

— PA — Environment Digest

*An Update on
Environmental
Issues in
Pennsylvania*

Edited By David E. Hess, Holston & Crisci

December 25, 2006

[PA Environment Digest Video Blog](#)

Christmas Holiday Mystery Solved! 2007 *Improve Your Habitat* Calendar Online

Ever wonder how they get that big Christmas tree in the Capitol Rotunda every year?

Now through a special **Video Blog** presentation you'll learn how! Just click on [Decorating the State Capitol](#) and you'll find out!

Just for the record, Pennsylvania ranks first in the nation in the number of Christmas tree farms and ranks fourth in the nation in the number of Christmas trees cut each year and acres of production.

Pennsylvania has 2,164 farms covering 44,905 acres that produce 1.7 million cut trees each year. These farms have more than \$13.9 million in sales annually.

The [Pennsylvania Christmas Tree Growers' Association](#) donated the 22-foot tall Douglas Fir. The tree is decorated with 7,000 white mini-lights and includes nearly 500 ornaments supplied by 64 senior centers across Pennsylvania.

And don't forget, you can recycle your real Christmas tree at many locations around the state. On January 13 you can take your tree to [Construction Junction](#) in Pittsburgh and have it turned into mulch! (*See separate story.*)



***"Improve Your Habitat"* Calendar Available!**

And again this year we are offering a free 2007 "[Improve Your Habitat](#)" calendar to download. (*For best results print on photo paper.*)

From all of us here at *PA Environment Digest* – Happy Holidays!

-- David Hess, Editor

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Recycle Your Christmas Tree Into Mulch, Wildlife Habitat, Feeding Station

You can recycle your real Christmas tree at many locations around the state or in your own backyard. For example, on January 13 you can take your tree to [Construction Junction](#) in Pittsburgh and have it turned into mulch!

You can also use your tree as protective shelter for wildlife or use it as a feeding station for birds and hang fruit slices, seed cakes or suet bags. You can also use the branches as cover to protect more sensitive plants or shrubs in your flower bed.

At the Construction Junction event, individuals are welcome to drop off their real Christmas trees for a \$1 fee per tree from 10:00 a.m. to 2:00 p.m. to be recycled. Christmas trees must be free of ornaments and loose or tied with a string when dropped off. Absolutely no trees in plastic bags will be accepted.

Construction Junction is partnering with Emery Tree Service to provide this service.

Construction Junction does need volunteers to help unloading trees from vehicles and directing traffic in our parking lot. Volunteers will be able to stay warm with cups of hot cocoa and other refreshments courtesy of Whole Foods Market. Additionally, all volunteers will receive a gift certificate from the East End Food Coop.

For more information or to volunteer, call Mindy at Construction Junction at 412-243-5025 and visit the [Construction Junction website](#) for directions.

Link: [Find Tree Recycling Events Near You on Earth911 Website](#)
[Contact Your County Recycling Coordinator for Tree Recycling Events](#)

Session Schedule

The Senate and House will return for the new session on January 2 for swearing-in ceremonies, but will not do actual work until January 16 for the Senate and January 22 for the House.

PA Environment Digest Video Blog

- Visit the John James Audubon Center at Mill Grove, Audubon, PA

See & Hear

- EPA's Watershed Academy Sponsors Land Use/Water Resource Protection Webcast

On the Hill

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- Legislation Approved to Create Captain John Smith Chesapeake National Trail
- National Fish and Wildlife Foundation Announces Delaware Estuary Grants

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- Five-Star Restoration Matching Grant Applications Due March 9
- USDA Announces Sign-Up for 2007 State Conservation Innovation Grants
- DEP Inviting Comments on 5 TMDL Plans 4 Counties
- Environment-Friendly Driving Surface Aggregate OK'd By PennDOT
- EPA Sharpens Focus on Ecological Benefits of Regulations
- New Proposed EPA Rule May Increase Water Quality Permit Fees In PA
- Parks & Forest Foundation Award Nominations Due January 25
- Recent EHB Ruling Makes Some DEP Letters Appealable Actions
- Great Green America Fest Set for July 13-15 in Mount Hope
- PUC Report Shows 16,051 Homes Without Heat Services, Fewer Than Last Year
- Penn State to Get 20+ Percent of Electric Through Renewable Sources
- PUC Says Electric Distribution Companies Own Alternative Energy Credits
- Agriculture Department Warns About Emerald Ash Borer
- Intern Wanted: Bowman's Hill Preserve Offers Summer Internship

Feature

- Citizen Scientists Join In Audubon's Christmas Bird Count

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Video Blog

Visit the John James Audubon Center at Mill Grove, Audubon, PA



Looking for a unique place to visit over the holidays? Try the [John James Audubon Center](#) at Mill Grove in Montgomery County.

From 1801 to 1806, Mill Grove was the first home in America of artist and naturalist John James Audubon. Today, the John James Audubon Center at Mill Grove preserves one of the nation's largest collections of Audubon art.

An educational center of the National Audubon Society, Mill Grove is dedicated to connecting people with the natural world by interpreting Audubon's legacy and encouraging guests to explore the estate, which remains largely as John found it—a haven for birds and wildlife.

The Center consists of a 240-year old stone farmhouse and barn, a re-creation of John's bedroom, original art from John's masterworks *Birds of North America*, 175 acres of rolling woodlands and open meadows, more than 9 miles of walking trails, a bike trail linking the Perkiomen and Schuylkill River Trails to downtown Philadelphia and Fairmount Park just 18 miles by trail and year-round educational programs and special events.

Jean Bochnowski, the Center's Director, provides an overview of the history and activities of the Center to *PA Environment Digest* editor David Hess.

Location: 1201 Pawlings Road, Audubon, PA 19403

Hours: Tuesday thru Saturday 10 to 4, Sunday 1 to 4

Information: 610-666-5593

[Mill Grove Audubon Webpage](#)

Video Blog: [John James Audubon Center](#)

See & Hear

EPA's Watershed Academy Sponsors Land Use/Water Resource Protection Webcast

On January 17 the U.S. Environmental Protection Agency's Watershed Academy will sponsor a free webcast on "[Local Land use Decision-Makers on Water Resource Protection](#)."

Featured presenters will include: Chet Arnold from the University of Connecticut's Center for Land Use Education and Research, John Rosum with the Connecticut NEMO Project and Dave Dickson with the National NEMO Network.

The speakers will provide a thorough overview of the methods, impacts and educational offerings of the Nonpoint Education for Municipal Officials Program. NEMO is a national award-winning program of the University of Connecticut that educates local land use decision makers on the links between land use and water resource protection.

During the program, the educational offerings, geospatial technology tools, and local impacts of the Connecticut program will be discussed. The instructors will reveal the mysteries of the National NEMO Network, an affiliated group of projects in 30 states.

Registration for this webcast will open on January 10. The webcast will begin at 1:00 p.m.

For more information, visit the [Watershed Academy webcast webpage](#).

