Virginia Chapter General Assembly Climate & Energy Scorecard 2018



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Introduction

This was a year of change in the Virginia General Assembly as 19 first-time members joined the House of Delegates. After the 2017 "blue wave" election, Democrats occupy 49 of 100 seats in the House. Legislator offices and committee meeting space moved to a new building located down the hill from the Capitol. Del. Kirk Cox (R-66) stepped up as Speaker of the House following former Speaker Bill Howell's retirement, and Lt. Gov. Justin Fairfax became the new face presiding over the Senate. A new administration settled in, and Gov. Ralph Northam's newly-appointed team tackled his priorities.

Furthermore, major improvements were made in the transparency of work taking place in committee. Speaker Cox instituted a change of rules requiring recorded House votes in nearly all cases. Just last year, 88 percent of House bills defeated were killed by unrecorded voice votes—making it impossible to know who voted for or against those bills. This year, the percentage of House bills defeated on unrecorded voice votes plummeted to 33 percent. Additionally, both House and Senate committee meetings were recorded and live-streamed online. An archive of the committee recordings continues to be freely available on a state website.

Perhaps the biggest change was the decline in political influence of Dominion Energy, historically the most powerful lobby and top corporate political donor at the Capitol. This year's class of freshman Delegates arrived in Richmond with refreshing clarity about the utility's profit-seeking motives. Most new members pledged to not to accept money from Dominion Energy. They are critical of Dominion's toxic coal ash pollution leaching into our waters, high electricity bills, and its massive, widelyopposed fracked-gas interstate pipeline project. The freshmen were joined by veteran members of both parties who led legislative efforts to clean up the coal ash, repeal Dominion's infamous "rate freeze" (a statute keeping electricity bills artificially high), and address the threat of the pipelines. An unlikely coalition of bipartisan reformists emerged during the 2018 session, and Dominion suffered an unprecedented public defeat when the "Grid Transformation and Security Act" was amended on the House floor. Read more on page 10.

Bipartisan leadership was demonstrated on several fronts during this year's session. Sens. Scott Surovell (D-36) and Amanda Chase (R-11) worked together to extend the moratorium on permitting coal ash pond closures and changed the law to require utilities to seek bids from coal ash recycling firms. On pipelines, Sen. Emmett Hanger (R-24) successfully introduced a bill requiring enhanced wetland and stream crossing studies before 401 permits can be issued on future large pipeline projects. Sen. Creigh Deeds (D-25) passed two bills clarifying The Department of Environmental Quality's authority to stop work on the pipelines when construction violates permits. A moratorium on fracking in eastern Virginia gained bipartisan support and passed one committee before failing on a tie vote in the Senate Finance Committee. Sen. Lynwood Lewis (D-6) and Del. Gordon Helsel (R-91) co-sponsored the Virginia Alternative Energy and Coastal Protection Act.

A more environmentally-friendly House meant less time spent playing defense to stop bad policy proposals; however, several bills did require vigorous opposition. A narrowed coal tax credit was signed into law by the governor over the objections of the Sierra Club Virginia Chapter. The General Assembly also sent a bill to the governor's desk which would have prevented Virginia from taking meaningful action to reduce carbon pollution by hindering our ability to join the Regional Greenhouse Gas Initiative or other regional carbon markets. Gov. Northam vetoed this bill, which would have thwarted one of the administration's top priorities: reducing the commonwealth's carbon pollution.

On the following pages, you will read about the key bills we advocated for and against, followed by the scores of each senator and delegate. Legislator scores reflect encouraging trends, as all but eight of 49 House Democrats achieved 100 percent grades. along with nearly half of the Senate Democrats. Also of note, five Republicans in the house and three in the senate achieved scores above 65 percent. We celebrate the leadership that these environmental champions showed during session.

Looking ahead, we intend to continue to build bipartisan alliances in advance of the 2019 session to achieve real advances in clean energy and to protect our land, air and water. Sincerely,

Dest-Bob Shippee

Legislative Chair of the Virginia Chapter

Keeping Score

With the climate crisis unfolding rapidly and public health and safety consequences being felt far and wide, state-level climate and energy policies have never been more critical. At the same time, renewable energy sources like wind and solar are becoming more affordable than dirty fossil fuels. Unfortunately, Virginia's monopoly utilities are still pursuing short-sighted ways to profit off of dirty coal, gas and oil resources and limit access to clean energy solutions. Dominion Energy, especially, continues to use its deep pockets to lobby in favor of policies that harm our planet and put the burden on taxpayers and their customers.

Fortunately, the shift to a clean energy economy is underway, driven by robust and growing consumer demand. Public opinion across the political spectrum strongly favors clean renewable energy over dirty fossil fuels. With an active grassroots environmental movement demanding increased accountability and exposing corruption, we can cut pollution and build a clean energy future for all.

In Virginia, opportunities to participate in the law-making process can seem limited. Virginia's General Assembly sessions are shorter than those in many other states. Thousands of bills are filed and voted on in rapid succession during the 45-or-60-day window. Some bills are voted on with little notice on a public docket, curtailing the ability of interested citizens to weigh in. The Sierra Club Virginia Chapter releases this scorecard to increase transparency in the legislative process, and so voters can distinguish between the rhetoric and the reality of a lawmaker's record.

Check out the grade for your senator and delegate and let them know what you think! Thank them for supporting strong environmental policies or let them know that they need to do better to keep your vote. Send a letter or an email, make a phone call or, better yet, schedule a visit with your legislator — no matter how you contact them, be sure to let them know you saw their grades. You can find your elected officials online, at http:// virginiageneralassembly.gov.







Your Delegate's Name

Pocahontas Building PO Box 406 Richmond, VA 23218

Your Senator's Name

Senate of Virginia PO Box 396 Richmond, VA 23218



Making the Grade

Each legislator is graded on key votes over the course of a session of the Virginia General Assembly. The Sierra Club scores representative votes on legislation relating to climate change and energy policies that most clearly show a distinction between elected officials who took a pro-environmental position and those who did not. Some of these votes were cast in committee, but most were votes of the full state House or Senate.

