



2018 Election for Maryland General Assembly

Conservation Candidate Questionnaire

The Maryland League of Conservation Voters (Maryland LCV), Clean Water Action, and Sierra Club – Maryland Chapter are jointly issuing this candidate questionnaire. We thank you for taking the time out of your busy campaign schedule to complete this questionnaire. Your answers will be shared by all three organizations, and will be an important factor in each organization's endorsement decisions.

These questions represent key environmental issues you are likely to need to consider during your term in the Maryland General Assembly. Questions have been drawn from top conservation organizations from across the state. Specific answers are for internal use, only, and will not be shared outside of the established confidential endorsement process. **Maryland LCV, Clean Water Action, and Sierra Club-Maryland Chapter reserve the right to make public specific portions of this document, should any candidate's stated position directly contradict submitted answers, during the campaign or after taking office.**

Please submit your completed questionnaire with an electronic signature, and any questions about our process, to kharbeson@mdlcv.org. **Questionnaires should be completed and returned before October 27, 2017. Some candidates will be invited for interviews beginning on November 1st.**

If necessary, a hard copy may be mailed to:
Maryland League of Conservation Voters
Attn: Kristen Harbeson
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Maryland LCV will distribute the questionnaires to Sierra Club-Maryland Chapter and Clean Water Action. For all other inquiries, please contact:

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Questionnaire for 2018 State Legislative Candidates

Prepared by Maryland Clean Water Action, the Maryland League of Conservation Voters, and the Maryland Sierra Club.

Candidate Information

Candidate Name: Marc Korman

District Number: 16

Office Sought: Delegate Party Affiliation: Democrat Incumbent: Yes X No ____

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Campaign Facebook: www.facebook.com/Marc.Korman.Campaign

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Campaign Manager: No one yet. Email: N/A

Candidate's Signature: _____ Date: _____

General

1. Please describe which environmental issues are most important to you and why. If elected, what specific environmental issues would you seek to address during your 2019-2022 term in the General Assembly?

The number one issue is climate change, which captures many other important environmental issues including pollution and renewable energy. During the 2019-2022 term, I would like to continue the work I have started on energy storage. Legislation I sponsored that passed in 2017—and supported by several environmental organizations—has started a study process and following its completion in late 2018, Maryland should be prepared to join California, Oregon, Massachusetts, and Nevada in establishing a procurement target for energy storage devices, which have many benefits including allowing more renewables on to the grid. Also, in the climate change space, I helped prompt a study by the University of Maryland regarding Maryland's pension and climate change. I will work to enact a bill on the basis of that study. Those are some examples of the types of environmental work I plan to pursue if elected for a second term.

Climate Change

Climate change poses an existential threat to our environment, public health, and the economy. Maryland's coastal communities, for example, are particularly vulnerable to sea level rise (which degrades roads and ruins cropland), while urban and suburban communities, for example, are experiencing increased summer heat and associated smog elevation. With federal action on climate change stalled, Maryland must continue to be proactive in reducing its greenhouse gas pollution and also must take measures to seek to adapt to the impacts of climate change.

2. The Clean Energy Jobs Act, enacted in 2017 after a veto override, amended Maryland's Renewable Portfolio Standard (RPS) to set a renewable energy target of 25% by 2020, but does not provide for further progress after 2020. Do you support strengthening the RPS to reach 50% renewable energy by 2030, including a phase-out of waste incineration as a qualifying source under the RPS, and significant investment in clean-energy job-training?

Yes, I voted for the Clean Energy Jobs Act and voted to override the Governor's veto. We should continue to increase the goal, clean-up the sources, and make sure all other necessary policies are in place to meet our ambitious and increasing goals.

3. There is broad agreement that pricing carbon is an effective strategy to significantly reduce greenhouse gas emissions. Maryland participates in the Regional Greenhouse Gas Initiative which prices carbon pollution from power plants and generates revenue which is returned to us and the other participating states. Would you support pricing carbon pollution from sectors other than power plants, such as the transportation sector, and using the revenue collected (at least in part) to promote clean energy alternatives (such as in the transportation sector) and help communities impacted by climate change? If yes, briefly explain the guidelines you believe should be used in developing such legislation.

Yes, I believe we can begin to expand carbon pricing to other sectors. While doing so, we should be mindful of the costs to Marylanders and, as much as possible, not pass significant costs on to them. As with RGGI, the goal should be to implement such programs regionally, which given Maryland's size is especially important. Programs should be set up to avoid leakage and arbitrage, as well as prevent what amounts to a new financial derivatives market from developing. Massachusetts has looked at a state carbon tax and there could be useful information from that experience for Maryland to glean, as well as work that has been done in California and Europe.