On the Hill

2006 Legislative Accomplishments on Environmental Issues

2006 was a busy year for the General Assembly on environmental issues. Here's a rundown on the major bills and resolutions that saw final action during the year--

Recycling Fee: [House Bill 1902](#) (Rubley-R-Chester) extending the \$2/ton Recycling Fee sunset date through 2012 was signed into law as Act 140.

Downtown Relocation Law: [House Bill 218](#) (Reed-D-Indiana), which expands the law that requires the Commonwealth to look at locating state offices in downtown areas, was signed into law as Act 39.

Conservation District Funding: [Senate Bill 1224](#) (Wenger-R-Lancaster) creating the Conservation District Fund was signed into law by the Governor as Act 110.

Clean Streams Penalties: [House Bill 2042](#) (Reichley-R-Berks) that would increase penalties for water pollution under the Clean Streams Law was signed into law as Act 123.

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Infrastructure Security: [House Bill 854](#) (Rubley-R-Chester) establishing the Terrorism Infrastructure Disclosure Protection Act prohibiting the release of certain infrastructure records was signed into law as Act 156.

Windmill Farm Assessments: [Senate Bill 514](#) (Gordner-R-Columbia) amending the Tax Reform Act related to property tax assessments for windmill farms and other issues was signed into law by the Governor as Act 167.

Preserving Open Space: [House Bill 183](#) (Ross-R-Chester) providing more local taxing options for preserving open space was signed into law as Act 154.

Open Space Preservation: [House Bill 87](#) (Steil-R-Bucks) further authorizing local governments to preserve open space through the waiver of certain service fees was signed into law as Act 4.

Agricultural Area Security Law: [Senate Bill 723](#) (Wenger-R-Lancaster) providing revisions of certain definitions and a legislative report under the Agricultural Area Security law was signed into law as Act 46.

Land Conservation Easement Taxation: [Senate Bill 300](#) (Armstrong-R-Lancaster) would change inheritance tax provisions for land held under conservation easements created by the Agricultural Area Security Act so that the value was 50 percent of the value it otherwise would have under tax law was signed into law as Act 67.

Healthy Foods, Healthy Schools: [Senate Bill 1209](#) (Waugh-R-York) establishing the Healthy Foods, Healthy Schools Program was signed into law as Act 184.

Geologists Continuing Education: [Senate Bill 655](#) (Madigan-R-Bradford) establishing continuing education requirements for individuals licensed under the Engineer, Land Surveyor and Geologists Registration Law was signed into law as Act 170.

Tire Recycling: [House Bill 1114](#) (Yudichak-D-Luzerne) expanding the waste tire recycling program was signed into law as Act 7.

Water Shutoff: [House Bill 893](#) (Semmel-R-Berks) establishing procedures for shutting off water service for nonpayment of sewer bills was signed into law as Act 28.

Ecoterrorism: [House Bill 213](#) (Godshall-R-Montgomery) establishing penalties for ecoterrorism was signed into law as Act 27.

Environmental Capital Budget: [House Bill 2317](#) (Feese-R-Lycoming) establishing the 2005-2006 Capital Budget for flood control, Keystone Recreation and Environmental Stewardship projects was signed into law as Act 83.

In-Lieu of Tax Payments: [Senate Bill 868](#) (Scarnati-R-Warren) increasing the in-lieu of tax payments for State Forest and Game Lands from \$1.20 to \$3.60, funded by gaming revenues was signed into law as Act 102.

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Penalties for Non-Native Fish: [House Bill 1320](#) (Reichley-R-Berks) establishing penalties for the sale, transport, possession or release of non-native injurious fish was signed into law as Act 75.

Oil and Gas Leases: [Senate Bill 594](#) (MJ White-R-Venango) establishing the Dormant Oil and Gas Act to create trusts for prior oil and gas well owners was signed into law as Act 115.

One Call Program: [Senate Bill 1104](#) (Tomlinson-R-Bucks) making changes to the One Call Program was signed into law as Act 181.

Arbor Day: [House Resolution 706](#) (Marsico-R-Dauphin) designating April 28 as “Arbor Day.”

Watershed Awareness Month: [House Resolution 711](#) (Adolph-R-Delaware, George-D-Clearfield) designating May as Watershed Awareness Month and [Senate Resolution 291](#) sponsored by Sen. Rhoades (R-Schuylkill), Sen. Musto (D-Luzerne), Sen. Mary Jo White (R-Venango) and 30 other Senators designating May as “Watershed Awareness Month.”

Federal Abandoned Mine Reclamation Funding: [House Resolution 719](#) (Markosek-D-Allegheny) urging Congress to reauthorize the federal abandoned mine reclamation fee.

Drinking Water Month: [Senate Resolution 259](#) (sponsored by Sen. Musto-D-Luzerne, and Sen. Mary Jo White-R-Venango) designating May 7-13 as “Drinking Water Week”

Radon Action Month: [House Resolution 918](#) (Rubley-R-Chester) designating January 2007 as “Radon Action Month.”

Miner’s Day: [House Resolution 795](#) (DeWeese-D-Greene) designating December 19 as “Coal Miner’s Day” in Pennsylvania.

America Recycles Day: [House Resolution 494](#) (Rubley-R-Chester) designating November 15 as “America Recycles Day.”

PA GIS Day: [House Resolution 499](#) (Fairchild-R-Mifflin) designating November 15 as “Pennsylvania GIS Day.”

These bills were vetoed by the Governor--

Storage Tanks: [House Bill 1195](#) (Yudichak-D-Luzerne) that makes changes to the program to help underground tank owners upgrade tanks was vetoed by Gov. Rendell saying the expansion of the tank programs it contains were not supported by additional revenues. Vetoed by Governor

Governor’s Transfer of Funds: [House Bill 471](#) (Reichley-R-Berks) an Administrative Code bill relating to merchant marine bonuses from World War II and cardiovascular disease was amended with provisions limiting the ability of the Governor to transfer funds

during a fiscal year in response to concerns raised about Gaming Control Board funding was vetoed by Gov. Rendell (Veto #13).

Sen. Mary Jo White Outlines Environmental Priorities for 2007 Session

Sen. Mary Jo White (R-Venango), chair of the Senate Environmental Resources and Energy Committee, outlined the Committee's recent accomplishments and her priorities for the coming legislative session.



Sen. White said during the 2005-2006 legislative session, the Committee advanced legislation to address a host of important environmental and conservation issues. These included:

- Funding for the Hazardous Sites Cleanup Fund;
- An enhancement of former Gov. Tom Ridge's Growing Greener program, which White sponsored in 1999. The Committee also rejected the Governor's proposal to increase taxes by \$150 million annually;
- Encouraging development of indigenous dormant oil and gas reserves;
- Increased payments in lieu of taxes for public lands; and
- Extension of the \$2/ton recycling fee.

