



## Virginia Environmental Law

# The Quest for Sustainability and Economic Prosperity in Virginia

By: Ann Neil Cosby. *This was posted Wednesday, March 24th, 2010*

### What a Difference a Year Makes!

During last year's [Environment Virginia Symposium](#) at the [Virginia Military Institute's Center for Leadership and Ethics](#), scientists and speakers joined then [Governor Tim Kaine](#) in addressing the nexus of economic prosperity and economic stewardship in the quest for a more sustainable environment. Not surprisingly, climate change was a "hot" topic, as was the discussion of whether reducing global warming would mean reducing the economic well-being of our state and of our nation as a whole.

"Not so," said the speakers. Not only could climate change be profitable, they said, but it should be viewed as a strategic priority, and necessary to manage ever increasing environmental risks to human health. The Commonwealth of Virginia was touted as a potential leader in identifying environmental risks and proposing economically beneficial solutions related to climate change for the future.

Fast forward about one year.

On February 17, 2010, Virginia Attorney General Kenneth T. Cuccinelli II, on behalf of the Commonwealth of Virginia, [filed a petition with the United States Environmental Protection Agency](#), and the United States Court of Appeals for the District of Columbia, calling into question the data upon which certain global warming regulations were based. The Attorney General asserted that "falsified data" led to scientifically unfounded predictions which then led to unnecessary calls for climate action. The Attorney General requested that the EPA's finding of December 15, 2009, that carbon dioxide is a greenhouse gas subject to agency regulation, be reconsidered. On March 19, 2010, [Cuccinelli stated](#) that because global warming regulations "could severely impact Virginia jobs; energy, agriculture, manufacturing and other industries; as well as put a tremendous financial burden on Virginia citizens" the regulatory appeal was necessary.

What is Virginia's position in the global warming debate? Are we to be a leader in identifying solutions to the environmental risks posed by global warming, or a leader in calling those risks into question? Are the two

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mutually exclusive? How can we both challenge the notion that global warming is a real harm and benefit economically from businesses developing solutions to a situation that our own state government claims doesn't exist?

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