

VCN NEWS



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Spring 2004 VOL. XI NO. 1

Letter from the President

Dear Friends,

Since that beautiful October Saturday in Roanoke when I became the president of VCN much has happened. And I am proud to be a part of it. VCN moved quickly to prepare for the upcoming General Assembly Session. Our preparations this year were different because we (VCN) made a change in our by-laws at that October meeting that allowed us to establish legislative priorities reflecting our mission: the protection of the Commonwealth's air, lands and waters for the benefit of its citizens. The Legislative Priorities then led to VCN making statements of Positions that directed our action on key environmental bills. Many VCN member organizations participated in this process. You will read elsewhere in this newsletter the outcome of the session but I want to comment on this new dimension for VCN. There were no claps of thunder or bolts of lightning because we made this change but VCN's voice has grown stronger and we are a voice that speaks to the issues confronting Virginia's environment constructively, consistently and frequently.

In addition to the hard work of the Legislative Committee during the session, VCN has been hard at work in other ways. To highlight a few, we have Board committees that are working on the focus of VCN programs, the needs of our members and of course continuing to develop our donor base and fundraising efforts.

All of our work is in service to our mission. To paraphrase Marjory Stoneman Douglas from the opening in her book *The Everglades* "There is no other Virginia in the world." VCN will continue to work untiringly to have air that is breathable, water that is drinkable and swimmable and land that is protected and preserved. We appreciate the work and support of our many members and friends in this challenge.

Martha Wingfield

Save the Date for the 2004 Virginia Environmental Assembly Saturday, September 18, 2004 Barboursville Winery, Orange County

This year, VCN will team up with the Piedmont Environment Council (PEC) in a one-time combined event of Virginia Environmental Assembly (VEA) and the PEC Annual Meeting.

The theme of the day's activities will be Reconnecting Virginia, and will include workshops and special features that provide a comprehensive look at the connection between the environment and the Commonwealth's major rail and road transportation corridors. This year's keynote address will be given by Hank Dittmar, President and CEO of Reconnecting America. Mr. Dittmar co-founded Reconnecting America to expand the mission and work of the Great American Station Foundation, which revitalized historic rail

stations to improve rail access and intermodal connections and stimulate community development.

The event will take place at the Barboursville Ruins on the grounds of the Barboursville Winery in the Madison-Barbour Rural Historic District of Orange County, Virginia. The site was the home of James Barbour, governor of Virginia from 1812 to 1814.

Inside this issue:

<i>Executive Director's Report</i>	2
<i>New Campaigns</i>	2
<i>Legislative Report</i>	3
<i>Friends of the Rappahannock Success Story</i>	4-5
<i>Capacity Building Program</i>	6
<i>Thanks to our Legislative Contact Teams</i>	7
<i>Member Organizations and Donors</i>	Insert

Executive Director's Column

I am nearing the end of my first year with VCN. Having been through a complete annual cycle, I have a great appreciation for the way all of the activities of VCN come together to further its Mission of protecting the Commonwealth's air, land, and waters for the benefit of the people.

On the opposite page you will read about the VCN work groups and the issues they will be working on over the summer. On page 6, you will learn about this year's specialized training for the LCT volunteers and our member organizations. On page 7 there is a great big THANK YOU to our members and to the LCTs who carried the message about Virginia's environment to our legislators during the 2004 Session.

With this newsletter, there is an insert listing member organizations for the year 2003, the more than 200 individuals who made donations to VCN in 2003, and those foundations that support the VCN programs. We are very grateful for this support.

As we move into our summer program, we will have an intern from the College of William and Mary to assist in our work on adequate public facilities legislation. VCN is being supported in this effort by a grant from the Prince Charitable Trusts. Our capacity building program in the Piedmont Area is supported by a grant from the Agua Fund.

Keep up to date with what is happening in the Network by visiting our website – www.vcnva.org. We made changes to the home page to make it easy to read and for you to find information of interest. There is a lot happening at VCN – we are here working for you and Virginia's environment.

VCN Member Organizations

Have You Paid Your Membership Dues? We are almost halfway through our membership year. If you are listed on the insert but have not yet paid your 2004 dues, please do so.