The Committee held numerous public hearings to gather information on pressing issues. Sen. White also created a [Committee website](#) to ensure timely and efficient access by the public to the Committee's activities along with public hearing and meeting information.

Sen. White also outlined several key issues that the Committee will tackle in the coming session, including:

- Finalizing a state strategy to reduce mercury emissions from coal-fired power plants;
- Comprehensive amendments to the state's mine safety law;
- Securing long-term funding for the Hazardous Sites Cleanup Fund;
- Reforming operations of the Department of Environmental Protection and Environmental Quality Board;
- Reviewing alternative energy and "climate change" policies; and
- Assuring consumer access to reliable and affordable energy.

"I am very pleased with this appointment (as Chair), and I look forward to continuing the efforts of the Senate to promote sound and responsible environmental and conservation policies for the Commonwealth," said Sen. White. "I also look forward to working with Sen. Ray Musto, Democratic chair of the Committee, as we work to reach a consensus on difficult and complex issues."

For more information, visit the [Senate Environmental Committee webpage](#).

Mid-Year Budget Review - Slowing Economy Hurts Revenue, Big Bills Ahead

At his mid-year budget briefing this week, Budget Secretary Michael Masch said state revenue projections were pretty much in line with actual collections, but a slowing economy is making itself felt.

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Secretary Masch also projected how an expected \$300 million in revenue from slots parlors will be spent, including support for state-owned conservation lands.

Masch's review included status reports on state revenue collections and spending, highlights of key Rendell Administration Programs and gave a hint at the general issues to be covered in the Governor's budget proposal in February.

Masch said seven key issues will affect the remaining months in this year's budget and the preparation of next year's spending plan— slower economic growth, transportation/transit costs, health care cost inflation, Pennsylvania's aging population, increasing offender population, pension and post-employment costs and collective bargaining agreements due to expire in 2007.

Masch said the Governor will be requesting \$22.6 million in supplemental appropriations in several areas, including medical assistance, flood relief and gypsy moth and black fly spraying.

He also noted the Rendell Administration will commit \$295 million of the \$625 million Growing Greener II bond issue fund by the end of fiscal year 2006-07. \$226 million was committed in the first year-- \$80 million to DEP, \$70 million to DCNR, \$22 million to Agriculture, \$11 million to DCED, \$25 to Fish & Boat Commission and \$7 million to Game Commission. There was no separate breakout of how much funding went directly to counties as required by Growing Greener II.

Among the environmental budget issues to be tackled next year will be: funding the Hazardous Sites Cleanup Fund and the Nutrient Management Fund, which are both set to run dry by July 1.

Over the last two years \$50 million to fund the Hazardous Sites Cleanup Fund has been taken away from the original Growing Greener Program which finances watershed cleanup, abandoned mine reclamation and other conservation projects.

In the coming year, funding for debt service to pay for the Growing Greener II bond issue approved in 2005 by voters is also authorized to be taken from the original Growing Greener Program.

In the current budget (2006-07), \$52.7 million was diverted from DCNR's Keystone Recreation, Park and Conservation Fund to the General Fund as a "one-time" measure to balance the budget.

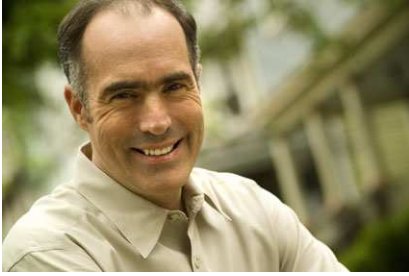
[The full PowerPoint Briefing is available online.](#)

Secretary Masch's mid-year budget brief included how more than \$300 million in projected gaming revenues will be spent between now and July 1 on nine different program areas, including \$200 million for expedited senior citizen property tax relief.

Here's a rundown on how the projected revenues would be spent—

DCNR In-Lieu-of Tax Payments -----	\$ 4,800,000
Game Commission In-Lieu-of Tax Payments -----	\$ 3,400,000
Fish & Boat Commission In-Lieu-of Tax Payments ----	\$ 72,000
Compulsive Problem Gambling Treatment Fund -----	\$ 1,500,000
Local Law Enforcement Grants -----	\$ 5,000,000
Volunteer Fire/Medical Companies Grants -----	\$ 25,000,000
Volunteer Fire/Medical Companies Grant Repayment -	\$ 25,000,000
General Fund Loan Repayment -----	\$ 36,100,000
Expedited Property Tax Relief -----	\$200,000,000
Total -----	\$300,921,000

Casey Highlights Environmental Accomplishments as State Treasurer



In a year-end press conference this week, State Treasurer and U.S. Senator-elect Bob Casey highlight several environmental programs among his accomplishments as Treasurer.

Those programs included:

- Establishing the [Keystone Green Fund](#) which promotes greater public and private investments in clean technologies such as alternative and renewable energy sources developed with the help of the Pennsylvania Environmental Council and other partners; and
- Launching of [KeystoneHELP](#) (Home Energy Loan Program), which helped thousands of homeowners throughout Pennsylvania borrow money at low interest rates to purchase energy-efficient appliances and to make other energy star improvements to their homes that will conserve energy and reduce heating and cooling costs.

Joint Committee Makes Recommendations on Kilbuck Township Landslide

The [Joint Legislative Air and Water Pollution Control and Conservation Committee](#) made three recommendations this week as a result of its November 2 public hearing into the Kilbuck Township landslide in Allegheny County, according to Committee Chair Rep. Scott Hutchinson (R-Venango).

“The Committee wished to provide the Joint State Government task force with some possible starting points as soon as possible, based on testimony at our hearing, so that the investigation can proceed without delay,” Rep. Hutchinson said. “This does not in any sense limit the scope of the task force’s investigation.”

The recommendations were made in a letter to David Hostetter, executive director of the [Joint State Government Commission](#), which is overseeing a task force and advisory committee that will take the lead in the investigation of the landslide pursuant to [House Resolution 897](#).

“The potential instability of the site, the impact it may have on the area, and the extent of local, county and state legislative interest in addressing the problem are all key reasons to advance the study,” said Rep. Hutchinson.

The Committee’s suggestions focus on the possible underlying causes of the September 19 landslide, which covered Route 65 and a nearby Norfolk-Southern main rail line with thousand of tons of dirt, rocks, trees and other debris, snarling highway and rail traffic for several days.

The Committee’s suggestions are:

- Examine the process of local government oversight in construction projects. In particular, review geologic requirements for project approval such as grading, slopes, stabilization and proximity to highways and railways. Specifically, look at the possibility of monitoring geologic review by the Department of Conservation and Natural Resources for large projects. Also, examine the process for waiving local ordinances for such construction activities and decisions on projects of a specific size;
- Study whether local government should continue to have unilateral authority to make land use decisions that affect entire regions. Consider the possibility of county

oversight and approval of projects where appropriate in areas affecting multiple jurisdictions; and

- Giving due consideration to the economic development challenges that face the 67 counties in Pennsylvania, investigate the possibility of creating a regional and/or state planning council(s) to help develop and guide land use planning and transportation policies for cities, towns and municipalities.

