

2016 LEGISLATIVE POSITIONS/ISSUES OF CONCERN
GCV Conservation and Beautification Committee
Legislative Day
January 25, 2016

The Garden Club of Virginia is an active association of 47 clubs, whose members together form a group of more than 3,000 civic leaders from around the commonwealth. Guided by its mission statement, the Garden Club of Virginia considers the following positions (or bills that are substitutes for these topics) currently before the 2016 Session of the Virginia General Assembly commensurate with its mission.

Therefore the Garden Club of Virginia:

Supports Protecting the Viewshed of the lower James River

The Board of Directors of the GCV recommends that the Conservation Committee and the larger GCV maintain its strong commitment to protecting the viewshed of the lower James River and continue to participate in all useful ways. This includes supporting amending Virginia's Code §56-46.1 to better protect irreplaceable historic, scenic and environmental resources when transmission lines siting decisions are made.

Support HB908 Randall Minchew to require the State Corporation Council to use a two-step review process when making decisions about where to put transmission lines. The first step is to avoid harm to historic, scenic and environmental resources. If avoidance is not feasible, the SCC should make a decision that minimizes harm to these resources.

Supports Continuing the Ban on Uranium Mining

The Garden Club of Virginia strongly urges the General Assembly to continue the moratorium on uranium mining in Virginia and that the General Assembly vote accordingly on issues before it pertaining to the moratorium.

Opposes Drilling Off the Coast of Virginia

The Garden Club of Virginia strongly urges Governor McAuliffe and our other elected officials formally to request removal of Virginia from the Bureau of Ocean Energy Management 2017-2022 offshore gas and oil leasing plan in order to protect Virginia's coastal fishing and tourism economies, communities, important environmental habitats, and military operations.

The risk of a disaster spill like the Deepwater Horizon in 2010 is real. But, more importantly, it is a certainty that the normal day-to-day operations of oil drilling cause persistent release of toxic chemicals and may generate oil spills that are the source of chronic pollution of the ocean, beaches, wetlands, and shoreline waterways. Normal operations also include vast construction of infrastructure including miles of pipelines, oil storage facilities and oil refineries. In the Gulf of Mexico over 9,800 small spills of crude oil, petrochemicals and other contaminants, documented by the Coast Guard, occurred during normal drilling operations from other wells after the Deepwater Horizon well was capped.

Natural Gas Pipelines

Due to increased hydraulic fracking in near-by states, new proposed pipelines have been announced that would intersect the Commonwealth. To avoid unnecessary and negative ecological and economic impacts to our communities, our forests and our national resources and waterways the GCV calls on the Federal Energy Regulatory Commission (FERC) to prepare a comprehensive, region-wide evaluation of new natural gas pipeline infrastructure in Virginia that includes the Atlantic Coast Pipeline, the Mountain Valley Pipeline, other proposed or pending projects and the possibility of a region-wide solution through co-location or upgrades along existing corridors.

- Support HB1118 Yost and SB614 J. Edwards to repeal Code §56-49.01, the law that allows pipeline surveyors on private land without the owners' permission.

Supports Legislative Action on Land Conservation and Opposes Efforts to Weaken Land Conservation Initiatives

After having reduced the size of the Land Preservation Tax Credit program in 2015, the General Assembly should make no more changes that would reduce the impact and availability of this important land conservation tool. Instead the Legislature should include \$165 million for public land acquisition in the 2016 General Obligation Bond package.

- Support Grant programs, as called for in HB 1398. For FY 2017, that amount should be \$20 million, allocated as follows: \$16 million for the Virginia Land Conservation Foundation, \$2 million for the Office of Farmland Preservation and \$2 million for the Civil War Sites Preservation Fund.
- Support measures that provide additional funding for the Virginia Outdoors Foundation in order to ensure it is able to accept, hold, and provide adequate stewardship of conservation easements.

