



VIRGINIA LEAGUE OF
CONSERVATION VOTERS

2023 | Conservation Scorecard

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Content: Lee Francis, Christopher Leyen, and Michael Town
Graphic Design: Lee Francis
Photography: Scenic Virginia

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Foreword from Executive Director Michael Town

Senate ‘Brick Wall’ again holds strong

We, again, have the “Brick Wall” in the Senate to thank for maintaining our progress on climate action and environmental protection in Virginia.

During this year’s short legislative session, we faced a number of attacks on our legislative successes from Governor Youngkin and his allies in the House. At the end of the day, not a single bill that Virginia LCV opposed made it to Governor Youngkin’s desk – a testament to the strength of the environmental community as a whole, and to the commitment of the Conservation Majority in the Senate to protecting clean air, clean water and a safe and healthy environment for all Virginians.

In 2020 and 2021, Virginia’s Conservation Majority at the General Assembly voted to pass policies solidifying the Commonwealth’s status as a true leader on addressing climate change and transitioning to a clean energy future.

In 2022 and again in 2023, we went to the mat at the legislature to ensure we stayed the course. This meant hundreds of direct meetings with lawmakers, 7 a.m. committee meetings and 12-hour days at the legislature, thousands of messages and phone calls from conservation voters into target legislative offices,

and dozens of press events and rallies – all because these issues matter and directly impact all of our lives.

Together, the climate victories we’ve passed in Virginia are helping address more than three-fourths of our total carbon emissions - efforts that are protecting public health, keeping communities safe from climate change, and boosting our economy, creating good-paying clean energy jobs and driving investment in our state.

We are incredibly grateful for the State Senate’s leadership in defending all of these policies, but come January 2024, we don’t want to keep playing defense. Protecting the status quo isn’t good enough – we must restore the Conservation Majority in the House of Delegates, and preserve and strengthen it in the State Senate so that we can go back on the offense, passing good, progressive policies that clean and protect our environment, grow our economy, and keep communities across the Commonwealth safe from harmful pollution.

As we pivot toward this year’s legislative elections – all 140 seats in the General Assembly will be on the ballot in November – we face a new political landscape. This will be the

first state election in new legislative districts and an unprecedented number of lawmakers are retiring - a state of play that creates both incredible challenges and opportunities.

The stakes heading into November are also incredibly high. Governor Youngkin has staked his political future on the national stage in this November’s elections and attacking Virginia’s climate action.

Make no mistake about it - if Youngkin is successful, he’ll take us backwards on all of our environmental priorities. This is why Virginia LCV will be working harder than ever in the coming months to engage Conservation Voters like you and to restore our Conservation Majority at the General Assembly.

Together, we can help keep Virginia on track. We hope you find this year’s Scorecard to be a valuable tool as we navigate the twists and turns ahead.

Sincerely,



Michael Town,
Executive Director

Record turnover expected at General Assembly

Regardless of how the 2023 legislative elections shape out, come this time next year, Virginia's General Assembly will look very different due to a record number of legislative retirements and House members seeking office in the State Senate.

Across Virginia in 2023, candidates for the General Assembly will be running for the first time in newly drawn legislative districts. The new, court-drawn maps were developed with the goal of ending gerrymandering and without incumbent protection in mind.

This dynamic has resulted in a record number of retirements at the General Assembly equivalent to nearly 500 years of legislative experience.

Regardless of how November elections shake out, this political dynamic will impact our issues in a variety of ways.

First, with a heavy influx of new office-holders there will be experience and education gaps on complex issues like environmental policy. This will result in an incredibly steep learning curve between Election Day and the outset of the 2024 legislative session - and we will have to work to make sure our conservation priorities remain at the forefront of the legislative agenda.

We will also see new committee make-ups and will have to build relationships with new lawmakers on both sides of the aisle to ensure we're able to continue defeating attacks on the progress we've made, while passing legislation that protects our environment and democracy for all Virginians.

While some of the lawmakers who are leaving office often weren't with us on our issues,

we will be saying farewell to a number of legislative champions and allies who we have strong relationships with and who we could count on when it came to a variety of pressing conservation issues. Here are just a few retirements of note:

Eileen Filler-Corn

Career Score: 99%

Del. Filler-Corn was the first woman to serve as Speaker of the House of Delegates in Virginia and also the first Jewish person to hold this role. As Speaker during the 2020 and 2021 legislative sessions, Filler-Corn presided over an incredible progressive shift in Virginia policy-making, which included passing over one-hundred pro-environment bills, among them some of the landmark climate policies that solidified Virginia's place as a leading state on climate action and clean energy.



Jim Edmunds

Career Score: 48%

Del. Edmunds, of Southside Virginia, was a leading proponent of keeping in place Virginia's decades old ban on uranium mining. As a representative of one of the communities downstream of a large uranium deposit in Pittsylvania County that would be most immediately impacted by contamination from uranium

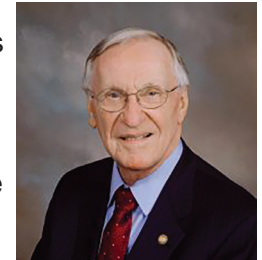


mining, Edmunds's leadership opposing this effort is one of the reasons that efforts to lift the ban in 2013 were unsuccessful at the General Assembly, and why the politics in Southside Virginia continue to favor keeping our ban in place, even as mining pressures continue from foreign corporations.

Ken Plum

Career Score: 96%

While Virginia LCV has only been keeping score at the legislature since 2000, in the 24 years that we have been putting out our scorecard, Del. Plum has earned a nearly perfect conservation score for consistently putting conservation issues first. Having held office for 44 years, Plum has been involved firsthand in driving environmental progress in Virginia across a number of issues - too many to list here. Most recently, as Chairman of the House Committee on Agriculture, Chesapeake and Natural Resources in 2020 and 2021, Plum presided over a sea change in environmental policies that will have positive results for the Commonwealth's clean air, clean water, and protected lands for years to come.



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Outgoing
Lawmakers



Emmett Hanger

Career Score: 52%

Sen. Hanger, of Augusta County, is a highly respected state senator who cares deeply about conservation and finding bipartisan, common ground - a rarity in today's political climate and a dynamic that will be sorely missed at the General Assembly.



In April, Hanger announced that the Land Preservation Tax Credit that he helped make law through passage of the Virginia Land Conservation Incentives Act of 1999 had resulted in the permanent preservation of 1 million acres of land in the Commonwealth.

As a longtime member of the Senate Committee on Conservation, Agriculture and Natural Resources, Hanger's bipartisan work on clean water issues and the Chesapeake Bay cleanup helped bring funding to farms across Virginia to help farmers cut their pollution load through Best Management Practices (BMPs) and to localities to help cut urban runoff through the Stormwater Local Assistance Fund. He also worked on Bay issues on a regional level as a member of the Chesapeake Bay Commission.

Read more on Sen. Hanger's Legislative Leadership on pg. 8

Jill Vogel

Career Score: 73%

Sen. Vogel, of bucolic Fauquier County, retired with the highest conservation score (73 percent) of any sitting Republican at the General Assembly. Vogel often voted on the floor against the rest of her caucus when it came to environmental issues of note, including the landmark Virginia Clean Economy Act - one of only two Republicans in the entire General Assembly to support this bill. The same year, she also voted in favor of our state's ban on offshore drilling, the landmark "Solar Freedom" bill, and our membership in the Regional Greenhouse Gas Initiative.



Janet Howell

Career Score: 93%

Having served in the state senate since 1992, where she has represented portions of Fairfax and Arlington counties, Howell will retire as the longest serving woman in the Senate of Virginia, and the first woman to chair the Senate Finance and Appropriations Committee, which she has presided over for the past four years.



As chair of that committee and

as a budget conferee, Howell has played an important role in the state budget process, helping guide the Commonwealth through the economically turbulent pandemic while also working across the aisle and across chambers over the past two years to find common ground budget priorities.

Many of Virginia's best tools for conservation and environmental quality depend on adequate funding year after year, and we saw record levels of funding for water quality and land protections in 2022. With Howell continuing to lead negotiations in this her last year as a Senator on amendments to that budget, we are hopeful that conservation will continue to be a priority.

Lynwood Lewis

Career Score: 89%

Sen. Lewis, of the Eastern Shore, was always a strong proponent for the Chesapeake Bay and safeguarding water quality, which his coastal district depends on for its livelihood. In 2020, Lewis introduced legislation to join the Regional Greenhouse Gas Initiative (RGGI), a highly successful, multi-state cap-and-trade program that has since returned \$657 million to Virginia to fund flooding resiliency efforts and energy efficiency programs for low-income households - all while cutting

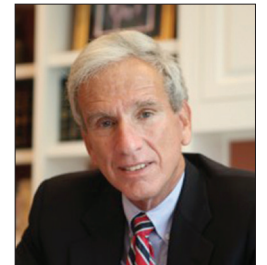


harmful power plant pollution. The importance of this policy cannot be understated - without it in place, Virginia simply can't meet its goals of 100 percent clean energy, and as a member of the Senate Committee on Agriculture, Conservation, and Natural Resources, Lewis has helped defend our membership in RGGI - and other important climate policies - from attack.

Dick Saslaw

Career Score: 81%

As the longtime leader of the Senate Democrats, member and chairman of the powerful Commerce and Labor committee, and as a member of the General Assembly for nearly five decades,



Saslaw was at the center of a number of high-profile legislative fights and will leave office with a wealth of institutional knowledge and influence. Virginia LCV did not always agree with the Senator, and he did not always vote on our side, but we maintained a strong relationship and mutual respect. His retirement will mean new leadership in the State Senate as well as new committee make-up in Commerce and Labor, which votes on a variety of energy and utilities issues, leaving a large hole in the power structure of that committee and the Senate at-large.

100 % 2023 Legislative Heroes

Virginia LCV Legislative Heroes demonstrate a strong dedication and prioritization of our conservation values. This year we recognize 21 Senators and 43 Delegates for voting with Virginia LCV 100 percent of the time.

Of the hundreds of bills these legislators vote on every session, they deserve special acknowledgment for getting the conservation vote right every time.

On behalf of Conservation Voters in Virginia, we thank the Legislative Heroes pictured here and look forward to their continued commitment to protecting the Commonwealth's precious natural resources.



Sen. George Barker



Sen. John Bell



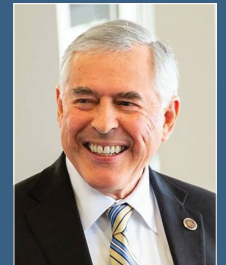
Sen. Jennifer Boysko



Sen. Creigh Deeds



Sen. Adam Ebbin



Sen. John Edwards



Sen. Barbara Favola



Sen. Ghazala Hashmi



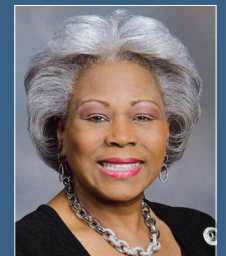
Sen. Janet Howell



Sen. Lynwood Lewis



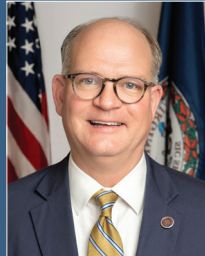
Sen. Mamie Locke



Sen. Louise Lucas



Sen. Dave Marsden



Sen. Monty Mason



Sen. Jennifer McClellan



Sen. Jeremy McPike



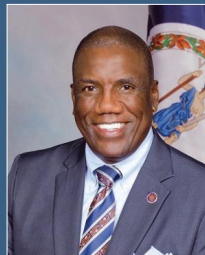
Sen. Joe Morrissey



Sen. Chap Petersen



Sen. Aaron Rouse



Sen. Lionell Spruill



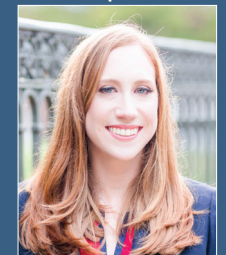
Sen. Scott Surovell



Del. Dawn Adams



Del. Lamont Bagby



Del. E. Bennett-Parker



Del. Jeffrey Bourne



Del. David Bulova



Del. Betsy Carr



Del. Nadarius Clark



Del. K. Convirs-Fowler



Del. Karrie Delaney



Del. Eileen Filler-Corn



Del. Wendy Gooditis



Del. Elizabeth Guzman



Del. Charniele Herring



Del. Patrick Hope



Del. Sally Hudson



Del. Clint Jenkins



Del. Kaye Kory



Del. Paul Krizek



Del. Alfonso Lopez



Del. Michelle Maldonado



Del. Delores McQuinn



Del. Michael Mullin



Del. C. Mundon King



Del. Kathleen Murphy



Del. Ken Plum



Del. Cia Price



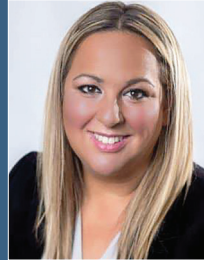
Del. Sam Rasoul



Del. David Reid



Del. Danica Roem



Del. Holly Siebold



Del. Briana Sewell



Del. Irene Shin



Del. Mark Sickles



Del. Mark Simon



Del. Shelly Simonds



Del. S. Subramanyam



Del. Rip Sullivan



Del. Luke Torian



Del. Kathy Tran



Del. S. VanValkenburg



Del. Jeion Ward



Del. Vivian Watts



Del. Rodney Willett

2023 Legislative Leaders

Virginia LCV Legislative Leaders scored between 75 and 99 percent in this year's Scorecard. Five Delegates and one Senator earned this recognition for making conservation a priority in 2023.

