

# -PA ——— Environment Digest

*An Update on  
Environmental  
Issues in  
Pennsylvania*

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Edited By David E. Hess, Crisci Associates

December 10, 2007

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## PA Senior Environment Corps Ending Due to Lack of Funding

The Department of Environmental Protection and the Environmental Alliance for Senior Involvement this week notified local [Pennsylvania Senior Environment Corps](#) chapters across the state the program would be ending.

The Senate, House and Rendell Administration failed to agree on earmarking funds within DEP's budget to carry the program through the 2007-08 fiscal year. In October, [Rep. Bud George](#) (D-Clearfield) introduced [House Bill 1967](#) to restore funding.



The PA Senior Environment Corps just [celebrated its 10th anniversary](#) this year noting the accomplishments of over 2,900 volunteers across the state who regularly sample water quality at over 628 sites across the state, mentor students on environmental issues and undertake dozens of local environmental projects in 52 counties contributing over 37,400 volunteer hours annually.

The PA Senior Environment Corps Program was recognized by the United Nations Environment Programme on its Global 500 Honour Roll for the program's contribution to protecting the environment, joining the work of individuals like Jacques Cousteau and Jane Goodall. The Corps also received awards from the President's Council on Sustainable Development and Renew America as an outstanding example of community participation

This notice was sent to all the local PA Senior Environment Corps chapters throughout the state—

As you know, the Pennsylvania Senior Environment Corps (PaSEC) established jointly by the Environmental Alliance for Senior Involvement (EASI) and the Departments of Environmental Protection and Aging, has reached its tenth year of operations.

We are deeply grateful for the contribution you have made to the success and international recognition of PaSEC.

Unfortunately, the current lack of funding from the Commonwealth of Pennsylvania makes continued operation of PaSEC by EASI no longer possible.

With carryover funds from the previous fiscal year we have been able to continue PaSEC but have reached the point where that is no longer possible. Thus, with great

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sadness, EASI must inform you that as of December 1, Beth Grove's office of Statewide Coordinator is no longer in operation.

As part of this necessary decision, your program now owns the materials, equipment, and other supplies provided by EASI over the life of the PaSEC program. Your program also owns the data so diligently and competently collected on the quality of the waters in your service area. We are providing separately to your program a CD of your PaSEC's data and the database platform as it currently exists (and which will be available until the end of December 2007). We very much hope that you and the other volunteers will be able to sustain independently the important environmental and educational work you have maintained over the years.

We have previously sent a CD with the training and field manuals on it. It is EASI's intention to honor all PaSEC performance invoices through November 30, 2007 if and when funds for the period through November 30 are made available to EASI (we will be identifying those payments to each of you individually). We will also send you a formal letter ending the agreement between EASI and the PaSEC, and expressing specific ongoing approval to use names and logos previously applied (such as PaSEC!). As EASI's Executive Director, Peggy will serve as EASI's principal point of contact for Pennsylvania.

If you have questions or concerns, please contact Peggy at 703-241-4927 or [mknighteco@aol.com](mailto:mknighteco@aol.com).

Peggy, Beth and I met with key officials from the Department of Environmental Protection on Friday, November 30, to formalize the end of EASI's management of PaSEC. As part of that meeting, DEP and EASI agreed that this notification email – which will be followed in short order by letters to site directors and volunteers – should reflect the support and appreciation all of us have for the outstanding water monitoring, environmental education, and many other related activities the PaSEC has undertaken over its past 10 years. Additionally, we all want you to know that DEP wants to continue its support for your very fine work.

To that end, DEP specifically asked that we communicate the following to you on their behalf:

“The PaSEC will now transition from a centralized statewide program to a more individualized, decentralized program. PA DEP greatly appreciates the efforts put forth over the last ten years by the PaSEC volunteers.

Your dedication and hard work has been an inspiration to many across the Commonwealth. The data you collect provides a baseline of information about our water resources that is invaluable. Your inter-generational work truly touches the future in a very positive way.

“PA DEP has a desire to work with individual Senior Environment Corps (SECs) that have an interest in continuing their monitoring efforts and possibly participating in specific projects. PA DEP staff in the Bureau of Watershed Management – Cheryl Snyder and Diane Wilson - will be in contact with each SEC regarding your interest in monitoring partnerships as resources allow.”

All of us associated with EASI including Peggy Knight, Beth Grove, and the entire Board, wish you success in your endeavors and thank you for your inspiration and support to us for so many years. We believe the Senior Environment Corps units across Pennsylvania can continue to make a difference in their communities and hope you will continue your fine work.

Sincerely, William F. Benson, Chairman, EASI Board of Directors

**Link:** [Rep. George Introduces Bill to Save PA Senior Environment Corps](#)

**Video Blog Feature:** [PA Senior Environment Corps in Action!](#)

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- Conservation Districts Have Role to Play in Energy Independence

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## On the Hill

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### Week Ahead- Calendars, Committees, Session Schedule

The Senate and House have the following committee meetings scheduled next week and published Calendars for December 10—

#### Calendars – December 10

**House:** [Senate Bill 1100](#) (Pileggi-R-Delaware) that would provide a dedicated source of funding for the Hazardous Sites Cleanup Program; [House Bill 1281](#) (Freeman-D-Lehigh) requiring municipalities to protect the Appalachian Trail.

**Senate (Regular Session):** [Senate Bill 497](#) (Robbins-R-Mercer) making changes to landowner liability opening land to recreation and hunting.

**Senate (Special Session):** [Special Session Senate Bill 1](#) (MJ.White-R-Venango), the Alternative Energy Investment Act.

#### Committees

**House:** the Local Government Committee meets to consider [House Bill 904](#) (Freeman-D-Lehigh) authorizing local temporary development moratoriums, [House Bill 749](#) (Boyd-R-Lancaster) amending the Municipalities Planning Code relating to zoning implementation agreements, [House Bill 866](#) (Kauffman-R-Cumberland) amending the Municipalities Planning Code further providing for contents of subdivision and land development ordinances, [House Bill 1812](#) (Gillespie-R-York) amending the Municipalities Planning Code further providing for contiguous municipalities; the Agriculture and Rural Affairs Committee meets to consider [House Bill 379](#) (Cutler-R-Lancaster) making changes to ecoterrorism penalties; the Commerce Committee meets to consider [House Bill 1742](#) (Pashinski-D-Luzerne) increasing penalties for theft of scrap processors; the Environmental Resources and Energy Committee meets to consider [Special Session House Bill 1](#) (DePasquale-D-York) providing \$850 million bond issue to fund energy projects through the Energy Development Authority; [Special Session House Bill 4](#) (Rubley-R-Chester) requiring building constructed with state funds to meet green building standards; [Special Session House Bill 16](#) (King-D-Bucks) establishing an independent State Energy Office; [House Resolution 506](#) (George-D-Clearfield) directing DEP and the PUC to evaluate measures to manage the transition from electricity caps and to minimize the impact on residential customers, [Special Session House Bill 13](#) (Bennington-D-Allegheny) amending the Alternative Energy Portfolio Standard amending Tier III requirements to include energy efficiency and conservation; [House Bill 1705](#) (Harkins-D-Erie) adopting the Great Lakes Compact concerning water withdrawals.

**Senate:** Special Session Appropriations Committee meets to consider [Special Session Senate Bill 22](#) (Tomlinson-R-Bucks) increasing the reimbursement for alternative vehicle fuels from five to ten cents per gallon, [Special Session Senate Bill 36](#) (MJ.White-R-Venango) Biodiesel Study and Production Incentive Act, which will trigger mandates for

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the use of biodiesel based on biodiesel fuel production capacity for production sold to distributors in Pennsylvania.

### Session Schedule

The Senate and House will return to voting session December 10. The House has 6 voting days left (although the last three are maybes). The Senate has 3 days left in the year. The House also released it first schedule for 2008—

January	1 (non-voting), 14, 15, 16, 28, 29, and 30
February	4, 5, 6, 11, 12, and 13
March	10, 11, 12, 17, 18, and 31
April	1, 2, 7, 8, and 9
May	5, 6, 7, 12, 13, and 14
June	2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, and 30

You can watch the [Senate Floor Session](#) and [House Floor Session](#) live online.

### Senate/House Bills Moving/Bills Introduced

The following bills and resolutions moved in the Senate and House this week—

#### Senate

**AEPS Changes:** [Special Session Senate Bill 25](#) (Waugh-R-York), adding “sugars, lignins” to the Alternative Energy Portfolio Standards, was amended to incorporate the provisions of [Special Session Senate Bill 31](#) (D.White-R-Indiana) and allow the Public Utility Commission to increase the Tier 1 renewable energy sources requirements to the extent newly added renewable sources generate credits became available, was passed by the Senate and sent to the House for consideration.