For each vote aligned with the Sierra Club position a legislator receives one point. If they were also the patron of an environmental bill, that legislator receives one additional point for the session. Cumulative points are then divided by the total number of opportunities to vote on environmental

bills either in committee or on the floor. This percentage is printed in the scorecard. Each legislator is assigned a grade on the basis of their total score.

Hundreds of bills that impact our environment are introduced in the legislature each year. Our scorecard reflects only key votes on climate change and energy policy. This scorecard is one tool to understand your elected officials' performance on environmental issues. While we applaud recent improvements in transparency, some of what goes on during the General Assembly Session remains off the record, such as amendments changing the substance or impact of a bill and bills that are killed without a recorded vote.



Want to be part of the action?

If taking proactive steps to talk to your legislator before the votes are cast sounds like it could be for you, consider joining the Sierra Club's team of citizen lobbyists. For more information about becoming a Citizen Lobbyist, visit us online at http://vasierra.club/clc, or contact Corrina Beall at corrina.beall@sierraclub.org.



Rejecting Dominion's Money

There are many ways for legislators to demonstrate their commitment to good governance. One important way is for elected officials to stand up for no-strings-attached campaign finance by refusing money from monopoly electric utility companies.

Dominion Energy Virginia is a public utility providing a necessary service to customers throughout the commonwealth. However, as a regulated monopoly, Dominion's primary corporate objective is to maximize profit, not the public interest. So Dominion is motivated to make choices that favor its shareholders, even if those choices may be opposed to the broader interests of Virginians. As a result, our wallets, health and environment all suffer when state elected leaders allow the company to police themselves.

Dominion is Virginia's largest corporate political donor, having given over \$11 million in the past decade to lawmakers elected to regulate it. Alongside their political presence, Dominion advocates for an increase in consumer spending revealed through new rate add-ons for grid modernization and renewable energy projects, adding several dollars a month to residential bills. Appalachian Power Company, Virginia's other monopoly utility, has a much smaller political presence by comparison, but still donates hundreds of thousands of dollars each year to political campaigns.

The following elected officials have publicly committed to not accept donations from Dominion or Appalachian Power Company's political actions committees, executives and/or lobbyists.

Look for your representatives' names on this list of Virginia politicians who have pledged not to take contributions from regulated monopolies. If your representative is on the list, thank them! If they're not, contact them and encourage them to commit to not taking money from these public utility companies to reduce corruption in our state.

Thanks to legislators who signed the pledge to not accept money from Dominion Energy & Appalachian Power!



Del. Tran

Del. Sullivan

Del. Rodman

Del. Roem

Sierra Club Virginia Chapter 5

Del. VanValkenburg

Del. Turpin

The Importance of Bill Patrons

The Sierra Club appreciates legislators who introduce bills to advance clean energy and climate policy in Virginia.

The following patrons received "extra credit" on the scorecard this year.



Sen. Amanda Chase (R-11)

SB807 Coal Ash Moratorium

Sen. Creigh Deeds (D-25)

SB698 Erosion and sediment control Inspections of Fracked-Gas Pipelines

SB699 Stormwater Management Inspections of Fracked-Gas Pipelines

Sen. John Edwards (D-21)

SB324 Repealing Right-of-Entry for Fracked-Gas Companies

Sen. Barbara Favola (D-31)

SB191 Net Energy Metering; eligibility limits.

Sen. Emmett Hanger (R-24)

SB950 Fracked-Gas Pipeline Construction Permitting

Sen. Lynwood Lewis, Jr. (D-6)

SB265 Special Assistant to the Governor on Coastal Adaptation and Protection

SB696 Virginia Alternative Energy and Coastal Protection Act

Sen. Mamie Locke (D-2)

SJ19 Joint Subcommittee on Coastal Flooding

Sen. Jennifer McClellan (D-9)

SB908 Electric vehicle charging stations; local and public operation.

Sen. Jeremy McPike (D-29)

SB646 Electric utilities, fuel factor, gas pipeline capacity

Sen. Chap Petersen (D-34)

SB9 Ending the Rate Freeze; Returning the Cash SB278 Eminent domain proceedings; Prompt payment of funds.

Sen. William Stanley, Jr. (R-20)

SB429 Local Regulation on Solar Facilities

Sen. David Suetterlein (R-19)

SB837 Retail Markets for Renewable Energy

Sen. Glen Sturtevant, Jr. (R-10)

SB855 Energy efficiency programs; programs proposed by an electric utility

Sen. Scott Surovell (D-36)

SB951 Fracking Regional Moratorium SB807 Coal Ash Moratorium utility.

Sen. Frank Wagner (R-7)

SB894 Virginia Energy Efficiency Revolving Fund.

Sen. Jennifer Wexton (D-33)

SB711 Electric utilities; community renewable projects.

Del. John Bell (D-87)

HB58 Municipal Use of LED Lights

Del. David Bulova (D-37)

HB1273 Virginia Alternative Energy and Coastal Protection Act

HB922 Electric vehicle charging stations; local and public operation.

Del. Jennifer Carroll Foy (D-2)

HB182 Coal combustion residuals unit; closure by 2022.

Del. Elizabeth Guzman (D-31)

HB975 Electric utilities; new generation sources. HB978 Electric utilities; net energy metering,

standby charges

The Importance of Bill Patrons

Del. Greg Habeeb (R-8)

HB782 Electric utilities; battery deployment pilot programs.

Del. Gordon Helsel (R-91)

HB1273 Virginia Alternative Energy and Coastal Protection Act

Del. Keith Hodges (R-98)

HB508 Local Regulation on Solar Facilities

Del. Chris Hurst (D-12)

HB1187 Repealing Right-of-Entry for Fracked-Gas Companies

Del. Mark Keam (D-35)

HB392 Electric utility regulation; solar energy. HB393 Electric utilities; net energy metering, program cap.

Del. Terry Kilgore (R-1)

HB1252 Renewable energy power purchase agreements; pilot programs.

Del. Kaye Kory (D-38)

HB33 Electric utility regulation; approval of generating facilities.

Del. Joseph Lindsey (D-90)

HJ32 Coal dust blown from moving trains.

Del. Alfonso Lopez (D-39)

HB921 Virginia Public Procurement Act; allows public bodies to utilize cooperative procurement.

HB921 Virginia Public Procurement Act; allows public bodies to utilize cooperative procurement.

HB1590 Utility regulation; community choice aggregation.

