

2003 Virginia House of Delegates/Senate Candidate Questionnaire

DEADLINE: Two weeks after receipt

About this questionnaire: The Virginia League of Conservation Voters thanks you for taking time out of your busy campaign schedule to complete this questionnaire. Your responses on the questionnaire will be a factor in endorsement and campaign contribution considerations.

Introduction: As a member of the General Assembly you will consider numerous environmental issues which will be before you as legislation. Most of these issues are represented in the following questionnaire.

We ask that you circle a **YES** or **NO** to each question that calls for it. If you do not, the interpretation of your response will be left to a screening committee. There are no "trick" questions – all "yes" responses support our positions. If you need further clarification of any of the questions, please do not hesitate to call us for additional information. If your response supports our conservation position, we assume that you will support appropriate legislation. Please feel free to offer a written response using the space below the question or by attaching additional comments. If you would prefer to correspond via email, please provide us with your email address. Please complete this questionnaire and return it within two weeks to:

Virginia League of Conservation Voters
530 East Main Street, Suite 820
Richmond, VA 23219
PHONE: 804-225-1902
FAX 804-225-1904; Email: VirLCV@aol.com

*VALCV utilizes completed questionnaires strictly for the purposes of endorsement. We do not share completed questionnaires with the news media.

Candidate's Name - Please print

Candidate's Signature

House or Senate District No: _____

Party Affiliation: _____

Home Address: _____

Email Address: _____ Phone: _____

Office Address: _____

Phone: _____ Fax: _____ Email: _____

Campaign Manager: _____ Phone: _____

Campaign Address: _____ Email: _____

1. Smarter Growth

In order to capture the benefits of growth while reducing subsidies for sprawling development and the adverse impacts of sprawl on natural areas and existing communities, an increasing number of states and localities have begun to direct funding for roads, water, sewer, and schools only to those areas where the infrastructure exists to serve new residents and businesses, or in specifically designated growth areas as determined by local government where infrastructure can be provided in an orderly manner.

If elected, would you support legislation to target state infrastructure funding to promote more efficient development? YES NO Would you co-sponsor this legislation? YES NO

Comments on Smarter Growth:

2. Land Use and Zoning

a. Many local governments are now facing fiscal strains for water, sewer, schools roads and other public services for rapidly growing populations due to earlier mistakes that resulted in over-planning and over-zoning in their communities. The resulting growth is also adding to the demands for state funds.

Would you support a comprehensive assessment of the Commonwealth's planning and zoning policies and statutes as urged by the 2001 Commission on Growth and Economic Development, the Virginia Planning Association, and the Virginia Society of American Institute of Architects? YES NO

Do you support state funding and technical assistance to local governments to help them conduct planning analyses and to develop realistic, affordable comprehensive plans and ordinances? YES NO

b. When local governments have gone to the General Assembly in recent years for more authority to manage their growth, members of the General Assembly have told them that local governments have adequate authority; they just don't have the political will to use it. Yet in the last decade, the General Assembly has passed bills that collectively undermine local land use authority, including expanding the vesting of proffered rezonings, site plans and subdivision plats, and curtailment of the special exception process.

Will you oppose attempts to reduce local land use authority? YES NO

Will you support legislation that will provide localities with additional tools to effectively manage their rate of growth? (Possibilities may include Adequate Public Facilities or impact fees.) YES NO

c. Many of Virginia's cities and towns have faced loss of jobs and population to the suburbs, leaving social and economic problems, but also a wealth of underutilized public infrastructure. Meanwhile, a significant portion of state spending for highways and for economic development incentives has been directed to the suburbs.

Would you support a comprehensive urban policy for the Commonwealth that would invest in our cities and towns including funding for brownfields cleanup, urban transit, school modernization, and economic development incentives for companies locating in downtown areas? YES NO

Comments on Land Use and Zoning:

3. Transportation

While currently undergoing belt-tightening measures, VDOT has had in recent years a record \$3.2 billion annual budget. Yet congestion has worsened despite an active road building and widening program. Nevertheless, VDOT continues to plan for numerous costly, environmentally destructive road projects that are not justified from either a cost or a congestion relief standpoint and that have received substantial public opposition.

a. VDOT does not study the growth impacts of new highways, yet these projects can significantly contribute to suburban sprawl by opening new areas to development and reduce the effectiveness of the new project by increasing the number of miles we drive. Among the costly and inefficient projects that VDOT is studying are the Western Bypass in Northern Virginia, the Fredericksburg Outer Connector, the Southeastern Expressway in Tidewater, and I-73 in southwestern Virginia.

Do you support requiring VDOT to study the land use impacts of new highways? **YES** **NO**

Below is a list of specific transportation projects that citizens and conservation organizations believe are environmentally destructive and are not justified from either a cost or transportation standpoint. Please comment on the ones you are familiar with.

Would you oppose...