**Conservation Districts:** [Senate Bill 1020](#) (Wonderling-R-Montgomery) updating the Conservation District Law was referred to the Senate Appropriations Committee.

**Alternative Energy Tax Credit:** [Special Session Senate Bill 4](#) (Browne-R-Lehigh) establishing alternative energy research and development tax credits was referred to Senate Appropriations Committee.

**Solar Tax Credit:** [Special Session Senate Bill 6](#) (Erickson-R-Delaware) establishing a solar installation tax credit was referred to Senate Appropriations Committee.

**Sales Tax Exclusion:** [Special Session Senate Bill 8](#) (Wozniak-D-Cambria) excluding insulation and other energy conservation materials from Sales Tax was referred to Senate Appropriations Committee.

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**AFIG Incentives:** [Special Session Senate Bill 22](#) (Tomlinson-R-Bucks) increasing the reimbursement for alternative vehicle fuels from five to ten cents per gallon was referred to Senate Appropriations Committee.

**State Vehicle Efficiency:** [Special Session Senate Bill 26](#) (Wonderling-R-Montgomery) requiring state-owned vehicles to be fueled with biofuels was referred to the Senate Appropriations Committee.

**Biodiesel Mandate:** [Special Session Senate Bill 36](#) (MJ.White-R-Venango) Biodiesel Study and Production Incentive Act, which will trigger mandates for the use of biodiesel based on biodiesel fuel production capacity for production sold to distributors in Pennsylvania, was referred to the Senate Appropriations Committee.

**Landowner Liability:** [Senate Bill 497](#) (Robbins-R-Mercer) making changes to landowner liability opening land to recreation and hunting was amended and reported from the Senate Environmental Resources and Energy Committee and is now on the Senate Calendar for action.

**Tire Pile Recycling:** [Senate Bill 1050](#) (Baker-R-Luzerne) transferring \$3 million to a new Used Tire Pile Remediation Account from the Recycling Fund was reported from the Senate Environmental Resources and Energy Committee and is now on the Senate Calendar for action.

**Miner's Day:** [House Resolution 410](#) (DeWeese-D-Greene) that would designate December 19 "Coal Miner's Day" was reported from the Senate Environmental Resources and Energy Committee and is now on the Senate Calendar for action.

**Capital Budget:** [House Bill 1589](#) (Evans-D-Philadelphia) listing projects in the 2007-08 Capitol Budget was amended and reported from and then back to the Senate Appropriations Committee.

### House

**Appalachian Trail:** [House Bill 1281](#) (Freeman-D-Lehigh) requiring municipalities to protect the Appalachian Trail was amended on Second Consideration and is now on the House Calendar for final action.

**Hazardous Sites Cleanup Funding:** [Senate Bill 1100](#) (Pileggi-R-Delaware), that would provide a dedicated source of funding for the Hazardous Sites Cleanup Program, was amended to limit the funding solution to the current fiscal year ending June 30 and reported from the House Appropriations Committee and is now on the House Calendar for action.

**State Energy Office:** [Special Session House Bill 36](#) (George-D-Clearfield) establishing a State Energy Office was reported from the House Environmental Resources and Energy Committee.

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**Development Moratorium:** [House Bill 904](#) (Freeman-D-Lehigh) authorizing local temporary development moratoriums was amended a number of times in the House Local Government Committee then tabled. The Committee scheduled additional consideration on the bill December 11.

### Bills Introduced

**Governor’s Energy Package:** Senate Democrats introduced the Governor’s Energy Independence Initiative in the Special Session: [Special Session Senate Bill 12](#) (C.Williams-D-Montgomery) authorizing the PA Energy Development Authority to purchase energy, [Special Session Senate Bill 13](#) (C.Williams-D-Montgomery) providing for the regulation of micro-grids by the Public Utility Commission, [Special Session Senate Bill 15](#) (Mellow-D-Lackawanna) creating the Alternative Energy Infrastructure Development Fund,

**Green Work Force:** [Special Session Senate Bill 14](#) (Kitchen-D-Philadelphia) establishing a Green Work Force Training Program to provide grants to community colleges and other universities.

**Credit for Cellulosic Ethanol:** [Special Session Senate Bill 16](#) (Mellow-D-Lackawanna) establishing a tax credit for research and development into cellulosic ethanol production.

**Credit for Energy Crops:** [Special Session Senate Bill 17](#) (Mellow-D-Lackawanna) establishing a tax credit for energy crops and [Special Session Senate Bill 18](#) (Mellow) creating an energy crop education program and making an appropriation.

**AEPS Standards:** [Special Session Senate Bill 37](#) (Waugh-R-York) amending the definition of municipal waste facilities under the Alternative Energy Portfolio Standards.

**Weatherization:** [Special Session Senate Bill 38](#) (Wozniak-D-Cambria) providing for weatherization loans and [Special Session Senate Bill 39](#) (Wozniak) providing a tax credit for weatherization projects.

**Energy R&D:** [Special Session Senate Bill 40](#) (Corman-R-Centre) establishing the Energy Research and Development Fund.

**AEPS Biomass Changes:** [House Bill 2078](#) (DePasquale-D-York) amending the Alternative Energy Portfolio Standards adding “lignins” to the definition of biomass energy sources and removing energy derived from the generation from pulping and wood manufacturing processes from the AEPS.

**Market-Based Electric Rates:** [House Bill 2093](#) (Dermody-D-Allegheny) establishing procedures for the transition to market-based electric rates.

**Lady Bird Johnson:** [House Resolution 518](#) (Petroni-D-Allegheny) commemorating the contributions of Lady Bird Johnson for her leadership in preserving the American landscape and natural beauty.

## House Appropriations Moves 6-Month Hazardous Sites Cleanup Funding Plan

The House Appropriations Committee this week approved a plan to fund the Hazardous Sites Cleanup Program through June 30 of next year, but removed provisions, by a party-line vote, that would have put in place a more permanent funding solution.

[Senate Bill 1100](#) (Pileggi-R-Delaware) was amended to take \$2.5 million from each of the four Caucus legislative accounts and make an appropriation from the General Fund to provide the \$18 million needed to fund the Hazardous Sites Program through the end of the fiscal year.

As passed by the Senate, the bill had provided the program with funding for the next several years by earmarking up to \$40 million annually from the Capital Stock and Franchise Tax, restoring the funding source adopted when the program began in 1988 with Gov. Casey.

Appropriations Chairman Rep. Dwight Evans (D-Philadelphia) said any discussion on funding for the program beyond June 30 should be dealt within the context of budget discussions next year. Rep. Evans said he did not want to begin budget discussions with \$40 million “off the table.”

His amendment limiting funding was supported by Democrats and opposed by Republicans who said it was critical to provide the program with assured funding over the next few years.

An agreement to fund the Hazardous Sites Cleanup Program was made in July as part of the budget settlement by the Senate, House Democrats and Gov. Rendell that would have used surplus monies from the Keystone Recreation, Parks and Conservation Fund. But that agreement fell apart in the House in the face of [opposition from environmental groups](#) who objected to taking funding from one environmental program and giving it to another.

Senate Bill 1100 was actually the [third proposal passed by the Senate](#) to fund the Hazardous Sites Cleanup Program. The House has yet to complete action on any plan.

Adopted in 1988 at the initiative of Gov. Robert P. Casey, the Hazardous Sites Cleanup Program was funded by earmarking revenue from the Capital Stock and Franchise Tax, appropriations from the General Fund and fees on hazardous waste disposal. Only the fees are still in place.

The Hazardous Sites Fund has not had a stable source of funding since 2002 when the Capital Stock and Franchise Tax was removed as the primary funding source. For the last five years the Fund has limped along on one and two year funding solutions.

At a House Republican Policy Committee hearing on Hazardous Sites funding Friday, legislators expressed their support for a permanent source of dedicated funding for the program.

"HSCA simply cannot operate without long-term funding. With layoff notices pending for many employees involved in this program, we must act now or risk seeing vital environmental cleanup efforts delayed or even derailed," said Rep. Kate Harper (R-Montgomery). "We need to assure the people of Pennsylvania that this fund will not die. In an industrial state like ours with so many hazardous sites to be cleaned up, we are always going to need HSCA to ensure a clean and safe environment."



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"We must find a dedicated funding source to pay for cleanup of hazardous sites before projects that are currently underway must stop due to a lack of money," said Rep. Carole Rubley (R-Chester).