Not a Member? If you are not on the list and wish to become a VCN member, visit our website - www.vcnva.org - and click on "Join the Network!" for information.

New Campaigns at VCN

The VCN Program of Activities Committee, chaired by Peter deFur, has developed two new priority campaigns for VCN. These are in addition to the basic VCN campaigns of *grassroots and organizational capacity building* (see pages 6 & 7) and *environmental policy research and education* (see page 3).

Sustainable Virginia is one of the new initiatives. Its thrust is to create and advance a common, environmentally sound vision of Virginia -- an environmental greenprint for the Commonwealth. A first output will be creation of a "state of the environment" report.

The other new initiative is for a *regional focus for the environment*. One focus is to work in areas where there is a gap in organized efforts on environmental issues. Another is to continue to enhance the capacity of existing organizations and to help in putting local issues in a regional and statewide context.

VCN will be seeking funding support for these new campaigns. Members who have an interest in them and who would like to shape their direction are urged to contact VCN staff.

Virginia Conservation Network is **the only statewide network of conservation organizations**. VCN serves member organizations through:

Citizen Lobby Days
VCN Newsletter
Email Alerts
VCN Website
Legislative Forums
Virginia Environmental Assembly

Please consider a donation to VCN in the amount of \$50, \$100, \$250, or \$500.

Go to www.vcnva.org and make a donation online or send your check to Virginia Conservation Network, 1001 East Broad St., Suite LL35-C, Richmond, VA 23219.

Legislative Report

The 2004 General Assembly Session marked the first year that VCN had a formal program for taking positions on legislative proposals. All in all, 37 issues or bills were addressed. For a complete listing and their disposition visit the Issues and White Papers Page on our website.

In summary, the disposition of those items identified as the VCN Legislative Priorities for the Session were:

Natural Resources Funding:

While the proposal for a special dedicated fund was not adopted, \$30,000,000 was placed in the Water Quality Improvement Fund split evenly for point and non-point programs. \$5,000,000 was placed in the Land Conservation Fund. In addition, \$800,000 was provided to the Virginia Outdoors Foundation through HB 549 (May).

Adequate Public Facilities (APF):

Many bills were introduced (approximately a dozen), however only one, SB393 (Quayle), pertaining to schools had much of a hearing. But due to the work done over last summer, all of the bills have been sent to the Growth Commission which was given an extended life (HJ 170) specifically to address APF legislation.

Air – multi-pollutant “Clean Smokestacks”:

Although HB 1472 (Reid) was carried-over, it was well received. During the summer there will continue discussion on the bill and working through any problem areas.

Land Use and Transportation along I-81:

A bill that would have removed toll restrictions on I-81 and, thus, made an easier case for a road widening only approach to I-81 was stalled in committee and carried-over. The debate on that bill put attention on the I-81 corridor situation. SB 413 that would have created a Rail Authority and would help in advancing a rail alternative had general support but it died in committee on matters not directly related. A new version of the bill will be introduced in 2005.

Water Policy and Permitting:

Activity in this area was in the form of holding the line and fighting back attempts to weaken the water planning effort put forward in SB1212 of the 2003 Session and legislative actions that would have accommodated the proposed King

William Reservoir project. These represented the most controversial environmental issues during the Session and the results were favorable to the environment.

FOLLOW-UP & SUMMER ACTIVITY

Work in the legislative arena is a part of the VCN *campaign for environmental policy research and education*. With VCN being a member-based organization and having a small staff, we rely on individuals from our membership to help in the research and policy development. This takes the form of the VCN Work Groups.

Participation from any of the VCN member organizations is encouraged. The work group meetings occur via conference calls. For information on participation call David at the VCN office 804-644-0283.

WORK GROUPS FOR 2004

The work groups for 2004 are listed below along with the carry-over and legislative committee work they will be addressing. Their work is not limited to these items and other matters may be brought forward by member organizations.

