

2002 Virginia House of Delegates/Senate Special Election Candidate Questionnaire

DEADLINE: One week 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 one week 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: _____

Phone: _____

Office Address: _____

Phone: _____

Fax: _____ Email: _____

Campaign

Manager: _____ Phone: _____

Campaign Address: _____

Email: _____

Growth Management and Transportation Reform

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.

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. 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. 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 up to \$50 million annually for open space 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 the proposed tipping fee to fund open space acquisition as long as a portion of the tipping fee proceeds go to pay for landfill cleanup?

YES NO

Comments on Open Space:

3. Farmland Preservation

a. The 2002 federal Farm Bill includes \$100 million in new funding for the Farmland Protection Program for the next 6 years. Currently, Virginia has no funds to qualify for this matching program to purchase agricultural easements. The 2001 General Assembly approved creation of the Office of Farmland Preservation (SB 1160 – Hanger) continuing the Virginia Agricultural Vitality Program. The VDACS estimates that 70% of Virginia’s farms will change hands in the next 15 years; the Office of Farmland Preservation will administer a Farm Link Program to help with the intergenerational transfer of farm businesses and farmlands.

*Will you support funding of this program and related funds to localities to purchase agricultural conservation easements up to \$30 million per year? **YES NO***

b. *Since farming accounts for 10% of the jobs in Virginia, would you support redirecting at least 10% of the economic development budget to agriculture and the Virginia Agriculture Vitality Program?*
YES NO

c. Several years ago, New Jersey voters approved bond financing for farmland and open space protection in the amount of \$1 billion for a period of 10 years.

*Would you support a bond referendum up to \$300 million to fund this program for a period of at least 10 years? **YES NO***

Comments on Farmland Preservation:

4. Transportation

While currently undergoing belt-tightening measures, VDOT has had in recent years a record \$3.2 billion annual budget. Yet congestion has worsened and VDOT has tried to build numerous costly, destructive road projects 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. VDOT has proposed a number of projects including 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***

Specific transportation projects:

Would you oppose...

- 1. *The Western Transportation Corridor in Northern Virginia?* **YES** **NO**
- 2. *The Techway as a road crossing the Potomac River?* **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 products?*
YES **NO**

b. The removal of the tolls on the Chesapeake Bay Bridge Tunnel is seen by citizens of Virginia’s Eastern Shore as part of an effort to promote sprawl development in their rural counties.

Would you oppose the removal of the tolls on the Chesapeake Bay Bridge Tunnel? **YES** **NO**

c. The state allocation formula for maintenance funding in Virginia encourages localities to build highways instead of improving public transportation by requiring a local funding match for transit but no match for highway maintenance. The 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**

d. Many members of the conservation community oppose the Northern Virginia Sales Tax Referendum for transportation because it will increase vehicle miles traveled (VMT), suburban sprawl, traffic, wetlands degradation, and air pollution. The development community has long led the campaign for the increased sales tax for transportation to gain additional subsidies for infrastructure; particularly the Outer Beltway, while resisting efforts to adopt better growth management. Furthermore, there is currently legal action underway challenging the constitutionality of the referendum.

Do you oppose the NOVA sales tax referendum for transportation? **YES** **NO**

e. *Would you support legislation that requires VDOT to develop state and regional plans to demonstrate reductions in vehicle miles traveled (VMT) and air emissions from mobile sources?* **YES** **NO**

Comments on Transportation issues:

5. Land Use and Zoning

a. Many local governments are now facing fiscal strains for water, sewer, schools roads and other public services 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.

Do you support state funding and technical assistance to enable local governments to conduct these 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**

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: Other Environmental Issues

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. *Would you support limiting imports to 20% of a landfill's capacity?* **YES NO**

d. *If authorized by Congress, would you support state legislation to limit the amount of out-of-state trash by determining a set percentage of the total that is disposed into individual Virginia landfills?*

YES NO

e. 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. It also exempted the Mecklenburg facility from restrictions on building landfills in wetlands. As introduced, this bill would have applied statewide.