Committee and task force member Rep. Thomas Petrone (D-Allegheny), who called for the initial Committee hearing and introduced House Resolution 897, was pleased to see the suggestions, saying they provide new directions to pursue in seeking long-term answers to issues raised by the landslide.

“While we continue to look into the immediate issues surrounding the landslide, such as soil composition, sloping, stabilization, blasting and the like, we also need to move ahead with the more general issues with possible statewide impact, such as those raised by the Committee in the chairman’s letter,” Rep. Petrone said.

“We need to know if red flags were missed. We need to know the roles government may have played in creating the problem and what roles it can play in solving them. We need to examine the relationships between state, county, regional and municipal bodies and their respective authorities. We don’t want to see another Kilbuck somewhere else.” House Resolution 897 calls for the completion of the Joint State Government Commission investigation within a year of the adoption of the resolution (which was October 24, 2006).

For further information contact Rep. Hutchinson at 814-677-6363 or Craig D. Brooks, Executive Director, Joint Legislative Air and Water Pollution Control and Conservation Committee, at 717-787-7570, ext. 14.

NewsClip: [State Reviewing Developer’s Plan for Stabilizing Hillside in Kilbuck](#)

December Environmental Synopsis Newsletter Now Online

The December issue of the [Environmental Synopsis newsletter](#), published by the [Joint Legislative Air and Water Pollution Control and Conservation Committee](#), is now available online.

This month’s issue highlights the Committee’s activities during 2006, electronics recycling, a report on the 2006 “Index of Leading Environmental Indicators” and environmental consequences of population growth.

In Other News

Legislation Approved to Create Captain John Smith Chesapeake National Trail



Last week the U.S. Congress passed and this week President Bush signed into law legislation to authorize the [Captain John Smith Chesapeake National Historic Trail](#), the nation’s first national water trail.

The Captain John Smith trail creates an exciting way for people to connect to the Chesapeake Bay. It provides an up-close view of the Bay’s rich ecosystem and the efforts to protect and restore the Bay.

The trail opens a path to recreation and provides for environmental education. It puts people in touch with the Chesapeake’s

rich culture: the watermen, the Native Americans who have lived here.

For more information, visit the [Captain John Smith Chesapeake National Historic Trail webpage](#).

NewsClip: [Capt. John Smith Trail Signed Into Law](#)

National Fish and Wildlife Foundation Announces Delaware Estuary Grants

The [National Fish and Wildlife Foundation](#) this week announced \$793,500 in grant awards to 22 local nonprofit organizations and governments to fund conservation projects under the Delaware Estuary Watershed Grants Program.

The announcement included ten projects in Pennsylvania to improve fish passage and habitat and open 3.5 miles of open water for fish; a project that involves innovative restoration at a farm, a living demonstration site at a pond to teach 8,000 visitors annually about the habitat, and a project to work with ports. They include:



Cheltenham Dam Removal and Habitat Restoration, Tacony Creek, Elkins Park, Montgomery County: Cheltenham Township will remove a dam opening 3.5 miles of passage for American and Hickory shad. Over 900 feet of riparian habitat will be restored establishing connectivity to the adjacent greenways of [Tacony Creek Park](#) and Tookany Park.

More than 450 feet of self-maintaining stream channel will be created reducing flooding and erosion and allowing natural processes to re-establish stream habitat. The project builds upon a public environmental stewardship program focused on restoring Tacony Creek. The Fish and Boat Commission is a project partner. \$35,000 grant, with \$37,000 local match.

Awbury Arboretum Stormwater Wetlands, [Awbury Arboretum Association](#), Philadelphia: The Awbury Arboretum Association will remove exotic vegetation and restore one acre of the Wingohocking Creek wetlands and redesign pond spillways to reduce the impact of storm flows on the riparian zone. The wetland, pond and riparian zone are one of the remaining natural unfilled areas of this part of the western Tacony-Frankford Creek River Watershed.

The project also involves outreach to neighborhood residents and community leaders about watershed protection, wetlands preservation and urban stormwater management. The wetlands will serve as a living laboratory for 500 K-8 local school children, 24 teachers seeking credit in environmental science; and three colleges and 100 visitors and community service volunteers. The Philadelphia Water Department is a partner on the program. \$25,000 grant, with \$109,200 match.

Stream and Habitat Restoration on Pennypack Creek, [Pennypack Ecological Restoration Trust](#), Lower Moreland Township, Montgomery County: The Pennypack Ecological Restoration Trust will stabilize 600 feet of steep and undercut stream bank, restore that bank with native plants and reduce the channel width to enhance stream habitat on Pennypack Creek. The restoration will involve 15 volunteers from the local Trout Unlimited Chapter. The project builds on the prior removal of the Bethayres Dam in 2005

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which opened 7.5 miles of fish passage and restored 2.5 acres of stream and riparian habitat on Pennypak Creek. \$25,000 grant, \$800 match.

Darby Creek Dam Removal and Habitat Restoration, Boroughs of Darby, Lansdowne, Colwyn, Clifton Heights and Upper Darby Township, Montgomery County: American Rivers will survey, design and plan for removal of three dams and a remnant bridge abutment and develop a final plan to restore habitat for migratory and resident fish along a 9.7 miles of Darby Creek. Partners include the Fish and Boat Commission, Delaware Riverkeeper Network, [Darby Creek Valley Association](#) and the five local governments. \$50,000 grant, with \$48,000 match.

Crabby Creek Restoration, [Valley Forge Chapter of Trout Unlimited](#), Tredyffrin Township, Montgomery County: Trout Unlimited will restore 1,200 linear feet of Crabby Creek where several upper tributaries come together using step pools, vanes and cribs to reduce sediment load to downstream habitat and spawning areas for brown trout. This project is the first part of a project to restore the creek system through a combination of stormwater management, floodplain reconnection, streambank stabilization and in-stream habitat improvements. Project partners include Valley Creek Restoration Partnership and Valley Creek Trustee Council. \$20,000 grant, \$14,500 match.

Lindquist Farm/Watson Creek Habitat Restoration, [Bucks County Chapter of Trout Unlimited](#), Buckingham Township, Bucks County: Bucks County Trout Unlimited will remove a concrete dam to enhance fish passage for brown trout, install 1,500 feet of forested riparian buffer and stabilize 500 feet of eroding stream bank along Watson Creek. The project builds on a prior DEWGP award which assessed the restoration priorities in the Mill Creek Watershed. Project partners include Bucks County Conservation District, Buckingham Township and Fish and Boat Commission. \$42,000 grant, with \$59,000 match.

PRC Pond/Wetland Restoration, [Pennsylvania Resources Council](#), Ridley Creek State Park, Delaware County: The Pennsylvania Resources Council will restore and monitor a .75 acre pond and wetland at the headwaters of a tributary to Ridley Creek to improve habitat for waterfowl and migratory birds and to reduce nitrates from a horse farm in Ridley Creek State Park.