Senate of Virginia

Sen. Dick Saslaw 85%

House of Delegates

Del. Cliff Hayes 95%
Del. Jackie Glass 94%
Del. Dan Helmer 94%
Del. Don Scott 94%
Del. A. Williams Graves 94%

2023 Legislative Leadership Awards presented

In addition to honoring lawmakers who score high in our annual scorecard, Virginia LCV also recognizes legislators who demonstrate exceptional leadership above and beyond just voting alongside our positions at the General Assembly.

This year we highlight the work of three such recipients – lawmakers who have demonstrated political courage and dedication to doing the right thing for our environment.

Senator Emmett Hanger (R-Augusta)

In his final year at the legislature, self-proclaimed “Theodore Roosevelt Republican” Senator Emmett Hanger served, as he had many times before, as statesman and lead negotiator on key conservation issues – this time to broker a compromise between the environmental and agriculture communities regarding Virginia’s Chesapeake Bay preservation in the wake of the COVID-19 pandemic. He also passed legislation to make conservation easement grants more flexible, and to preserve incentives for conservation practices on private land.

Virginia also just recently reached a major milestone in land conservation thanks in part to Senator Hanger’s vision and leadership. This April, Senator Hanger announced the Land Preservation Tax Credit (LPTC), which he co-patrolled in 1999, has been responsible for the conservation of more than 1 million acres



of important natural, cultural, scenic and historic resources – an area larger than Shenandoah National Park. During his 36 years of service to the Virginia legislature, Senator Hanger has also served as Senate Finance Co-Chair, a budget conferee, and member of the Chesapeake Bay Commission. Using his position on Senate Finance, he served as a stalwart advocate restoring the Chesapeake Bay, conserving Virginia’s open spaces and public lands, and for the health of its communities.

In 2023, he served as the lone Republican abstention, declining to vote with his party to remove Virginia from the Regional Greenhouse Gas Initiative, a program that has secured nearly a quarter-billion dollars in flood resilience funding since its adoption in 2020.

Senator Ghazala Hashmi (D-Chesterfield)

Senator Ghazala Hashmi is a repeat legislative hero with a lifetime Virginia LCV conservation score of 98.8%. She is the first Muslim and the first South Asian American to serve in the body, and as a member of the Senate Agriculture, Conservation and Natural Resources voted to pass transformative climate legislation like Virginia’s participation in the Regional Greenhouse Gas Initiative, and now serves as a key vote to defend attacks on climate action in the narrowly divided 8-7 committee. Since first joining the Virginia Senate in 2019, Senator Hashmi has emerged as



a knowledgeable and dedicated environmental leader emphasizing the intersection of environmental health, and community health.

In 2023 Senator Hashmi carried several pieces of legislation recognizing how the presence of contaminants, and the impact of climate change affect Virginia communities’ health outcomes, safety, and quality of life. She carried legislation to develop state and community responses to extreme heat crises, to engage communities impacted by major pollution sources in local development planning, and to leverage federal dollars from the Inflation Reduction Act to provide grants for low-income families to install rooftop solar. All three of these initiatives garnered bipartisan support but were defeated in House as political retribution after Senator Hashmi led efforts to successfully remove Governor Youngkin’s appointee to the Board of Education who sought to advance a version of Virginia history that would downplay or omit the role of racism and slavery in American history.

Despite significant political headwinds due to this appointment battle, Senator Hashmi worked with Senator Jennifer McClellan (D-Richmond City) to successfully pass into law legislation that required electric utilities to install energy efficiency measures in the homes of veterans, low-income families, the disabled, and the elderly – saving them money on their electric bills.

Senator Hashmi’s legacy of fighting for environmental justice includes carrying the Virginia Environmental Justice Act in 2020, studying the impact of landfills on communities and

funding urgent wastewater and sewage needs for low-income residents in 2021, and securing the establishment of a Black, Indigenous, and People of Color preservation fund to preserve lands and sites with cultural and historic significance to those communities.

Senator Jennifer McClellan (D-Richmond)

In 2017, Jennifer McClellan was elected to fill the Virginia Senate Seat of the late Congressman McEachin—an environmental giant in his own right. In 2023, she, once again, assumed his mantle fighting for justice, climate action, and voting rights as Virginia’s representative from the 4th Congressional District.



During Jennifer McClellan’s (D-Richmond) final legislative session as a Virginia State Senator, she carried and advanced bold, pragmatic and thoughtful legislation through the General Assembly. While running for congress, Senator McClellan also wisely partnered with environmental champions in the Senate to ensure that her legacy and the environmental priorities of her constituents could continue on.

Partnering with Senator Creigh Deeds of Charlottesville, she passed the Affordable Energy Act, lowering energy bills for Virginia residents and businesses. Senator McClellan partnered with Senator Hashmi to fight for energy efficiency savings, healthy communities, and inclusionary zoning to promote smart growth. She worked alongside Senator Jeremy McPike of Prince William County to modernize flexible transit funding to make bus stops safer and more accessible, and she partnered with Senator Emmett Hanger of Augusta County to



Photo Credit: **Appalachian Autumn** by Mary Hogan of Falls Mills | Courtesy of Scenic Virginia

push for consultation with Tribal Nations during the state permitting process, when tribal lands would be impacted by development.

Senator Jennifer McClellan has served as a principled and effective leader in Virginia’s effort to address climate change, and to serve as stewards of the Commonwealth’s abundant natural resources since she joined the House of Delegates in 2006. Recognizing climate change as an environmental, economic, public health, and racial justice issue, she patroned and served as a chief defender of the most transformative piece of climate action in Virginia history – the Virginia Clean Economy Act,

which passed in 2020 with a goal of securing a 100 percent clean energy future.

During her time in the Virginia legislature, she also passed the Solar Freedom Act, democratizing solar energy and removing barriers on local governments, residents, and businesses to harness solar power for their own use. She passed legislation to protect Virginia waterways from interstate pipeline projects. Senator McClellan was chief co-sponsor of Clean Cars vehicle standards, and passed legislation expanding charging station infrastructure, and legislation creating the New River Valley Passenger Rail Station Authority.

Scored Legislation:

Energy & Climate

Exempting Large Industry from Clean Energy Standards

House Bill 1430 – Del. Lee Ware (R-Powhatan)

Virginia LCV Position: Oppose

This legislation would have undermined Virginia’s path to clean energy established in the Virginia Clean Economy Act (VCEA) by selectively exempting an arbitrary set of large industrial users from paying their fair share of the costs of their carbon emissions through a “pilot” program.

This class of large industrial manufacturers in particular, releases large amounts of greenhouse gas emissions and are extremely energy intensive. As part of this “pilot,” other utility customers – industrial competitors not included in the pilot, small businesses, and citizens – would still be paying for their own carbon pollution costs, in addition to now unfairly shouldering the burden of pollution generated by a handful of large industrial customers.

Alternative legislation, SB 1454 (Sen. Jeremy McPike, D-Fairfax) and HB 1761 (Del. David Reid, D-Loudoun) sought to comprehensively study the impact of clean energy legislation on industry on the front end, instead of prescribing

a solution brought by industry to address as-of-now unfounded claims. While the Senate unanimously passed SB 1454, both study proposals were rejected by the House.

HB 1430 passed the House of Delegates on a 52-47 party-line vote before being stricken by Delegate Ware on the Senate side, killing the bill.

Requiring Cities & Counties to Build Fossil Fuel Infrastructure

House Bill 1783 – Del. Israel O’Quinn (R-Washington)

Virginia LCV Position: Oppose

This legislation would have preemptively prohibited all state and local government enti-

Know the Score:

As an exclusive accountability tool for Conservation Voters, it is important to know how we arrive at the final scores for each General Assembly session. The Conservation Scorecard gives you a comprehensive understanding of how your elected leaders represented your conservation values in Richmond.

While some sessions carry more contentious, high-stakes debates than others, our Scorecard allows you to distinguish between the rhetoric and the reality of a legislator’s record by providing you detailed summaries of what happened inside the State Capitol each session.

How the Votes Were Chosen

With hundreds of bills introduced every

session, Virginia LCV carefully tracks and takes positions on all priority legislation that impacts conservation. As legislation evolves throughout the lawmaking process, we communicate our position at every step along the way – from subcommittee, to full committee, to the floor of each chamber.

After session’s end, we closely examine the votes and determine a selection of votes which best illustrates how legislators prioritized conservation issues. While some votes are easier than others, our look into what happened on the record and behind the scenes gives an encompassing representation of conservation performance.

How the Scores Were Calculated

For every vote recorded on the chosen

legislation, legislators receive one “correct vote” for voting the way of our communicated position. The number of “correct” votes is divided by the total number of possible votes for each legislator, which generates a lawmaker’s percentage score for the session. Legislators that sponsored bills supported by Virginia LCV receive a patron credit, which counts as one additional “possible vote” averaged into their final percentage.

Although some legislators perform more poorly than others from year to year, it is important that they hear from you your encouragement to do better. Conversely, we must not take our Legislative Heroes and Leaders for granted – let them know you appreciate their commitment to conservation and look forward to their continued support.

ties from opting to phase out natural gas in new buildings, slowing the transition to clean energy.

Communities, and their elected local leaders should have the freedom to adopt policies that increase safety, improve indoor air quality and meet local emissions targets. Virginia should not force localities to build fossil fuel infrastructure. All-electric buildings also help communities control future costs by avoiding expensive new gas infrastructure that would otherwise need to be maintained and paid off by customers for decades to come. Meeting the energy needs of new buildings with electricity saves money and reduces carbon pollution, and localities should not be prevented from bringing these benefits to their residents.

HB 1783 passed the House of Delegates on a 52-47 party-line vote, but was defeated by the Senate Committee on Commerce and Labor in an 11-4 party-line vote.

Helping Public Schools Install Renewable Energy *House Bill 1852 – Del. Suhas Subramanyam (D-Loudoun)* *Senate Bill 848 – Sen. Barbara Favola (D-Arlington)* **Virginia LCV Position: Support**

This legislation would have eliminated barriers to installing rooftop solar, and other renewable energy at public schools.

In Virginia, public schools stand to uniquely benefit from onsite renewables. Schools are eligible to finance energy projects through PPAs, have long-term budgeting plans that allow them to benefit over time from up-front capital investments, and solar installations on schools provide a unique, highly-visible, educational opportunity for communities on the benefits of distributed renewable energy.

Despite the wide-ranging benefits, often schools do not have the time, staff expertise, or awareness of available assistance programs required to make these investments. This bill would have directed the Commission on School Construction and Modernization, in consultation with the Department of Energy, to support schools going renewable.

After passing the Virginia Senate unanimously, SB 848 was defeated along party lines in the House Appropriations Committee, 11-10. The House companion bill, HB 1852, was similarly defeated, 6-2, in a House Appropriations subcommittee.

Slowing Fossil Fuel Power Plant Retirements *House Bill 2130 – Del. Tony Wilt (R-Rockingham)* *Senate Bill 1125 – Sen. Travis Hackworth (R-Tazewell)* **Virginia LCV Position: Oppose**

This legislation attempted to slow the transition to 100 percent clean energy by requiring utilities to generate additional annual reports regarding the retirement of fossil fuel facilities, and create additional regulatory hurdles to shift to zero-emission electricity generation.

Sufficient existing authority exists for utilities to ensure grid reliability and transition electricity production to clean energy in accordance with Virginia's emissions-reduction goals. If this bill had passed it would have facilitated uncertainty about the makeup of future energy generation, frustrating long-term planning and projections of future energy needs.

HB 2130 passed the House of Delegates on a 52-47 party line vote prior to being defeated in the Senate Commerce and Labor Committee, 12-2.

Destabilizing Renewable Energy Incentives *House Bill 2197 – Del. Kathy Byron (R-Bedford)* **Virginia LCV Position: Oppose**

This legislation would have expanded the definition of renewable energy to include advanced nuclear technology.

Nuclear generation is considered an eligible zero-emission energy source under the Virginia Clean Economy Act, and serves a key role in Virginia's efforts to reach 100 percent clean energy by 2050. When regulators calculate the percentage of energy load that needs to be decarbonized with renewables, the share of the load that is covered by other clean resources is subtracted.



The Conservation Majority elected in 2019 ushered in unprecedented gains on climate action, clean energy and environmental protection. In 2021, Governor Youngkin and his allies at the legislature vowed to undo this progress. Thankfully, the environmental community has defeated these attacks. Our 2022 and 2023 Scorecards are designed to help you separate the heroes from the backsliders ahead of pivotal elections this November that will again present stark choices between Youngkin's regressive vision and strengthening our much-needed progress.

Virginia LCV is gearing up for a challenging election struggle. Every conservation voice needs to speak out at the ballot box.

Sam Bleicher
Chair, Virginia League of Conservation Voters Board of Directors

Including nuclear in the RPS would double-count the technology's contribution to Virginia's decarbonization.