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

Comments on Solid Waste:

7. Forestry

a. As a result of changes in the wood products industry, Virginia is experiencing accelerated deforestation particularly in the southwestern region of the state where high capacity chip mills promote the clearcutting of forests. This is resulting in serious erosion problems and water quality impacts to streams and rivers due to sediment runoff.

Would you support legislation to restrict sediment pollution from logging sites? **YES** **NO**

b. 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.

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

Comments on Forestry:

8. Drinking Water, Rivers, Chesapeake Bay

a. Virginia has no comprehensive plan to allocate or protect its drinking water resources. As a result local governments are allowing development to occur near existing drinking water resources that limits the useful life and water quality of these reservoirs/water resources.

Will you support legislation to assert state authority over the allocation of drinking water resources and set minimum standards for protection of existing resources? **YES** **NO**

b. Virginia is in the midst of a severe 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.

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**

c. The health of the Chesapeake Bay has improved slightly over the last 20 years. However, we have continued to see steep declines in crabs, other shellfish, and fish stocks which indicate that the recovery of the Bay is not yet complete. The health of the Bay is important to all Virginians, whether they are professional watermen or recreational users.

Will you support legislation and/or funding to ensure that water quality in the Chesapeake Bay and its tributaries continue to improve? **YES** **NO**

c. 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.

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

d. 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) pollution which jeopardizes citizen health. The electric utility industry is a significant contributor to this ozone problem. A number of smaller gas fired power plants are being proposed throughout Virginia. Although cleaner than coal, these new plants still pollute and DEQ states that it has only limited authority to regulate them. Additionally, the same power plant built in Maryland would require pollution offsets that would result in real reductions in air pollution.

a. North Carolina recently passed legislation that will require 14 aging coal-fired power plants to reduce their sulfur dioxide emissions and their nitrogen oxide emissions by over 70% – forcing reductions in the absence of federal action. Would you support or sponsor similar legislation? (See NC Clean Smokestacks bill) **YES** **NO**

Since 1998, with electricity deregulation, over 30 new power plants have been proposed representing over

21,000 megawatts. To put this in context, 21,000 megawatts is more than 30% of the additional needed generation to meet the projected national demand by 2004 (North American Electric Reliability Council.)

b. *Would you support a VA specific needs analysis for new power plants?*

YES **NO**

c. *Would you support legislation that would prioritize the retrofitting of existing power plants to provide new, cleaner power AND the use of brownfields for new sites before any greenfield sites are considered?*

YES **NO**

Comments on Air Quality:

11. Scenic and Historic Preservation

a. Tourism is Virginia’s third largest industry; visitors come from all over the world to experience the overwhelming beauty of our scenic assets. Unfortunately, billboards and telecommunications towers threaten to ruin the scenic qualities of Virginia’s rural and urban landscapes.

If elected, would you promote Virginia’s scenic assets as a genuine source of revenue for the Commonwealth and treat them with the consideration and respect typically afforded other major Virginia revenue-producers? **YES** **NO**

b. The Department of Historic Resources had zero budget growth in the 1990’s yet the workload has increased due to new federal laws to interpret and the implementation of the Virginia Historic Preservation Tax Credits which are a tool for urban renewal.

If elected, will you be a strong voice for strengthening Virginia’s commitment to preservation of Virginia’s historic resources and oppose any efforts to reduce funding in this area? **YES** **NO**

Comments on Scenic and Historic Preservation:

12. Funding:

a. Virginia is ranked 50th in the nation in per capita on spending on Natural Resources, Parks, and Recreation. 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 substantially expand state funding for Natural Resources?
YES **NO**

b. A short-term solution to the funding shortfall is a “yes” vote by voters in November for the \$119 million Virginia Parks and Natural Areas Bond initiative that will provide \$30 million for acquisition of land for natural areas and the rest for construction projects in existing parks.

Do you support the Parks and Natural Areas Bond initiative? **YES** **NO**

Will you promote it during your campaign? **YES** **NO**

Comments on Funding:

13. Personal Commitment:

a. If elected to the 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 14a?

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

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