The site will be part of the PRC Environmental Living Demonstration Center used to teach 8,000 plus students and visitors about wetlands, native plants and animals and restoration through events like the Neuman College annual Frog Frolic focused on native amphibians and research on the long tailed salamander.

Twenty-five students from Garnet Valley High School will be involved in the restoration as will Delaware County Community Service crews. Partners include Department of Conservation and Natural Resources, Natural Resources Conservation Service, and Delaware County Conservation District. \$10,000 grant, with \$12,100 match.

Environmental Assessment and Action Plan for the Haverford State Hospital Site, Haverford Township, Delaware County: The Citizens Haverford State Advisory Board will develop a stewardship plan to preserve and restore 129 acres of riparian, wetland and hardwood forest habitat including investigating removing barriers to fish passage along to

brooks that drain into Darby Creek. The plan will also have a strong environmental education element, propose water monitoring stations, integrate a trail system associated with key habitats and involves outreach to the public and Haverford Township to assure plan adoption. Partners include Haverford Township, its Parks and Recreation Department and school district, the Math Science Partnership of Greater Philadelphia, Haverford Hills Associates, Bryn Mawr College and numerous other community organizations. \$45,000 grant, with \$62,800 match.

Program to Develop Best Management Practices to Prevent Stormwater Pollution Runoff at Philadelphia Area Ports, [Clean Air Council](#), Philadelphia: The Clean Air Council will develop a baseline assessment of practices and conduct outreach with the goal of establishing a suite of voluntary best management practices to respond to stormwater runoff at Philadelphia ports.

The project is designed to build upon a base of cooperative relationships between community groups and port operators and establish voluntary pilot implementations of the BMPs. The project will involve recognition ceremonies. Partners include members of the Philadelphia Regional Port Authority system, and collaborating organizations of the Port Environmental Task Force such as: Philadelphia Water Department, Pilot's Association for the Bay and River Delaware, Camden Iron & Metal, Greenwich Terminals, NJ and Department of Environmental Protection, U.S. Coast Guard, South Jersey Port Corporation, CSX Rail et al. \$45,000 grant, with \$10,789 match.

Historic Rittenhouse Town Riparian Buffer Improvement Project, [Center in the Park, Senior Environment Corps](#), Fairmount Park, Philadelphia: Center in the Park's Senior Environment Corps will control invasive vegetation and replant native species along 700 foot (with 20-75 foot buffer) of Monoshone Creek in Fairmount Park. The project will also develop an educational and interpretive program. \$14,000 grant, with \$20,455 match.

Restoration Assistance for the Delaware Estuary III, [Delaware Riverkeeper Network](#): The Delaware Riverkeeper Network will provide assessment, project design, and planning as well as other forms of restoration assistance "free of charge" to landowners, municipalities, and watershed organizations across the three-state estuary. This project is projected to result in on-the-ground restoration of 5,000 linear feet, including 40-acres of terrestrial and aquatic habitat, and the improved restoration management of 6,000 linear feet, including 50-acres of terrestrial and aquatic habitat.

No cost technical assistance to watershed organizations and other local entities helps overcome technical and logistical issues which can lead to failed projects. The overall goal of this continuing project is to ensure effective and sustainable success in local restoration. Since 2003, Delaware Riverkeeper Network has provided restoration assistance to 25 sites in Delaware, New Jersey and Pennsylvania. Project partners are a combination of 35 local, state and federal entities. \$50,000 grant, with \$50,000 match.

"One of the greatest environmental challenges facing our communities is the protection and restoration of estuaries," said Thomas Kelsch, Conservation Director, National Fish and Wildlife Foundation. "The funding awarded today represents the Foundation's commitment to building broad public/private partnerships to improve the overall health of the Delaware Estuary."

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Major funding for this grant program comes from the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, a settlement provided by the U.S. Department of Justice, U.S. Attorney's Office, New Jersey, BP Foundation, William Penn Foundation.

"What makes the Delaware Estuary so dynamic is its direct connection to the health of our natural resources and the quality of life in our communities," said Cathy Curran Myers, Deputy Secretary for Water Management at the Department of Environmental Protection. "Right now, many areas in the estuary face increasing pressure from development, shoreline erosion, biodiversity loss and nonpoint source pollution. Sound management of these resources is vital to both the environmental and economic health of Pennsylvania. DEP is pleased to support the National Fish and Wildlife Foundation in these restoration and education efforts."

"The BP Foundation is pleased to be a major sponsor of the Delaware Estuary Grants Programs," said Pat Wright, BP Foundation President. "We're excited by the projects selected for this year's awards and their impact on the ecological health of the estuary. We're also delighted that the projects we've funded in the past have already shown encouraging results."

"As the a National Estuary Program, we appreciate the great work National Fish and Wildlife Foundation's Delaware Estuary Grant Program funding provides for in the Estuary," said Kathy Klein, Executive Director of the Partnership for the Delaware Estuary. "Habitat restoration is a critical component to implementing the Comprehensive Conservation Management Plan. We applaud the opportunity that NFWF has continued to provide to organizations in our region."

For more information visit the [National Fish and Wildlife Foundation website](#).

Link: [Partnership for the Delaware Estuary](#)

Five-Star Restoration Matching Grant Applications Due March 9

The National Association of Counties, the National Fish and Wildlife Foundation, the [Wildlife Habitat Council](#), in cooperation with the U.S. Environmental Protection Agency and a new partner, Southern Company, are soliciting applications for the [Five-Star Restoration Matching Grants Program](#).

Applications are due March 9.

The Program provides financial assistance on a competitive basis to support community-based wetland, riparian and coastal habitat restoration projects that build diverse partnerships and foster local natural resource stewardship through education, outreach and training activities.

Awards are between \$5,000 and \$20,000 and the average grant is about \$13,000.

Projects must include a strong on-the-ground wetland, riparian, or coastal habitat restoration component and must also include a strong training, education, community stewardship and/or outreach component.

Projects must involve diverse partnerships of ideally five organizations that contribute funding, land, technical assistance, workforce support, and/or other in-kind services. Projects involving only research, monitoring, or planning are not eligible for funding.

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Applicants must demonstrate that measurable ecological, educational, social, and/or economic benefits are expected to result from the completion of the project.

For more information, visit the [Five-Star Restoration Matching Grants Program webpage](#).

USDA Announces Sign-Up for 2007 State Conservation Innovation Grants

U.S.D.A. announced it is soliciting proposals for [Conservation Innovation Grants](#) from states to stimulate the development and adoption of innovative conservation approaches and technologies.

State proposals are due April 28.

Pennsylvania has the opportunity to submit a CIG application and obtain \$250,000 in federal funding for projects covering feed management, nutrient management, integrated pest management, soil compaction, organic matter depletion, soil condition deterioration and objectionable odors.

For more information visit the [PA Conservation Innovation Grants webpage](#).