4. Maryland still obtains electricity from seven coal plants in the state, four of which are over 50 years old. These plants emit greenhouse gases, and release toxic pollutants into the air and water. Several lack modern controls for air pollutants like nitrogen oxide and sulfur dioxide, and lack up-to-date clean water permits. Would you support legislation to end the use of coal to generate electricity in Maryland, which also would provide for electricity reliability through clean energy and energy conservation, and provide protection (e.g., retraining) for coal plant workers?

Yes, Maryland should do as much as possible to remove itself from coal-fired power plants. However, this needs to be done in such a way that Maryland does not just shift its electricity generation to out-of-state plants. Because Maryland is part of the regional PJM grid, this requires careful planning and a transition to avoid a simple shifting of sources.

5. What measures should Maryland take to increase support for vulnerable communities affected by climate change? This could include, for example, measures to address sea level rise in coastal communities, and measures to address health impacts in urban communities.

Unfortunately, complete prevention from the effects of climate change is no longer possible. Although we must continue to curb greenhouse gas emissions to decrease the future threat, adaptation must also be a part of the conversation. The Maryland Climate Change Commission has a working group on these issues, although its 2016 recommendations are fairly vague. Given the amount of coastline in Maryland, entire communities are at risk and serious consideration needs to be given to sea wall type infrastructure or possibly relocation. In urban communities, increasing tree cover and green space can be a helpful form of mitigation. Unfortunately, no community will be immune from climate change's effects.

Chesapeake Bay

The multi-state, bipartisan partnership to restore the Bay is improving the health of the Bay, benefiting our environment and our economy. For example, adult crabs have tripled since 2014, oyster harvests have reached a 30-year high, and underwater grasses have been observed at record numbers. Still, we will not meet our 2025 clean-up goals. The agricultural sector is the largest source of pollution in the Bay and local waterways, and urban and suburban stormwater sources and rural septic systems also are pollution sources.

6. Is cleaning up the Chesapeake Bay a matter of importance for your district's residents? What current policies and programs to clean up the Bay should be continued or enhanced, and should any be changed or dropped?

Yes, I think all Marylanders share a desire for a clean, healthy, and thriving Bay even if they do not live alongside it. It is a source of pride for the state. Three areas that need to be further tackled over the next few years are regional solutions, the Conowingo Dam, and non-source pollution.

Regional Solutions: Maryland is an important part of Bay clean-up efforts, but the other states (and DC) in the Bay's watershed must continue to participate as well. Depending on the federal government's approach, this may become more difficult overtime and could require Maryland to step up to lead that regional effort more forcefully if the Environmental Protection Agency steps back.

Conowingo Dam: The sediment build-up behind the Conowingo Dam is not the reason the Bay needs clean-up and solving that does not solve every problem, as some have tried to argue. But there is a legitimate issue there that must be addressed so the Dam can begin capturing sediment again and so that a release does not flood the Bay—by way of the Susquehanna—with more sediment.

Non-Source Pollution: Maryland's greatest progress has been with source pollution such as wastewater treatment plants. Much more needs to be done to limit non-source pollution in the Bay, such as basic run-off.

7. Please identify two policies or programs you support that address Bay pollution by reducing agricultural pollution, mitigating pollution from new development, reducing use of and pollution from septic systems, and/or improving stormwater management.

Maryland should restore—by legislation if necessary—the septic system rules put forth by Governor O’Malley that limited the amount of nitrogen being released. Maryland should also pass the Poultry Litter Management Act (HB 599 in the 2016 session, which I co-sponsored) or similar legislation to address the significant pollution caused by chicken manure.

Agriculture

Agriculture is a major economic driver in Maryland, but also has significant environmental impacts. Large chicken houses are expanding on the Eastern Shore when Maryland is trying to manage the amount of manure spread on farm fields to reduce nitrogen and phosphorus runoff (that harms the Bay). Increasing sustainable farming practices (organic farming, cover crops, crop rotation, etc.) could significantly improve the health of communities and the Bay.

8. As some farmers have moved forward with sustainable and beneficial environmental farming practices, what programs do you support to help conventional farmers transition to more sustainable practices?

Maryland can lead the way on funding pilot programs, training workshops, and publishing best practices for farmers to adopt their practices for the 21st century.

9. Do you support or oppose an expansion of large, industrial size poultry farms on the Eastern Shore? What additional legislation or regulations are needed to protect air and water quality in the communities and waterways affected by these farms?

Support. As described above, legislation such as the Poultry Litter Management Act should be adopted.