"The testimony given today has strongly reinforced my conviction that we should promptly adopt legislation to provide a reliable and permanent funding source for the Hazardous Sites Cleanup Fund, and we should meet this goal without reducing funding for other important environmental funds," said Rep. Chris Ross (R-Chester).

Department of Environmental Protection Deputy Secretary Thomas Fidler said 146 employees are in jeopardy of being furloughed if funding is not provided.

"It makes little sense to maintain staff if they are not working on projects," Fidler said. "The department has made a decision and put a furlough plan in place. Staff will be notified next Friday, Dec. 14, that employees will be furloughed if there's not an answer to the funding question by the end of this session. DEP has tried to button up project sites so that the public will be protected and the risk controlled if funding runs out."

The Pennsylvania Environmental Council this week expressed concern that, despite some movement in the General Assembly to fund the Hazardous Sites Cleanup Program, no final legislation is in place and plans to lay off program staff are continuing.

Brian Hill, President of PEC, said, "We welcome these efforts, but there is still much to do to secure meaningful, long-term funding for this critical Program – and very little time to do it."

Hill noted the Hazardous Sites Program has been without dedicated funding for the past five years and has been existing on one and two-year stopgap funding plans.

Hill said, "Earlier (Thursday) Pennsylvania Department of Environmental Protection Secretary McGinty sent a note to all DEP employees pointing out that despite the movement in the General Assembly, the lack of final action is requiring the agency to continue its furlough plans. This is a disturbing development, because it means the critical parts of the program will be mothballed and important work – work that will protect the health and environment of the citizens of the Commonwealth – will not be done."

"While providing immediate funding for the almost-bankrupt Program is vital, this bridge falls far short of actual need," Hill said. "The bottom line is simple: the Hazardous Sites Cleanup Program needs to be funded and it needs to be funded both now and in the future. This cannot wait for the New Year or another budget season."

**NewsClips:** [Stopgap Funding for Hazardous Sites Funding Dispute May Halt Hazardous Cleanups in PA](#)  
[PA Funding Dispute May Halt Hazardous Cleanups](#)  
[Hazardous Sites Cleanup Needs Funding to Avoid Layoffs](#)  
[Op-Ed: General Assembly Must Fund Toxic Cleanups](#)

**Links:** [Opinion- Pennsylvania Must Fund Hazardous Sites Cleanup – Sen. Pileggi](#)  
[Opinion- Hazardous Sites Cleanup Demands Prompt Attention – Brian Hill, PEC](#)

### Senate Passes Update to Alternative Energy Portfolio Standards Act

The Senate this week passed [Special Session Senate Bill 25](#) (Waugh-R-York) that updates Pennsylvania's alternative energy law to include biomass and low-impact hydropower energy resources, according to Sen. Mary Jo White (R-Venango), who chairs the Senate Special Session Committee on Energy Policies.

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Sen. White said Special Session Senate Bill 25 corrects the exclusion of resources which were intended to be included with passage of the Alternative Energy Portfolio Standards Act of 2004. The resources were inadvertently omitted or nullified by subsequent Department of Environmental Protection and Public Utility Commission legal interpretations which failed to reflect the legislative intent of the law.

The bill also incorporates provisions found in [Special Session Senate Bill 31](#), sponsored by Sen. Don White (R-Indiana). The bill also:

- Limits the resources clarified as part of Tier 1 sources to only those generated in Pennsylvania. This provision is very similar to the underlying provision of the entire AEPS law which limits eligible resources within a defined geographic area and is similar to limitations found in other states with renewable portfolio standards.
- Directs the PUC to increase the existing Tier I percentages required under the AEPS law by an amount equal to those credits generated under the bill. Therefore, there is no negative impact on existing Tier 1 alternative energy resources.

Sen. Mary Jo White worked directly with affected wind and other renewable energy companies to find common ground on this important issue.

"This is a common-sense provision that corrects disparities within the current AEPS while protecting other existing renewable resources like wind and solar," said Sen. Mary Jo White.

### House Committee Reports State Energy Office Legislation

The House Environmental Resources and Energy Committee reported out [Special Session House Bill 36](#) (George-D-Clearfield) establishing a State Energy Office within the Department of Environmental Protection.

Other legislation on the agenda for this week was deferred to a future time.

Rep. Bud George (D-Clearfield) serves as Majority Chair and Rep. Scott Hutchinson (R-Venango) serves as Minority Chair.

### Senate Committee Reports Landowner Liability, Tire Recycling, Miner Day Bills

The Senate Environmental Resources and Energy Committee reported out legislation on landowner liability, used tire recycling and designating Coal Miner's Day this week. The bills included:

- [House Resolution 410](#) (DeWeese-D-Greene) that would designate December 19 "Coal Miner's Day;"
- [Senate Bill 497](#) (Robbins-R-Mercer) making changes to landowner liability opening land to recreation and hunting was amended; and
- [Senate Bill 1050](#) (Baker-R-Luzerne) transferring \$3 million to a new Used Tire Pile Remediation Account from the Recycling Fund.

Sen. Mary Jo White (R-Venango) serves as Majority Chair of the Committee and Sen. Ray Musto (D-Luzerne) serves as Minority Chair.

## House Env. Committee to Meet Twice on Energy, Great Lakes Compact Bills

The House Environmental Resources and Energy Committee is scheduled to have two meetings December 11 and 12 on a variety of Special Session Energy bills and legislation to adopt the Great Lakes Compact on water withdrawals.

The bills to be considered Tuesday include:

- [Special Session House Bill 1](#) (DePasquale-D-York) providing \$850 million bond issue to fund energy projects through the Energy Development Authority;
- [Special Session House Bill 4](#) (Rubley-R-Chester) requiring building constructed with state funds to meet green building standards;
- [Special Session House Bill 16](#) (King-D-Bucks) establishing an independent State Energy Office; and
- [House Resolution 506](#) (George-D-Clearfield) directing DEP and the PUC to evaluate measures to manage the transition from electricity caps and to minimize the impact on residential customers.

The bills to be considered Wednesday include:

- [Special Session House Bill 13](#) (Bennington-D-Allegheny) amending the Alternative Energy Portfolio Standard amending Tier III requirements to include energy efficiency and conservation; and
- [House Bill 1705](#) (Harkins-D-Erie) adopting the Great Lakes Compact concerning water withdrawals.

The Committee is chaired by Rep. Bud George (D-Clearfield) and Rep. Scott Hutchinson (R-Venango) serves as Minority Chair.

## Other News

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### State of the Chesapeake Bay Report Finds No Improvements in Any Category



With just three years to go before the court-ordered deadline to remove the Chesapeake Bay from the nation's dirty waters list, the Chesapeake Bay Foundation's [2007 State of the Bay report](#) finds the health of the Bay going in the wrong direction.

This year's health index dropped one point to 28, far from our goal of 40 by 2010, and an unacceptable "D" grade.

"Time is running out, and the Chesapeake Bay, a national treasure, remains in critical condition," said CBF President William C. Baker. "Restoring the Bay is not rocket science. What does it say about a society when we can put a man on the moon but not be able to save the Chesapeake Bay?"

**Online Video:** [CBF President Will Baker on the State of Bay Report](#)

The annual State of the Bay report, which CBF first issued in 1998, is a comprehensive measure of the Bay's health. For the report, CBF evaluates 13 indicators: oysters, shad, crabs, striped bass (rockfish), underwater grasses, wetlands, forested buffers, resource lands, toxics, water clarity, dissolved oxygen, and phosphorus and nitrogen pollution. CBF scientists compile and examine the best available historical and up-to-date

information for each indicator and assign it an index score and letter grade. Taken together, these indicators offer an assessment of Bay health.

The unspoiled Bay ecosystem described by Captain John Smith in the 1600s, with its extensive forests and wetlands, clear water, abundant fish and oysters, and lush growths of submerged vegetation serves as the benchmark, and would rate a 100 on CBF's scale.

This year's decline was the result of increased phosphorus pollution, decreased water clarity, and habitat and harvest pressures that continue to depress the Bay's blue crab population. Blue crab harvests this year are expected to be among the lowest since the 1940's.

In the Chesapeake 2000 Agreement, the Bay states and federal government committed to reducing pollution sufficiently to remove the Bay from the nation's "dirty waters list" by 2010. Bay scientists have said that to do that, nitrogen pollution must be reduced by 110 million pounds. As of 2006, the U.S. Environmental Protection Agency (EPA) estimated that restoration efforts have achieved only 18 percent of the goal, with 91 million pounds left to go.

"For the last 20 years, the Bay restoration record has been littered with deadlines missed and actions not taken," Baker said. "Today, our elected leaders have a clear choice - accelerate their recent investments or revert to politics of postponement."