Smart Growth and Transportation:

APF and the Growth Commission / I-81 Issues / the Rail Authority / Water Quantify and Zoning / the PPTA / Air Quality and Vehicle Miles Traveled (VMT) / Infrastructure Funding / Housing Study Commissions items

Rural Issues and Land Conservation:

Forest Land Incentives / Agricultural Enterprise Zones / Recordation Tax for PDRs / Preservation Tax Credit Issues / Land Conservation Issues / Funding

Water:

The Water Policy TAC (SB1221-2003 Session) / Nutrient Management Plans (HJ 72) / Sewer Fee (HB1418) / Tipping Fee (HB1462) / Funding

Clean Air Advocates:

Clean Smokestacks (HB1427) / Air Quality and VMT / Ozone non-attainment / and many other items

VCN WEBSITE

Go to www.vcnva.org for a calendar of environmental events around the state, current newspaper articles, background information on issues, and other interesting information.

Have suggestions how we can make the site more useful to you?

Email them to vcnmembers@aol.com

Friends of the Rappahannock Success Story

Many of you have probably recently read in the newspaper about the removal of the Embrey Dam. Friends of the Rappahannock is a VCN member organization and we wanted to profile their success story.

When FOR was formed in 1985, several of the founding members were veterans of the fight against the proposed Salem Church Dam on the Rappahannock in the 1960's. The genesis of FOR came about with the participation of business owners, politicians, and community members who recognized the special heritage of the Rappahannock River and its resources. It was right in step with larger regional concerns about the Chesapeake Bay and related programs to connect citizens with issues in their own river basins. One of those concerns was the decline in migratory fish stocks, such as shad, herring, and striped bass. There are people living today who have seen spring times in their youth when the Rappahannock was so alive and filled with fish that it appeared a person could walk across the river on their backs.

FOR recognized the single most important barrier to productive fish spawning in the Rappahannock was Embrey Dam. The removal of Embrey Dam became one of FOR's major goals.

In the mid-1990's, a new city/county water deal made it clear that the City of Fredericksburg's Cossey water plant could be closed; the last remaining major "need" for the dam was gone. At that time FOR began a concerted advocacy program with elected officials in the City of Fredericksburg and Stafford County.

FOR sponsored community education forums in partnership with DGIF to tell the story of fisheries of the Rappahannock and ongoing work elsewhere on Virginia rivers to restore passage that had been blocked by dams. FOR kept the visibility of fish passage in the public imagination by working with the VaDGIF to stage bucket brigades. For several springs, people formed a line to lift and carry buckets of shad and herring around and over the dam to continue upstream to spawn.

FOR's advocacy strategy at that point had 4 main goals:

To educate the officials on the importance of migratory fish and declining stocks in the Rappahannock and in the Chesapeake Bay, the impediment that the dam posed to migratory fish, and the economic / recreational impacts that were associated with lost spawning grounds.

To explain how alternative measures, such as fish elevators and other solutions, were not appropriate at Embrey

because of the large height.

To explain the safety hazard presented by the dam, and educate the officials on the engineering reports that indicated that the dam was seriously deteriorating and would eventually fail unless rehabilitated through expensive construction.

To understand the historic resources that would be impacted by a dam breach or removal, and the City's need for keeping water in the historic canal for aesthetic reasons and to seek solutions that would mitigate those concerns.

In Stafford County and the City, FOR met with every elected official, the directors of public works, and the County Administrator / City Manager; some several times. Communications were frequent. The focus of the meetings was to ASK what their concerns were about potential removal of the dam; to LISTEN, and to seek needed information to move to the next discussion and decision level.

FOR made a list of all the concerns raised by the local government officials and set out to get answers to find ways to address all of the concerns.

Some of the major concerns included:

- Costs to localities
- Maintaining water in the City Canal
- Release of the sediment, potential downstream effects such as flooding.
- Release of mercury or other toxins that may be in the sediment from upriver gold mining operations.
- Sedimentation of the City Dock/Ferry Farm area
- Effects on water level at upriver intakes (Stafford)
- Loss of flood protection in the City
- Loss of sediment removal ability provided by the dam.

