



Sound and Fury Signifying...the Status Quo

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BY: LYNNE C. RHODE, JOHN W. DANIEL II & CHANNING J. MARTIN

Every four years in the Commonwealth we elect a new Governor. About this time every cycle, lawyers, consultants and state regulators begin in earnest the discussion?will the environmental and natural resource regulatory landscape change?

Lawyers want to position themselves to provide continuity in prudent and accurate counsel, consultants query one another on staffing adequacy to manage clients' needs, and regulators wonder aloud how their programs may change (will we have funding?... will the program survive transition?).

Everyone should relax. Major change almost never happens and is not likely to result from this November's main event. Why?

With some exceptions, the Commonwealth enjoys a stable, mostly certain, predictable and consistent resource management environment. As a delegated state for most federal programs, Virginia has developed and institutionalized the great majority of our environmental regulatory programs. If you add to that fact skilled, veteran program managers and a cumbersome administrative scheme for modification, the potential (and frankly the need) for significant change begins to fade quickly.

So, modification doesn't come easy. The longevity of generally well thought out regulatory programs, coupled with a more dynamic and robust than ever two party political dynamic in the Commonwealth, works against change, for the most part. And while there is significantly differing rhetoric and advocacy espoused in a gubernatorial election campaign about change, it seldom, if ever, manifests itself when the time comes to govern.

What we can glean about the environmental and natural resource vision of this cycle's two hopefuls appears to be quite diverse. One campaign has put forth an environmental policy?the other has not. One campaign very publicly debunks the reality of climate change?the other is more mainstream, albeit cautious, and calls for a Commission to study climate change. Both pay homage to "saving the Bay," though one historically has advocated offshore drilling?and the other initially opposed offshore drilling

but has reversed that course and now supports it. One could go on and on, but it is clear that policy differences exist and *could* be the focus of initiative for some significant change. More likely, it is sound and fury signifying the status quo.

Programs likely will get tweaked, maybe even re-located, and of course there will be the quadrennial exercise in consolidation to achieve efficiency. That will happen, and how it happens will be somewhat reflective of the key personnel chosen by the new Governor, especially those chosen to serve in a new Cabinet. In a very real sense, it's not so much the rhetoric and multi-million dollar ad campaigns, policy white papers or debate comments that shed light on the future. It is much more about people and who is appointed to which positions, and that jockeying has yet to begin in earnest.

At the end of the day, long-established and institutionalized resource programs that perform, managed by professionals who are predictable and consistent, coupled with a more watchful and scrutinizing General Assembly than ever before and a burdensome administrative process for significant change historically have trumped -- and will continue to trump -- the rhetoric of Virginia's candidates as they move from campaigning to governing.

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- Channing J. Martin ? 804.420.6422 ? cmartin@williamsmullen.com

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