1. *The Western Transportation Corridor in Northern Virginia?* **YES** **NO**
2. *The Techway as a bridge crossing the Potomac River to Maryland?* **YES** **NO**
3. *Widening the Capital Beltway to 12 lanes?* **YES** **NO**
4. *The Rt. 29 Bypass around Charlottesville?* **YES** **NO**
5. *I-73 in southside/Roanoke area unless it uses existing roadways such as Rt. 220?* **YES** **NO**
6. *Additional lanes for I-81 preferring the alternative of rail lines to transport freight?* **YES** **NO**
7. *The proposed Harrisonburg bypass?* **YES** **NO**

b. The state transportation funding allocation formula in Virginia encourages localities to build highways instead of improving public transportation by requiring a much greater funding match for transit construction than highway construction, and a local match for transit maintenance but no match for highway maintenance. VDOT's budget allocates as little as 5% of total funds to public transit, yet access to transit is critical for relieving metropolitan congestion, air pollution, and providing access to jobs for all socioeconomic groups.

If elected, would you support increased funding for public transportation, both construction and operations? **YES** **NO**

Do you support leveling the playing field by requiring a local match for highway maintenance?
YES **NO** *Or alternatively, requiring no local match for transit?* **YES** **NO**

Comments on Transportation issues:

4. Open Space

a. Virginia's open space and farmland is rapidly disappearing. According to the U.S. Natural Resources Conservation Service, Virginia's rate of development is 11th highest nationally. Their 1992-1997 National Resources Inventory (NRI) reflects a 56% increase in development from their 1982-1992 NRI. The protection of these precious resources can be accomplished not only by buying land but also through the purchase of easements and development rights from willing sellers. Yet Virginia lags far behind our neighbors in providing funding to protect open space, natural areas, and working farms. In the *Chesapeake 2000 Agreement*, Pennsylvania, Maryland, and Virginia agreed to reduce the annual loss of forest and farmland to harmful sprawl by 30 percent by 2012. Yet there are no programs in place to accomplish this goal. It is estimated that Virginia needs to spend between \$533-800 million to protect 533,000 acres over the next ten years to meet the 20% goal in the *Chesapeake 2000 Agreement* alone. (Chesapeake Bay Commission/Trust for Public Land study)

Would you support funding for open space protection as one of your legislative priorities?

YES NO

b. One means of funding open space protection is through a dedicated source of revenue. Five states on the eastern seaboard have a dedicated source of revenue to fund open space acquisition for parks, farm land and forest preservation. Many such programs around the country (e.g. NC, MD) are funded through the transfer tax on the sale of real property. Another dedicated source of revenue that Governor Warner proposed was a tipping fee for solid waste last session that has been referred to the Senate Agriculture Committee for 2003.

Would you support committing a portion of the existing recordation fee (proceeds of which now go to the state's general fund) to a fund for open space preservation? **YES NO**

Would you support committing a portion of a solid waste tipping fee to fund open space acquisition as long as the largest portion of the tipping fee proceeds go to pay for landfill cleanup?

YES NO

Comments on Open Space:

5. Farmland Preservation

The 2002 Farm Bill includes \$100 million in annual matching funds for the Farm and Ranchland Protection Program – aimed at paying for agricultural conservation easements. Virginia has no matching funds for this important program even though the conversion of prime farmlands has increased by 76% in the most recent 5 year period reported (1992-1997).

Since the 2000 General Assembly, Virginia has approved a number of bills creating the Office of Farmland Preservation and the Ag Vitality Program aimed at addressing the issue of farmland conversion and agricultural viability. The Virginia Department of Agriculture and Consumer Services estimates that 70% of Virginia's farms will change hands in the next 15 years; the Office of Farmland Preservation will administer a FarmLink Program to help with the intergenerational transfer of farm businesses and farmlands. Seven localities have adopted local purchase of development rights programs since 1995 (Albemarle, Chesapeake, Clarke, Fauquier, James City, Loudoun and Virginia Beach) and a number of others are working on the passage of similar programs.

a. *Will you support state funding of this program for administration and funds to localities to serve as a match for federal funds to purchase agricultural conservation easements?* **YES NO**

b. *Farming and forestry are a vital part of Virginia's economy and account for about 15% of the jobs in Virginia, would you support creating an Agricultural Enterprise Zone program to encourage new investment in farms and agricultural business ventures?* **YES** **NO**

Comments on Farmland Preservation:

6. Solid Waste

a. The cost of cleaning up Virginia's abandoned and leaking landfills is in the hundreds of millions of dollars. Many of these landfills were and are owned and operated by Virginia counties and cities. One way to generate revenues to cover these clean up costs is to impose a per ton fee on all waste disposed of in Virginia. In order for such a waste disposal fee to be constitutional, it must be charged on waste generated in state as well as out of state waste. This means that local governments will likely be opponents of such a fee.

Would you support imposing a fee of \$2 to \$3 per ton of garbage to cover landfill closing and cleanup costs? **YES** **NO**

b. *If authorized by Congress, would you support state legislation to limit the amount of out-of-state trash by a set percentage of what is disposed of at individual Virginia landfills?* **YES** **NO**

c. During the 2001 General Assembly session, legislation was enacted that weakened environmental siting standards for a landfill in Mecklenburg county. This legislation eliminated the 5 mile buffer zone between a landfill and a public water supply leaving approval to the discretion of the DEQ Director. Legislation passed in 2003 expanding this exemption to Halifax county.