Del. Michael Mullin (D-93)

HB1528 Electric utilities; retail competition.

Del. Sam Rasoul (D-11)

HB1141 Fracked-Gas Pipeline Construction Permittina

HB1294 Interstate natural gas pipeline construction; water quality impact bond; statewide halt.

Del. David Reid (D-32)

HB469 Electric vehicle; establishes tax credit on purchase or lease price.

HJ74 Study; Department of Labor and Industry; effect of the switch to electric vehicles; report.

Del. Marcus Simon (D-53)

HB1155 Distributed and renewable generation of electric energy; net energy metering.

Del. Chris Stolle (R-83)

HB345 Secretary of Coastal Protection and Flooding Adaptation.

HJ26 Coastal Flooding, Joint Subcommittee on; continued, report.

HJ27 Coastal flooding adaptation and resiliency report; JLARC to study.

Del. Rip Sullivan, Jr. (D-48)

HB204 Energy Benchmarking

HB1415 Net energy metering; schools.

HB560 Virginia Energy Efficiency Revolving Fund; created.

Del. David Toscano (D-57)

HB1018 Energy Storage System Tax Credit

HJ101 Study; Department of Mines, Minerals and Energy; use of energy storage devices; report.

Del. Kathy Tran (D-42)

HB1060 Electric utilities; net energy metering; program cap.

HB1253 Net energy metering by municipalities

Scorecard Vote Key

NV - Not Voting	When a legislator has left the room, was absent during vote, etc
ABS - Abstention	When a legislator abstains from voting due to conflict of interest, bias, etc
Failed to Report	The rejection of a motion to report a bill to the full chamber
Pass by Indefinitely	Action to allow a committee to reconsider legislation at a later meeting; if the committee takes no further action, the bill is dead

✓	Sierra Club
	Supported
×	Sierra Club
	Opposed

Fracked-Gas Pipelines

✓ SB950 & HB1141: Fracked-Gas Pipeline **Construction Permitting** Sen. Emmett W. Hanger, Jr. (R-24) Del. Sam Rasoul (D-11)

Companions Senate Bill 950 and House Bill 1141 require the State Water Control Board to analyze all activities that occur in upland areas before it may issuing permits for future interstate fracked-gas pipeline projects, including a Virginia Water Protection Permit and Individual Water Quality Certification under Section 401 of the federal Clean Water Act. The bill directs the Department of Environmental Quality to determine whether any activities not addressed by the Virginia Water Protection Permit are likely to result in adverse impacts on water quality. Additionally, it grants the state the right to veto an interstate fracked-gas pipeline project if it would violate water quality standards.

Senate Bill 950 was approved by both the House and Senate and signed into law by Gov. Northam.

✓ SB698: Energy Erosion and Sediment **Control Inspections of Fracked-Gas Pipelines** Sen. R. Creigh Deeds (D-25)

Senate Bill 698 authorizes The Department of Environmental Quality to conduct inspections during construction of large fracked-gas pipelines in order to determine if (i) pipelines comply with erosion and sediment control standards and specifications, (ii) pipelines comply with sitespecific plans, and (iii) there have been or are likely to be any adverse impacts to water quality as a result of pipeline construction and operation.

If there is believed to be a substantial threat to water quality, the DEQ is authorized to issue a stop work instruction on the relevant part of the site. Senate Bill 698 further requires written documentation of completion of the project by the company and approval by the DEQ in writing.

Senate Bill 698 was passed by both the House and Senate, and signed into law by Gov. Northam after several amendments.

SB699: Stormwater Management Inspections of Fracked-Gas Pipelines Sen. R. Creigh Deeds (D-25)

Similar to Senate Bill 698. Senate Bill 699 authorizes the Department of Environmental Quality to conduct inspections during construction of large fracked-gas pipelines in order to determine if (i) pipelines comply with stormwater management standards and specifications, (ii) pipelines comply with site-specific plans, and (iii) there have been or are likely to be any adverse impacts to water quality as a result of construction and operation. The bill authorizes DEQ to issue a stop work instruction at the site of violations when there has been a substantial adverse impact to water quality or that a substantial adverse impact to water quality is likely to occur. DEQ will have these tools at their disposal during any construction of the Mountain Valley and Atlantic Coast pipelines.

Senate Bill 699 was passed by both houses of the General Assembly and signed into law by Gov. Northam.

HB1187 & SB324: Repealing Right-to-Entry for Fracked-Gas Companies Del. Chris L. Hurst (D-12) Del. Sam Rasoul (D-11)

Sen. John S. Edwards (D-21)

Under current Virginia law, fracked gas and pipeline companies have the right to enter private property without consent of the owner. Companion bills House Bill 1187 and Senate Bill 324 would have repealed that law. This bill repeals the statute. Under existing law, gas companies are required to ask for permission via a notice of intent to enter private property. but they need not receive approval to enter the property and use vehicles, self-propelled machinery and power equipment in their work.

House Bill 1187 was left in the House Committee on Commerce and Labor (killed) without a vote. Senate Bill 324 was passed by indefinitely (killed) in the Senate Committee on Commerce and Labor by a 12-1 vote, with one member abstaining.

✓ SB951: Fracking Regional Moratorium Sen. Scott A. Surovell (D-36)

Gas deposits exist throughout Virginia, including in the coalbeds of Southwest Virginia and shale underlying the Shenandoah Valley and Tidewater Region. Industrial gas development and hydraulic fracturing, known as fracking threaten our land, air and water. Over the past decade, drillers have shown interest in expanding this industry from Southwest Virginia, where vertical drilling has occured for a number of years to the farmlands of the Shenandoah Valley and lowland communities under the aguifer. Senate Bill 951 would have prohibited fracking in the Eastern Virginia Groundwater Management Area.

Senate Bill 951 failed to report in the Senate Finance Committee on a tied 8-8 vote.

