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Climate Change and the Commonwealth: How Ken Cuccinelli's Science Denial Is Putting Millions of Virginians in Economic Danger

By Tiffany Germain September 30, 2013

As scientists overwhelmingly agree, man-made climate change is happening—and the state of Virginia is at risk. As climate change accelerates, extreme weather events such as last year's Superstorm Sandy will wreak havoc on Virginia. The rising sea will cause excessive flooding, ultimately putting coastal Virginia at risk for billions of dollars in economic damages. Heat waves and coastal erosion will cause tourism to dramatically decline, and warmer waters will put local fishing industries at risk. In the next few decades alone, the damages associated with climate change could reach $45 billion and cost 314,000 Virginians their jobs.[1]

But despite all of this, Virginia Attorney General Ken Cuccinelli refuses to accept what more than 97 percent of scientists agree on[2]—that climate change is happening, and humans are the cause. During his time as attorney general, Cuccinelli has not only mocked scientific findings but also persecuted a climate scientist from the University of Virginia for fraud and attacked the Environmental Protection Agency's, or EPA's, ability to regulate greenhouse gas emissions. Meanwhile, dirty energy interests are pumping hundreds of thousands of dollars into Cuccinelli's campaign coffers.

In the November election, Virginia faces a crossroads. The commonwealth can choose leaders who will confront the challenges associated with climate change head on, or it can put the health and economic future of the state at risk. Cuccinelli's long record of climate denial indicates that as governor, he would lead Virginia down a path that has dire consequences for current and future generations.

What's at stake for Virginia?

Destruction and devastation due to extreme weather

Humans are pumping greenhouse gases into our atmosphere at a rapid pace, causing air and water temperatures to rise worldwide. These warmer conditions are causing the frequency and severity of extreme weather—such as droughts, heat waves, and hurricanes—to worsen. These catastrophic events are already costing the nation billions of dollars in damages and causing unnecessary loss of life. From 2011 to 2012 alone, the 25 most severe weather events caused more than $188 billion in damage in the United States and left more than 1,100 people dead.[3] Virginia has experienced the brunt of these storms, with seven hurricanes and tropical storms slamming the coast over the past 10 years.[4] In 2003, Hurricane Isabel was especially devastating, causing $1.9 billion in damages and killing 32 Virginians—the highest death toll among the nine states hit by the hurricane.[5]

Virginians are already paying a high price to recover from these powerful storms. In 2011 and 2012 alone, more than $257 million in taxpayer dollars were spent to clean up damages from extreme weather.[6] If, as a country, we do not actively work to reduce our greenhouse gas emissions, extreme weather and its extraordinary costs will not let up. In fact, current climate estimates forecast that by 2060, another Hurricane Isabel could hit the coast of Virginia every single year.[7]

As these deadly events increase, taxpayers will be the ones who bear the burden of recovery. One analysis found that by 2050, severe storms could endanger more than $129 billion worth of property in Virginia.[8] Insurance industry members also believe that it will soon be too costly for them to insure the coastal region of Virginia—home to more than one-fifth of Virginians—due in part to the potential destruction caused by climate change.[9]

Impending costs to communities from sea-level rise

Due to the warmer temperatures associated with climate change, glaciers and ice caps are melting and causing sea levels to increase worldwide. These rising sea levels have caused coastal communities in Virginia—particularly Norfolk—to be identified as some of the nation's most vulnerable to economic devastation as a result of flooding. Moreover, scientists have concluded that coastal land in Virginia is also sinking, greatly increasing Virginia's chances of experiencing excessive flooding.[10]

Norfolk has already taken a number of steps to ensure residents do not lose their homes to sea-level rise. At an annual cost of more than $6 million, these steps include raising roads, elevating homes, and improving drainage.[11] In an interview with the *National Journal*, Norfolk Mayor Paul Fraim (D) said, "It's clear that the sea level is rising. It's discernible; it's verifiable. We've already had to spend a lot of money on mitigation."[12]

Every single branch of the military has at least one base located in Virginia. Norfolk is home the world's largest naval base, where the U.S. Navy is already spending hundreds of millions of dollars to replace aging piers with new ones that are better able to withstand the rising water.[13] Retired Captain Joseph Bouchard, who was commander of the base from 2000 to 2003, said that "were it not for sea level rise caused by climate change, the Navy could have replaced those piers with single deck piers at much much less cost."[14] If the federal government is forced to relocate even one aircraft-carrier group from Norfolk, the cost to the local economy would reach $900 million annually.[15]

In order to combat the rising waters, communities and cities have begun developing plans to blunt their impact. To completely keep water out of the city's most vulnerable neighborhoods, Norfolk would have to spend about $1 billion, roughly equivalent to the city's entire annual budget.[16] If the city continues to delay action, those costs will only increase—or worse, Virginians will be forced to leave their homes forever.