DEP Inviting Comments on 5 TMDL Plans 4 Counties

The Department of Environmental Protection is inviting comments on five Total Maximum Daily Load (TMDL) plans in Cameron, Clearfield, Elk and Jefferson counties. They include:

[Tributaries to Trout Run to Pine Run Watershed](#), Clearfield: DEP will hold a public meeting on the proposed TMDL plan on January 17 start at 10:00 a.m. at the Moshannon District Mining Office, Philipsburg. Contact: John Mital, 814-342-8200 or send email to: jmital@state.pa.us. Comments due: February 23.

[West Creek Watershed](#), Elk & Cameron: DEP will hold a public meeting on the proposed TMDL plan on January 17 start at 2:00 p.m. at the Moshannon District Mining Office, Philipsburg. Contact: John Mital, 814-342-8200 or send email to: jmital@state.pa.us. Comments due: February 23.

[East Branch Mahoning Creek Watershed](#), Clearfield & Jefferson: DEP will hold a public meeting on the proposed TMDL plan on February 7 start at 10:00 a.m. at the Moshannon District Mining Office, Philipsburg. Contact: John Mital, 814-342-8200 or send email to: jmital@state.pa.us. Comments due: February 23.

[Laurel Branch Run Watershed](#), Clearfield: DEP will hold a public meeting on the proposed TMDL plan on February 7 start at 10:00 a.m. at the Moshannon District Mining Office, Philipsburg. Contact: John Mital, 814-342-8200 or send email to: jmital@state.pa.us. Comments due: February 23.

[Stump Creek Watershed](#), Clearfield & Jefferson: DEP will hold a public meeting on the proposed TMDL plan on February 7 start at 10:00 at the Moshannon District Mining Office, Philipsburg. Contact: John Mital, 814-342-8200 or send email to: jmital@state.pa.us. Comments due: February 23.

For more information, visit [DEP's TMDL webpage](#).

Environment-Friendly Driving Surface Aggregate OK'd By PennDOT

The [State Conservation Commission](#) and the Department of Transportation announced that Driving Surface Aggregate is now approved for Liquid Fuel Tax Funds expenditure to rebuild local roads.

The specification for this item listed as MS-0450-0004 can found in the Bureau of Municipal Service's Publication 447 (Approved Products for Lower Volume Local Roads).

Driving Surface Aggregate or DSA is a mixture of crushed stone developed specifically as a surface wearing course for unpaved roads. DSA has a unique particle size gradation designed to maximize packing density and produce a durable road surface that performs better than conventional aggregates.

PennDOT's New Products Evaluation Program for Lower Volume Local Roads is in place through a research project that promotes collaboration with transportation partners and technical advisors to approve products that may be paid for with Liquid Fuels Funds.

DSA was developed under a project by Dirt and Gravel Road Maintenance Program that provides financial incentives for local officials to implement techniques that prevent pollution that can impact state waterways.

Environmentally sensitive maintenance practices have been developed to provide maintenance techniques for unpaved roadways that have been identified as sources of dust and sediment pollution.

For more information, visit the [Dirt and Gravel Road Maintenance Program webpage](#) or call Michael J. Klimkos at 717-787-2103.

EPA Sharpens Focus on Ecological Benefits of Regulations

What benefits do people actually derive from clean air, water and land? The U.S. Environmental Protection Agency has taken a step toward answering this question with the release this week of its [Ecological Benefits Assessment Strategic Plan](#).

EPA has traditionally been able to quantify human health benefits more easily than total ecological benefits when making regulatory decisions. The EBASP will help fill this gap by enabling the agency to more comprehensively address the full economic value of environmental protection.

The EBASP will be a vital tool for agency decision-makers, supplementing current practices for identifying and quantifying the ecological benefits of the agency's policies and actions. According to Benjamin Grumbles, assistant administrator for EPA's Office of Water, "This plan will boost environmental protection by advancing knowledge of ecosystem benefits. Understanding the value of a clean stream or a healthy coast informs decisions and improves environmental results."

The plan was a collaborative effort among EPA's Offices of Research and Development; Policy, Economics and Innovation; Water; Prevention, Pesticides and Toxic Substances; Air and Radiation; and Solid Waste and Emergency Response.

For more information, visit the [Ecological Benefits Assessment Strategic Plan webpage](#).

Link: [Pennsylvania's Environmental Futures Project](#)

New Proposed EPA Rule May Increase Water Quality Permit Fees In PA

A [proposed U.S. Environmental Protection Agency rule](#) would provide a financial incentive to states to use higher National Pollutant Discharge Elimination System (NPDES) permit fee to support clean water permit programs.

EPA's rule would allot up to three percent of state water pollution control grant funds to states that have adequate programs.

"We encourage states to use permit fees for additional funding for their clean water programs," said EPA Assistant Administrator of Water Benjamin H. Grumbles. "A variety of tools and funding approaches are needed for a strong program, including having permitted facilities share the cost of keeping water clean."

The increased cost of administering water permit programs has prompted some states to levy permit fees to cover shortfalls. Certain states, however, still operate with little or no reliance on permit fees.

The proposed NPDES Permit Fee Incentive for Clean Water Act Section 106 Grants; Allotment Formula is designed to create financial incentives to prompt more states to implement adequate fee programs and shift part of the financial burden to those who benefit from the permits. It will also allow states to move funds to other critical water quality program activities. The proposed rule would not take effect until after October 1, 2008.

The proposed rulemaking includes a 60 day public comment period.

Links: [About The Proposed Permit Fee](#)
[About Water Pollution Control Programs](#)

Parks & Forest Foundation Award Nominations Due January 25



The [PA Parks and Forest Foundation](#) is now accepting nominations for its awards which recognize the outstanding service, programs and places which remind us of the exemplary work being done in parks and forests, by both staff and volunteers.

Nominations are due January 25.

Celebrate the importance of parks and forests by nominating a park, forest, or friends group that you think exemplifies the best of the best.

Pa Parks and Forests Foundation Keystone Legacy

Award—This is the top honor—given to a group, individual, or business--chosen at the discretion of PPF. It recognizes an outstanding contribution to the protection and/or enhancement to the park and forest system in Pennsylvania. For the first year, PPF proposes to honor the living Civilian Conservation Corps Members that served in Pennsylvania.

Pa Parks and Forests Government Award—This is given to a person or department at any level of government to recognize their work in the stewardship of Pennsylvania's state park and state forest systems.

Park of the Year—This award is designed to recognize a park for their exemplary or innovative work in any or all of the following: customer service; education,

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programming (e.g. events), or recreation; stewardship of the natural, cultural or historic assets; and/or accommodation of special needs of visitors.

Each state park region may nominate a park for consideration. The public may also nominate a park and nominations will be solicited through the website, flyers, and news advisories. Nominees will be reviewed and an award winner selected by an Awards Committee of Pa Parks and Forests Foundation.