There were quite a few concerns and misconceptions about the potential effects of removing the dam. After gathering more information, FOR conducted follow up meetings and phone calls with numerous officials to help dispel those concerns. Slowly, as these misconceptions were addressed, FOR began to see a softening in response of local government leaders. The main issues that remained were

- Cost and funding sources
- Keeping water in the Canal
- Dealing with the sediment

FOR initiated and coordinated two large meetings of staff for key agencies and individuals that could be potentially helpful or needed to be involved with restoring fish passage. FOR member Marcia Keener chaired the first meeting and recalls that "It was surprising how many people we got around the table from every possible angle on the vision of restoring fish passage and how easily everyone became known to each other and exchanged information that contributed to the solution." Representatives at the meeting kept the momentum at a fast pace by sharing breaking information from their respective localities or agencies during this stage of information-sharing and trouble-shooting.

At about that time, Sen. Houck, the architect of the Rappahannock River Basin Commission, pushed forward a bill that got the Commonwealth to conduct an Embrey Dam feasibility study. Having already generated a comprehensive list of the major issues of concern, FOR played a major role in setting the agenda for the study. When the VaDGIF "request for proposals" for the Dam study was released, much of it was nearly verbatim from FOR's recommended scope of work.

When the Commonwealth's study was complete, it found that complete removal of the dam was the least cost option in the long term to achieve the goal of restoring fish passage. FOR continued meetings with local government staff to convey this point, and to emphasize that the sediment issue and the issue of keeping water in the canal could be addressed with engineering measures.

Lack of funding for dam removal was the last major obstacle that all parties identified. Having found little hope of obtaining the necessary resources from local or state government, despite their support, FOR began the effort to look for federal funding.

In 1996 FOR hosted Senator John Warner for a roundtable discussion with its board and a fishing trip below the dam. *"As we fished below the Dam, it was a great opportunity to talk one-on-one with the Senator about the dam and the river. I'll never forget what happened as we walked down the canal road at the end of the day. He said to me, 'If you all can demonstrate that there is community consensus to take down this dam, I will take it on as a personal project.' That was the turning point for Embrey."* - John Tippett, FOR Executive Director

Once FOR could demonstrate that community consensus had been achieved in support of dam removal, the Senator acted quickly to arrange the appropriation of \$100,000 for a Federal "Reconnaissance" Study of the dam. The study concluded that there was "significant federal interest" in the removal of the Dam.

In a meeting at Brompton on the future of Embrey Dam, Senator Warner asked the question "Is anyone here OPPOSED to the removal of the dam?" A silence followed. "Hearing no objections, the only question is HOW we do it, not WHETHER". The Senator's involvement crystallized local commitment and began to build momentum for the project.

A major potential obstacle, however, was the question of LOCAL MATCH funding. Typically federal funding for dam removal requires a non-federal match. If the Corps were to be involved, upwards of 40% of the total projected cost of \$10 million would need to be covered by state and local entities.

When it became apparent that the local and state agencies would have difficulty supporting the cost share for the project, Senator Warner included language in the Water Resources Development Act for the Authorization of up to \$10 million to be spent for the removal of Embrey Dam, effectively waiving the non-federal share requirement.

On Earth Day 2000, FOR hosted Senators Warner & Robb, State Sen. Houck, the head of the Norfolk District Corps of Engineers, and a roomful of local elected officials and dignitaries for a media announcement on the plans to remove the Embrey Dam, with the Federal government underwriting the entire cost. This was nearly unprecedented for the Corps of Engineers.

FOR worked to be a resource to the Corps during its deliberations concerning how to address the sediment behind the dam. FOR argued successfully for removal, based on the goals of the Rappahannock Tributary Strategy and potential for downstream impacts to bottom-dwelling organisms.

Friends of the Rappahannock has set the stage for a sustainable river basin at every opportunity, speaking for the many uses of the river and taking action through example and partnership. The future of the fish runs depends upon a clean, viable river as does human enjoyment of the river's recreational amenities, including the fish. There are many more chapters to this story, including State Scenic River designation for the Rappahannock that FOR achieved despite apparently overwhelming opposition based on misconceptions. The story of the ancient lineage of our native migratory fish continues with the voice of people who have recently joined the area and those who have yet to speak about the importance of our Rappahannock River heritage.