The primary problem with branding nuclear generation by small modular nuclear reactors "renewable" under the VCEA, is that it would make SMRs eligible for Renewable Energy Credits (RECs) under Virginia's Renewable Portfolio Standard (RPS). The scale of nuclear power would saturate the RPS market, depressing REC prices and destabilizing incentives for solar and wind development.

Additionally, inclusion of nuclear in the RPS would require ratepayers to pay for the construction of nuclear generation twice—once through base rates, and again through an RPS rider tacked on top of the standard energy bill.

House Bill 2197 passed the House of Delegates on a party-line vote, 52-48. It was defeated in the Senate Commerce and Labor commit-

tee 11-4 with Senator Dick Saslaw (D-Fairfax) joining with Senate Republicans in support of the measure.

Suspending Utility Service Disconnections During Extreme Weather

House Bill 2283 – Del. Irene Shin (D-Fairfax)

Senate Bill 1447 – Sen. John Edwards (D-Roanoke City)

Virginia LCV Position: Support

This legislation would have prohibited utility shutoffs for non-payment during extreme heat or extreme cold, and on Fridays and state holidays when utility companies are closed and unable to restore service quickly.

Virginia is one of seven states without a policy to protect customers with unpaid bills from losing electric, gas, and water services during high-risk periods, such as during very hot or

cold weather or any public health emergency.

Current shutoff practices vary by each Virginia utility, subjecting residents to very different policies based on their provider. For example, Powell Valley Electric Cooperative has a policy that prohibits shutoffs on very hot or cold days, but neighboring electric utility Appalachian Power does not. In another case, Virginia Natural Gas (VNG) is a subsidiary of Southern Company Gas—which operates in two states (Illinois and Georgia) that have temperature-related shutoff protections – though VNG itself does not.

SB 1447 passed the Senate 24-15 with Republican Senators Hanger and Suetterlein joining with Senate Democrats in support. However, SB 1447 failed to advance from the House Committee on Commerce and Energy. Similarly, HB 2283 failed to advance from a House Commerce and Energy subcommittee.

Despite large environmental impact, GA fails to address data centers

Virginia now houses the largest concentration of data centers in the world, and following an announcement by Amazon Web Services that it would be investing \$35 billion in expanding data center campuses across Virginia, the industry is poised to continue only to grow. As of 2021, Virginia data centers consumed 1,688 megawatts of electricity and represented roughly 20 percent of energy sales in Dominion Energy service territory. Dominion projects that data centers will drive nearly all of the utility's future electricity load growth through 2045. In addition to energy use, data centers consume approximately 30,000 homes worth of water, used primarily for cooling.

Since 2010, Virginia has offered tax incentives to data centers – successfully securing data center development, but only providing limited benefit to its citizens. A 2019 report of the Joint Legislative Audit and Review Commission found that Virginia received back only

72 cents for every dollar of the data center tax incentive. During the 2023 General Assembly session, Governor Youngkin and the legislature doubled down on that investment through legislation (HB 2479/SB 1522) providing up to \$140 million in grant funding to Amazon, extending Virginia's already-generous tax subsidy program, and greenlighting a \$627 million ratepayer-funded transmission line development program (HB2482/SB1541).

Complicating the regulation of these industrial users is the fact that data centers can comprise a significant source of commercial revenue; in Loudoun County, data centers make up about half of the county's commercial portfolio, providing jobs to construction workers and electricians. However, much of this local funding support is frontloaded, with many jobs disappearing after the facilities are built, and local tax revenues declining as data center computer equipment

Putting Ratepayers on the Hook for Speculative Nuclear Development

House Bill 2333 – Del. Danny Marshall (R-Danville)

Virginia LCV Position: Oppose

This legislation would have created a “pilot” program in which Dominion Energy and Appalachian Power could petition the State Corporation Commission (SCC) for approval of one (or more) small modular nuclear reactors (SMRs).

Under the parameters of the pilot, Dominion Energy could charge utility customers tens-of-billions of dollars in capital costs to build these facilities, without any penalties should the project fail to produce any electricity.

No SMRs currently provide elec-

tricity to customers in the U.S., and commercial viability has not been proven. The leading proposal in the US recently announced construction costs have risen from \$5.3 billion to \$9.3 billion. While the costs of wind and solar have plummeted in recent years, recent experience has shown the costs of nuclear are trending upward.

For comparison, the Coastal Virginia Offshore Wind (CVOW) project, consisting of 176 wind turbines, will provide nearly six times the energy of the SMR project for roughly the same price.

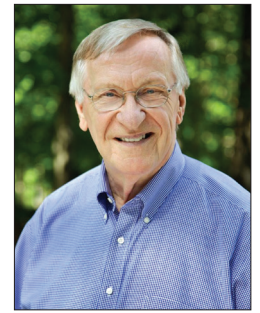
Notably, numerous commercial offshore wind projects are in operation throughout the world, and the CVOW project was only greenlit after Dominion Energy completed a two-turbine

demonstration project—a true pilot.

Investment in zero-emission technology is important. Making sure that those dollars go to projects that work and provide maximum benefits to our Commonwealth is essential – failure to deliver on the promise of a zero-emissions project totalling as much as \$30-\$40 billion in capital costs would set climate action back decades.

HB 2333 (Marshall) passed the House 56-43, passed the Senate with a substitute that included guaranteeing ratepayer and performance protections.

Proponents of this legislation rejected efforts to amend the bill to include performance guarantees, risk sharing between utility customers and shareholders, or limits on the



I thank Virginia LCV for the many ways they have worked with legislators and citizens to preserve Virginia’s environment. We would never have been successful without their advocacy and support.



Delegate Ken Plum
House District 36

depreciates in value.

Senator Chap Petersen and Delegate Danica Roem introduced legislation to study the effect of data centers on employment, local communities, the environment, and the electric grid to provide necessary data to help Virginia legislators and agencies navigate the road ahead. These studies would have helped guide site selection to benefit communities in need of economic development, and limit environmental impacts of siting, energy demand, and transmission build-outs.

Despite representing a crucial environmental priority, Sen. Petersen’s SJ240 was unable to be included in the 2023 scorecard because it passed the Senate on a voice vote, without a record of who supported or who opposed the measure. It then passed to a House Rules subcommittee where it failed on a 3-2 vote. The same subcommittee also voted down Del. Roem’s

Dominion projects that data centers will drive nearly all of the utility’s future electricity load growth through 2045.

HJ522, 3-2.

Both legislators also proposed additional legislation that would have sought to limit the impact of data center development on natural and historic resources, or on local water quality and availability, which failed to make it out of committee.

Virginia is making a big bet on data centers. It was disappointing that in 2023, the Senate was unwilling to take a recorded vote on whether to study the issue, and that the House of Delegates used the Rules Committee to dodge a vote, and accountability on the issue. Moving forward investment of this scale must be made with full transparency regarding the gross costs associated with these facilities—including ratepayer-funded energy expenses, largely uncompensated impacts to land, water quality and supply, impacts to natural, cultural, historic resources, and local residents.



During my tenure as Speaker of the House of Delegates I was incredibly proud to work with trusted partners like the Virginia League of Conservation Voters to pass the Virginia Clean Economy Act to make Virginia’s electric grid carbon-free by 2045, and to join the Regional Greenhouse Gas Initiative. We took the Commonwealth from the back of the pack to a leader on clean energy and carbon reduction. I have been, and will always be, an advocate in support of protecting Virginia’s natural resources for future generations.

Delegate Eileen Filler-Corn
House District 41

scale of the pilot to provide proof-of-concept prior to scaling up the project. The legislation therefore failed to advance.

Developing Emergency Response Plans for Extreme Heat Events

Senate Bill 936 – Sen. Ghazala Hashmi (D-Chesterfield)

Virginia LCV Position: Support

This legislation would have directed the Virginia Department of Emergency Management to develop a comprehensive extreme heat emergency response plan by November of this year.

Extreme heat is increasing in both frequency and intensity, representing a significant public health risk, especially in places with abundant asphalt but scarce tree canopy. Last year was the third hottest year on record. Record temperatures, coupled with an inability to escape the heat, led to more than 5,000 annual deaths in the U.S. and almost 3,000 Emergency Room visits in Virginia alone.

The plan would have required the development of criteria for heat adaptation plans, the convening of a heat emergency coordinating team, the establishment of public cooling spaces, and the development of extreme heat warning systems and notification protocols.

SB 936 passed the Senate 24-16 with Republican Senators Vogel and Dunnavant joining with Senate Democrats in support, but failed to advance from a House General Laws subcommittee on a 3-5 party-line vote.

Removing Virginia from the Regional Greenhouse Gas Initiative

Senate Bill 1001 – Sen. Richard Stuart (R-King George)

Virginia LCV Position: Oppose

This legislation would have removed Virginia from the Regional Greenhouse Gas Initiative (RGGI), a multi-state

market-based initiative to limit carbon dioxide from the power sector.

Since RGGI went into effect in 2009, carbon dioxide emissions from power plants in RGGI states have fallen by 47 percent, outpacing the rest of the country by 90 percent. RGGI states have seen ratepayer prices drop by 5.7 percent, even as the rest of the nation saw increases of 8.6 percent.

In Virginia, the Clean Energy and Community Flood Preparedness Act, passed in 2020, directs 50 percent of RGGI revenue to low-income energy efficiency programs, 45 percent to flood resiliency projects, and 5 percent to administrative costs. Since RGGI’s passage, the Commonwealth has received \$657 million in RGGI auction proceeds. These proceeds are already being used to create more energy-efficient, affordable housing units, help low-income families reduce energy bills, and enhance community flood prevention and protection.

SB 1001 was defeated 8-6-1 in the Senate Agriculture, Conservation, and Natural Resources Committee with Senator Emmett Hanger (R-Augusta) abstaining.

Undermining the Virginia Clean Economy Act

Senate Bill 1231 (as amended) – Sen. Lynwood Lewis (D-Accomack)

Virginia LCV Position: Oppose amendments

This legislation represented a carefully-negotiated compromise between forestry and the environmental community by which two small biomass facilities would be kept open beyond 2045 to provide incentives for proper forestry management practices with minimal carbon emissions impacts.

However, after Governor Youngkin failed to advance his “dirty energy plan” agenda through the legislature, he introduced four amendments to SB 1231, attempting to use this carefully-negotiated compromise as a vehicle for unrelated gubernatorial amendments.

The first three amendments included proposals to include non-renewable energy in the Renewable Portfolio Standard of the Virginia Clean Economy Act (VCEA),

to delay retirement of dirty coal plants, and to use the State Corporation Commission to delay VCEA implementation.

The fourth amendment would have kept open another carbon-emitting biomass facility, allowing it to profit from the Renewable Energy Credits (RECs) created under the VCEA without having to comply with the requirements of the VCEA.

The Senate rejected all four amendments to SB 1231 when it came before the legislature in April. Amendments 1-3 were rejected on an 18-22 party-line, block vote. Amendment #4 was “passed by for the day,” effectively killing it without a recorded vote.

Removing Barriers to Shared Solar Programs

*Senate Bill 1266 – Sen. Scott Surovell
(D-Fairfax)*

*House Bill 1853 – Del. Suhas Subramanyam
(D-Loudoun)*

Virginia LCV Position: Support

This legislation would have directed the State Corporation Commission (SCC), a three-judge panel that oversees utility regulation, to establish a minimum bill for Dominion Energy’s shared solar program based on a comprehensive evaluation of the costs and benefits of shared solar facilities. It would also have increased the size of the shared solar program five-fold.

The current minimum bill for Dominion customers, does not reflect the benefits of shared solar projects, only the costs to other electric customers not participating in shared solar. As a result, monthly minimum bills can be prohibitively expensive to communities considering shared solar projects.

Shared solar lowers energy costs for par-

ticipating customers, especially low-income customers that are exempt from the minimum bill, offering a hedge to Virginians in the face of volatile fossil fuel costs. Small shared-solar projects also help reduce the amount of utility-scale solar needed to meet Virginia’s clean energy goals, which reduces impacts to our farms and forests.

SB 1266 passed the Virginia Senate on a bipartisan 24-15 vote, with Senators Hanger, Peake, and Suetterlein joining with Democrats to advance the measure; however, it was defeated in House Commerce and Energy subcommittee #5, along with a number of other clean energy measures. Similar legislation, HB 1853, was rejected on a 4-3 party-line vote in a different House Commerce and Energy subcommittee.

Leveraging Federal Grant Funding for Rooftop Solar and Energy Efficiency

*Senate Bill 1333 – Sen. Ghazala Hashmi
(D-Chesterfield)*

Virginia LCV Position: Support

This legislation would have empowered the Clean Energy Advisory Board to apply to the Environmental Protection Agency (EPA) for funds made available through the federal Greenhouse Gas Reduction Fund. It would have also included energy storage projects under the definition of “solar energy system” and increased the per-watt cap on state rebates and grants by 50 percent.

The Greenhouse Gas Reduction Fund will provide \$27 billion to states for residential solar or energy efficiency projects that benefit low-income Americans, but is only available for a limited time. The fund is scheduled to be spent down by September 30, 2024. By not passing this legislation, it is likely Virginia will have for-

feited this opportunity to seek those funds.