In addition to the 19 million pound reduction in nitrogen pollution achieved, CBF estimates that with current programs and investments in place for reducing air pollution, upgrading sewage treatment plants, and controlling agricultural runoff, there are approximately 41 million additional pounds of reduction in-the-pipeline.

CBF is calling on our elected leaders to publicly announce timetables for the programs they will implement to complete their commitments. CBF suggests that the next priorities should be upgrading the Blue Plains sewage treatment plant and completing targeted farm conservation plans, which would reduce approximately 37 million pounds more nitrogen pollution. The remaining 13 million pounds should be accomplished through better control of stormwater.

Stormwater permits must include pollution limits and monitoring requirements. Adding requirements for green roof construction and retrofits, consistent and thorough street sweeping, and other pollution reduction practices could finish closing the gap.

In each of the three states the governors and general assemblies have worked together to pass important funding initiatives, but there is more work to be done. At the federal level, the Bush Administration has turned its back on the Bay. For example, EPA issued regulations that allow coal fired power plants to continue spewing mercury that contaminates fish, and nitrogen that degrades water quality.

There is one positive note at the federal level, the region's congressional delegation has supported a 2007 federal Farm Bill that would provide an unprecedented amount of conservation funding critical to the health of local farms and water quality in rivers, streams, and the Chesapeake Bay. Unfortunately the legislation is mired in gridlock on the Senate floor for the last three weeks. Prospects for action this month are unclear.

"Clean water is a right, not a luxury. The plans to save the Bay have been written. They are known as 'The Tributary Strategies.' They must be implemented," Baker said.

Visit the [2007 State of the Bay report webpage](#) for more information.

## **Rendell Urges Action on Federal Farm Bill, Announces Biofuels Summit**

Gov. Rendell joined the governors of other states in the Chesapeake Bay Watershed at the annual Bay Executive Council meeting this week and urged Congressional action on the Federal Farm Bill. He also announced an upcoming biofuels summit.

The Governor also pointed to recent efforts like the enactment of the [Resource Enhancement and Protection Program \(REAP\)](#) farm conservation tax credit and the Agricultural Communities and Rural Environment Initiative (ACRE) as efforts Pennsylvania is making to help farmers contribute to the cleanup of the Bay.

Gov. Rendell urged his fellow executive committee members to call on the U.S. Congress to pass the 2007 Farm Bill before year's end.

"Our farmers need help in order to continue reducing the amount of run-off going into our streams and rivers," said Gov. Rendell. "The version currently being considered by Congress is better for Pennsylvania's farmers and the bay, because it provides new resources to support conservation measures and best management practices that will reduce pollution."

The Farm Bill authorizes and guides the nation's agricultural, rural development, soil and water conservation, and domestic and foreign food aid programs. The current set of bills that was passed in 2002 will expire at the end of the year.

In the Chesapeake Bay region, Farm Bill conservation programs are especially critical due to the cost-effective water quality benefits achieved by the best management practices it funds.

The biofuels summit will take place in Pennsylvania next year, and will include experts on the emerging issues and opportunities associated with cellulosic ethanol who will meet with state and federal policy makers. Together the group will focus on issues such as sustainability, forest and wildlife health, energy demands, water quality and how best to develop the technology within the bay region.

The panel will build upon the Chesapeake Bay Commission's "[Biofuels and the Bay](#)" report, which provides suggestions on how to proceed with the biofuel development in such a way as to not harm local waterways or the bay.

"While corn-based ethanol represents a viable and readily available alternative to foreign oil, I believe there is an even more promising approach just over the horizon in cellulosic ethanol technology – and Pennsylvania is uniquely situated to take the lead in developing it," said Gov. Rendell. "Rather than depending on corn to produce fuel, with cellulosic ethanol, we can take plant materials, biomass and agricultural waste and convert that into fuel.

"With such a promising economic and environmental opportunity at our feet, I think we should do everything we can to spur its development," said the Governor.

## **Sen. Noah Wenger Honored by Susquehanna River Basin Commission**

[Susquehanna River Basin Commission](#) this week recognized former Sen. Noah Wenger (R-Lancaster) for his outstanding contributions to the agricultural industry in the Susquehanna watershed and for his unwavering commitment to protecting the water resources of the Susquehanna River Basin.



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SRBC honored the senator at its quarterly business meeting at Franklin and Marshall College, Lancaster.

SRBC especially recognized Sen. Wenger for spearheading the 2006 initiative in the General Assembly that provided SRBC's \$6.1 million contribution toward securing 15.7 million gallons of water per day to replace the amount used by Pennsylvania farmers in the Susquehanna watershed. SRBC currently is securing replacement water through the Lancashire water treatment project in Cambria County, Pa., and planning additional water storage projects.

The replacement water is to reduce stress on aquatic habitat and species during times of severe droughts, while removing the burden of individual farmers to comply with SRBC's consumptive use regulatory requirement.

"Sen. Wenger's foresight paved the way for an historic vote at the Commission's business meeting today in support of the agricultural industry and environmental protection," said Paul Swartz, SRBC Executive Director. "The commissioners unanimously determined that the low flow augmentation project underway at the Lancashire site and also at the Whitney Point Lake in New York satisfy SRBC's requirement that the impacts of agricultural water use be addressed and relieved." Swartz said, "For more than 15 years, the Commission has worked doggedly with agricultural interests in Pennsylvania, New York and Maryland to find such solutions. Today, thanks to Sen. Wenger in Pennsylvania, Sen. Thomas Libous in New York, and other policy makers and our partner agencies, we have a win for farmers and the environment."

Sen. Wenger's legislative career spanned 30 years. Among his other accomplishments, he created the state's farmland preservation program; introduced the [Resource Enhancement and Protection Act \(REAP\)](#) of 2007 to provide tax credits for implementing practices, including improvements to barnyards, pastures and riparian corridors, implementing nutrient management plans and remediating legacy sediments and other practices; sponsored the Conservation District Fund of 2006 that established a special non-lapsing fund for conservation district programs; and helped secure funding in 2001 to continue the crop insurance program.

While in office, Sen. Wenger held important leadership positions, including Chairman of Majority Caucus, Chairman of Senate Appropriations Committee and member of the Senate Agricultural and Rural Affairs Committee. Sen. Wenger also served on the Chesapeake Bay Commission, a tri-state legislative commission.

**Links:** [Environmental Professionals Honor Noah Wenger with Karl Mason Award](#)  
[CBF Honors Sen. Wenger With Lifetime Achievement Award](#)  
[Conservation Districts Honor Sen. Wenger](#)

### **New York City Delaware Basin Reservoirs Management Plan Published**

The Delaware River Basin Commission this week announced a schedule of informational meetings and a public hearing on proposed regulations to implement a [Flexible Flow Management Program](#) for the operation of three New York City Delaware Basin reservoirs.

Informational meetings on the proposed amendments will be held December 18 at the Best Western Inn at Hunt's Landing, 120 Routes 6 and 209, in Matamoras, Pa. and on January 8 at the offices of Wolf, Block, Schorr and Solis-Cohen LLP, 1650 Arch St., 26th

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Floor Meeting Room, in Philadelphia (easily accessible from Suburban Station on SEPTA's regional rail line).

The times for both locations will be from 3 p.m. to 5 p.m. and from 6:30 p.m. to 9:30 p.m. Each informational meeting will include a presentation followed by a question and answer period.

The public hearing to receive comments on the proposed rulemaking will take place January 16 at the West Trenton Volunteer Fire Company, 40 West Upper Ferry Rd., in West Trenton, N.J., from 3 p.m. to 5:30 p.m. and from 7 p.m. to 10 p.m. (or until all those who wish to testify have had an opportunity to do so). A brief informational presentation will precede public testimony at both sessions.

“The proposed amendments to the DRBC's Water Code and Comprehensive Plan published today on the commission's web site are consistent with provisions of a Sept. 26 agreement unanimously reached by the parties to the 1954 U.S. Supreme Court decree that provides a comprehensive framework for addressing multiple flow management objectives,” Carol R. Collier, DRBC Executive Director said.

The FFMP is intended to provide a more adaptive means for managing the Cannonsville, Pepacton, and Neversink reservoirs for competing uses including: water supply; drought management; flood mitigation; protection of the tailwaters fishery; a diverse array of habitat needs in the main stem river, estuary, and bay; recreation; and salinity repulsion.

The 1954 decree, which resolved an interstate water dispute centering on the New York City reservoirs, made no provision for spill mitigation, conservation or ecological releases.

The law creating the DRBC gives the commission the power to allocate the waters of the basin, but prohibits it from adversely affecting the New York City reservoir releases or diversions as provided in the 1954 decree without the unanimous consent of the five decree parties.