Forest of the Year—This award is designed to recognize a forest district for its innovative and exemplary work in both forest management and recreation for a wide range of activities which include: the ability to provide opportunities for healthful, low-density recreational opportunities that are compatible with maintaining the integrity of forest ecosystems; to provide information and assistance to the public while ensuring public safety; and to promote and effectively use volunteers to enhance the DCNR Bureau of Forestry's recreational programming, planning and development activities.

The DCNR Bureau of Forestry will nominate two districts for the consideration of this award and the public will be asked to nominate districts for consideration based upon the outlined criteria. Nominations will be reviewed and an award winner selected by an Awards Committee of Pa Parks and Forests Foundation.

Friends Groups Awards—up to three awards per year can be given for recognition of achievements made by friends groups. Nominations will be solicited from parks and friends groups, and awardees will be chosen by a PPF board, made up of PPF board and non-board members. These awards represent organizations that have made a lasting, positive impression on the park or forest that they serve and that have advanced the mission of the Pa Parks and Forests Foundation and the DCNR.

Volunteerism Award: The group attracts and nurtures volunteers and actively engages them in a wide range of projects; the group logged in significant volunteer hours in proportion to the size and location of the park or forest; or the group has developed an innovative volunteer program.

Infrastructure Award: The group has completed capital improvement project(s) that benefited park or forest and park/forest users; provided ongoing maintenance or improvements to park infrastructure such as trails, buildings, etc; or innovatively protects the natural or cultural heritage of the park or forest.

Education Award: The group provides ongoing educational support or programming, provides a stewardship message through its events and programs, and/or organizes events that support the park and/or the gateway communities.

For more information on the awards, visit the [PA Parks and Forest Foundation](#) or send nominations to Marci Mowery, PPF, by sending email to: mmowery-ppff@pa.net or calling 717-236-7644.

Recent EHB Ruling Makes Some DEP Letters Appealable Actions

In a major reversal of long-standing precedent, the [Environmental Hearing Board](#) issued an opinion in [Redbank Municipal Authority v. Department of Environmental Protection](#) that held a letter from DEP advising the Authority that it owed stipulated penalties under the terms of a preexisting Consent Order and Agreement was an appealable action.

“This decision varied from and distinguished many years of prior decisions that held that documents such as notices of violations and letters asserting that violations had occurred or that certain interpretations applied were merely statements of the Department’s

opinion and were not appealable unless and until the Department took formal enforcement action,” said [Terry Bossert](#) of Post & Schell and the former Chief Counsel of DEP. “Now the EHB has determined that at least some letters from DEP may be appealable without formal enforcement action.”

This decision may seem favorable to regulated entities, however, if a letter can be appealed then, arguably, the thirty day appeal deadline applies and the letter must be appealed within that deadline. Failure to appeal the letter within thirty days would make DEP’s action final and preclude any substantive challenge to a subsequent enforcement action.

“The full ramifications of this decision are not yet known, but at a minimum it requires regulated entities to look much more closely at correspondence received from DEP,” said Bossert. “In appropriate circumstances, it may be necessary to file protective appeals to preserve the right to challenge findings and conclusions contained in the letter.

“Letters from DEP can no longer be assumed to be benign expressions of DEP’s opinion. DEP correspondence must now be read closely to see if it is the type of correspondence that the EHB has held to be appealable in *Red Bank*.”

Bossert encourages individuals with questions to seek the advice of counsel.

Great Green America Fest Set for July 13-15 in Mount Hope

On July 13-15 the [First Annual Great Green America Fest](#) is scheduled to take place at Mount Hope Winery, in Lancaster County.

The festival is designed to promote sustainable living, healthy outdoor recreation, and reserving our native wildlife and plants. The event is co-sponsored by the Department of Conservation and Natural Resources.

For more information on how your group, organization or company can get involved in the Fest, visit the [First Annual Great Green America Fest website](#) or call Jessica Sprajcar, DCNR - Conservation Science, at 717-214-7511.

PUC Report Shows 16,051 Homes Without Heat Services, Fewer Than Last Year

With about 16,051 households entering the winter season without heat-related utility service, the [Public Utility Commission](#) is urging those consumers to know their rights and contact their utilities for help now. About 17,400 consumers were without service this time last year.

“While it is good news that more people this year are entering winter with electric and natural gas utility service, more than 19,700 of our neighbors are entering the winter months without heat-related utility service or using potentially unsafe heating methods,” said PUC Chairman Wendell F. Holland. “I urge all consumers who are without service to take action today to have service restored before the chill of winter takes hold. Consumers should know their rights. Programs are available to help qualifying low-income consumers pay their bills or restore service. Consumers should call their utility first. If they are unable to reach an agreement with the utility, call the PUC for assistance at 800-692-7380.”

Every December, the PUC’s Bureau of Consumer Services releases its cold weather survey results, which assess the number of households without heat-related service in the winter months. The PUC considers those without heat-related utility service as those homes where the utility service has been turned off.

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As part of the survey, the PUC requires natural gas and electric utilities to check residential properties where service has been shut off. Contact is attempted through both telephone calls and in-person visits to the homes.

Homes using potentially unsafe heating sources also are counted because the home is not relying on a central heating system. Potentially unsafe sources of heat include kerosene heaters, kitchen stoves or ovens, electric space heaters, fireplaces and connecting extension cords to neighbors' homes.

An additional 3,694 residences are using potentially unsafe heating sources, bringing the total homes not using a central heating system to 19,745, according to the 2006 survey. The total number was 21,462 in 2005.

The 2006 survey results also show that as of December 15:

- 2,825 residential households remain without electric service; 9,163 residences where service was terminated now appear to be vacant; and 114 households are heating with potentially unsafe heating sources. The total electric residences without safe heating are 2,939;
- 13,226 residential households that heat with natural gas are without service; 7,782 residences where service was terminated now appear to be vacant; and 3,580 households are heating with potentially unsafe heating sources. The total natural gas residences without safe heating are 16,806; and
- PGW reported that 9,298 households that heat with natural gas are without service - the highest number of all utilities. More than half of households (10,812 or 55% of the total off accounts) that have no service live in the Philadelphia area.

Under PUC regulation, every major utility also offers Customer Assistance Programs, under which qualifying low-income customers pay discounted bills. Qualification in the CAP program is based on household size and gross household income. Consumers are urged to call their utility to inquire about such programs. If a consumer continues to have questions, they should then call the PUC toll-free at 1-888-PUC-FACT.

In addition, the [Low Income Home Energy Assistance Program](#) may have funds available to help eligible customers have service restored. Low-income customers should contact their utility for information about how to apply.

Lack of utility service during the winter months poses potential dangers to health and safety. Customers without service risk hypothermia and fires caused by makeshift lighting and potential unsafe heating devices.

NewsClip: [Numbers of Homes Without Heat Drops](#)
[Electric Firms Unlikely to Get Break on Caps](#)

Penn State to Get 20+ Percent of Electric Through Renewable Sources

Penn State University this week [awarded contracts](#) to meet more than 20 percent of its electrical energy needs through renewable energy sources for the next five years.