Despite broad initial support, this legislation was defeated as a casualty of political retribution due to Senate Democrats’ rejection of three controversial state board appointments made by Governor Youngkin. As retaliation, House Republicans voted along party lines to strike down several climate and clean energy policies that had previously been advancing in bipartisan fashion, including this bill.

SB 1333 passed the Senate on a bipartisan 26-13 vote. After reporting 14-6 from the House Agriculture, Chesapeake and Natural Resources Committee, the legislation was defeated along party lines in the House Appropriations committee.

Good Government

Ridding Virginia’s Constitution of Jim Crow-era Voting Restrictions

Senate Joint Resolution 223 – Sen. Mamie Locke (D-Hampton)

Virginia LCV Position: Support

This legislation would have allowed Virginia voters to decide whether the right to vote should be enshrined in the Constitution of Virginia.

If adopted by the voters, this constitutional amendment would restore the full rights of citizenship to individuals convicted of a felony and who have completed their sentences. Currently, the governor decides whose rights are restored, and when.

Governor Youngkin has eliminated the previous objective criteria used by Republican and Democratic governors to automatically restore citizenship rights and has slowed the pace of rights restorations while failing to specify what criteria his administration is actually using. His



The role that VALCV and the VALCV Education Fund play in civic engagement is critical to advancing democracy and ensuring that voters are as much informed about environmental issues at stake as they are engaged in active voter participation. The scorecard is a handy shorthand way for Virginia Voters to understand how their elected officials treated the environmental issues they care about.

Dana Wiggins, Chair
Virginia League of Conservation Voters Education Fund

actions are currently the subject of a federal lawsuit accusing Youngkin of violating the U.S. Constitution.

The requirement that the governor approve the restoration of an individual citizen’s rights dates back to a Jim Crow-era version of the Constitution of Virginia passed in 1902 that also included literacy tests and poll taxes. All three measures were explicitly introduced to limit representation of Black Virginians through “discrimination within the letter of the law, and not in violation of the law” according to the drafter, former U.S. Senator Carter Glass.

Under Virginia law, a constitutional amendment can only go before the voters if it is approved in two consecutive General Assembly sessions that are divided by an election for the House of Delegates. The House’s decision to vote down this legislation, means that the soonest Virginians will get the opportunity to remove these Jim-Crow restrictions from the constitution is 2026.

Despite a similar measure passing the Virginia Senate on a bipartisan vote in 2021, SJ 223 narrowly passed the Senate this year on a 22-18 party-line vote before being sent to the House Rules committee where it died in a subcommittee on a partisan 4-1 vote.

Allowing Localities to Develop Healthy Community Strategies

Senate Bill 1322 – Sen. Jennifer McClellan (D-Richmond City)

House Bill 1798 – Del. Shelly Simonds (D-Newport News)

Virginia LCV Position: Support

This legislation would have allowed Virginia localities to consider a healthy communities strategy to help guide the comprehensive planning process with a goal of raising positive community health outcomes. The strategy would have identified the siting of air, water, and other pollution sources within a city or county’s jurisdiction.

Including a healthy communities strategy during local comprehensive planning allows cities and counties to site health services equitably across all communities, empower citizens to push for health and environmental safeguards during the planning process, and assess the cumulative impacts of heat, flooding, and water pollution on community health. As part of a healthy communities strategy, a locality could leverage tools like EJSCREEN developed by the EPA, or the cumulative impact map created by Mapping for Environmental Justice in partnership with the Virginia Environmental Justice Collaborative.

SB 1322 passed the Senate 25-15 with Republican Senators Dunnavant, Hanger, and Vogel joining with Senate Democrats in favor, but was defeated, 5-4, along party-lines in a House Counties, Cities, and Towns subcommittee that also voted down the House companion bill, HB 1798, by the same margin.

Enabling Executive Exemption to Safety and Environmental Regulations

House Bill 1758 – Del. Michael Weibert (R-Fauquier)

Virginia LCV Position: Oppose

An updated take on defeated legislation from the 2022 General Assembly session, House Bill 1758 would have created an experimental program within the Department of Planning and Budget – a budgeting and fiscal agency – where businesses could apply for exemptions from nearly any law, regulation, certification, or licensure for up to 2.5 years.

This program would have put profits before pollution prevention, allowing nearly any product, production method (including extraction, manufacturing, mining or processing), or service to be exempt from safeguards enacted to protect the environment and public health.

State regulations are generally developed over months or years with stakeholder

involvement, opportunity for public comment, public meetings or hearings, and a transparent process.



Thank you to the Virginia League of Conservation Voters for appointing me a “2023 Legislative Hero.” It is truly an honor. The Scorecard gives guidance and accountability on environmental issues. Virginia LCV works tirelessly to protect our bountiful resources and safeguard Virginia’s environment while holding public officials accountable.

Senator Janet Howell
Senate District 32

This bill sets all of that aside to allow the governor’s administration to circumvent laws passed by the General Assembly, without the due process or consideration normally required for changing regulations. Little to none of the exemption-granting process would be public knowledge with the most important information hidden behind broad “governor’s working papers” and “trade secret” exemptions to transparency and disclo-

sure laws.

After advancing with amended language from the House General Laws subcommittee on a 12-10 party-line vote, HB 1758 was defeated unanimously by the House Appropriations subcommittee on General Government and Capital Outlay.

Limiting Voter Registration Opportunities

House Bill 2234

Del. Otto Wachsmann (R-Sussex)
Virginia LCV Position: Oppose

This legislation would limit same-day-voter registration to active-duty military or national guard members. Under current law, any person who is qualified to register to vote is entitled to register up to and including the day of the election, though they must use a provisional ballot.

Expanded access to voter registration is just one of several recent steps making it easier to vote, and making voting possible during the pandemic. These measures included extending the absentee voting window to 45 days, allowing voters to vote absentee without providing an excuse, and contactless drop-boxes. These measures led to a 20 percent increase in voter turnout when compared to 2017.

HB 2234 passed the House of Delegates on a 52-48 party-line

vote before being defeated on party lines in the Senate Committee on Privileges and Elections, 9-6. A slew of similar bills introduced by House members to roll back voting rights advances made during the 2020 and 2021 general assembly sessions were defeated along the same lines in the Senate.

Establishing Arbitrary Limits on Environmental Safeguards

House Bill 2347

Del. Michael Weibert (R-Fauquier)
Virginia LCV Position: Oppose

This legislation would have required the Department of Planning and Budget to oversee a program requiring executive agencies to reduce regulations and regulatory requirements, based on a target number of regulations, instead of making an intentional, case-by-case decision as to whether or not there is good reason for a regulation to exist.

This bill attempted to build on steps to roll back environmental and public health safeguards taken by Governor Youngkin such as the establishment of the Regulatory Management Office headed by former Trump EPA Administrator Andrew Wheeler.

This program would serve as a cudgel for the governor to punish agencies for protecting health and the environment. Moreover, much of its function would be a crude

replacement of existing processes.

Agencies are already required to conduct regular reviews to determine whether current regulations need improvement, modification or elimination. That process is publicly posted with opportunities for public comment and stakeholder involvement. Moreover, the General Assembly is already authorized to amend laws as necessary to eliminate or modify regulations.

HB 2347 passed the House of Delegates on a party-line 52-48 vote. It was defeated by the Senate Committee on General Laws on a bipartisan 11-4 vote with Republicans Dunnavant, Pillion, and Reeves joining with Democrats in opposition.

Land Conservation

Authorizing Local Incentives for Urban Green Space

House Bill 1510

Del. Dawn Adams
(D-Richmond City)

Virginia LCV Position: Support

This legislation authorizes localities to establish programs to grant tax incentives or provide regulatory flexibility to encourage the preservation, restoration, or development of urban green space, including greenways.

Loss of urban green space in areas of rapid development con-

tributes to poor air quality, increased noise and air pollution, and excessive heat. By providing safe walking and biking facilities, urban greenways promote these travel modes for both transportation, and recreation, with corresponding environmental and health benefits. Urban green space also helps to regulate extreme temperatures, freshen air, reduce stormwater runoff and improve water quality.

HB 1510 received wide bipartisan support, passing the House of Delegates, 72-27, and the Virginia Senate, 32-8, before being signed into law by Governor Youngkin.

Prioritizing Native Plant Use on State Property

House Bill 1998 – Del. Paul Krizek (D-Fairfax)

Virginia LCV Position: Support

This legislation builds on the existing invasive species legislation to coordinate state agency use of native plants.

Use of native species is an essential component in the Commonwealth's efforts to reduce the impacts of invasive species, and to improve the health and biodiversity of Virginia's ecosystem. Native landscapes support beneficial wildlife and can reduce maintenance costs. Sustainable landscapes with native species address stormwater challenges and can help mitigate the effects of climate change and flooding. The prioritization of native species on state properties also helps raise awareness about the benefits of native species, and can drive broader demand for ecologically beneficial sustainable landscape methods.

HB 1998 cleared the House overwhelmingly, on a 96-4 vote with only Delegates Fariss, Freitas, Runion, and Phil Scott in opposition. It went on to pass the Senate unanimously and was signed into law by Governor Youngkin.

Preserving the Value of Conservation Practices

Senate Bill 1511 – Sen. Emmett Hanger

(R-Augusta)

Virginia LCV Position: Support

This legislation would ensure that, once a conservation practice is in place, that the property continues to be eligible for designation as real estate devoted to agricultural or horticultural use.

This bill was necessary to prevent the removal of conservation practices after payments or compensation for installing the practice had ended. Some local Commissioners of the Revenue had required, as a condition of continuing to qualify for use value taxation (as opposed to full fair market value), that a conserved area be returned to "productive use." This requirement had the effect of obviating the conservation goal and undermining the public investment made to implement the conservation practice in the first place.

SB 1511 passed both the House and Senate unanimously and has been signed into law by Governor Youngkin.

Land Use and Transportation

Increasing Accessibility & Electrification through Transit Funding Flexibility

House Bill 2338 – Del. Delores McQuinn

(D-Richmond City)

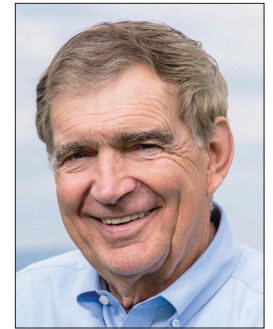
Senate Bill 1326 – Sen. Jennifer McClellan

(D-Richmond City)

Virginia LCV Position: Support

This legislation, as signed into law, would permit up to 30% of Transit Ridership Incentive Program (TRIP) funds to be used to improve accessibility of bus stops, and facilities.

Transit Ridership Incentive Program (TRIP) funding



Protecting our water, air, open space, natural heritage, agriculture and forest lands has always been a key priority of my legislative work. There will always be more work to do especially as it relates to climate change, agricultural BMPs, land conservation, and insuring our work on issues such as "energy independence" does not adversely impact our advances we are making to protect our environment. We must acknowledge these critical issues should not be political but ones that require non-partisan or bi-partisan solutions. I have been pleased to closely work with the Virginia League of Conservation Voters to advocate for novel, pro-active, and doable solutions. We have lots still to do.



Senator Emmett W. Hanger, Jr.
Senate District 24

has been successfully used to fill the void in transit funding for projects or concepts that do not fit neatly into either the capital or operating buckets. As a pandemic recovery measure, TRIP funds were recently expanded to enhance regional connectivity and support zero- or reduced-fare ridership growth programs.

As it passed the General Assembly, this bill would have also used funds to assist transit agencies transitioning to low- or zero-emissions vehicle fleets. It originally directed the Commonwealth Transportation Board to develop guidelines for matching funds including private grants and donations, positioning Virginia to compete with other states to secure billions of dollars in federal funds available through the federal Affordable Clean Energy Plan to advance clean transit—lowering operating costs and improve air quality.

SB 1326 initially passed the Senate 22-18, and passed the House 65-34. Identical legislation, HB 2338, passed the House 64-35, picking up Republicans Hanger, and Dunnivant who joined with Senate Democrats to pass the legislation on a 24-15 vote.

Amendments by Governor Youngkin removed all references in the bill that would assist in transitioning transit fleets to zero-emissions, severely weakening Virginia’s ability to apply for billions of dollars in federal transit funding.

Ultimately, the legislature approved the governor’s amendments to this legislation as the bill still represented a modest improvement over the status quo regarding transit funding flexibility.

Weakening Vehicle Emissions Standards

Senate Bill 779 – Sen. Steve Newman (R-Bedford)

House Bill 1378 – Del. Tony Wilt (R-Rockingham)

Virginia LCV Position: Oppose

This legislation would eliminate or unreasonably delay the Air Board’s authority to adopt Clean Car standards.

Transportation is the largest source of carbon pollu-

tion in Virginia, and most of these emissions come from cars and light-duty trucks. It is also a leading source of other harmful air pollutants. Current Virginia law required the State Air Pollution Control Board to adopt Clean Car standards to control tailpipe emissions from cars and light-duty trucks in 2021. The standards will take effect for 2025 model year vehicles, gradually transitioning small vehicles to hybrid and fully-electric models by 2035 in line with most vehicle manufacturers’ current targets.