The parties to the 1954 Supreme Court decree include Delaware, New Jersey, Pennsylvania, New York State, and New York City. The members of the DRBC are the four basin states and the federal government.

The FFMP agreement reached by the decree parties on Sept. 26 is being implemented on a temporary basis by New York State and New York City, in coordination with the Delaware River Master appointed under the decree, while DRBC conducts its notice and comment rulemaking process. The previous interim fishery releases program and temporary spill mitigation program both expired on September 30.

“Based on the public comments received during the rulemaking process, the DRBC may modify its proposed regulations and request that the decree parties consent to adoption of the final regulations,” Collier said. “I encourage all interested members of the public to fully participate in the administrative process in order to help obtain the best result that balances the competing demands on water.”

The FFMP would largely eliminate the reservoir storage “banks” previously used for habitat protection purposes and instead base releases on storage levels, resulting in larger releases when water is abundant and smaller releases when reservoir storage is at or below normal.

The FFMP agreement's spill mitigation component is intended to reduce the likelihood that the three reservoirs could be full and spilling coincident with a major storm or thaw. It does not include specified void targets or permanent voids.

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Written comments will be accepted through the close of business on January 18, and should be mailed to: Commission Secretary, DRBC, P.O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628-0360. Comments also may be faxed to “Attn: Commission Secretary” at 609-883-9522 or send e-mailed to: [paula.schmitt@drbc.state.nj.us](mailto:paula.schmitt@drbc.state.nj.us) .

All written comments should include the name, address, and affiliation (if any) of the commenter, along with “FFMP” in the subject line. Comments on the earlier FFMP agreement that was published in February 2007 but subsequently withdrawn by the decree parties will be included in the administrative record for this action and need not be resubmitted.

The complete public rulemaking notice, including a summary of the proposed amendments, the text of the proposed rule, and directions to the public meetings/hearing, along with additional information, can be found on the [DRBC website](#).

### **Big Spring Creek Symposium Set for April 5 in Shippensburg**

[Big Spring Creek](#), once a flourishing native brook trout fishery, is the subject of a day-long symposium to be held on April 5, 2008 from 8 a.m. to 4 p.m. in the University Foundation Conference Center at Shippensburg University.

Big Spring Creek arises from a large limestone spring north of Stoughstown, in Cumberland County, Pa., and joins Conodoguient Creek near the borough of Newville some five miles from its source. Fertile, low gradient, and of moderate size, Big Spring historically was home to a population of native brook trout described as being “unbelievable in size and numbers.”

Over the years the stream has changed and its trout population has declined from its 19th century eminence to such an extent that brook trout currently are confined to a very small section of the stream near its source. Although generally attributed to the loss of habitat favorable to brook trout, including spawning sites, the primary cause of the decline has been the subject of debate in recent years.

The goal of the symposium is to look back at what Big Spring was in the past and how it has changed over time in order to create for future reference a compendium of the existing historical and contemporary knowledge of the stream, its watershed and its brook trout fishery. That information is critical to understanding how and why the stream has changed and a basic component of any future efforts to restore, maintain and protect the stream and its native brook trout.

Based on existing scientific data and credible observations - some dating back to the early 19th century - symposium speakers will describe the early social and economic history of Big Spring Creek, the geology and hydrology of the watershed, and past and present land use in the area. They also will present contemporary data on water quality and aquatic life of the stream, trout population trends, and current efforts to reestablish habitat suitable for trout. The proceedings of the symposium eventually will be available in book form.

The symposium is open to the public but seating is limited. Pre-registration and a \$20 non-refundable- registration fee is required. The registration deadline is March 1, 2008. The registration fee includes a luncheon and a reception following the symposium.

Registration forms are available from Dr. Todd Hurd, Department of Biology, 1871 Old Main Drive, Shippensburg University, Shippensburg, Pa. 17257 or send email to:



[TMHurd@ship.edu](mailto:TMHurd@ship.edu) . For additional information contact Dr. Jim Gilford, 301-663-3966 or send email to: [jhgilford@verizon.net](mailto:jhgilford@verizon.net).

### **Fish & Boat Commission Hosts Dr. Paul Seelbach in December 10 Seminar**

The Fish and Boat Commission and Penn State University are hosting a special seminar featuring a presentation by [Dr. Paul Seelbach](#), Research Program Manager, Fisheries Division, Michigan Department of Natural Resources.

Dr. Seelbach's seminar "The emergence of landscape-based tools for river assessment" will be held at 9:30 a.m., December 10, in room 102, Forest Resources Building, State College.

Dr. Seelbach is nationally recognized as an expert on river classification, impacts of land use change on river ecology, large-scale assessment of fish habitat, impacts of hydrological alteration on fish communities and much more.

Dr. Seelbach is a Pennsylvania native and did his undergraduate and Master's work at Bucknell University and then completed his doctorate at the University of Michigan. His current position includes leadership and administration of \$4 million statewide research program consisting of 6 research stations, 4 large survey vessels, ~20 research scientists and ~40 support personnel; leadership and administration of the Division through service on Division Management Team; and special Division and Department assignments.

He is also responsible for the management of Sportfish Restoration and State Wildlife Grants federal aid programs and contract research to universities and serves as the Fisheries Division liaison to major universities, including shared oversight of the PERM (partnership) fisheries faculty program.

### **U.S. EPA Seeks Nominations for Green Chemistry Challenge Awards**



The U.S. Environmental Protection Agency is now accepting nominations for the 2008 [Presidential Green Chemistry Challenge Awards](#).

The deadline for nominations is December 31.

These awards recognize innovative chemical technologies that incorporate green chemistry into chemical design, manufacture and use -- and that have broad applications in industry.

Nominated technologies should reduce or eliminate the use or generation of hazardous substances from a chemical product or process. Any individual, group or organization, both nonprofit and for-profit, including academia and industry, may nominate a green chemistry technology for these awards. Self-nominations are welcome and expected.

Typically, five awards are given each year: one to an academic researcher, one to a small business, and the others to larger companies for specific areas of green chemistry. Each nominated technology must have reached a significant milestone within the past five years in the United States.

For examples, see [last year's nominations and award winners](#).

For more information, visit the [Green Chemistry Awards webpage](#).

## DEP Awards \$3 Million in Recycling Performance Grants



More than 100 municipal recycling programs across the state received additional financial support with the award of nearly \$3 million in [Recycling Performance Grants](#) announced this week by the Department of Environmental Protection.

The Commonwealth's commitment to recycling has led to record collection levels and more efficient programs. In 2005, Pennsylvanians recycled a record 4.86 million tons of municipal waste, saving consumers and industries nearly \$263 million in disposal costs and providing businesses with materials valued at \$577 million.

DEP has approved 658 of the 800 performance grant applications received for calendar year 2005 recycling. The remaining applications are being reviewed and additional grant awards may be announced in the coming months.

[A list of grants awarded is available online.](#)

## Expedited Review Timeframes for Air Quality Plan Approvals Now Available

The Department of Environmental Protection this week announced that an Expedited Review Process is available for the [Air Quality portion](#) of the Money-Back Guarantee Program.

The Expedited Review Timeframes option is being implemented as a permanent part of the Air Quality portion of the program because of the interest generated during the "pilot" Permit Streamlining Project that began on July 1, 2005.

This initiative enhances the existing Money-Back Guarantee Program by providing an opportunity for the owners and operators of air contamination sources to partner with DEP in its continuing efforts to streamline the plan approval process.

The purpose of the program is to demonstrate DEP's commitment to providing timely permit decisions. Applicants who comply with all elements of the program, but fail to get authorization from DEP by the applicable deadline will automatically have their permit application processing fee returned.

For more details, [see the full DEP announcement](#) and the [Air Quality Permits webpage](#).

## 5 Chester County Schools Use Biofuels to Power School Buses

Five Chester County school districts that are replacing conventional diesel with biofuels to power its school buses were recognized this week by the Department of Environmental Protection as energy leaders.

The districts and organizations recognized include: Chester County Intermediate Unit, the Coatesville, Downingtown, Kennett Square and West Chester school districts, as well as the Energy Cooperative of Pennsylvania, and Krapf Bus Companies.

The Energy Co-op will use a \$300,000 [Alternative Fuels Incentive Grant](#) that was awarded in October to cover the incremental costs of purchasing nearly 2.3 million gallons of diesel fuel blended with 20 percent biodiesel, otherwise known as B20, to power the Krapf buses serving the districts.

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The school districts, the Energy Co-op, and Moms for the Future are members of the Chester County Biodiesel Coalition, which also includes Krapf Bus Companies. The coalition members worked together to ensure the switch to biodiesel was successful.