Dirty vs. Clean Energy

✓ SB807: Coal Ash Moratorium Sen. Scott A. Surovell (D-36) Sen. Amanda Chase (R-11)

Coal ash, a toxic byproduct of the coal burned for electricity in power plants, continues to sit in open pits at sites around the commonwealth. Because many of these sites predate modern state and federal solid-waste disposal safeguards, a large number of the coal ash waste sites are unlined and, in some cases, remain in contact with groundwater. This polluted groundwater flows into rivers and streams. Dominion Energy has advocated for an inadequate solution that will fail to protect Virginia's water. Senate Bill 807 delayed the decision for another year while full assessments of the ponds are completed to identify pollution issues and to evaluate closure options that will ensure the long-term safety and protection of natural resources. Under this bill, Dominion, because they own the coal ash ponds, must issue a request for proposal to conduct recycling or beneficial use projects.

Senate Bill 807 was passed by both the House and Senate and was signed into law by Gov. Northam.

✓ SB429 & HB508: Local Regulation of Solar **Facilities** Del. M. Keith Hodges (R-98) Sen. William M. Stanley, Jr. (R-20)

Companions Senate Bill 429 and House Bill 508 dealt with land use, putting language into

the state law that gives residents the right to put up solar panels on their own property for their own use, except where local ordinances specifically prohibit it, and subject to setback requirements, historic districts, etc.

Senate Bill 429 and House Bill 508 were passed by the General Assembly and signed into law by Gov. Northam.

✓ HB204: Energy Benchmarking Del. Richard C. "Rip" Sullivan, Jr. (D-48)

Energy efficiency enables consumers to use less energy to accomplish the same results. including heating, cooling, or lighting buildings, highways, and other areas, as well as operating appliances or machinery. Efficiency programs can reduce pollution, consumers' energy bills and the need for new energy generation. When energy use data is accessible, localities are empowered to make the best choices on how to save. House Bill 204 would have authorized localities to adopt ordinances requiring utilities, upon request by the owner of a 50,000 or more square foot building, to provide energy usage data for multiple utility accounts of customers receiving service in the building.

House Bill 204 was left (killed) in the House Committee on Counties, Cities, and Towns.

✓ HB58: Municipal Use of LED Lights Del. John J. Bell (D-87)

LED light bulbs are a great way to minimize energy use for lighting and reduce electricity costs. House Bill 58 would have required any state or local government agency that installs, replaces, or maintains an outdoor lighting fixture to use LEDs instead of traditional incandescent light bulbs unless the appropriate agency authority determines it is not cost efficient to do so. The bill created an exception to these requirements for the installation or replacement of light bulbs on state-owned property that is listed on the Virginia Landmarks Register or is certified by the Director of the Virginia Department of Historic Resources as contributing to historic significance. The bill also provided for the Department of General Services to include the requirement for the use of LEDs in the agency's purchasing regulations. Contracts entered into by the Department of Transportation on and after July 1, 2019, would be subject to the requirement.

House Bill 58 was left (killed) in the House Committee on Appropriations.

Utilities

✓ SB837: Retail Markets for Renewable Energy Sen. David R. Suetterlein (R-19)

Senate Bill 837 would allow customers of Dominion Energy Virginia to purchase 100 percent renewable energy from any licensed supplier, even if the electric utility offers a tariff for 100 percent renewable energy. This would let other electricity providers compete in monopoly-utility territory.

Senate Bill 837 was continued to the 2019 Session in the Senate Commerce and Labor Committee, where it could be considered again next year.

✓ HB1018: Energy Storage System Tax CreditDel. David J. Toscano (D-57)

House Bill 1018 would have established an income tax credit for a taxpayer's expenditures on energy storage systems between 2018 and 2022. An energy storage system, including battery back-ups, allow users to consume electricity at a later date or to offset electricity use at peak times. Storage systems are one way to achieve a more affordable, reliable, and sustainable electricity grid.

House Bill 1018 was left in the House Committee of Appropriations (killed) without a vote.

SB646: Electric Utilities, Fuel Factor, Gas Pipeline Capacity Sen. Jeremy S. McPike (D-29)

Senate Bill 646 would have directed the State Corporation Commission to disallow an electric utility's request to recover fuel costs resulting from the purchase by the public utility or its affiliate or subsidiary of a greater amount of firm pipeline capacity for fracked gas than the Commission finds is appropriate to ensure a reliable supply of fracked gas to utility customers. The measure also directed the Commission to conduct a proceeding to establish the proper amount of fracked-gas pipeline capacity that an electric utility needs to purchase under firm contract.

Senate Bill 646 was passed by indefinitely (killed) in the Senate Committee on Commerce and Labor.

✓ SB9: Ending the Ratepayer Ripoff and Returning the Cash
 Sen. J. Chapman "Chap" Petersen (D-34)
 10 Legislative Scorecard

In 2015, the Virginia General Assembly adopted SB1349, a controversial bill that stripped the authority of the State Corporation Commission to review publicly owned utility electric base rates and to order refunds of overcharges from January 1, 2015 to December 31, 2019. Base rates were frozen at a higher-than lawful rate of return, making passage of this bill extremely profitable for both Dominion Energy Virginia and Appalachian Power. Senate Bill 9 would have restored the authority of the State Corporation Commission to order refunds of overcharges by Virginia's publicly owned utilities, Dominion Energy Virginia and Appalachian Power Company.

Senate Bill 9 was passed by indefinitely (killed) in the Senate Committee of Commerce and Labor in a 13-1 vote.

SB378 & HB655: Coal Tax Credits Sen. A. Benton "Ben" Chafin (R-38) Del. Terry G. Kilgore (R-1)

Companions Senate Bill 378 and House Bill 665 reinstate the Coalfield Employment Enhancement Tax Credit. Which expired July 1, 2016, effective January 1, 2018. The tax credit will "sunset," or end if it is not extended by the legislature on January 1, 2023. The tax credit was narrowed to apply only to metallurgical, or "brown" coal, most commonly used in producing steel. Since coal tax credits began in 1988, the Commonwealth of Virginia has sent over \$610,580,000 to coal companies and utilities. The funds go to corporations and other business entities in the coal industry, not to coal miners. A Joint Legislative Audit and Review Commission's

report, the Review of the Effectiveness of Virginia Tax Preferences study, found that Virginia's coal tax credits do not effectively promote coal production and employment in Virginia, despite their large fiscal impact.

Senate Bill 378 passed both the Senate and House and was signed into law by Gov. Northam.