For additional information contact :
John Tippett
P.O. Box 7254, Fredericksburg, VA 22404
phone: (540)373-3448, fax: (540)373-8111
cleanriver@pobox.com
Website: <http://for.communitypoint.org/>

CAPACITY BUILDING AND LCT TRAINING – SUMMER OF 2004

Once again VCN and the Virginia League of Conservation Voters Education Fund are teaming up to provide summer training programs as a part of our *campaign for grassroots and organizational capacity building*. This is the fifth year of training that has been coordinated and conducted by Ellen Shepard, VCN's Program Coordinator. [See Box for previous activity]

There are two aspects to this year's program.

One is "advanced" training for LCTs and for individuals in our member organizations. The topic is *communication* and will focus on audience assessment, message delivery, persuasion, and phone techniques. The Sessions will be held in Roanoke, Staunton, Richmond, Norfolk, and Northern Virginia. They will occur in July and August.

Check the VCN website – on the *Capacity Building and Training Page* – for more information and for a schedule of this year's training.

The other aspect is the basic *Legislative Process Training*. In this training, individuals learn about the legislative process in Virginia and how to contact and work with their elected officials at all levels. There will be, at least, two basic trainings this summer. Member organizations are encouraged to contact VCN if you would like to have the Legislative Process training session in your area.

Previous VCN Capacity Building & Training

2000 - The Environmental Road Show (8 locations)
2001 - The Environmental Road Show (8 locations)
2002 - Environmental Campaigns that Win Victories and Strengthen Organizations (4 places)
2003 - The Legislative Process (4 locations)

VCN Action Alerts and LCT Activity

In the 2004 Session, VCN issued 9 VCN E-Alerts. The alerts and the disposition of the bills were:

HB 549 – Deed recordation fee for open space preservation – PASSED*

HB 794 & SB 420 – Directing VMRC to convey easements for the proposed King William Reservoir – DEFEATED*

HB 905 – Enabled tolls for cars on I-81 – CARRIED OVER*

Budget* – to the conferees – essentially the dollar amounts sought by the environmental community were provided some language and smaller items were not.

HB 693 & SB 569 – would create a Historic and Natural Resources Fund – although the Fund was not created, the funding was provided for the WQIF and LCF* (see page 3)

SB 393 – APF for Schools – although carried-over, SB 393 did have serious consideration and will have further study over the summer*.

SB 413 – Rail Authority – the bill failed in one committee after being passed in another. There was good support for the concept put some problems in the details*.

SB 614 – Occoneechee State Park, accommodating non-park construction – Passed.

SB 670 – US 29 By-pass – modifications to the bill lessened its impact

LCT RECRUITMENT - - -

Did you and members of your VCN organization miss out on activity during the 2004 Session? Would you like your organization to be more active in having an effect upon environmental policy and how it affects your area of interest and region? If so, visit our website or call the VCN office to find out about opportunities to be a member of a **LCT – Legislative Contact Team** and to have even greater access to the resources and support of VCN.

THANK YOU – LCT MEMBERS !!!

Through the combined efforts of the Virginia League of Conservation Voters Education Fund and the Virginia Conservation Network, along with independent efforts of member organizations, the environmental and conservation community was heard during the 2004 Session of the Virginia General Assembly!

We especially thank those who responded to the VCN E-Alerts, the CAV! alerts, and the weekly calls to action through the LCT Program.

We recently surveyed LCTs to figure out how to strengthen the program. The results have been extremely helpful.

LCT Member Survey Results

Over 40 of the LCT members returned their questionnaires before the writing of this newsletter.

56% made 1-5 contacts
28% made 6-10 contacts
9% made 10-20 contacts
3% made more than 21 contacts

Approximately 250 contacts were made for an average of 6 ½ contacts per LCT member.