“We feel better knowing that our children will be exposed to less asthma-causing pollutants when they ride the school bus,” said Dianne Herrin, president of Moms for the Future, a grassroots parents’ association. “We also feel great knowing that the B20 biodiesel will help reduce the CO2 pollution that causes global climate change. This success shows that the mother's voice is a powerful voice for good.”

Biodiesel provides significant environmental improvements compared to traditional diesel fuels, including less particulate matter, volatile organic compounds, carbon monoxide and carbon dioxide. Particulate matter pollution has been linked to asthma and respiratory ailments.

For more information, visit the [Alternative Fuels Incentive Grants webpage](#).

### PA Home Energy Program to Provide Training for Contractors and Consultants

The [Pennsylvania Home Energy program](#) is offering training to contractors and consultants who wish to provide consumers with high-quality energy assessments of their homes.

Rising energy prices and environmental concerns have increased consumer, professional and trade interest in green building technology and energy efficiency.

In response to this combination of need and demand, the [West Penn Power Sustainable Energy Fund](#) has developed the "PA Home Energy" program to help connect consumers with energy consultants and service providers who can provide high quality green energy services.

PA Home Energy is focused on assisting Pennsylvania consumers reduce their home energy use while improving their overall home performance. PA Home Energy integrates the general principles of whole house performance with green home design.

PA Home Energy will focus on using the ENERGY STAR programs for both new home construction and improving existing homes.

To meet the program’s goal of developing a network of certified contractors and consultants, PA Home Energy is offering training in the Home Energy Rating System and the also Building Performance Institute programs.

For details, [see the full announcement](#).

### DEP Approves Gas to Energy Project for Berks County Landfill



The Department of Environmental Protection this week approved an air quality application for a plant at the Pioneer Crossing Landfill in Exeter Township, Berks County, that will convert methane gas to 50 million kilowatt hours of energy per year.

G.A.S. Access Pioneer Crossing Energy LLC plans to construct a 6.4-megawatt power generating facility with four landfill-gas-fired engine generator sets. The engines will be enclosed in a building on the landfill property.

DEP Southcentral Regional Director Rachel Diamond said capturing methane gas from landfills is a cost-effective way of generating electricity and reducing the impact the gas has on the environment.

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“Landfill gas projects turn a potentially serious environmental threat – methane emissions that contribute to global warming – into a reliable source of energy,” said Diamond, noting that landfill methane is produced from decaying garbage and is typically burned by using large flares.

Pennsylvania is home to 24 operational gas-to-energy projects. DEP estimates these projects generate more than 100 megawatts of electricity, which is enough to power more than 250,000 homes for a year. Additionally, the projects generate approximately 7 billion standard cubic feet of landfill gas annually for industrial/commercial uses.

For more information, visit DEP’s [Landfill Methane Outreach Partnership webpage](#)

### Agriculture Provides Curriculum Information on Renewable Energy

The Department of Agriculture this week announced it has expanded the offerings on its [Market Place for the Mind](#) education website to include renewable energy.

The [renewable energy webpage](#) includes information teachers and students can download energy lesson plans, energy facts and information, lesson plans and other energy materials.

### Leading Corporations Cutting Greenhouse Gases, Including 3 in PA



The U.S. Environmental Protection Agency this week commended more than 150 businesses for working to reduce their greenhouse gas emissions, including three companies in Pennsylvania, during the agency’s [Climate](#)

[Leaders Conference](#).

"EPA's Climate Leaders partners are proving that businesses don't need to break the bank to do what's good for the environment," said EPA Administrator Stephen L. Johnson. "From Main Street to Wall Street, companies are reducing their climate footprints in cost-effective ways – keeping America on track to meet President Bush's greenhouse gas reduction goal."

GHG reductions pledged through Climate Leaders are estimated to prevent the emissions equivalent to more than eight million cars annually.

Among the companies recognized were [PPG Industries Inc.](#), Pittsburgh which adopted more aggressive greenhouse gas emission reduction goals and two new Climate Partners-- [ACE Group of Companies](#)., Philadelphia and [Mantria Corp.](#), Bala Cynwyd, Pa.

Since 2002, Climate Leaders has provided guidance and recognition to leading companies to help them develop and implement comprehensive climate change strategies.

Other Climate Partners in Pennsylvania include: [Air Products and Chemicals, Inc.](#), Allentown, [Alcoa, Inc.](#), Pittsburgh, [Mack Trucks, Inc.](#), Allentown and [U.S. Steel](#), Pittsburgh.

A complete [list of Climate Leaders partners](#) is available online.

### Effect of Climate Change on Weeds Conference January 8-10

The Northeastern Weed Science Society will sponsor a conference on January 8-10 in Philadelphia entitled, "[Effect of Climate Change on Weeds](#)."

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Participants are invited to join scientists, educators, and industry personnel as they meet to discuss aspects of climate change on weeds and other topics related to weed management in various settings. In addition, a number of excellent breakout and poster sessions will be held.

For additional meeting details and the complete schedule, visit the [Effect of Climate Change on Weeds webpage](#).

### **Highmark, Fifth Avenue Place Sponsor Environmental Leadership Days**

On December 12 and 13, [Highmark](#) and [Fifth Avenue Place](#) will rally the community around sustainable, eco-friendly and green practices by hosting Environmental Leadership Days in Fifth Avenue Place's Center Court in downtown Pittsburgh from 11 a.m. to 2 p.m.

Individuals can meet with local environmental nonprofits -- including [Green Building Alliance](#), the [Rachel Carson Homestead](#) and [Sustainable Pittsburgh](#) -- to receive membership information, green tips and more. The first 500 guests on each day will receive a free compact fluorescent light bulb, which uses 75 percent less energy than an incandescent light bulb.

"Creating a healthier environment also helps to create healthier communities," said Byron Falchetti, president of Standard Property Corporation, the real estate subsidiary of Highmark. "Our goal is to encourage the entire Pittsburgh community to implement sustainable, eco-friendly and green practices in their lives so that we can make Pittsburgh a better and healthier place to live."

Devra Lee Davis, PhD, MPH, Director of the Center for Environmental Oncology at the University of Pittsburgh Cancer Institute, will be at Environmental Leadership Days on December 12 from 11 a.m. to 2 p.m. to sign copies of her recent book, "[The Secret History of the War on Cancer](#)."

A strategic objective of Highmark is to apply traditional process improvement tools like Six Sigma to the evaluation of resource consumption across the company and its effects on the environment. Highmark's sustainable, eco-friendly, green business practices include the operation of a Silver LEED certified Data Center near Hershey, Pa., paper and utilities conservation initiatives and the use of certified green seal cleaning supplies in Highmark's facilities.

As one of the leading health insurers in Pennsylvania, Highmark's mission is to provide access to affordable, quality health care enabling individuals to live longer, healthier lives. Based in Pittsburgh, Highmark serves 4.6 million people through the company's health care benefits business.

Highmark contributes millions of dollars to help keep quality health care programs affordable and to support community-based programs that work to improve people's health. Highmark exerts an enormous economic impact throughout Pennsylvania. A recent study states that Highmark's positive impact exceeded \$2.5 billion. The company provides the resources to give its members a greater hand in their health.

Highmark Inc. is an independent licensee of the Blue Cross and Blue Shield Association, an association of independent Blue Cross and Blue Shield Plans.

## **PUC OKs PECO Plan to Begin Meeting Alternative Energy Requirements Early**

The Public Utility Commission this week approved a plan that will allow PECO Energy Co. to begin fulfilling the requirements of the state's Alternative Energy Portfolio Standards Act of 2004 sooner than required.

The commission voted 4-0 to allow the company to acquire alternative energy credits through a competitive procurement process in order to begin to meet its AEPS requirements.

Alternative energy credits were created as a tool to measure compliance with the AEPS Act. The credits act as a concrete way to determine if the electric distribution companies are using the required percentage of energy from alternative sources as required by the Act.

The commission also [approved a motion](#) by Commissioner Tyrone J. Christy that among other things provided that the commission would have three business days to review the auction results as opposed to a 24-hour review period provided in the settlement.

PECO's compliance period for AEPS begins January 1, 2011, however, under the law, PECO may now begin acquiring alternative energy credits, "banking" those credits for use at the start of its compliance period. Banked credits may be used for up to two consecutive years.

AEPS generally requires that a certain percentage of all electric energy sold to retail customers be derived from alternative energy sources such as solar, wind, hydropower, geothermal, biomass, and demand side management resources. The law applies to both electric distribution companies and electric generation suppliers who must demonstrate their compliance on an annual basis. The level of alternative energy required gradually increases according to a 15-year schedule.