The ongoing crisis of sea-level rise will only increase in the future. In fact, the sea level in the Chesapeake Bay area and in Southeastern Virginia is predicted to rise by more than five feet by the end of the century.[17] But as someone who does not believe the sea is rising, Cuccinelli would follow the path of the extremist Virginia state legislature, which in 2012 removed the phrases "sea-level rise" and "climate change" from a state report on coastal flooding because it considered them to be liberal propaganda.[18]

Long-term economic impacts on tourism and local industries

In the near future, Virginia will start to feel the adverse impacts of climate change on tourism and local industries. Extreme weather could wash away popular tourist destinations, and warming waters could destroy the habitats of marine life, threatening the livelihoods of commercial fishermen and the booming sport fishing industry.

As a proud home to many popular tourist sites, Virginia draws thousands of visitors each year. These tourists stay in hotels, eat out at restaurants, and buy Virginian goods, pouring money into the state economy. In 2010, total income from tourists exceeded $31 billion, which was more than 7 percent of the state's gross domestic product, or GDP. Tourism also provides jobs to more than 287,000 Virginians, making the industry the state's fifth-largest employer.[19]

There are already signs painting an ominous picture of what's to come. Lewis Lawrence, executive director of the Middle Peninsula Planning District Commission, said he has already noticed old islands in Chesapeake Bay that are now immersed under a rising sea.[20] Lawrence recently attended a meeting of more than 250 local officials who were frustrated by state inaction. He said, "I'm often hit with the idea that there's no proof that [climate change] is happening. And I say, 'There's plenty of proof,' and I'll pull out the Sewell's Point tide gauge, and they say, 'Oh, they make that stuff up.'"[21]

If climate change continues unabated, the impact on some of the commonwealth's most beloved locations would be severe.[22] Historic Jamestown Island could be completely submerged by sea-level rise.[23] Chincoteague Island could be battered and lose 80 percent to 90 percent of its beaches.[24] And if sea levels increase by even 20 inches, the EPA estimates that it would cost anywhere from $200 million to $1.2 billion to replenish Virginia's sand.[25] With more than 80 percent of tourists visiting Virginia to spend time outdoors, protecting Virginia's scenic beaches and state parks is in the long-term economic interests of the commonwealth.[26]

Climate change is also expected to have negative influences on some local industries. A point of pride for the commonwealth, the commercial and sport fishing industries annually generate $130 million and $1.2 billion, respectively.[27] But climate change threatens to disrupt the habitat of all marine life.

As salty estuary waters have risen in recent years, they have drowned trees on the hummocks' lower edges.[28] According to BBC News Magazine, "when … the sea level rises further, it will inundate and drown the remaining trees and shrubs, and eventually sink the entire marsh. That threatens the entire surrounding ecosystem, because fish, oysters and crabs depend on the marsh grass for food."[29] Moreover, scientists expect climate change and warmer waters to force fish into cooler territory, which would be further away from the coastal communities that rely on fishing for income and entertainment.[30]

Cuccinelli's extreme record

Mocked scientific findings on climate change

Despite the overwhelming costs to taxpayers due to inaction, Attorney General Cuccinelli has proudly boasted of his climate denial, even mockingly inviting audiences to hold their breaths to appease the EPA:

> *The Attorney General's office is a very reactive office. … We wouldn't be suing the EPA if the EPA did not abandon all semblance of science and law to put out its endangerment finding on the CO2. Now, let's make them all happy just for a moment and everybody just hold your breath.*[31]

Building on his climate change denial tendencies, Cuccinelli has also disregarded the connection between sea-level rise and a warming climate. In an op-ed for *The Virginian-Pilot*, he said:

> *Recent ocean level rise has been significantly slower than predicted by the [U.N. Intergovernmental Panel on Climate Change] and lower than historic ocean rise. In fact, in the past 800 years, the oceans have risen and fallen a full meter and are now on the upswing from the levels seen 500 years ago.*[32]

Persecuted a University of Virginia climate scientist

As one editorial by *The New York Times* stated, "Virginia's crusading Republican attorney general has waged a one-man war on the theory of man-made global warming."[33] In fact, Cuccinelli not only denies scientific findings, but he also persecuted a scientist who studies climate change.