With the passage of the federal Affordable Clean Energy Plan, the federal government is investing hundreds-of-billions of dollars in vehicle electrification through manufacturing and production tax credits, consumer tax credits, and charging infrastructure development incentives. The 15 clean cars states comprise 40 percent of the American auto market, and these same states are front of the line when it comes to receiving zero-emissions-vehicles and charging investment. Maintaining Clean Car standards is key to making sure Virginia isn’t left behind or left out.

Multiple Senate versions of this legislation were “rolled into” SB 779 and the fully-incorporated bill was subsequently rejected on a 8-7 party-line vote by the Senate Committee on Agriculture, Conservation and Natural Resources. HB 1378 passed the House of Delegates on a 52-48 party-line vote before being similarly defeated by the same Senate Committee, 8-7.

Increasing Affordable Housing & Encouraging Smart Growth

Senate Bill 1141 – Sen. Jeremy McPike (D-Prince William County)

Virginia LCV Position: Support

This legislation would have authorized localities to use a range of tools to expand affordable housing.

Affordable housing and smart growth policies promote economic development and efficient land use, reduce traffic congestion, make public transit a viable



“As a legislator committed to protecting Virginia’s natural resources, I am grateful for the Virginia League of Conservation Voters’ Conservation Scorecard. This valuable tool holds lawmakers accountable, informs voters, and helps ensure that we are working to safeguard Virginia’s environment for generations to come.”

**Delegate Wendy Gooditis
House District 10**

option for more people, and reduce transportation emissions of greenhouse gasses and other air pollutants.

Tools featured in this bill included legalizing “inclusionary zoning,” a practice wherein localities permit developers to build increased density, in exchange for making a percentage of the new units affordable. Other tools, such as lot size reductions, contributions to housing trust funds, accessory dwelling units, allowing duplex, triplex and quadplexes in single family zones, and encouraging transit-oriented development would also have been permitted statewide.

SB 1141 passed the Senate 23-17 with Senator Emmett Hanger joining with Senate Democrats in support. After narrowly reporting out of the House Committee on Counties, Cities, and Towns on a 10-9 vote with Republicans Phil Scott, Marie March, and Otto Wachsmann not voting, it was subsequently returned to committee via a 52-46 floor vote during the last week of the legislative session, effectively killing the bill.

Planning for Electric Vehicle Charging Infrastructure

Senate Bill 1312 – Sen. Jennifer Boysko (D-Fairfax)

Virginia LCV Position: Support

This legislation would have allowed localities to require electric vehicle charging stations as part of site approval plans for new commercial, industrial, or large multifamily residential developments.

Without the authority to plan for charging infrastructure on the front end, localities cannot guarantee sufficient grid architecture, or vehicle charging opportunities in condos and

apartments – leaving residents with insufficient charging opportunities for vehicles, or faced with large increases in rent or condo fees as adequate charging infrastructure is installed retroactively.

SB 1312 passed the Senate on a 22-18 party-line vote, but was defeated in a House Counties, Cities, and Towns subcommittee, 5-4.

Developing Rural Electric Vehicle Charging Infrastructure

Senate Bill 1466 – Sen. Dave Marsden (D-Fairfax)

House Bill 1588 – Del. Rip Sullivan (D-Fairfax)
Virginia LCV Position: Support

This legislation would have created the Electric Vehicle Rural Infrastructure Program and Fund to assist private developers with non-utility costs associated with the installation of electric vehicle charging stations. Grants for up to

70 percent of non-utility costs would have been made available to private developers located in distressed localities with annual grant awards capped at \$25 million.

Rural residents drive more, spend more on fuel and maintenance, and have fewer transportation alternatives to driving. EVs can help rural Virginians reduce those costs and minimize environmental impacts; however, without intentional investment, rural residents stand to be left behind in Virginia, just as they were when electric grids were first developed, or broadband internet cables were laid.

If adopted, the Rural Infrastructure Program and Fund would have complemented the federal EV charging equipment tax credit, recently extended through 2032 through the federal Affordable Clean Energy Plan. For residents in low-income and non-urban areas, the federal tax credit provides up to a 30 percent tax credit for residential, and up to 6 percent for commer-

Deadline extended to cut agricultural runoff

Under the Chesapeake Bay Agreement, Virginia, Maryland, Pennsylvania, Delaware, New York, West Virginia and the District of Columbia agreed to meet specific goals to reduce pollution from entering the 64,000-square-mile Chesapeake Bay watershed – the largest estuary in the United States and the third largest in the world.

In Virginia, investments in wastewater facilities have been largely successful in reducing pollution on schedule; however, Virginia’s well behind on its efforts to reduce pollution from the agricultural sector. The Commonwealth has implemented voluntary cost-share

programs to encourage best management practices (BMPs)—practices like installing fencing along streams to prevent livestock from entering them and planting tree buffers to collect fertilizer runoff before it enters waterways. But, despite these efforts, this sector is still responsible for 90 percent of Virginia’s outstanding pollution reduction needs.

A 2020 law gave farmers until 2026 to voluntarily adopt BMPs, at which time, if sufficient progress had not been made toward pollution reduction goals, the practices would become mandatory. Following the impact of a global pandemic, workforce shortage, and the

cial installations.

SB 1466 passed the Senate unanimously, and passed overwhelmingly out of the House Committee on Agriculture, Chesapeake, and Natural Resources, 17-3. However, after identical legislation (HB 1588) was defeated 12-9 in the House Appropriations Committee – with Democrat Luke Torian joining with Republicans to vote down the measure – SB 1466 bill was left in Appropriations without a hearing and failed to advance.

Water Quality

Incorporating Resilience Into Local Comprehensive Plans

House Bill 1634 – Del. David Bulova (D-Fairfax)

Senate Bill 1187 – Sen. Lynwood Lewis (D-Accomack)

Virginia LCV Position: Support

This legislation would encourage localities to “to anticipate, prepare for, respond to, and recover from significant multi-hazard threats” with the goal of ensuring communities are better prepared for climate-related impacts.

Through advance resilience planning, communities and the Commonwealth can reduce the substantial costs of disaster recovery. When conducted effectively, advance planning helps to safeguard citizens’ social well-being and health, the economy, and the environment. The legislation merely encourages localities to begin planning for more resilient communities, providing a modest improvement over current law that provides guidance, but lacking any requirement for action.

Both bills passed the legislature unanimously and have been signed into law by Governor Youngkin.

Banning Cyanide Use in Mineral Mining

House Bill 1722 – Del. Shelly Simonds (D-Newport News)

Virginia LCV Position: Support

This legislation would have prohibited the use of toxic cyanide in mineral mining and processing.

Following the passage of a bill we supported in 2021 to study the potential impact of gold mining, the National Academy of Sciences, Engineering and Medicine, determined “Virginia’s regulations are insufficient to protect against the potential impacts of gold mining.” The study report, approved by Governor Youngkin, stated that, of the impacts studied, the

recognition that state funding for BMPs had been insufficient for all but the last couple of years, there was little surprise when the Environmental Protection Agency acknowledged that it was unlikely Virginia and other Bay states would meet their 2025 pollution reduction goals.

The initial versions of legislation introduced by Senator Emmett Hanger, and Delegate Michael Webert would have pushed the deadline for mandatory BMPs back to 2030 (a four-year extension), and allowed pollution reduction from other sectors to count toward agriculture’s share. As introduced however, the bills lacked measures to make it more

likely for farmers to meet the new goal.

A lengthy negotiation process between the environmental community, led by the Chesapeake Bay Foundation, and the agricultural industry ensued, moderated by Hanger and Webert.

Essential components of the new bill extended the deadline to 2028, not 2030, reflecting the impact of the COVID-19 pandemic and related supply-chain disruptions, but still providing urgency that reflected the importance of cleaning up the Bay in a timely manner. The legislation also created an advisory group to annually review progress on the number of practices implemented and what

more needs to be done. Pollution reduction by municipal wastewater plants were not permitted to be counted toward agricultural sector reductions. Critically, if the legislature fails to provide sufficient funding, the deadline gets extended by a year—providing the legislature with a crucial incentive to fully fund BMPs on an ongoing basis.

The resulting compromise was unanimously adopted by the legislature and signed into law by Governor Youngkin. Because Virginia LCV changed its position to neutral on this legislation, it is not among our scored bills for 2023.

potential hazards that most concerned NASEM were the impacts to Virginia's ground and surface waters.

Cyanide, which is used in the mining process to free ore from surrounding minerals, is particularly toxic and spills are common. Spills result in ruined drinking water, negative health impacts, the destruction of ecosystems, and massive fish kills.

HB 1722 passed the House Agriculture, Chesapeake and Natural Resources Committee with minor amendments, 19-3. However, once on the House floor, the bill was referred back to committee – effectively killing the legislation – on a 52-47 party-line vote.

Testing for PFAS Contamination at Public Water Treatment Facilities

*House Bill 2189 – Del. Sam Rasoul
(D-Roanoke City)*

Virginia LCV Position: Support

This legislation directs the State Water Control Board to adopt regulations to require industries that clean, repair, or refurbish items used at publicly owned water treatment facilities to test and report on the presence of PFAS (Per- and Polyfluoroalkyl Substances).

PFAS are a class of chemicals often used as coatings for a myriad of products, from non-stick pans, waterproof clothing, and pizza boxes to firefighting foam. These “forever chemicals” persist and accumulate in the environment and in our bodies for years with various toxic effects.

This requirement for timely reporting originated when a PFAS chemical called GenX was found in the Roanoke River, but was not reported publicly, until, almost three years later when a story broke in the Roanoke Times. Reports

showed that the concentration of GenX found in the river was more than 14 times higher than the level that would trigger an EPA health advisory, and was at risk of contaminating a public water reservoir serving about 69,000 customers in the Roanoke Valley.

HB 2189 passed the General Assembly unanimously and has been signed into law by Governor Youngkin.

Phasing Out Toxic Pavement Sealants at the Local Level

House Bill 2209 – Del. Kathy Tran (D-Fairfax)
Virginia LCV Position: Support

This legislation would have given localities authority to adopt ordinances prohibiting the sale, distribution, or use of pavement sealants containing high levels of polycyclic aromatic hydrocarbons (PAHs).

PAHs are a class of chemicals that are the byproduct left over from burning coal, oil, gas, or wood. They are cancer-causing, and human exposure can occur through inhalation, ingestion, or absorption through the skin. Low PAH sealant alternatives are cost-competitive and in regular use throughout the country.

Prohibitions are effective at protecting and restoring local water quality and are in effect in both states and localities from Texas, to the Carolinas, and the Midwest. A clear case study by the City of Austin directly linked high-PAH pavement sealants to contamination in local waterways. Following the city's prohibition of high-PAH sealants, they reported a significant decrease in PAH contamination – a direct link between policy and pollution reduction.

HB 2209 narrowly reported out of the House Agriculture, Chesapeake, and Natural Resources committee with Republican Delegates

Edmunds and Wilt joining House Democrats in favor. The measure was defeated on the House floor on a 48-50 vote with Delegates Wilt and Edmunds not voting.

Eliminating Erosion and Sediment Controls for Pre-Development Deforestation

House Bill 2282 – Del. Edmunds (R-Halifax)
*Senate Bill 844 – Sen. Chap Petersen
(D-Fairfax)*

Virginia LCV Position: Oppose

This legislation, after undergoing several amendments, would have created a new exemption from erosion and sediment control and stormwater management requirements under the State Water Control Law for cutting down forests prior to development.

Under current law, erosion and sediment control and stormwater management plans must be approved by the Department of Environmental Quality and local authorities prior to commencing land-disturbing activity – except for when an area is being reforested (for conservation or future logging) or converted to an agricultural use. Had HB 2282 passed, these water quality protections would no longer be in place when forest clearcutting occurs prior to residential, commercial, or industrial development.

HB 2282 passed the House 52-47 on a party-line vote, and cleared the Senate Agriculture, Conservation, and Natural Resources committee 8-7, with Senator Lynwood Lewis joining Republicans in support. However, after substantial lobbying efforts by the environmental community, the legislation was defeated 16-24 with Republican Senators Dunning and Vogel joining with all Senate Democrats to vote down the measure.