For more information, visit the PUC's [Alternative Energy webpage](#). An additional statement was issued by Commissioner [James A. Cawley](#).

**NewsClip:** [PUC Approves Lower Electric Rate for PPL](#)

## **DCNR Awards \$39.4 Million in Grants for Recreation, Conservation Projects**

The Department of Conservation and Natural Resources awarded \$39.4 million in grants for land protection, conservation and recreation projects.

Funding for the grants comes from Growing Greener II, a voter-approved, \$625 million bond issue, and Keystone '93, a DCNR fund generated from a portion of the realty transfer tax.

Statewide, the grants will fund a variety of projects, including conserving 4,129 acres of open space and 224 projects for the development or rehabilitation of recreation, park or conservation areas and facilities.

[A complete list of grants is available online.](#)

## **Creating Sustainable Community Parks Guide Now Available**

The Department of Conservation and Natural Resources, in partnership with the [PA Recreation and Parks Society](#), has released a new publication, "[Creating Sustainable](#)

[Community Parks](#): A Guide to Improving Quality of Life by Protecting Natural Resources."

This guidebook provides over 70 pages of information for parks and communities to help them design, manage and maintain a park that promotes native plantings, uses environmentally-friendly maintenance practices, and created wildlife habitat.

The publication can be [downloaded for free](#).

### **Threatened and Endangered Plants of PA 2008 Calendar**

The [Wild Resource Conservation Program](#) is pleased to announce the availability of their [2008 Threatened and Endangered Plants of PA calendar](#).

The calendar includes 12 colorful photos of some of the state's most at-risk plants, from the southern blue monkshood to the spreading globe flower.

The Wild Resource Conservation Program protects and promotes non-game wildlife and plants throughout the state and is supported financially through tax form check-offs, otter license plate sales, and generous donations.

[The calendar is available free online](#).

### **Join Audubon's Christmas Bird Count December 14 to January 5**

The [Christmas Bird Count](#), a long-standing program of the National Audubon Society, provides an early-winter bird census, where volunteers follow specified routes through a designated 15-mile (24-km) diameter circle, counting every bird they see or hear all day.

It's not just a species tally—all birds are counted all day, giving an indication of the total number of birds in the circle that day. All individual CBC's are conducted in the period from 14 December to 5 January (inclusive dates) each season, and each count is conducted in one calendar day.

The first CBC was done on Christmas Day of 1900 as an alternative activity to an event called the "side hunt" where people chose sides, then went out and shot as many birds as they could. The group that came in with the largest number of dead birds won the event.

Frank Chapman, a famed ornithologist at the American Museum of Natural History and the editor of Bird-Lore (which became the publication of the National Association of Audubon Societies when that organization formed in 1905) recognized that declining bird populations could not withstand wanton over-hunting, and proposed to count birds on Christmas Day rather than shoot them.

CBC participants are organized into groups—or field parties—by the organizer or Compiler of each Count. Each field party covers a specific area of the 15-mile diameter circle on a specific route. And anyone is welcome to participate, since Compilers arrange field parties so that inexperienced observers are always out with seasoned CBC veterans.

As long as you live within a designated CBC circle, you are welcome to count the birds at your feeder. All you'll need to do is contact your local Compiler so that you may report your results on the Count Day.

Please do so before the CBC period, which is 14 December through 5 January every season, by selecting "Get Involved" from the [CBC webpage](#).

**Links:** [178 Bird Species Put on WatchList 2007 by Audubon](#)

[Important Bird Areas of Pennsylvania](#)  
[Disappearing Habitat, Disappearing Common Birds](#)  
[Deer Population Growth, Development Caused Dramatic Lyme Disease Increase](#)

### **Help Wanted: Green Building Alliance Has 3 Intern Openings**

The [Green Building Alliance](#) is seeking interns for several positions: a communications intern, a DASH intern and a Pittsburgh Climate Change Initiative Intern.

GBA is a non-profit organization that integrates environmentally responsible--and high performance--design, construction and operating practices into the Western Pennsylvania market.

For more information, contact: Green Building Alliance, 64 South 14th Street, Pittsburgh PA 15203, 412-431-0709, Fax 412-431-1432 or send email to: [info@gbapgh.org](mailto:info@gbapgh.org)

### **Spotlight**

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#### **Conservation Districts Have Role to Play in Energy Independence**

The Pennsylvania Association of Conservation Districts, Inc. this week released [an Energy Strategy proposal](#) for increased technical assistance to farmers as they consider altering their farm operations to provide the Commonwealth and the Nation with renewable energy sources.

Pennsylvania, along with the rest of the nation, has been advocating increased production and usage of renewable energy sources. New technologies are being developed that utilize combustion, anaerobic digestion and gasification to generate energy from manure and other feedstocks.

For example, nationwide, corn production has increased significantly, in part, to accommodate greater use for ethanol production. In fact, this year corn production in Pennsylvania alone increased by 100,000 acres from the previous growing season.

A recent report from the Chesapeake Bay Commission entitled, "[Biofuels and the Bay](#)" stated, "Handled correctly, biofuels have the potential to provide significant and permanent new income sources for farmers and foresters, while serving as a means to substantially reduce greenhouse gases and better manage agricultural nutrient loadings within the watershed. Handled incorrectly, biofuels could lead to shifts in crop patterns and acreages that create an uncertain future for farmers and foresters and seriously worsen the overload of nutrients to our rivers and the Bay."

The PACD Energy Strategy includes funding for conservation districts that choose to expand technical assistance capacity commensurate with the development of biofuel and alternative energy production while also protecting soil, water, and air resources.

Susan Marquart, PACD Executive Director stated, "We are requesting that any legislation creating a comprehensive energy initiative include \$5 million to position districts with the personnel necessary to provide new technical assistance for enhancing energy production derived from agricultural practices." She concluded, "The goal is providing conservation districts with the funding necessary to assist the farming





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community with implementing conservation practices in conjunction with Pennsylvania's energy production.”

A copy of the [PACD Energy Strategy](#) is available online.

**Links:** [Senate Committee Hears Comments on Biofuels Impacts](#)  
[Chesapeake Bay Foundation Testimony on Environmental Impacts](#)

## Grants & Awards

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This section gives you a heads up on upcoming deadlines for grants and financial assistance as well as nominations for awards and other recognition programs. **NEW** means from last week—

- **December 13** – [Western PA Conservancy, Dominion Watershed Grants](#)
- **December 14** – [Coldwater Heritage Partnership Grants](#).
- **December 14** – [PA Parks/Forests Foundation 2008 Awards](#)
- **December 14** – U.S. EPA [Greater Research Student Opportunities Grants](#)
- **December 14** – DEP [Environmental Education Grants](#).
- **December 15** – DEP [New or Innovative Water/Wastewater Grants](#).
- **December 31** – Fish & Boat Commission [Sportfishing/Aquatic Ed Grants](#)
- **December 31**—**NEW**. [Nominations for Green Chemistry Challenge Awards](#)
- **January 1** – Environ. Concerns [Schoolyard Wetland Habitat Grants](#)
- **January 4** – [PA Conservation Corps Grants](#).
- **January 15**— [National Wetlands Awards Program Nominations](#)
- **February 1** – PA Land Trust Assn. [Government Leadership Award Nominations](#).
- **February 8** – [PA American Water Watershed Art Contest](#)
- **February 19** – PennVEST [Infrastructure Loans/Grants for April 15 Meeting](#).
- **February 22**— [Allegheny County Global Warming Poster Contest](#)
- **March 31** – PAEP [Karl Mason Environmental Award](#).
- **April 2** – [WREN Water Resources Education Project Grants](#)

[Go To: PA Environment Digest Calendar Page](#)

## Quick Clips

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Here's a selection of NewsClips on environmental topics from around the state

[Hanukkah Greens Want to Light One Less Candle](#)  
[At Conference, City Will Plan Ways to Lead in Going Green](#)  
[Pittsburgh Planning Green Summit for February](#)  
[Going Green From the Ground Up](#)  
[Montco's Next Color: Green](#)  
[Montco Approves Greenhouse Gas Plan](#)  
[Allegheny County Manufacturer Reduces Hazardous Waste, Saves Money](#)  
[PA Representative on U.S. Green Building Council's Board](#)

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[McCandless Teen's Art a Natural Beauty](#)  
[\\$1 Billion Upgrade for Clairton Coke Plant](#)

[Column: Mind-Frying Debate, Climate Change](#)

[Editorial: Rejecting Kyoto](#)

[Editorial: Businesses Ready to Step Up on Climate Change, Governments Must Lead](#)