Water

Pollution from septic systems drains into our ground and surface water, leading to environmental degradation and dirty drinking water from excess nitrogen and bacteria. Conventional septic systems do not prevent nitrogen from entering groundwater. Currently, septic systems and wells are only inspected at the point of a home sale, allowing systems to fail and/or pollute drinking water for years.

10. How should Maryland address concerns relating to failing or inadequate septic systems, and protect our drinking water sources and freshwater streams and rivers from septic-system pollution?

Maryland should re-enact—by statute if necessary—the septic tank rules promulgated by the O’Malley Administration that ensured the best technology was used and nitrogen pollution was limited.

Environmental Justice

Environmental pollution is one of several factors resulting in health disparities across Maryland, particularly pollution from natural gas infrastructure, coal-fired power plants, and concentrated

animal feed operations which often are centered or clustered in and around specific communities. Current permitting practices only take into consideration the pollution coming from each source independent of the total amount of pollution emitted in and around an affected community. Food deserts is another important environmental justice in Maryland.

11. Would you support legislation requiring the Maryland Department of the Environment (MDE) to consider cumulative sources of pollution when issuing permits? In the absence of proposed legislation, how would you work to push MDE to follow that practice?

Yes. In the absence of legislation, there could be ways to advance this goal through budget language. We can also advocate for these improvements both by marshalling the public in favor of the change and pressuring MDE through advocacy by legislators outside of the formal bill process.

12. What programs would you support to enhance current efforts to increase access to fresh food for lower income communities?

I supported HB 586 in the 2017 session, which was designed to double the purchasing power of food-insecure Marylanders with limited access to fresh fruits and vegetables. Of course, there is more we can do to encourage farmers markets to locate in low income communities and improve the meals provided in schools for low income individuals. Many of the existing programs can be improved by expanding eligibility, making them more accessible, and improving the available fruits and vegetables.

Trash and Waste Pollution

More than two-thirds of trash placed in our waste system is recyclable, and the overall amount of trash could be limited through better practices and policy. For example, over four billion beverages in single-use containers are sold in Maryland every year, but only about one-fourth are recycled, and plastic beverage containers make up about half of the trash collected from Maryland waterways during community clean-ups. Styrofoam products are one of the most pervasive products littering our landscapes and waterways, and remains in the environment almost indefinitely. A significant portion of Maryland's trash is sent to trash incinerators – Dickerson in Montgomery County and BRESKO in Baltimore City – which emit greenhouse gases and toxic pollutants.

13. What programs should Maryland implement to support waste reduction, and encourage recycling, waste diversion, composting, etc.?

There are several programs which can reduce waste. First, bans or fees on bags and polystyrene packaging that exist in Montgomery County can be expanded statewide. Second, the existing Maryland Recycling Act goals are being met or exceeded in most jurisdictions and these should be increased so the local jurisdictions continue to innovate and improve their numbers. Finally, curbside composting should be dramatically expanding as was done with curbside recycling.

14. MDE is currently reviewing air pollution standards for the two incinerators. Do you support reducing our reliance on trash incineration while increasing the air quality standards for these plants?

Yes.

Forests and Land Use

Forests play a critical role in providing wildlife habitat, holding soil, and filtering pollution out of water. Their health and quantity is critical for healthy, clean streams and rivers in Maryland. Despite state goals for “no net loss,” the current Forest Conservation Act generally requires planting only a quarter acre of new trees for every acre of trees cleared for development. As a result, Maryland’s forest acreage is declining.

15. Should the Forest Conservation Act be amended stop or reverse this trend of forest loss?

Yes. I voted in favor of HB 617 in the 2016 session which started the process of strengthening the Forest Conservation Act. Unfortunately, HB 599 which would have gone even further did not pass. I look forward to supporting future reforms.

Open Space

Program Open Space uses funding from the transfer tax to protect the best of Maryland’s open spaces. Despite broad public support, the program funds have often been raided to support other budget priorities. Thanks to legislation passed in 2016, FY 2019 will be the first time these programs are to be returned to full cash funding in over a decade; however, the funding for the program will remain vulnerable as long as it is not placed in a designated lock-box.

16. Would you support legislation to protect full funding (lock-box status) of this program?

Yes, in the 2016 session I supported HB 462 which reallocated and partially repaid Program Open Space. We can go further by applying lock-box rules that currently apply to the Transportation Trust Fund to Program Open Space as well. These protections make it difficult—although not impossible—for the program funds to be diverted to other uses.

Transportation

Transportation reforms are increasingly recognized as a key to reducing climate pollution and cleaning up our air and water. Maryland’s transportation system is a mix of state and local systems working independently of each other, and is responsible for over one-third of our state’s greenhouse gases and a significant percentage of our air pollution.