✓ SB966 & HB1558: Grid Transformation and Security Act, Amended by Del. Toscano

Sen. Frank W. Wagner (R-7)
Del. Terry G. Kilgore (R-1)
Del. Lamont Bagby (D-74)

Arguably the most significant bill of 2018, the "Grid Transformation and Security Act" rewrites the state's regulation of monopoly electric utilities. Defended by proponents as a fix to the wildly unpopular ratepayer ripoff enacted in 2015, the bill originally would have allowed Dominion to keep billions of dollars in excess earnings rather than return it to ratepayers, and put that capital into new infrastructure while billing customers twice for the cost or "double dip," among other profit-driven policy changes. On the eve of crossover, the House of Delegates passed its own version of the bill with a key amendment carried by Del. Toscano that stripped out the "double dip." Virginia's newly-emboldened House Democratic Caucus actualized its power on the floor with all 49 votes cast for the amendment. Six Republicans joined them, making the vote count 55-41, with two abstentions. Seeing the vote tally, Del. Habeeb called for an additional adoption, and urged his 41 colleagues to change their votes

and support the amendment. They did. This unlikely group of 55 rural conservatives and metropolitan-area progressives resulted in a better bill for both the environment and Dominion customers. The amended bill is very different from what was originally introduced, and the act now provides incentive for Dominion to invest in 5,500 megawatts of wind and solar energy and mandates up to one billion dollars in energy efficiency investments while reducing the State Corporation Commission's ability to reject costsaving energy efficiency proposals.

The vote scored here is the initial 55-41 vote in favor of the Toscano amendment. The Sierra Club Virginia Chapter removed its opposition to the bills shortly after this climactic moment.

Senate Bill B966 passed both chambers and was signed into law by Gov. Northam.

Climate Change

HB1270: Prohibiting Regional Greenhouse Gas Initiative (RGGI)

Del. Charles D. Pointdexter (R-9)

House Bill 1270 would have prohibited the governor or any state agency from adopting any regulation establishing a regional carbon pollution reduction program or state participation in the trading of carbon dioxide allowances in a regional market. If passed, the commonwealth could wonly participate in the Regional Greenhouse Gas Initiative if the House of Delegates and the Senate of Virginia each adopted a resolution that specifically referenced and approved adoption by a state agency. RGGI states agree among themselves on how many pollution allowances to offer for sale

each year, thereby creating a limit on pollution, and they gradually lower the cap each year. It is a flexible, market-based system where member states set the carbon pollution limit, and then power-plant owners decide how to stay below it. Revenue from the auction of pollution allowances goes back to the states to fund public benefit programs and initiatives decided by each state.

House Bill 1270 was passed in both and House and Senate, but Gov. Northam's veto prevented it from becoming law.

✓ HB1273 & SB696: Virginia Alternative Energy and Coastal Protection Act

Sen. Lynwood W. Lewis, Jr. (D-6)

Del. David L. Bulova (D-37)

Del. Gordon C. Helsel, Jr. (R-91)

Companions House Bill 1273 and Senate Bill 696 directed the state to formally join the Regional Greenhouse Gas Initiative and accept revenues generated from the sale of carbon pollution allowances at RGGI auctions. RGGI is a cooperative effort, currently comprised of nine states from Maine to Maryland, that limits and reduces carbon pollution from power plants to combat climate change. Under this bill, the Department of Environmental Quality would have had the authority to participate in carbon auctions and deposit the revenue in a fund to be utilized for public benefit. The bills specified that the funds be appropriated to Statewide Flooding Resilience Efforts, Statewide Energy Efficiency, Statewide Clean Energy Projects and Support, Southwest Virginia Economic Development Assistance, Agricultural Best Management Practices and Administrative Support.

House Bill 1273 was left (died for lack of vote) in Commerce and Labor; Senate Bill B696 was passed by indefinitely (killed) in Agriculture, Conservation and Natural Resources Committee on an 8-7 vote.

✓ SJ19: Joint Subcommittee on Coastal Flooding

Sen. Mamie E. Locke (D-2)

Climate change and sea level rise threaten every resident of the Commonwealth. Virginia's economy, infrastructure and coastal cities are at stake, as well as the readiness of one of the largest concentrations of military forces in the world. Senate Joint Resolution 19 continues the Joint Subcommittee on Coastal Flooding, a subcommittee that recommends short- and long- term strategies for minimizing the impact of recurrent flooding and coastal storms, for two additional years through the 2019 interim.

Senate Joint Resolution 19 was passed in both the Senate and the House.

SB265: Special Assistant to the Governor on **Coastal Adaptation and Protection** Sen. Lynwood W. Lewis, Jr. (D-6)

Companions Senate Bill 265 and House Bill 345 create the executive branch position of Special Assistant to the Governor for Coastal Adaptation and Protection. The bill provides that the assistant shall be the lead in developing and ensuring accountability for a statewide coastal flooding adaptation strategy. The bills direct the assistant to initiate and assist with economic development opportunities associated with adaptation, to advance academic expertise at the Commonwealth Center for Recurrent Flooding and Resiliency, and to pursue federal, state and local funding opportunities for adaptation initiatives.

Senate Bill 265 was passed by both the Senate and House and signed into law by Gov. Northam.





Senate Scorecard

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Party	District	Senator	2018 Score	Grade	SB9: Ending the Rate Freeze; Returning the Cash	SB265: Special Assistant to Governor on Coastal Adaptation & Protection	SB324: Repealing Right-to- Entry for Fracked-Gas Companies	SB429: Local Regulation on Solar Facilities	SB646: Electric utilities, fuel factor, gas pipeline capacity	SB696: Virginia Alternative Energy & Coastal Protection Act	SB698: Inspections of Fracked- Gas Pipelines
D	39	Barker	89%	В		✓		✓			✓
R	13	Black	17%	F	×	×	*	✓	*	*	×
R	40	Carrico	11%	F		×		✓			×
R	38	Chafin	33%	F	×	×	×	✓	×	*	✓
R	11	Chase	78%	С		✓		✓			✓
R	14	Cosgrove	45%	F	×	✓	*	✓	*		✓
D	16	Dance	69%	D	×	✓	*	✓	*	✓	✓
D	25	Deeds	100%	A+		✓		✓			✓
R	8	DeSteph	50%	F		✓		✓			×
R	12	Dunnavant	67%	D		✓		✓			✓
D	30	Ebbin	100%	A+		✓		✓		✓	✓
D	21	Edwards	89%	В		✓		✓			✓
D	31	Favola	89%	В		✓		✓			✓
R	24	Hanger	64%	D		✓		✓		*	✓
D	32	Howell	100%	A+		✓		✓			✓
D	6	Lewis	90%	А		✓		✓		✓	✓
D	2	Locke	100%	A+		✓		✓			✓
D	18	Lucas	82%	В		✓		✓	×		✓
D	37	Marsden	89%	В		✓		✓		✓	✓
D	1	Mason	89%	В		✓		✓		✓	✓