73% said they were asked to do just the right amount and

Legislative Contact Team (LCT) Members

Peter Agelasto	Amy DeHart	Kathy Holm	Kris & Bob Peckman	Gail Souther
Lori P. Alexander	Laura Dely	Bob Hunt	Christine Perdue	Gregory Nathaniel Spangler
D.C. Amarasinghe	John Deuel	Janet Hunter	Kim Perdue	James Speckhart
Diana Artemis	Bill Dickinson	Betty & Forrest Clapp	Karen Perreault	Jo Ann Spevacek
Heidi Baird	Roger Diedrich	Boots Johnson	Jim Phemister	Gaye Stafford
Greg Baruffi	Barbara Duerk	Kristin Joslin	Elizabeth Piatt	Sabrina Stanwood
Pam Berberich	Reber Dunkel	Emily Kimball	Doug Pickford	Paul Stenbjorn
Joanne Berkley	Steve Earnhart	Marcia Kirkpatrick	Kelly Place	Skip Stiles
Judith Bernazzani-Haller	Eric Eckl	Barbara Kling	Leighton Powell	Jason Street
Heidi Binko	Patrick Eddington	Stella Koch	Gray Puryear	Laura-Gray Street
Frank Blechman	Bob Egbert	Jane Koontz	Arthur Ratcliffe	Adam Swann
Omesh Bohsali	Tom Ellis	Annie Krochalis	Jeanne Reporter	Jay Taylor
Allen Bondurant	Jim English	Elke Kyff	Sarah Richardson	Mary Terry
Glenda Booth	Sarah Faulconer	Judy Lamana	Timmons Roberts	Michael Testerman
Mark Brandon	Zack Fields	David Levy	Mollie Robertson	S. Morris Trimmer
Karl Bren	David Matthew Fitzgerald	Joe Maio	Pamela Robertson	Ted Troxell
Cindy Brockwell	ald	Gwen Mason	Larry Roussell	Jim Troy
Derval Brown	Catherine Fleiscman	Tyla Matteson	Steve Russell	Gail Troy
Jean Brown	Brian Franklin	Janice May	Jason Rylander	Chris Tuttle
Ann Brummer	Jim Fulcher	Nancy McAdoo	Jo Anna Saldis	Tanya Tyson
Shirley Buchanan	John Gabor	Andrea McGimsey	Thomas Salley	Armando Valdes-Prieto
Bill Bunch	Paul Gilbert	Mary Lee McIntire	Randy Salzman	Bud Vye
Kathleen Burns	Jay Gilliam	Jeannie McPherson	Helen Sanders	Rosemary Wallinger
Amy Butler	Elizabeth Goltry	Chris Miller	Sarah L. Scott	Jim Wamsley
Sue Carlyle	Denise & Gerald Gray	Suzanne Miller	Sallie Sebrell	Flint Webb
Suzanne Carroll	Heather Groffy	Tim Mitchell	Leonard Seiner	Doris Whitfield
Steve Carter-Lovejoy	Bill Grove	Brian Moores	Kathy & Rees Shearer	Tad Williams
Jennifer Ciminelli	Peter Guerrero	Roberta Morse	Judith Shematek	Rick Williams
Jo Ann Clarke	Claudia Hamdacker	Allen Muchnick	Kurt Sigmund	Barbara Williamson
Diana Combs	Greg Hamdacker	Linda Muller	Shelly Simonds	Ron Wilson
Chad Conaty	Ellen Hammer	Jackie Murphy	Linda Sims	Martha Wingfield
Mary Patricia Coss	Laura Hanson	Bud Nagelvoort	Kay Slaughter	Merlyn Witt
Barbara Coulter	Kelly Harrell	Andrew Nicholls	Michael D. Sloan	Frank Wood
Castle Craddock	Susan Harris	Heidi Niggemeyer	Caroline Slobodzian	Stephanie Smith
Suzette Davis	Mary Harshfield	Joy Oakes	Stephanie Smith	Frank Worshek
Carol Davit	Khalil Hassan	Beth Orbenshain	Richard Smith	Daphne Wysham
Peter deFur	Heather Hill	Sally Ormsby	Patricia Soriano	Natalie Zuckerman
Marcia DeGarmo	Judy Hinch	Bruce Parker	Adam Soroka	

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Virginia Conservation Network's mission is to protect the Commonwealth's air, lands and waters for the benefit of the people as guaranteed by the Virginia Constitution. VCN facilitates greater effectiveness of all its member organizations by:

- Disseminating vital information through its newsletter, e-mail networks, website (www.vcnva.org), and issue papers.
- Coordinating legislative information during the General Assembly so that the environmental community can work together to achieve our common goals for the benefit of all Virginians.
- Tracking environmental legislation, development of regulations, and opportunities for the public to participate in the public decision-making process.
- Sponsoring the Virginia Environmental Assembly, environmental seminars and