17. What are the biggest impediments to increasing the number of people who use alternatives to personal vehicles powered by the internal combustion engine – including electric vehicles, public transportation, bicycles, and walking – and what should Maryland do to address these impediments?

There are many actions Maryland can take to improve the use of alternatives to single occupancy vehicles. Here are some examples. For electric vehicles, we can significantly increase and simplify the incentive programs for EV purchase. Legislation to reauthorize the EV tax credit passed last year but the program still has inadequate funding. For public transportation, particularly in my community, Maryland can step up to get Metro—which Maryland provides funding and Board Members for—back on track

with dedicated funding and governance reform. Metro's service problems have not only kept people from switching to Metro, but diverted people away. I have spent significant time on this issue, including co-chairing a legislative work group, co-authoring a reform plan with nine Maryland colleagues, helping to pass a new safety commission, and more. On the broader transit issues in Maryland, MTA needs significant reform which I have assisted with by supporting the elimination of the farebox recovery requirement and trying to establish a new oversight panel, which the Governor vetoed. We can also pass a transit benefit requirement for large employers, as has become common in other jurisdictions. For bicycles and pedestrians, we need to fix a broken culture at the State Highway Administration that is too car centric and does not support bike or pedestrian infrastructure. For example, Maryland established a Bicycle Priority Area program but virtually no such areas have been designated or received state investment.

18. In 2016, the Maryland General Assembly passed the Maryland Open Transportation Investment Decision Act to require the Department of Transportation to score and rank potential projects. Do you support this program and commit to holding the Maryland Department of Transportation accountable for implementation?

I voted in favor of the Maryland Open Transportation Investment Decision Act, spoke for it on the House floor, voted to override the Governor's veto, and defended it in hearings after it was passed. Yes, I believe we need to hold MDOT accountable for the reformed version passed during the 2017 session.

Toxics

Overuse of pesticides carries significant risk to the environment and public health, but there is currently no statewide program to monitor use.

19. Do you support mandating a central pesticide database (for data currently required to be kept by farmers and commercial applicators) so that regulators can have access to data for monitoring pesticide impacts? Please identify any other new programs you support to monitor and regulate pesticide use.

Yes. I also advocated to ensure that HB 211 in 2016 would not preempt Montgomery County's pesticide law, which should be expanded statewide.

Elections and Good Government

Strong environmental legislation relies on the ability of all citizens to participate in open and fair elections, to put into office public officials who ably represent the most vulnerable populations, and a legislature that reflects the diverse communities across Maryland.

20. Will you vote for a new process for drawing district lines, such as non-partisan or independent commission that will take the politics out of redistricting?

Frankly, at a time when we need every climate change believing Democrat we can get on Capitol Hill, I am not eager to give up a Democratic seat. My hope is that the courts will restore order here in rules that will not only apply to Maryland, but also Virginia, North Carolina, Georgia, Pennsylvania, Wisconsin, Texas, and the many other states that have gerrymandered in favor of the other party. In the short-term, Maryland could apply the rules that apply to its state legislative

lines to its Congressional lines, which improve the situation by applying standards of compactness, contiguity, and respect for political subdivisions. I co-sponsored HB 850 in the 2015 session, which did not pass, to do precisely this.

21. Would you support overhauling the existing Fair Campaign Finance Fund and replacing it with a modern public financing program available to all state candidates (legislative and state-wide), funded by a mix of dedicated funds and general fund support?

Yes, I support public financing for state legislative candidates. I am introducing legislation in 2018 to advance this issue by allowing local jurisdictions to provide for public financing for state legislative races within their jurisdictions. But my preference is for statewide solutions.

Environmental Enforcement and Accountability

The budgets for environmental agencies in Maryland have consistently been slashed, severely undermining the ability of these agencies to enforce the law. At the same time, restrictive “standing” rules (more restrictive than in federal court) can bar individuals and organizations from having the opportunity to remedy violations in state court (the most recent example being a 4 to 3 decision by the Maryland Court of Appeals in 2015 limiting standing to challenge amendments to county comprehensive plans).

22. Do you support restoring agency enforcement budgets to ensure compliance with environmental laws and regulations?

Yes. I have worked with Delegate Lierman on budget language to address this precise issue.

23. Would you support legislation to expand “standing” rules in Maryland courts (for example, to provide that they are at least as expansive as in federal court)?

Yes, I co-sponsored HB 243 in the 2016 session on this issue.

24. Please provide any other information you would like us to consider.

I have been pleased to receive 100% on the LCV scorecard all three years I have been in the legislature. Moreover, I have tried to work closely with the environmental community on our shared priorities through regular and open communication. If re-elected, I plan to continue that approach.