[Op-Ed: PA Needs to be Part of Climate Change Solution](#)

[Study Recommends Changes to PJM Electric Market Monitoring Practices](#)

[PPL Files Bid for Phased Rate Hike](#)

[Energy Group Balks at Duquesne Light Pullout](#)

[Editorial: Leave Power With Consumers in Electric Rate Transition](#)

[DOE Decides to Conduct Additional Hearings on Energy Transmission Plan](#)

[DOE to Reconsider Power Line Push in Mid-Atlantic](#)

[Rendell Pleased DOE Will Reconsider Transmission Corridor Design](#)

[Broad Energy Bill Passed by US House](#)

[Crawford County Dairy Farm to Generate Electricity From Manure](#)

[Editorial: Ethanol, Costly Favoritism](#)

[Groundbreaking for Bucks Solar Facility](#)

[State Awards \\$145,000 Grant for School's Solar Panels](#)

[Wind Turbine Break Isolated Occurrence](#)

[No Gas? No Problem. Charge of the Green Brigade](#)

[Forum: It's Time to Face Peak Oil](#)

[Forum: Fossil Fools](#)

[Falling Dollar Makes PA Anthracite a Good Buy in Europe](#)

[Letter: Coal Ash Editorial Missed the Mark](#)

[Editorial: Re-Energizing America-The Nuclear Option](#)

[Investing in Energy- What's at Stake for PA?](#)

[Editorial: Mutual Effort, Not Partisanship on Energy Policy](#)

[Erie Renewable Energy Submits Permit for Tire to Energy Plant](#)

[Farmers Line Up to Preserve Land for Agriculture](#)

[Farmers Like Option to Save Agriculture](#)

[Top Disaster Experts Come to Town](#)

[Six Birds in State May Go the Way of Dinosaurs](#)

[State Birds Hit Endangered Watchlist, Blame Deer](#)

[Mentored Hunters Create Memories](#)

[Editorial: To Save Money, Resist the Urge to Click on Print](#)

[Editorial: Rather Than Landfill, Recycle Excess Materials](#)

[Save a Marriage, Save the Planet?](#)

[Enjoy Solitude, Views of Nature at Poe Valley](#)

[Nature vs. NASCAR in Big Land Purchase](#)

[Op-Ed: Sprawling Humans Upset Forest Lands](#)

[Public Input Sought on Design of Trail Project](#)

## **Watershed NewsClips**

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Read a sampling of NewsClips on watershed topics from around Pennsylvania.

[Chesapeake Bay Health Getting Worse](#)  
[Bay Regulations Could Halt Development](#)  
[Cucumber Falls Illustrates Lesson in Erosion](#)

## **Regulations**

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No new regulations were published this week. [Pennsylvania Bulletin – December 8, 2007](#)

Comment Deadlines: [Technical Guidance \(DEP website\)](#)

[Copies of Proposed Regulations \(DEP website\)](#)

[Status of Regulations, 6-Month Calendar \(DEP website\)](#)

## **Technical Guidance & Permits**

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The Department of Environmental Protection [published final guidance](#) on funding Chesapeake Bay Watershed Projects.

DEP ID: 361-5500-001. Administrative Manual for the Special Projects Funding Program of the Pennsylvania Chesapeake Bay Program. This manual provides guidance to Conservation District staff on the administrative processes involved with the Special Projects Funding Program of the Chesapeake Bay Program, including the development, implementation, and funding of special projects.

[For copies of Draft Technical Guidance \(DEP website\)](#)

[For copies of Final Technical Guidance \(DEP website\)](#)

## **Calendar of Upcoming Events**

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Upcoming conferences, meetings, workshops, plus links to other online calendars. Meetings are in Harrisburg unless otherwise noted. **NEW** indicates new from last week.  
[Go To: PA Environment Digest Calendar Page](#)

- [DEP No-Cost Internet Training for Environmental Remediation](#)
- **December 10—NEW.** Special Session Senate Appropriations Committee meets to consider [Special Session Senate Bill 22](#) (Tomlinson-R-Bucks) increasing the reimbursement for alternative vehicle fuels from five to ten cents per gallon, [Special Session Senate Bill 36](#) (MJ.White-R-Venango) Biodiesel Study and Production

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Incentive Act, which will trigger mandates for the use of biodiesel based on biodiesel fuel production capacity for production sold to distributors in Pennsylvania. Rules Room. Off the Floor.

- **December 11**— **CANCELLED**. DEP [Laboratory Accreditation Advisory Committee](#) meeting.
- **December 11**— **NEW**. House Local Government Committee meets to consider [House Bill 904](#) (Freeman-D-Lehigh) authorizing local temporary development moratoriums. Room 205 Ryan Building. 9:00.
- **December 11**—**NEW**. House Environmental Resources and Energy Committee meets to consider [Special Session House Bill 1](#) (DePasquale-D-York) providing \$850 million bond issue to fund energy projects through the Energy Development Authority; [Special Session House Bill 4](#) (Rubley-R-Chester) requiring building constructed with state funds to meet green building standards; [Special Session House Bill 16](#) (King-D-Bucks) establishing an independent State Energy Office; and [House Resolution 506](#) (George-D-Clearfield) directing DEP and the PUC to evaluate measures to manage the transition from electricity caps and to minimize the impact on residential customers. Room G-50 Irvis Building. 9:00.
- **December 12**—**NEW**. House Environmental Resources and Energy Committee meets to consider [Special Session House Bill 13](#) (Bennington-D-Allegheny) amending the Alternative Energy Portfolio Standard amending Tier III requirements to include energy efficiency and conservation; [House Bill 1705](#) (Harkins-D-Erie) adopting the Great Lakes Compact concerning water withdrawals. Room 205 Ryan Building. 9:00.
- **December 12**—**NEW**. House Local Government Committee meets to consider [House Bill 749](#) (Boyd-R-Lancaster) amending the Municipalities Planning Code relating to zoning implementation agreements, [House Bill 866](#) (Kauffman-R-Cumberland) amending the Municipalities Planning Code further providing for contents of subdivision and land development ordinances, [House Bill 1812](#) (Gillespie-R-York) amending the Municipalities Planning Code further providing for contiguous municipalities. Room 14, East Wing. 9:00.
- **December 12**— **NEW Date**. House Agriculture and Rural Affairs Committee meeting to consider [House Bill 379](#) (Cutler-R-Lancaster) making changes to ecoterrorism penalties. Room 60 East Wing. Call of Chair.
- **December 12**—**NEW**. House Commerce Committee meets to consider [House Bill 1742](#) (Pashinski-D-Luzerne) increasing penalties for theft of scrap processors. Room 60 East Wing. Off the Floor.
- **December 12**— DEP [Sewage Advisory Committee](#) will discuss proposed changes to Chapter 73. 2nd Floor Conference Room, Rachel Carson Building. 10:30.
- **December 12**— [Delaware River Basin Commission](#) informal conference and hearing on the Delaware flood model and changes in PCB regulations (*official notice*). 25 State Police Drive in West Trenton, NJ. 10:00.
- **December 13** – DEP [Small Water Systems Technical Assistance Center Advisory Board](#) meeting. Room 105 Rachel Carson Building. 10:00.
- **December 14**—**New Date, Location**. [DEP Chesapeake Bay Advisory Committee](#) meeting. DEP Southcentral Regional Office, 909 Elmerton Ave, Harrisburg. 9:00.
- **February 22-23** – 2008 [Keystone Coldwater Conference](#). State College.

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- **March 28**— Lehigh Valley Watershed Conference and Shad Symposium. Holiday Inn, Fogelsville.

### [DEP Calendar of Events](#)

### [Environmental Education Workshop/Training Calendar](#)

(courtesy [PA Center for Environmental Education](#))

### [Senate Committee Schedule](#) [House Committee Schedule](#)

You can watch the [Senate Floor Session](#) and [House Floor Session](#) live online.

## Helpful Web Links

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### [PA Environment Digest Video Blog](#)

### [Daily NewsClips](#) [Daily DEP Update](#) [GreenTreks Network](#)

### [DEP Press Releases](#) [DEP Advisory Committee Meetings & Agendas](#)

### [DCNR Resource Magazine](#) [DCNR Press Releases](#)

### [Fish & Boat Commission Press Releases](#) [Game Commission Press Releases](#)

## Stories Invited

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Send your stories about environmental issues, programs and positive actions to *PA Environment Digest* - [DHess@CrisciAssociates.com](mailto:DHess@CrisciAssociates.com) or go to [www.PaEnvironmentDigest.com](http://www.PaEnvironmentDigest.com) .

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