House Scorecard

✓ = Patron Credit

Delegate	District	Party	2023 Score	2022 Score	Career Score <small>Since 2000</small>	Energy & Climate						Good Government			Land Conservation		Land Use & Transportation			Water Quality				
						HB1430	HB1783	HB12130	HB2197	HB2333	SB848	SB1333	HB1758	HB2234	HB2347	HB1998	SB1511	HB1510	SB1141	SB1326	HB1634	HB1722	HB2189	HB2209
✓ Adams, D.	68	D	100%	100%	99%	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Adams, L.	16	R	29%	39%	31%	X	X	X	X	X			X	X	✓	✓	✓	X	X	✓	X	✓	X	X
Anderson	83	R	24%	56%	40%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Austin	19	R	32%	45%	38%	X	X	X	X	X	X	X	X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Avoli	20	R	35%	56%	39%	X	X	X	X	X			X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Bagby	74	D	100%	100%	99%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ballard	12	R	24%	50%	37%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Batten	96	R	24%	33%	23%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Bell	58	R	24%	44%	32%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Bennett-Parker	45	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Bloxom	100	R	32%	50%	47%	X	X	X	X	X	X	X	X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Bourne	71	D	100%	100%	99%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Brewer	64	R	20%	32%	23%	X	X	X	X	X	X	X	X	X	✓	✓	X	X	X	✓	X	✓	X	X
✓ Bulova	37	D	100%	100%	97%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Byron	22	R	24%	39%	32%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Campbell, E.	24	R	29%	N/A	29%	X	X	X	X	X			X	X	✓	✓	✓	X	X	✓	X	✓	X	X
Campbell, J.	6	R	28%	45%	31%	X	X	X	X	X		X	X	X	✓	✓	X	X	✓	✓	X	✓	X	X
Carr	69	D	100%	100%	100%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Cherry	66	R	29%	53%	40%	X	X	X	X	X			X	X	✓	✓	X	X	✓	✓	X	✓	X	X
Clark	79	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Convirs-Fowler	21	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	NV	✓	✓	✓
Cordoza	91	R	35%	44%	40%	X	X	X	X	X			X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Coyner	62	R	30%	43%	39%	X	X	X	X	X	X	X	X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Davis	84	R	32%	50%	41%	X	X	X	X	X	X	X	X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Delaney	67	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Durant	28	R	24%	47%	24%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Edmunds	60	R	38%	50%	48%	X	X	X	X	X			X	X	✓	✓	✓	X	✓	✓	X	✓	NV	X
Fariss	59	R	22%	42%	35%	X	X	X	X	X	NV	X	X	X	✓	✓	✓	X	X	✓	X	✓	X	X
Filler-Corn	41	D	100%	100%	99%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Fowler	55	R	22%	47%	37%	X	X	X	X	X		X	X	X	✓	✓	X	X	X	✓	X	✓	X	X
Freitas	30	R	18%	33%	20%	X	X	X	X	X			X	X	X	✓	X	X	X	✓	X	✓	X	X
Gilbert	15	R	24%	44%	25%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Glass	89	D	94%	100%	97%	✓	✓	✓	✓	X			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

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Delegate	District	Party	2023 Score	2022 Score	Career Score Since 2000	Energy & Climate						Good Government			Land Conservation		Land Use & Transportation			Water Quality				
						HB1430	HB1783	HB12130	HB2197	HB2333	SB848	SB1333	HB1758	HB2234	HB2347	HB1998	SB1511	HB1510	SB1141	SB1326	HB1634	HB1722	HB2189	HB2209
Gooditis	10	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	NV	✓	NV	✓	✓	✓	✓	✓	✓
Greenhalgh	85	R	24%	50%	37%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Guzman	31	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hayes	77	D	95%	100%	97%	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Head	17	R	24%	44%	30%	X	X	X	X	X			X	X	✓	✓	X	X	✓	✓	X	✓	X	X
Helmer	40	D	94%	100%	99%	✓	✓	✓	✓	X			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Herring	46	D	100%	100%	98%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hodges	98	R	32%	50%	41%	X	X	X	X	X	X	X	X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Hope	47	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hudson	57	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Jenkins	76	D	100%	100%	99%	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NV
Kilgore	1	R	29%	47%	37%	X	X	X	X	X			X	X	✓	✓	✓	X	X	✓	X	✓	X	X
Knight	81	R	20%	36%	34%	X	X	X	X	X	X	X	X	X	✓	✓	X	X	X	✓	X	✓	X	X
Kory	38	D	100%	94%	99%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
✓ Krizek	44	D	100%	100%	99%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
LaRock	33	R	24%	39%	29%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Leftwich	78	R	28%	45%	40%	X	X	X	X	X		X	X	X	✓	✓	X	X	✓	✓	X	✓	X	X
Lopez	49	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Maldonado	50	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
March	7	R	25%	33%	29%	X	X	X	X	X			X	X	✓	✓	X	X	NV	✓	X	✓	X	X
Marshall	14	R	26%	40%	35%	X	X	X	X	X	X	X	X	X	✓	✓	✓	X	X	✓	X	✓	X	X
McGuire	56	R	24%	33%	24%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
McNamara	8	R	29%	39%	29%	X	X	X	X	X			X	X	✓	✓	✓	X	X	✓	X	✓	X	X
✓ McQuinn	70	D	100%	100%	97%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Morefield	3	R	30%	41%	34%	X	X	X	X	X	X	X	X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Mullin	93	D	100%	100%	99%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mundon King	2	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	NV	✓	✓	✓	✓	✓	✓
Murphy	34	D	100%	100%	99%	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
O'Quinn	5	R	29%	50%	34%	X	X	X	X	X			X	X	✓	✓	✓	X	X	✓	X	✓	X	X
Orrock	54	R	35%	56%	43%	X	X	X	X	X			X	X	✓	✓	✓	X	✓	✓	X	✓	X	X
Plum	36	D	100%	100%	96%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Price	95	D	100%	100%	99%	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ransone	99	R	29%	39%	28%	X	X	X	X	X			X	X	✓	✓	✓	X	X	✓	X	✓	X	X
✓ Rasoul	11	D	100%	100%	96%	✓	✓	✓	✓	✓	✓	NV	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Reid	32	D	100%	100%	100%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

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Delegate	District	Party	2023 Score	2022 Score	Career Score <small>Since 2000</small>	Energy & Climate						Good Government			Land Conservation		Land Use & Transportation			Water Quality				
						HB1430	HB1783	HB12130	HB2197	HB2333	SB648	SB1333	HB1758	HB2234	HB2347	HB1998	SB1511	HB1510	SB1141	SB1326	HB1634	HB1722	HB2189	HB2209
Robinson	27	R	28%	40%	37%	X	X	X	X	X		X	X	X	✓	✓	✓	✓	X	✓	X	✓	X	X
Roem	13	D	100%	100%	100%	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Runion	25	R	17%	45%	33%	X	X	X	X	X		X	X	X	X	✓	X	X	X	✓	X	✓	X	X
Scott, D.	80	D	94%	100%	98%	✓	✓	✓	✓	X			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Scott, P.	88	R	18%	25%	21%	X	X	X	X	X			X	X	X	✓	X	X	X	✓	X	✓	X	X
Seibold	35	D	100%	N/A	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sewell	51	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Shin	86	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sickles	43	D	100%	100%	97%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Simon	53	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
✓ Simonds	94	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
✓ Subramanyam	87	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sullivan	48	D	100%	100%	99%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Tata	82	R	35%	50%	43%	X	X	X	X	X			X	X	✓	✓	✓	✓	✓	✓	X	✓	X	X
Taylor	63	R	35%	56%	46%	X	X	X	X	X			X	X	✓	✓	✓	✓	✓	✓	X	✓	X	X
Torian	52	D	100%	95%	93%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
✓ Tran	42	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
VanValkenburg	72	D	100%	100%	99%	NV	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Wachsmann	75	R	29%	56%	43%	X	X	X	X	X			X	X	✓	✓	✓	✓	X	✓	X	✓	X	X
Walker	23	R	22%	45%	24%	X	X	X	X	X		X	X	X	✓	✓	X	X	X	✓	X	✓	X	X
Wampler	4	R	20%	32%	19%	X	X	X	X	X	X	X	X	X	✓	✓	X	X	X	✓	X	✓	X	X
Ward	92	D	100%	100%	93%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ware	65	R	29%	50%	48%	X	X	X	X	X			X	X	✓	✓	✓	✓	X	✓	X	✓	X	X
Watts	39	D	100%	100%	92%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Webert	18	R	24%	39%	41%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Wiley	29	R	29%	50%	35%	X	X	X	X	X			X	X	✓	✓	✓	✓	X	✓	X	✓	X	X
Willett	73	D	100%	100%	100%	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Williams	9	R	24%	44%	34%	X	X	X	X	X			X	X	✓	✓	X	X	X	✓	X	✓	X	X
Williams Graves	90	D	94%	100%	97%	✓	X	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Wilt	26	R	31%	56%	39%	X	X	X	X	X			X	X	✓	✓	✓	✓	X	✓	X	✓	NV	X
Wright	61	R	22%	30%	34%	X	X	X	X	X		X	X	X	✓	✓	X	X	X	✓	X	✓	X	X
Wyatt	97	R	26%	40%	25%	X	X	X	X	X	X	X	X	X	✓	✓	X	X	✓	✓	X	✓	X	X
Average			71%	71%																				

Senate Scorecard

Senator	District	Party	2023 Score	2022 Score	Career Score <small>(Since 2000)</small>	Energy & Climate						Good Government		Land Conservation		Land Use & Transportation						Water Quality					
						HB1783	HB2130	HB2197	SB936	SB1001	SB1231	SB1266	SB1333	SB1447	HB2234	SB1322	SJ223	HB1998	SB1511	HB1510	HB2338	SB779	SB1141	SB1312	SB1466	HB1634	HB2189
Saslaw	35	D	85%	100%	81%	X	✓	X	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X	
Spruill	5	D	100%	100%	81%	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Stanley	20	R	37%	42%	39%				X	X	X	X	✓	✓		X	X	✓	✓	X	X	X	X	✓	✓	✓	X
Stuart	28	R	26%	45%	46%				X	X	X	X	X	X		X	X	✓	✓	X	X	X	X	✓	✓	✓	X
Suetterlein	19	R	37%	32%	32%				X	X	X	✓	X	✓		X	X	✓	✓	X	X	X	X	✓	✓	✓	X
✓ Surovell	36	D	100%	95%	94%	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Vogel	27	R	53%	76%	73%				✓		X	X	✓	X	X	NV	✓	✓	NV		X	X	✓	✓	NV	✓	
Average:			71%	76%																							

2023 Bill Patrons: Where Legislative Victories Begin

Virginia LCV recognizes the efforts of legislators that promote and lead on conservation issues each session. These patrons, who carried legislation supported by Virginia LCV and the larger conservation community, are acknowledged for the value of their commitment in each of their final scores. Note that though some members introduce multiple bills that receive Virginia LCV support, each member receives acknowledgment for only one patron credit in their final legislator score.

Energy and Climate

Sen. John Edwards (D-Roanoke City) Senate Bill 1447 Suspending Utility Service Disconnections During Extreme Weather. **Sen. Barbara Favola (D-Arlington)** Senate Bill 848 Helping Public Schools Install Renewable Energy. **Sen. Ghazala Hashmi (D-Chesterfield)** Senate Bill 936 Developing Emergency Response Plans for Extreme Heat Events; Senate Bill 1333 Leveraging Federal Grant Funding for Rooftop Solar and Energy Efficiency. **Sen. Scott Surovell (D-Fairfax)** Senate Bill 1266 Removing Barriers to Shared Solar Programs.

Good Government

Sen. Jennifer McClellan (D-Richmond City) Senate Bill 1322 Allowing Localities to Develop Healthy Community Strategies. **Sen. Mamie Locke (D-Hampton)** Senate Joint Resolution 223 Ridding Virginia's Constitution of Jim Crow-era Voting Restrictions.

Land Conservation

Del. Dawn Adams (D-Richmond City) House Bill 1510 Authorizing Local Incentives for Urban Green Space. **Del. Paul Krizek (D-Fairfax)** House Bill 1998 Prioritizing Native Plant Use on State Property. **Sen. Emmett Hanger (R-Augusta)** Senate Bill 1511 Preserving the Value of Conservation Practices.

Land Use and Transportation

Del. Delores McQuinn (D-Richmond City) House Bill 2338 Increasing Accessibility & Electrification through Transit Funding Flexibility. **Sen. Jennifer Boysko (D-Fairfax)** Senate Bill 1312 Planning for Electric Vehicle Charging Infrastructure. **Sen. Dave Marsden (D-Fairfax)** Senate Bill 1466 Developing Rural Electric Vehicle Charging Infrastructure. **Sen. Jennifer McClellan (D-Richmond City)** Senate Bill 1326 Increasing Accessibility & Electrification through Transit Funding Flexibility. **Sen. Jeremy McPike (D-Prince William County)** Senate Bill 1141 Increasing Affordable Housing & Encouraging Smart Growth.

Water Quality

Del. David Bulova (D-Fairfax) House Bill 1634 Incorporating Resilience Into Local Comprehensive Plans. **Del. Sam Rasoul (D-Roanoke City)** House Bill 2189 Testing for PFAS Contamination at Public Water Treatment Facilities. **Del. Shelly Simonds (D-Newport News)** House Bill 1722 Banning Cyanide Use in Mineral Mining. **Del. Kathy Tran (D-Fairfax)** House Bill 2209 Phasing Out Toxic Pavement Sealants at the Local Level.

Youngkin again falls short on environment

Since the publication of our inaugural, gubernatorial scorecard last year, Governor Youngkin has only shown marginal improvement, moving from an F to a D- in this year's rankings.

Sadly, Youngkin continues working to attack our state's best existing tools to address climate change, and has shown more interest in political theater than bringing clean energy jobs to our state.

Youngkin also continues to staff his administration with questionable environmental appointees, spent weeks on the campaign trail with election deniers, and has made troubling, anti-democratic decisions here at home.

Election Day 2023 will determine the trajectory of Youngkin's agenda for the remaining two years of his term, and we will be working between now and then to show Virginia voters just what's at stake.



ity; we therefore have nothing of substance to grade the governor on for this section this year.

