01:08:28] I share your, Mr. Chairman, your belief that adding something to bullet point four makes a lot of sense. The interconnectivity fees, obviously, interconnection fees are cost prohibitive and they're prohibiting us. I think there was someone who said, I think it was Ms. Kanasky was saying in some locations, like solar may not even make sense.

[01:08:51] So if we're mandating it, solar makes sense on every single school top. They are surrounded by ball fields and parking lots. There is plenty of sun hitting the tops of schools. So we need to figure out how to bring down those interconnection fees because it's the perfect place to have solar.

[01:09:08] And also there are educational opportunities that come out of this. If you go over to Meridian High School, which is technically on Fairfax County land in my district but is owned by Falls Church City, they have used their own environmental things, including their geothermal energy, has now become part of their actual curriculum in teaching people about energy efficiency.

[01:09:31] So we need to be able to bring those interconnection fees down and start moving on schools. Thanks. Yeah. And just a question for Mr. Morrill on the interconnection fees, because we typically talk about it in the context of public buildings, a school or a fire station or a police department. But those fees apply to any mid-sized, as Dominion defines it, solar installation, which I presume could include, among other things, a large warehouse or a data center that might be larger than a school. Am I right about that?

[01:10:04] So it's not just public facilities. That's where it hits us the most directly, but it's not just public facilities. John Morrill from Environmental and Energy Coordination, you're absolutely right. There doesn't discriminate if the system is between 250 kilowatts up to a megawatt, then the interconnection fee is born.

[01:10:25] And so my understanding is that what public schools is doing in the Dunloring case is they've essentially engineered and designed all their systems. to just fit under the 250-kilowatt limit just out of expediency to keep things moving forward.

[01:10:42] Yeah. No one has served when they are in the position to do that. Okay. All right. Supervisor Smith? Thank you. You know, listening to the discussion and thinking about Proposal A, I appreciate staff's analysis of this.

[01:11:03] It scares me, even if it's local option, to have the ability to require something. I think a lot more thought has to go into that. I worry about us getting into a position that all of a sudden you only required it on certain types of facilities. So I think a lot more thought needs to go there, and I do have a concern about requiring.

[01:11:23] Thank you. Okay. And, you know, I'll just say on that point, obviously it's kind of an emerging area. There are jurisdictions and states that have moved in that direction. There are steps that, in theory, one could take, for example, requiring a solar study when a new building is permitted.

[01:11:46] And I suspect there will be legislation across the spectrum of this issue that we can evaluate when the time comes. But right now, the position we're in is trying to get the Commonwealth of Virginia to stop actively discouraging solar installations.

[01:12:02] So we need to win that battle probably before we advance to potentially the next ones. Okay. Any other thoughts on that, Ms. Arco? Anything else that does get us through our agenda?

[01:12:19] That's it for us, Mr. Chairman. The next thing, as you mentioned earlier, is the public hearing on the legislative program at the November board meeting. And then we'll have our last legislative committee at the end of November after that. All right. Okay. Thank you, everyone.