Supports Confronting Climate Change by Supporting the Virginia Alternative Energy and Coastal Protection Act

Delegate Ron Villanueva's bill HB351 would bring \$200 million to the state to invest in climate change adaptation efforts. The bill requires the Governor to join the Regional Greenhouse Gas Initiative or other carbon trading program with an open auction of carbon allowances. The Department of Environmental Quality (DEQ) is directed to establish a carbon dioxide cap and trade program to reduce emissions released by electric generation stations. The revenues from the sale of carbon allowances are to be deposited in the Commonwealth Resilience Fund, a revolving fund established by this measure that is to serve as a revenue source to assist localities with the implementation of adaptation efforts to combat sea level rise and recurrent flooding. The Fund also provides monies for energy efficiency and conservation programs; economic assistance for families; and businesses in Southwest Virginia, renewable energy generation programs, and costs of administering the program.

Supports Energy Legislation that Conserves and Protects our Natural Resources and Opposes Efforts to Weaken the Conservation and Protection of our Natural Resources

- Support the Clean Power Plan and urge the General Assembly to comply with it.

- Oppose HB2 I. O'Quinn and SB21 B. Chafin that would require the Department of Environmental Quality to receive approval from the General Assembly for a state implementation plan to regulate carbon dioxide emissions from existing power plants prior to submitting the plan to the U.S. Environmental Protection Agency for approval.

Supports Water Quality Efforts

- Support HB977 A. Lopez that would require notification of spills to DEQ & State Water Control Board
- Support SB 283 L. Lewis that would require turtle excluder devices be attached to each crab pot covered by a recreational gear license.
- Support SB227 A. McEachin that would direct DEQ to inventory by 7/17 non-federally managed toxic waste sites in VA and publish inventory annually thereafter.
- Support SB228 A. McEachin that would raise the civil penalty that may be included with a special order from \$10,000 to \$25,000.
- Support SB537 S. Surovell that would direct the Department of Environmental Quality to require the closure of surface impoundments of coal combustion by-products, commonly called coal ash ponds, by July 1, 2020. The bill applies to impoundments that managed such by-products from the generation of electricity by an electric utility or independent power producer prior to December 4, 2015, including those impoundments that, prior to December 4, 2015, have been closed by capping in place or have received Department approval for closure by capping in place. The bill requires that the coal combustion by-products be removed for disposal in a permitted landfill meeting federal criteria, and that the impoundment site to be reclaimed in a manner consistent with federal mine reclamation standards, for closure to be deemed complete. The bill allows an investor-owned public electric utility to recover the costs of closure from customers.

The Garden Club urges that the General Assembly not allow any further weakening of existing state protections related to coal ash. All coal ash impoundments should be subject to strict permitting and siting requirements and the state should require the removal of all coal ash to modern dry storage facilities, with synthetic liners and leachate collection and treatment systems, away from our rivers and drinking water supplies.

Opposes Efforts to Weaken Clean Water Initiatives

- Oppose SB254 DeSteph that would suspend until July 1, 2017 oyster grounds leasing in the Lynnhaven River by the Virginia Marine Resources Commission.
- Oppose SB298 DeSteph that would raise the rent on leasing grounds within 1000 feet of shoreline residences from \$1.50 per acre to \$5000 per acre.

Supports the Current Stormwater Management Process

- Support funding by the General Assembly of the Stormwater Local Assistance Fund, at a level of at least \$50 million annually to combat stormwater pollution.
- Support HB1085 D. Bullova which provides matching grants to local governments for stormwater best management practices. This is different from the annual budget request.

Supports Legislation Allowing for Control of Proliferation of Disposable Plastic Bags

The Board of Directors of the GCV agrees with the concept of spearheading a grassroots action in order to control the proliferation of disposable plastic and paper bags.

- Support SB55 M. Locke and HB288 J.G. Hesel which allows any locality by order to prohibit, distribute, sale or offer of disposable plastic bags. This is identical to the McWater bill in 2015 session.
- Support SB114 J.C. Peterson which imposes a five-cent tax on plastic bags in Chesapeake Bay area. Four cents is to support the Chesapeake Bay Watershed Implementation Plan.
- Support SB532 S. Surovell which authorizes a five-cent tax on paper and plastic bags.

Supports Legislative Action that Protects and Enhances Virginia State Parks

- Support the continued funding of all budget amendments for Virginia State Parks.

Billboards

The Board of Directors of the GCV recommends continued vigilance over the placement/replacement permitting of large roadside advertising, including LED advertising.