Environmental Agenda

Grade: D-

Justification: Youngkin's environmental agenda has come into sharper focus in the past year, and there's little to like. While his energy plan does have several policy recommendations to rein in electric utility overcharges, expand competition for renewable energy, and grow distributed rooftop solar, it also seeks to undermine our climate action goals and programs, and given the opportunity to create thousands of jobs in the clean energy economy Youngkin opted instead to play partisan politics, sending billions of dollars of investment to Michigan.

Executive Actions

Grade: n/a

Justification: Since the publication of our last gubernatorial rankings, Governor Youngkin issued five executive orders and one executive directive. Three of these deal with emergency declarations around extreme weather, which help leverage federal disaster relief resources in the wake of a natural disaster.

While several of his first-year executive actions directly attacked our progress on environmental progress, none of these cross that threshold or improve environmental qual-

Rankings Overview

- Executive Actions **N/A**
- Environmental Agenda **D-**
- Appointments **D-**
- Legislative Actions **C-**
- Leadership & Governance **F**

- **Final Grade** **D-**

Energy 'Plan'

Youngkin's Energy Plan, released in the Summer of 2022, was the first real policy roadmap articulated by this Administration pertaining to our energy future, and demonstrated just how intent Youngkin is on taking us backward and robbing Virginians of the clean energy future they deserve.

While there were some things to like - there is a particular focus on rate reduction, driving down consumer energy costs, and competition - there was a lot in Youngkin's plan that contradicted even those stated goals of lowering electric bills, and would have also maintained fossil fuel reliance and undermined our clean energy goals. Overall, Virginia LCV

could agree with 10 out of 28 recommendations, with us either opposing or requiring more information for the remainder of the energy plan's policy aims.

The Nuclear Option: Despite clear concerns over cost, security, hazardous waste storage, and monopoly control, the plan went all-in on nuclear energy, the most expensive and risky form of energy generation we have, specifically an emerging, scaled-down form of nuclear energy dubbed Advanced Small Modular Reactors (SMRs). While zero-carbon nuclear power generation will need to play a role in our energy mix as we work toward 100 percent clean energy, SMRs have so far been proven to be unable to compete with lower cost forms of energy, and therefore are difficult to finance and build. In some states, ratepayers and even taxpayers have been asked to foot the bill to build these facilities, with no guarantee of them actually generating electricity, in some cases seeing their electric bills increase with nothing to show for it (we worked to oppose an Administration bill this session that would have put Virginia down this same treacherous path).

Climate Obstruction: The Energy Plan also focused on fully repealing or undermining our state's best tools to address climate change. These included a burdensome reauthorization process for the Virginia Clean Economy Act, our plan to reach 100 percent clean energy by mid-century; the plan further worked to undermine the VCEA by overriding set and agreed-to fossil fuel retirements in the legislation when the price of volatile fossil fuels is the leading reason electric bills are increasing.

It called for fully repealing our state's Clean Cars Standard in the name of "grid reliability," one of several false narratives used by the Administration and its allies as they unsuccessfully tried to repeal our state's plans to bring

in-demand, clean electric vehicles to our state. They have no issue with "grid reliability" when courting data centers - Dominion's sole driver of forecasted load demand.

Pipeline Free Pass: Youngkin's plan also reiterates this Administration's support of the environmentally destructive, and unnecessary Mountain Valley Pipeline, which was recently pushed through Congress in a deal related to the debt ceiling. This project alone is estimated to generate annual greenhouse gas emissions equivalent to 26 coal-fired power plants or 19 million passenger vehicles - and with much of the remaining construction phase focused on water crossings, it will decimate ecologically sensitive habitat, further impacting water quality without strong state oversight.

The energy plan also states the Administration's support of a proposed pipeline expansion project in Southeastern Virginia and calls on the Department of Environmental Quality to expedite approval of what it deems critical infrastructure projects, a troubling directive that ignores environmental ramifications.

Utility Regulation: On utility regulation and energy affordability, Youngkin proposed a number of recommendations in his administration's energy plan. Some of these also attack our plans to reach 100 percent clean energy, but some are common sense proposals to hold big utilities accountable. These include the following:

- *Restore biennial rate reviews for Virginia's Phase One and Phase Two utilities.*
- *Expand resources for the Attorney General's Consumer Counsel Section and establish an office within the Virginia Department of Energy to share analysis and engage more in the SCC rate case process.*
- *Establish a workgroup to determine how*

the structure of RACs can be improved to protect ratepayers and increase billing transparency.

- *Direct the Virginia Department of Energy to study reforms regarding cost overruns on major utility projects, including utilities' ability to earn a rate of return on such overruns.*
- *Direct the Virginia Department of Energy to review utility rates of return with those received by comparable independent power producers and assess the definition of peer states.*
- *Direct the Virginia Department of Energy to study the allowable overearnings buffer for utility rates of return and allowable overearnings as a result of Grid Transformation and Security Act investments.*

RGGI Repeal

Youngkin's work to repeal our RGGI membership began even before his inauguration when he announced his intention to a group of businesspeople in Hampton Roads - our state's most flood-impacted region - and, sadly, has continued. In December of 2022, the State Air Pollution Control Board, which has a 4-3 handpicked Youngkin majority, voted to move forward a draft regulation to take Virginia out of the Regional Greenhouse Gas Initiative, despite an initial public comment period held in the Fall that demonstrated Virginians' strong support of staying in the program. A second set of public comments were solicited in early 2023, with that comment period concluding in March. Nearly 90 percent of the in-person and written comments submitted to the Air Board again favored staying in RGGI. Sadly, the Board voted on June 7 to end Virginia's participation in RGGI effective Dec. 31, 2023,

ignoring public will, the General Assembly's 2020 directive to join this program, and its clear benefits to Virginia.

In a little over two years, this program has returned \$657 million to our state to fund needed flooding resilience projects across the state along with programs that cut energy costs for low-income Virginians - all while cutting harmful power plant pollution from our state's dirtiest sources.

Youngkin's actions pulling Virginia out of this program undermine one of our state's best tools to combat climate change, leave localities without a steady, dedicated source of revenue to protect their communities from flooding, and rob Virginians in need of a vital resource to cut home energy costs at a time when volatile fossil fuels are continuing to drive up electric bills. The repeal equally undermines our ability to decarbonize the electricity sector as mandated by the Virginia Clean Economy Act.

This repeal effort benefits no one except big polluters, it clearly undermines our ability to cut pollution and transition to a clean energy future, and leaves communities in harm's way.

Ford Battery Plant Fiasco

In January, news broke that the Youngkin Administration was taking Virginia out of consideration for Ford Motor Co.'s \$3.5 billion electric vehicle battery manufacturing plant in Danville, Va. In remarks to the press, Youngkin accused Ford of being a "front for the Chinese Communist Party" due to Ford's partnership with CATL, a China-based company and the world's largest manufacturer of EV batteries. The investment - and the 2,500 jobs that came with it - went to Michigan instead. Ford would later push back on Youngkin's claims by



Photo Credit: **Richmond Reflects** by Jeffrey Ruisi of Richmond | Courtesy of Scenic Virginia

announcing the factory would be owned and operated solely by an American, Ford-owned subsidiary, and that CATL will simply license its battery technology to Ford and provide services as needed on a contract basis.

When coupled with Youngkin's concerted effort to repeal Virginia's Clean Cars Standard and hostility toward climate policy, it became clear that this decision was not grounded in concerns over national security, but rather political, ideological reasons. The end result was a huge missed economic opportunity for Southside Virginia, at a site that the Commonwealth had invested in heavily to attract large-scale development. Had we landed this investment, the region likely would have seen an economic ripple effect, attracting competition, advanced manufacturing and supply

chain jobs. Instead this decision will likely have a chilling effect as additional companies weigh where to invest as they seek to build further EV or clean energy manufacturing facilities, at a time when EV manufacturing and related supply chains are one of the fastest growing sectors of the economy.

With widespread federal investment in advancing vehicle electrification through the Inflation Reduction Act, a number of both Democrat- and Republican-led states are competing heavily for electric vehicle manufacturing plants, including Georgia, Kansas, Michigan, Nevada, North Carolina and Tennessee which have each committed in some cases upwards of \$1 billion in economic development assistance to attract EV and EV battery plants.

Appointments

Grade: D-

Justification: There are fewer appointments to grade the governor on in 2023, but both of the appointees we grade this year lack the credentials and expertise to hold their posts, and we doubt Virginia's environment will benefit as a result.

Travis Voyles, Secretary of Natural and Historic Resources

Travis Voyles officially became Virginia's Secretary of Natural Resources in March. Voyles had been serving in an acting capacity for several months, and was originally the Deputy Secretary of Natural Resources under Andrew Wheeler, a former coal lobbyist and head of EPA under President Trump whose nomination was defeated last year at the General Assembly.

Before coming to the Youngkin Administration, Voyles worked in the EPA's office of Congressional and Intergovernmental Affairs. Most recently, he was Oversight Counsel Under U.S. Sen. Shelley Moore Capito (R-W.Va.) on the Senate Committee on Environment and Public Works. A coal state Republican, Capito has been an outspoken critic of climate action and efforts to transition to clean energy sources.

As Secretary, Voyles has followed suit, testifying in support of Youngkin's efforts to reverse our state's gains on climate action and leading the Administration's efforts to take Virginia out of the Regional Greenhouse Gas Initiative.



Voyles's lack of experience working in Virginia politics, limited subject matter expertise, and weak conservation credentials further make him a dubious selection for the secretariat overseeing the Virginia Departments of Environmental Quality, Conservation and Recreation, Historic Resources, Wildlife Resources, and the Virginia Marine Fisheries Commission.

Glenn Davis, Director, Department of Energy

In late April, Youngkin tapped Glenn Davis to lead the state's department of energy. Davis, formerly a Republican Delegate representing the 84th District in Virginia Beach, had already announced his retirement after being redistricted into the same district as Del. Barry Knight. He officially resigned the post in accepting the job with the administration.

The department, formerly the Department of Minerals, Mines and Energy (DMME), administers a number of state programs dealing with renewable and fossil fuel energy, energy efficiency, mineral mining, mine reclamation and mine safety.

Former Department of Energy Director John Warren announced his retirement in January. He had served in this post under both the McAuliffe and Northam Administrations; from 2000 to 2007 he was the department's director of the state energy office.

Davis's selection for the job is somewhat puzzling. In the private sector, he ran a data analytics company. A member of the House of Delegates since 2014, Davis sat on no commit-



tees that took up energy policy, and he has no record of leading in this space.

In *The Virginian-Pilot*, Davis said, "the governor has an all of the above energy plan with a focus on bringing small modular nuclear reactors to Virginia to provide affordable, reliable energy and I am excited to join the team and help make that a reality."

Davis holds a career voting score of 41 percent from us, and earned a 32 percent score in this, our latest scorecard, for supporting a number of bills attacking climate action and undermining our clean energy future - legislation that attempted to implement some of Youngkin's so-called "all-of-the-above" energy plan, which if enacted, will take Virginia backwards on our state's goals to reach 100 percent clean energy and maintain our reliance on harmful fossil fuels.

Legislative Actions

Grade: C-

Justification:

Youngkin vetoed no legislation we supported, put in amendments to two bills that we opposed, pushed good amendments to the state budget for water quality, and helped negotiate legislation that better protect consumers from utility overcharging. Overall, Governor Youngkin signed all of the 23 bills that Virginia LCV supported that passed out of the legislature and landed on his desk, commonsense legislation that had all passed out of the General Assembly with bipartisan consensus, though the Administration itself introduced no legislation to improve our environment.

Veto: At the conclusion of the 2023 General Assembly session, Youngkin vetoed only three pieces of legislation, none dealing with

bills we held positions on or that impact the environment. He would go on to veto several more bills following the reconvened session after the legislature rejected his amendments, bringing his 2023 veto total to eight pieces of legislation compared to upwards of 30 bills in 2022 - a year that saw Youngkin use his veto power as political retribution. Since no legislation made it to Youngkin's desk that we opposed, we cannot give him credit for blocking any detrimental bills. However, he did not veto legislation we supported, so that does factor into his grade.

Amendments: Youngkin amended a total of 78 bills this year; Virginia LCV registered its formal opposition to Youngkin's amendments to two bills, which were taken up during the one-day reconvened session on April 12.

HB 2026 and SB 1231 Renewable energy; biomass-fired facilities, Department of Forestry advisory panel, report.

Governor Youngkin introduced four amendments to this legislation, all of which directly attacked the clean energy future Virginia prioritized when passing the Virginia Clean Economy Act in 2020.

Virginia LCV and our partners in the environmental community heavily negotiated the original legislation, eventually switching our position from opposition to neutral. Youngkin's amendments undercut these good-faith negotiations and reintroduced a number of bad ideas that the State Senate had already rejected in defeating other bad legislation in committee.

Namely, these amendments would have added nuclear and hydrogen to Virginia's Renewable Portfolio Standard, kept fossil fuel plants running past their retirement date outlined under the VCEA, delayed our clean energy targets, and given special carve-outs to

a singular electric cooperative, allowing them to financially benefit from Renewable Energy Credits under the VCEA without having to comply with any of its requirements.

Fortunately, the Senate rejected Youngkin's amendments on a party-line 22-18 vote. Following the Senate's action, the House opted not to vote on the changes to the bill. Youngkin signed the bill into law without his amendments.