In 2010, Cuccinelli led a witch hunt against Michael Mann, a former University of Virginia climate scientist. He insisted that Mann produced fraudulent research on climate change in order to receive grant money, and he sued the university under the Virginia Fraud Against Taxpayers Act to acquire Mann's research. But later that year, a circuit court ruled that Cuccinelli's subpoena against Mann lacked "objective basis" and failed to include a "reason to believe that Mann violated Virginia fraud statutes."[34] Finally, the Virginia Supreme Court sided with the University of Virginia, ruling in 2012 that the attorney general did not have the legal authority to undertake such a fishing expedition.[35]

Cuccinelli not only wasted public resources and taxpayer dollars, but he also forced the university to spend $600,000 defending itself—"money the cash-strapped university should have been able to use for something productive," as reported by *The Washington Post*.[36] The *Post* also pointed out that Cuccinelli could have potentially done long-term harm to the educational integrity of the university, as Virginian scientists now have reason to wonder if they will suffer similar pressure if they publish research with which government officials do not agree.[37]

Led an attack against the EPA's ability to protect public health

Attorney General Cuccinelli's efforts against climate science did not end with the Mann investigation. In 2010, he sued the EPA over its ruling that carbon dioxide posed a threat to human health after describing the science behind the agency's decision as "unreliable, unverifiable, and doctored."[38]

In an op-ed for *The Virginian-Pilot*, he wrote that the EPA should "take an unbiased look at the data" to "realize that nature plays a much larger role in climate change than humans,"[39] ignoring the near-unanimous scientific consensus that climate change is man made. In the end, a federal appeals court upheld the EPA's findings in a unanimous decision, stating that Cuccinelli's argument that the EPA relied heavily on data from the U.N. Intergovernmental Panel on Climate Change, or IPCC, was "little more than a semantic trick."[40]

Cuccinelli is heavily influenced by dirty energy interests

Over the last 12 years, Attorney General Cuccinelli has received $802,533 from dirty energy,[41] and concordantly, he has aggressively promoted fossil fuel interests over those of Virginians and the environment. In particular, he has received $143,544 from CONSOL Energy, a Pennsylvania-based energy giant, making CONSOL one of his largest campaign contributors.[42] Meanwhile, he has aggressively supported issues important to the out-of-state energy giant. Back in 2010, a Democratic state senator authored legislation that would reform the broken royalties system;[43] not long after, newly inaugurated Attorney General Cuccinelli issued an advisory opinion finding that the state's regulatory board still had no new authority to resolve these disputes. Prior to his advisory opinion, CONSOL Energy had given him $3,500 in campaign contributions.[44] After the opinion, he received more than $140,00—"a clear indication that the company felt having him in office was good for their corporate bottom line."[45]

Cuccinelli's office is also under investigation for helping CONSOL defend itself against a lawsuit from the state of Virginia. In 2011, some Virginia landowners sued CONSOL for millions of dollars in back royalty payments. Recently released communications show that Sharon Pigeon, Cuccinelli's senior assistant attorney general, coordinated with CONSOL on their strategy to oppose the lawsuit, even going as far as to offer advice on how to take advantage of a paperwork-processing glitch to keep one landowner's case out of court.[46] While Cuccinelli claimed his staff member was simply "overzealous," the Virginia Office of Inspector General is currently conducting an investigation into whether improper conduct occurred.

Conclusion

It's clear that the commonwealth cannot afford to ignore climate change and its impacts any longer. With extreme weather already causing billions of dollars in damage and flooding washing away coastal infrastructure, Virginia is at a tipping point. As governor, Attorney General Cuccinelli would only exacerbate the current crisis by refusing to acknowledge science, which would put the lives and economic futures of millions of Virginians on the line.

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