NV	Not voting
ABS	Abstention

√	Sierra Club Supported
×	Sierra Club Opposed

SB699: Stormwater Management Inspections of Fracked-Gas Pipelines	SB807: Coal Ash Moratorium	SB837: Retail Markets for Renewable Energy	SB950: Fracked- Gas Pipeline Construction Permitting	SB951: Fracking Moratorium	HB665: Coal Tax Credits	HB1270: RGGI Prohibition	Extra Credit	5 Year Average
✓	✓		✓	✓	*	✓		83%
×	✓	*	×		*	×		25%
×	×		×	*	×	×		32%
✓	×	×	✓		×	×		37%
✓	✓		✓		×	×	✓	n/a
×	✓	✓	×		×	×		45%
✓	✓	*	✓	✓	*	✓		85%
✓	✓		✓		✓	✓	✓	91%
×	✓		✓		*	×		49%
✓	✓		✓	×	×	×		n/a
✓	✓		✓		✓	✓		96%
✓	✓		✓		*	✓	✓	81%
✓	✓		✓		*	✓	✓	93%
✓	✓		✓	×	×	×	✓	60%
✓	✓		✓	✓	✓	✓		96%
✓	✓		✓		×	✓	✓	83%
✓	✓		✓		✓	✓	✓	93%
✓	✓	×	✓	✓	✓	✓		88%
✓	✓		✓		×	✓		92%
✓	✓		✓		×	✓		96%

Senate Scorecard

Party	District	Senator	2018 Score	Grade	SB9:	SB265:	SB324:	SB429:	SB646:	SB696:	SB698:
					Ending the Rate Freeze; Returning the Cash	Special Assistant to Governor on Coastal Adaptation & Protection	Repealing Right-to- Entry for Fracked-Gas Companies	Local Regulation on Solar Facilities	Electric utilities, fuel factor, gas pipeline capacity	Virginia Alternative Energy & Coastal Protection Act	Inspections of Fracked- Gas Pipelines
D	9	McClellan	100%	A+		✓		✓		✓	✓
R	4	McDougle	50%	F	×	*	*	✓	*		✓
D	29	McPike	100%	A+		✓		✓			✓
R	23	Newman	50%	F	×	✓	×	✓	×		✓
R	3	Norment	60%	D	×	✓	*	✓			✓
R	26	Obenshain	45%	F	×	×	ABS	✓		×	✓
R	22	Peake	25%	F		×		×			×
D	34	Petersen	90%	А		✓		✓		✓	✓
R	17	Reeves	38%	F		✓		✓			*
R	15	Ruff	60%	D		✓		✓		*	✓
D	35	Saslaw	67%	D	×	✓	*	✓	*		✓
D	5	Spruill	82%	В	×	✓	✓	✓	✓		✓
R	20	Stanley	38%	F	×	*	*	✓	*	×	*
R	28	Stuart	45%	F	✓	×	*	ABS		×	✓
R	10	Sturtevant	58%	F	×	✓	*	✓	*		✓
R	19	Suetterlein	50%	F		×		✓		×	✓
D	36	Surovell	89%	В		✓		✓			✓
R	27	Vogel	78%	С		✓		✓			✓
R	7	Wagner	38%	F	×	✓	×	✓	×		*
D	33	Wexton	100%	A+		✓		✓			✓

NV	Not voting
ABS	Abstention

✓	Sierra Club Supported
×	Sierra Club Opposed

							•	
SB699: Stormwater Management Inspections of Fracked-Gas Pipelines	SB807: Coal Ash Moratorium	SB837: Retail Markets for Renewable Energy	SB950: Fracked- Gas Pipeline Construction Permitting	SB951: Fracking Moratorium	HB665: Coal Tax Credits	HB1270: RGGI Prohibition	Extra Credit	5 Year Average
✓	✓		✓		✓	✓	✓	96%
✓	✓	×	✓	✓	*	×		44%
✓	✓		✓		✓	✓	✓	n/a
✓	✓	×	✓	*	×	×		40%
✓	✓		✓	*	*	×		63%
✓	✓	×	✓	*	×	×		33%
×	✓		✓		*	×		n/a
✓	✓		✓		×	✓	✓	91%
×	✓		×		×	×		34%
✓	✓		✓	*	×	×		51%
✓	✓	×	✓	✓	×	✓		78%
✓	✓	×	×		✓	✓		92%
×	✓	✓	✓		*	×	✓	38%
✓	✓	×	✓	✓	×	×		46%
✓	✓	×	✓		×	×	✓	n/a
✓	*		✓		×	×	✓	n/a
✓	✓		✓		*	✓	✓	94%
✓	✓		✓	✓	*	×		62%
✓	✓	×	×	×	*	×	✓	49%
✓	✓		✓		✓	✓	✓	92%