HB 2393 Coastal resilience policy; research university collaborative.

Sea level rise poses an existential threat to the Commonwealth, and solutions to this pressing issue warrant an all-hands-on-deck approach. It would make sense, then, that Virginia's research universities would play a role in shaping how Virginia responds to this threat.

Youngkin's amendments to this bill however remove participating research universities from the Commonwealth's research university collaborative, designed to aid state agencies when setting coastal resilience policies.

The amendment came after the College of William and Mary announced it was substituting its Virginia Coastal Policy Center (VCPC) with a broader, multi-disciplinary "Virginia Coastal Resilience Collaborative."

Both the VCPC and Old Dominion University's Institute for Coastal Adaptation and Resilience were previously collaborators for the Commonwealth's coastal resilience policy strategy.

In working to remove all university collaboration from the bill, and naming Virginia Sea Grant the new leader of the research collaborative, Youngkin essentially was handing the reins to a group that lacks the necessary legal, policy, or engineering expertise on staff.

The decision for how the Commonwealth will fill the capacity gap resulting from the clo-

sure of VCPC is far too important to Virginia's natural resources to inject into legislation never intended to address this question. The House voted to adopt Youngkin's amendments on a 51-44 vote; the Senate voted 17-22 to reject them. With the option to veto the bill or sign it without his amendments, Youngkin opted for the latter.

Hopefully, the Administration and General Assembly can agree going forward on how to bring valued, diverse perspectives into conversations around how best to protect our coastal communities.

Utility Regulation: The Youngkin Administration was credited with helping shape the successful outcome of Senate Bill 1265 and House Bill 1770 - legislation that, as originally proposed, would have unfairly increased utility profits under the guise of rate reduction - the House Bill, as proposed, also included provisions attacking our clean energy transition - but through amendments pushed by the Governor ended up being one of the more comprehensive, pro-consumer utility bills in recent history.

Here are some of the more important pro-consumer provisions in the deal that passed on the very last day of the legislation session:

- *The State Corporation Commission will now review rates for big electric utilities every two years instead of three;*
- *The SCC will also be allowed to roll Rate Adjustment Clauses, or RACs, into base rates, and fuel costs will be spread out over a longer period of time saving customers money over the long-term;*
- *The SCC will be abandoning a peer group review model to determine Dominion's profit margin, transitioning instead to a performance based model;*



Photo Credit: **A Change of Scenery Changes Everything** by Flo Womacks of Virginia Beach | Courtesy of Scenic Virginia

- *The amount of overearnings that Dominion can keep has been cut from 30 percent to 15 percent, and the SCC has been given authority to adjust rates down if Dominion's shown to be continuing to overcharge its customer.*

Overall, these are all improvements to the status quo of utility regulation.

Budget: In the lead up to the General Assembly, Governor Youngkin introduced a number of amendments to the state's biennial budget which took effect in July 2022. As of this writing, the General Assembly had yet to take up the breadth of these changes, following disagreements between the House and Senate around revenue sources - the House

and Senate had about a \$1 billion difference due to tax cuts for corporations and the wealthy proposed by Youngkin and supported in the House, political gamesmanship that has disrupted the budget process two years in a row.

The General Assembly did sign off on a "skinny budget," appropriating funding for Virginia's rainy-day fund, existing capital projects, unfunded state retirement system liabilities, and to make up for a multi-million dollar error by Youngkin's education department that left school systems with large holes in their budgets.

After they adjourned without agreeing to a full revised budget, work has continued behind

the scenes between leadership of the House and Senate money committees - work expected to run close up to the end of the current fiscal year in June. If a deal is reached, lawmakers would have to reconvene to sign off on any final plan.

Youngkin's original amendments to the budget did add to already record-high funding for clean water programs. Here are some of the highlights, which we do hope the legislature signs off on:

- \$237 million to reduce nitrogen and phosphorus from wastewater treatment plants;
- \$137 million for Virginia's agricultural cost-share and related programs, which comes on top of 2022's record appropriation of \$286 million over the biennium. This funding helps farmers implement important water quality and conservation measures;
- \$100 million to help Richmond update its antiquated combined sewer system, which sends raw sewage into the James River during heavy precipitation as stormwater overwhelms the city's waste treatment facilities.

Transportation Slush Fund: Pushed by Youngkin, the Transportation Partnership Opportunity Fund (SB 1106 and HB 2302), a.k.a. the Governor's \$300 million Transportation Slush Fund, would have redirected millions of transportation dollars to pet projects and given the Governor's office unprecedented power over what projects get built - sidestepping the Commonwealth's approval processes that include taking into consideration environmental impacts.

By redirecting funds off the top of the Commonwealth Transportation Fund, SB 1106 and

HB 2302 would have reduced available revenues for all modes of transportation, including an annual loss of up to \$56 million for road repair, \$11.3 million for transit, \$3.7 million for rail, and \$15.6 million for Smart Scale and Interstates.

Youngkin would have also been given almost unlimited discretion to allocate up to \$300 million of funds to support major economic development initiatives and enhance the economic development opportunities of the Commonwealth's transportation programs.

The bills removed the General Assembly from the process of grants and loans from the Fund, and contained no reporting requirements or accountability.

Fortunately, the General Assembly saw fit to address our concerns and amend this legislation to the point we and other partners were able to eventually move our position to neutral.

Leadership and Governance

Grade: F

Justification: Youngkin and his Administration continue to cater to the MAGA base of his party by campaigning out of state for election deniers, rolling back voting integrity programs in Virginia, prolonging felon disenfranchisement, and taking pains to downplay the importance of diversity, equity and inclusion in state government.

Slow-walking Rights Restoration: Today, only Virginia and Kentucky still have rules in place that automatically disenfranchise people with felony convictions unless a governor chooses to restore their rights, a remnant of Virginia's racist Jim Crow policies of the early 1900s intended to diminish the political power of Black Virginians.

For the past three gubernatorial administrations, it has been the policy of the commonwealth to automatically restore voting rights to felons - in one way or another - who have paid their debt to society.

Governor Youngkin, however, ended this practice. Under a new, opaque process, Youngkin is requiring felons to go through the burdensome process of proactively applying to regain their voting rights upon release - applications that are being taken up on a case-by-case basis.

The end result is a rate of rights restoration far below the last three administrations - Governor Northam restored rights to more than 126,000 Virginians; Governor McAuliffe restored rights to more than 173,000; and Governor McDonnell restored the rights of more than 8,000 felons. To-date, Youngkin has only approved 4,300 applications.

Virginia LCV has consistently supported automatic rights restoration, and it is one of the bills we consistently score, because we believe that a healthy democracy and a healthy environment are interconnected.

Today, more than 200,000 Virginians with felony convictions remain disenfranchised. This equates to 5 percent of the voting population - the sixth highest rate in the nation.

Youngkin's reversal on rights restoration, and his lack of transparency around it, is taking Virginia in the wrong direction and prolonging mass disenfranchisement.

Cozying Up to the 'Big Lie': In 2022, a year that saw many gubernatorial elections across the country, Youngkin spent a good time away from the Commonwealth on the campaign trail, campaigning in a total of 15 different states.

Among the controversial candidates he decided to rub elbows with were a number

of MAGA candidates for governor who have bought-in to the "Big Lie" perpetrated by former President Donald Trump that the 2020 election was "stolen" from him, despite zero evidence of any electoral impropriety.

These included: Kari Lake in Arizona; Derek Schmidt in Kansas; Tudor Dixon in Michigan; and Tim Michels in Wisconsin (who would all go on to lose their races).

When you add to this list Youngkin's stumping for Paul LePage in Maine, whose incendiary, racist remarks as a former Governor drew wide-spread condemnation in 2016, and who also cast doubt on the legitimacy of the 2020 elections, it's clear that Youngkin is toeing a dangerous, undemocratic line.

Buying into 'ERIC' Conspiracy Theories: In May, the Administration announced it was pulling out of the Electronic Registration Information Center (ERIC), a multi-state data-sharing compact created to identify voters who have relocated to another state or passed away, and to aid state efforts to contact eligible, unregistered voters.

Virginia was a charter member of ERIC in 2012 under former Gov. Bob McDonnell and it has largely existed as a non-controversial, successful program. In early 2022, however, as a continuation of the "Big Lie," ERIC was targeted by election conspiracy theorists as a Democratic Party plot to steal elections - even though the program actually works to combat potential voter fraud. Conservative states soon began pulling out of the nonpartisan program, including Louisiana, Alabama, Missouri, Florida, West Virginia, Iowa and Ohio.

Virginia's Elections Commissioner Susan Beals, a former Chesterfield County Electoral Board member and aide to election denier State Sen. Amanda Chase, cited rising costs

and confidentiality in a letter indicating Virginia's intended removal from the program, though her concerns differ from officials within even the Attorney General's Election Integrity Unit who have called ERIC a "benefit to the Commonwealth."

Ahead of this move, Beals had attended an elections conference sponsored by the Heritage Foundation, a far-right thinktank that has spread disinformation around voter fraud, and spent millions of dollars in recent years lobbying against expanded voter access.

By taking Virginia out of this program ahead of pivotal 2023 elections, the Youngkin Administration is damaging the sanctity of our elections, making it easier for election deniers to call foul and spread doubt.

'DEI is Dead': These words were spoken by Martin Brown, Youngkin's chief diversity, opportunity and inclusion officer (the Youngkin Administration had replaced "Equity" with "Opportunity" in this title), at a mandatory staff and faculty training at the Virginia Military Institute at which he denigrated the purpose of his very office.

"Let's take a moment right now to kill that cow. DEI is dead," he told the crowd, as reported by various media outlets. "We're not going to bring that cow up anymore. It's dead. It was mandated by the General Assembly, but this governor has a different philosophy of civil discourse, civility, treating — living the golden rule, right?"

VMI has come under close scrutiny for a culture of systemic racism in recent years, and Brown's comments undermine the ongoing process to address these serious problems.

When asked by reporters, Youngkin defended Brown's actions, and went a step farther by attacking ESG, an acronym standing for environmental, social and governance criteria used to measure sustainability.

"The concept of DEI, and let's put ESG in it as well, these ideas five, ten years ago were laudable," he said, adding "ESG and DEI have gone off the rails candidly and I think they've taken on a new mission that is really not consistent with those key principles. And so, we've got work to do."

Indeed, Youngkin does have work to do.

Virginia LCV: Conservation's Political Voice in the Commonwealth

Virginia League of Conservation Voters is the political voice of conservation in the Commonwealth. We work tirelessly to protect all of Virginia's treasured natural resources – clean air and water, thriving communities and rural landscapes, productive farms and forests, historic battlefields and Main Streets, and ample public lands and open spaces.

To do this, we advocate for and secure strong public policy at the state level, hold elected officials accountable for their positions on conservation issues, and endorse conservation-minded candidates for state office. Of the organizations in Virginia's conservation community, Virginia LCV is unique in that we provide the political power of bringing legislators' records on conservation issues to the forefront of their campaigns and the minds of their voters.

Accountability

Virginia LCV's annual Conservation Scorecard provides the only comprehensive look at how legislators voted on the year's most important conservation issues. From land conservation, to water quality, to transportation, to energy, the scorecard provides an inside take on what happened in Richmond on a full spectrum of issues. Further, the Scorecard provides a distinctive and useful tool for voters as they choose who represents their conservation values in Richmond. As a constituent and a Conservation Voter, it is important for you to let your elected officials know you saw their scores. Thank those who helped protect Virginia's natural resources and urge those who didn't to do better.

Endorsements

As conservation's political voice in the Commonwealth, Virginia LCV proudly endorses and seeks to elect and re-elect candidates to office who prioritize conservation. In addition to using the Conservation Scorecard, we issue an inclusive candidate questionnaire, research the dynamics of races, and lead candidate interviews to determine which candidates deserve our "conservation seal of approval."

Virginia LCV's endorsed candidates receive our guidance on how to make conservation issues a priority in their races, our financial support, and our outreach efforts to ensure Conservation Voters in their districts know of our endorsement. All of these factors are important to seeing our candidates win and to seeing a Conservation Majority in the legislature.

Advocacy

After candidates are sworn in, Virginia LCV staff and members work diligently to advocate for conservation values in the General Assembly. Our efforts are essential to guaranteeing legislators are best educated on the importance and value of protecting our natural resources and safeguarding our clean air, clean water and open spaces. The more they hear from us, and especially from you, the more victorious we will be.

Support our Work!



Join Our Team

Check in at valcv.org to keep updated on what's happening with conservation issues in Virginia. There, you can take important conservation actions, support our work, get updated on Virginia LCV news, and follow our positions on critical legislation during the General Assembly session.



Virginia League of Conservation Voters is the political voice of conservation in the Commonwealth. We work tirelessly to protect all of Virginia's treasured natural resources – clean air and water, thriving communities and rural landscapes, productive farms and forests, historic battlefields and Main Streets, and ample public lands and open spaces.

Virginia LCV is a nonpartisan, nonprofit advocacy organization and gifts to it and its Political Action Committee are non-tax deductible.



**VIRGINIA LEAGUE OF
CONSERVATION VOTERS**

100 West Franklin Street, Suite 102
Richmond, VA 23220

Phone: 804.225.1902
Web: valcv.org
Email: info@valcv.org