Will you oppose any efforts to expand weakened siting standards for landfills? **YES** **NO**

Comments on Solid Waste:

7. Forestry

a. Currently Best Management Practices (BMPs) on private lands are not mandatory. These BMPs are minimum standards to protect public water supplies. The use of silt fences is a common example. Since every tract of land is different, the design of BMPs for each tract should be customized; i.e. timber harvesting on hillsides and use of haul roads. According to the spring 2002 assessment of southern forests by the U.S. Forest Service, only 17% of timber jobs in Virginia fully comply with BMPs for timber harvesting.

Would you support legislation that would require mandatory use of BMPs? **YES** **NO**

Comments on Forestry:

8. Water Resources, Rivers, Chesapeake Bay

a. Virginia has recently suffered a severe and prolonged drought with lakes, rivers and groundwater resources being heavily affected. Some recent proposals for new industry would require as much as 10 to 35 million gallons per day from our rivers for new withdrawals alone.

Do you favor requiring water utilities to have programs and rate restructuring that promote water conservation? **YES** **NO**

Will you support legislation that would require or encourage new technologies to reduce consumptive water use for new and existing industry? **YES** **NO**

Do you favor a more comprehensive evaluation of the cumulative effects of new withdrawals in the state permitting process? **YES** **NO**

b. Every year, nearly 300 million pounds of nitrogen enter the Chesapeake Bay. Largely because of pollution from excess nitrogen and phosphorus, the Chesapeake Bay and its tidal rivers remain on the Clean Water Act list of impaired waters. To meet the goals of the 2000 Chesapeake Bay Agreement by 2010, annual nitrogen discharges into the Bay must be reduced by at least 150 million pounds from the current 300 million pounds. Currently, wastewater treatment plants contribute 59 million pounds of nitrogen per year to the Bay. The technology is currently available to reduce this pollution to acceptable levels; these upgrades will likely offset a significant portion of the capital expenses by reducing operating and maintenance costs while providing cleaner water and protecting our natural resources. Such upgrades are the most cost-effective step we can take to clean the Bay's water.

Would you support funding for much needed upgrades to local wastewater treatment plants?
YES **NO**

c. One way to offset DEQ water quality program costs is to charge a water permit fee that covers all or a larger portion of the direct program costs. Legislation that passed in the 2002 General Assembly triples the statutory limits on these fees to just above 30% recovery of the total program costs. (There is a July 1, 2004 sunset on the new fee structure.) While this is a vast improvement over the previous fees that provided less than 10% of the total program costs, neighboring states recover as much as 67% of the total program costs from water permit fees.

Would you support removal of the sunset provision in the fee permit schedule? **YES** **NO**

Would you support a gradual increase in the permit fee to enable Virginia to recover more of the total program costs from water permit fees? **YES** **NO**

Comments on Drinking Water, Rivers, Chesapeake Bay:

9. Wetlands

In 2000, the Virginia General Assembly passed legislation to end ditching and draining of wetlands without a permit and to develop a comprehensive state level wetlands protection program that began in October, 2001.

Will you oppose all efforts to weaken Virginia's wetlands laws and regulations? **YES** **NO**

Comments on Wetlands:

10. Air Quality

Significant portions of Virginia are currently designated or are proposed to be designated by the Department of Environmental Quality (DEQ) as having unhealthy air ("non-attainment areas") because of excess ozone (smog) and particulate matter pollution. Such pollution has significant adverse effects on the

Governor proposed cutting \$29 million from Natural Resources programming but the legislature restored \$12 million. Over the last 10 years the Natural Resources budget has remained at a stagnant .86% of state funding allocations. Not only has inadequate funding made new initiatives difficult to achieve, but it has made enforcement of current laws and regulations impossible.

If elected, will you make it a goal to expand state funding for Natural Resources?

YES NO

b. Virginia, along with other signatories, agreed to sign the Chesapeake Bay 2000 Agreement which seeks to preserve 20% of land in the watershed. A recent report by the Dept. of Conservation and Recreation shows that as of June 30, 2000, Virginia had permanently preserved 16.1% (2,233,048 acres) within its portion of the Chesapeake Bay watershed. Another 553,330 acres are needed to reach the goal. To achieve this the Commonwealth will need to contribute \$67,081,373 a year. For every dollar that Virginia provides towards the goal, there are significant matching federal and private funds. In some cases the match can be as high as \$4 for every dollar spent by the Commonwealth. Yet Virginia's allocation in this year's budget is \$0.

Do you support additional funding for compliance with the Chesapeake Bay 2000 Agreement?

YES NO

c. Please outline your strategy for identifying additional funding for conservation programs within the current fiscal constraints in Virginia's budget. (Include ideas for reallocation of current funding streams as well as proposals for generating new revenue.)

13. Personal Commitment:

a. If elected to the House or Senate, what three environmental issues will be a priority for you?

1.

2.

3.

b. What leadership initiatives will you undertake to advance the issues you listed in 13a?

c. What examples of environmental leadership can you cite from your past? Include legislative examples or organizational work?

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