Party	District	Delegate	2018 Score	Grade	SJ19: Subcommittee on Coastal Flooding	SB378: Coal Tax Credits	SB699: Stormwater Management Inspections on Fracked-Gas Pipelines	HB58: Municipal Use of LED Lights
D	68	Adams, D	100%	A+	✓	✓	✓	
R	16	Adams, L	33%	F	✓	×	*	
D	63	Aird	83%	В	✓	*	✓	
R	19	Austin	67%	D	✓	×	✓	
D	51	Ayala	100%	A+	✓	✓	✓	
D	74	Bagby	100%	A+	✓	✓	✓	
D	87	Bell, J.	100%	A+	✓	✓	✓	
R	20	Bell, R. P.	33%	F	✓	×	×	
R	58	Bell, R. B.	50%	F	✓	×	✓	
R	100	Bloxom	43%	F	✓	×	✓	
D	71	Bourne	100%	A+	✓	✓	✓	
D	86	Boysko	100%	A+	✓	✓	✓	
R	64	Brewer	43%	F	✓	*	*	
D	37	Bulova	100%	A+	✓	✓	✓	
R	22	Byron	44%	F	✓	*	✓	
R	6	Campbell	33%	F	✓	×	NV	
D	69	Carr	100%	A+	✓	✓	✓	
D	2	Carroll Foy	100%	A+	✓	✓	✓	
D	50	Carter	100%	A+	✓	✓	✓	
R	24	Cline	43%	F	✓	×	*	
R	88	Cole	29%	F	✓	×	*	
R	29	Collins	50%	F	✓	×	✓	
D	21	Convirs-Fowler	100%	A+	NV	✓	✓	
R	66	Cox	50%	F	✓	*	✓	
R	84	Davis	50%	F	✓	×	✓	

NV	Not voting
ABS	Abstention

√	Sierra Club Supported
×	Sierra Club Opposed

HB204: Energy Benchmarking	HB508: Local Regulation of Solar Facilities	HB1018: Energy Storage System Tax Credit	HB1187: Repealing Right-to-Entry for Fracked-Gas Companies	HB1270: RGGI Prohibition	HB1273: Virginia Alternative Energy & Coastal Protection Act	HB1558: Grid Transformation and Security Act - Toscano Amendment	Extra Credit	5 Year Average
	✓			✓		✓		n/a
	✓			×		×		31%
	✓			✓		✓		n/a
	NV			NV		NV		59%
	✓	✓		✓		✓		n/a
	✓			✓		✓		n/a
✓	✓			✓		✓	✓	n/a
	✓			×		*		34%
	✓			×		*		37%
	×	✓		×		×		54%
	✓		✓	✓	✓	✓		n/a
✓	✓			✓		✓		n/a
	✓	✓		×		*		n/a
	✓			✓		✓	✓	96%
	✓	✓	×	×	×	*		41%
×	✓			×		*		49%
	✓			✓		✓		96%
	✓			✓		✓	✓	n/a
	✓	✓		✓		✓		n/a
	✓	✓		×		×		36%
	✓	×		×		×		28%
	✓			×		×		n/a
	✓			✓		✓		n/a
	✓			×		×		55%
	✓			×		×		54%



			1144					
Party	District	Delegate	2018 Score	Grade	SJ19: Subcommittee on Coastal Flooding	SB378: Coal Tax Credits	SB699: Stormwater Management Inspections on Fracked-Gas Pipelines	HB58: Municipal Use of LED Lights
D	67	Delaney	100%	A+	✓	✓	✓	
R	60	Edmunds	50%	F	✓	×	✓	
R	59	Fariss	33%	F	×	×	✓	
D	41	Filler-Corn	100%	A+	✓	✓	✓	
R	55	Fowler	57%	F	✓	×	✓	
R	30	Freitas	43%	F	✓	×	×	
R	23	Garrett	50%	F	✓	×	✓	
R	15	Gilbert	50%	F	✓	×	✓	
D	10	Gooditis	100%	A+	✓	✓	✓	
D	31	Guzman	100%	A+	✓	✓	✓	
R	8	Habeeb	63%	D	✓	×	✓	
D	77	Hayes	100%	A+	✓	✓	✓	✓
R	17	Head	43%	F	✓	*	✓	×
R	91	Helsel	57%	F	✓	*	✓	
D	79	Heretick	80%	В	✓	*	✓	
D	46	Herring	100%	A+	✓	✓	✓	
R	98	Hodges	57%	F	✓	*	✓	
D	47	Норе	100%	A+	✓	✓	✓	
R	40	Hugo	50%	F	✓	*	✓	
D	12	Hurst	86%	В	✓	×	✓	
R	62	Ingram	43%	F	✓	×	✓	×
D	80	James	83%	В	✓	×	✓	
D	89	Jones, J	100%	A+	✓	✓	✓	
R	76	Jones, S. C.	60%	D	✓	×	✓	
D	35	Keam	100%	A+	✓	✓	✓	

NV	Not voting
ABS	Abstention

✓	Sierra Club Supported
×	Sierra Club Opposed

HB204: Energy Benchmarking	HB508: Local Regulation of Solar Facilities	HB1018: Energy Storage System Tax Credit	HB1187: Repealing Right-to-Entry for Fracked-Gas Companies	HB1270: RGGI Prohibition	HB1273: Virginia Alternative Energy & Coastal Protection Act	HB1558: Grid Transformation and Security Act - Toscano Amendment	Extra Credit	5 Year Average
	✓			✓		✓		n/a
	✓			×		×		47%
	ABS	✓		×		×		48%
	ABS	✓		✓		✓		97%
	✓	✓		×		×		58%
	✓	✓		×		×		n/a
	✓			×		*		57%
	✓			×		×		27%
	✓			✓		✓		n/a
	✓			✓		✓	✓	n/a
	✓		✓	×	NV	*	✓	50%
	NV			✓		✓		96%
	✓			×		*		43%
	✓			*		*	✓	63%
×	✓	✓	✓	✓	✓	✓		n/a
	✓			✓		✓		97%
	✓			×		*	✓	n/a
	✓			✓		✓		97%
	✓	✓	NV	×	×	*		58%
	✓			✓		✓	✓	n/a
	✓			×		*		57%
	✓			✓		✓		81%
	✓	✓		✓		✓		n/a
	✓			×		ABS		51%
	✓	✓		✓		✓	✓	95%



Party	District	Delegate	2018 Score	Grade	SJ19: Subcommittee on Coastal Flooding	SB378: Coal Tax Credits	SB699: Stormwater Management Inspections on Fracked-Gas Pipelines	HB58: Municipal Use of LED Lights
R	1	Kilgore	43%	F	NV	×	✓	
R	81	Knight	43%	F	✓	×	✓	×
D	38	Kory	100%	A+	NV	✓	✓	
D	44	Krizek	100%	A+	✓	✓	✓	
R	25	Landes	67%	D	✓	×	✓	
R	33	LaRock	33%	F	✓	×	*	
R	78	Leftwich	60%	D	✓	×	✓	
D	45	Levine	100%	A+	✓	✓	✓	
D	90	Lindsey	88%	В	✓	×	✓	
D	49	Lopez	100%	A+	✓	✓	✓	
R	14	Marshall	38%	F	✓	×	✓	
R	56	McGuire	43%	F	✓	×	✓	
D	70	McQuinn	100%	A+	✓	✓	✓	
R	82	Miyares	50%	F	✓	×	✓	
R	3	Morefield	50%	F	✓	×	✓	
D	93	Mullin	100%	A+	✓	✓	✓	
D	34	Murphy	100%	A+	✓	✓	✓	
R	5	O'Quinn	38%	F	✓	×	✓	
R	54	Orrock	57%	F	✓	×	✓	
R	97	Peace	50%	F	✓	×	✓	
R	4	Pillion	43%	F	✓	×	✓	
D	36	Plum	100%	A+	✓	✓	✓	
R	96	Pogge	57%	F	✓	×	✓	
R	9	Poindexter	14%	F	×	×	✓	×
D	95	Price	100%	A+	✓	✓	✓	

NV	Not voting
ABS	Abstention

√	Sierra Club Supported
×	Sierra Club Opposed

HB204: Energy Benchmarking	HB508: Local Regulation of Solar Facilities	HB1018: Energy Storage System Tax Credit	HB1187: Repealing Right-to-Entry for Fracked-Gas Companies	HB1270: RGGI Prohibition	HB1273: Virginia Alternative Energy & Coastal Protection Act	HB1558: Grid Transformation and Security Act - Toscano Amendment	Extra Credit	5 Year Average
	✓			×	×	×	✓	51%
	✓			×		×		53%
	✓	✓	✓	✓	✓	✓	✓	95%
	✓			✓		✓		n/a
	✓			×		✓		35%
	×			×		✓		34%
	✓			×		ABS		55%
	✓			✓		✓		n/a
	✓	✓		✓		✓	✓	n/a
	✓			✓		✓	✓	98%
	✓		×	×	×	×		54%
×	✓			×		×		n/a
	✓			✓		✓		96%
	✓			×		×		n/a
	✓			×		×		53%
	✓			✓		✓	✓	n/a
	✓			✓		✓		n/a
	✓		×	×	×	×		43%
	✓	✓		×		×		58%
	✓			×		×		53%
×	✓			×		×		n/a
	✓			✓		✓		95%
	✓	✓		×		×		47%
×	*			×		NV		23%
	✓			✓		✓		n/a



			115					
Party	District	Delegate	2018 Score	Grade	SJ19: Subcommittee on Coastal Flooding	SB378: Coal Tax Credits	SB699: Stormwater Management Inspections on Fracked-Gas Pipelines	HB58: Municipal Use of LED Lights
R	99	Ransone	43%	F	✓	NV	✓	
D	11	Rasoul	100%	A+	✓	✓	✓	
D	32	Reid	100%	A+	✓	✓	✓	
R	27	Robinson	50%	F	✓	×	✓	
D	73	Rodman	100%	A+	✓	✓	✓	
D	13	Roem	100%	A+	✓	✓	✓	
R	7	Rush	67%	D	✓	*	✓	
D	43	Sickles	83%	В	✓	*	✓	
D	53	Simon	100%	A+	✓	✓	✓	
R	83	Stolle	50%	F	✓	*	✓	×
D	48	Sullivan	100%	A+	✓	✓	✓	
R	28	Thomas	43%	F	✓	*	✓	
D	52	Torian	71%	С	✓	*	✓	×
D	57	Toscano	100%	A+	✓	✓	✓	
D	42	Tran	100%	A+	✓	✓	✓	
D	85	Turpin	100%	A+	✓	✓	✓	
D	75	Tyler	71%	С	✓	*	✓	✓
D	72	VanValkenburg	100%	A+	✓	✓	✓	
D	92	Ward	100%	A+	✓	✓	✓	
R	65	Ware	71%	С	✓	*	✓	
D	39	Watts	100%	A+	✓	✓	✓	
R	18	Webert	50%	F	✓	*	✓	
R	26	Wilt	67%	D	✓	*	✓	
R	61	Wright	50%	F	✓	*	✓	
R	94	Yancey	50%	F	✓	*	✓	

NV	Not voting
ABS	Abstention

√	Sierra Club Supported
×	Sierra Club Opposed

HB204: Energy Benchmarking	HB508: Local Regulation of Solar Facilities	HB1018: Energy Storage System Tax Credit	HB1187: Repealing Right-to-Entry for Fracked-Gas Companies	HB1270: RGGI Prohibition	HB1273: Virginia Alternative Energy & Coastal Protection Act	HB1558: Grid Transformation and Security Act - Toscano Amendment	Extra Credit	5 Year Average
	✓		×	*	*	×		52%
	✓			✓		✓	✓	95%
	✓			✓		✓	✓	n/a
	✓			×		×		45%
	✓			✓		✓		n/a
	✓			✓		✓		n/a
	✓			×		✓		56%
	✓			✓		✓		92%
	✓			✓		✓	✓	95%
	✓			*		×	✓	61%
	✓	✓		✓		✓	✓	n/a
*	✓			*		×		n/a
	✓			✓		✓		80%
	✓			✓		✓	✓	98%
	✓			✓		✓	✓	n/a
	✓			✓		✓		n/a
	×			✓		✓		88%
	✓			✓		✓		n/a
	✓		NV	✓	✓	✓		98%
	✓	✓		×		✓		62%
	✓	✓		✓		✓		92%
	✓			*		×		51%
	✓			×		✓		61%
	×			×		✓		54%
	✓			*		×		62%





Founded by legendary conservationist John Muir in 1892, the Sierra Club is now the nation's largest and most influential grassroots environmental organization—with more than 3.5 million members and supporters. Our successes range from protecting millions of acres of wilderness to helping pass the Clean Air Act, Clean Water Act and Endangered Species Act. More recently, we've made history by leading the charge to move away

from the dirty fossil fuels that cause climate disruption and toward a thriving clean energy economy.

The Virginia Chapter is part of the national Sierra Club. The Sierra Club Virginia Chapter is over 20,000 members strong and growing. We are your friends and neighbors working to build healthy, livable communities, and to conserve and protect our climate and environment.