Penn State received proposals from multiple vendors and awarded contracts to [Community Energy](#), for Pennsylvania-based wind energy; [3 Phases Energy](#), for national wind and biomass energy; and [Sterling Planet](#), for low-impact certified hydroelectric.

Under the contracts, the major sources of generation are wind, 8.1 percent; biomass, 3.9 percent; low-impact certified hydroelectric, 7.9 percent; new technologies (solar and bio-mass) 0.6 percent, for a total of 20.5 percent.

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The University made its first purchase of wind energy through a five-year contract in 2001 that provided for five percent of its annual electrical energy needs.

“These new five-year contracts enhance Penn State’s environmental leadership and help reduce national dependence on fossil fuels by replacing 20 percent of the energy generated by those sources,” said Ford Stryker, associate vice president for Physical Plant. “At the same time, use of other renewable energy sources and new technologies helps support the growing renewable energy market in Pennsylvania.”

University officials estimate the environmental benefits of the new contracts are equivalent to more than 14,000 cars not being driven for one year, 22,000 tons of waste recycled instead of land filled and 536 acres of forest preserved from deforestation.

“Under the 2001 contracts, when wind energy was our only renewable energy option, the University paid \$14.00 per megawatt-hour,” said Michael I. Prinkey, energy program engineer in the Office of Physical Plant. “Under the new contracts, with other sources now available, we are paying an average of \$5.00 per MWH. And we are making a larger commitment to environmental-friendly renewable energy.

“While our total dollar commitment has increased slightly, we’ve been able to greatly increase the amount of renewable energy purchased under these contracts by paying less for it. And we’re excited by the impact it will have on the environment through the reduction of greenhouse gases.”

According to Prinkey, the Office of Physical Plant established goals for its greenhouse gas reduction initiative based on the purchase of renewable energy making up 10 percent of the University’s total energy use.

“Now with 20 percent coming from renewable energy sources,” he said, “we will be making a much greater contribution to that effort. And we’re encouraging reduced consumption and the use of energy-efficient products on the part of the University community to add to that greenhouse gas reduction.

“Continued conservation efforts by the campus community will contribute to making our renewable energy purchase more effective.”

For more information about Penn State's environmental efforts, visit the [Penn State Blue, White and Green webpage](#).

PUC Says Electric Distribution Companies Own Alternative Energy Credits

The [Public Utility Commission](#) this week ruled that alternative energy credits included in power purchase agreements entered into prior to the passage of the Alternative Energy Portfolio Standards Act belong to the electric distribution companies and electric generation suppliers.

The ruling primarily affects electricity sold by co-generation plants that are fueled by coal refuse across the state which qualifies as a renewable fuel under the Alternative Energy Portfolio Standards Act.

The Commission voted 3-1 to approve a [motion by Commissioner Terrance Fitzpatrick](#) to issue a declaratory order stating that utilities own the credits under long-term purchase power agreements entered into prior to the November 2004 passage of the AEPS Act. Commission [Vice Chairman James Cawley issued a dissenting statement](#).

The AEPS Act 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 EDCs and EGSs who must demonstrate their compliance on an annual basis. The level of alternative energy required gradually increases according to a 15-year schedule.

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 EDCs are using the required percentage of energy from alternative sources as required by the Act.

The declaratory order was issued in response to a petition filed by Metropolitan Edison Co. and Pennsylvania Electric Co. Declaratory orders are issued to remove any uncertainty in the law.

NewsClip: [Electric Firms Unlikely to Get Break on Caps](#)

Agriculture Department Warns About Emerald Ash Borer

The Department of Agriculture this week warned Pennsylvania property owners about [Emerald Ash Borer](#), an invasive beetle that damages ash trees and has caused quarantines to be imposed in Illinois, Indiana, Ohio, Maryland and Michigan.



“Emerald Ash Borer poses a major threat to ash trees, and resulting quarantines could affect all hardwood firewood in the state, including oak, maple and hickory,” said Agriculture Secretary Dennis Wolff. “Pennsylvania landowners who own marketable ash timber should consider the risks presented by Emerald Ash Borer in determining when to harvest their trees. Once this pest is discovered, movement of ash products will be severely restricted.”

Some processed wood will be marketable even if a quarantine order is eventually imposed, so individual businesses will need to assess the potential impact on their operation.

On December 1, the U. S. Department of Agriculture’s Animal and Plant Health Inspection Service expanded the federal quarantine to include the entire states of Ohio, Indiana and Illinois.

The federal order restricts the interstate movement of regulated articles that originate within the quarantine area. These include ash nursery stock, green lumber and any other ash material including logs, stumps, roots, and branches, and all wood chips. Due to the difficulty in distinguishing between species of hardwood firewood, all hardwood firewood—including ash, oak, maple and hickory—are considered regulated articles.

There is no known practical control for this wood-boring pest other than destroying infested trees.

Emerald Ash Borer is a wood-boring beetle native to China and eastern Asia. The pest probably arrived in North America hidden in wood packing materials commonly used to ship consumer and other goods.

It was first detected in July 2002 in southeastern Michigan and neighboring Windsor, Ontario, Canada. The beetle has since been blamed for the death and decline of more than 25 million ash trees in Ohio, Indiana, Maryland, Virginia and Illinois.

For information and a map of affected areas, visit [DCNR’s Emerald Ash Borer webpage](#) or for information on quarantines of timber movement, call 717-772-5205.

Intern Wanted: Bowman’s Hill Preserve Offers Summer Internship

[Bowman’s Hill Wildflower Preserve](#) is offering a paid summer internship to qualified applicants wishing to learn about native plants and public gardens.

The application deadline is February 9.

The Preserve was established in 1934 to conserve Pennsylvania's native flora and features 134 acres of woods, meadows and a pond, all along the waters of Pidcock Creek. Nearly 1000 species of native wildflowers, ferns, trees, shrubs, and vines grow in naturalistic settings along 2.5 miles of trails.

Applicants must have completed at least two years of college, or the equivalent, with background and a strong interest in botany, horticulture and/or related environmental studies. Applicants should be capable of rigorous outdoor work including lifting, digging, and sustained walking.

Initial screening will be based upon this application and a cover letter only. Final selections will be based on personal interviews; decisions will be made entirely without regard to race, religion, national origin, gender or sexual orientation.

[Applications are available online.](#)

Please return applications to Hildy Ellis, Education Coordinator, BHWP, PO Box 685, New Hope, PA 18938. Applicants with questions may call Hildy at the Preserve 215-862-2924 or send email to ellis@bhwp.org.

Feature

Citizen Scientists Join In Audubon’s Christmas Bird Count

The National Audubon Society’s longest-running wintertime tradition, the annual [Christmas Bird Count](#), will take place throughout the Americas from December 14 to January 5.

The second major bird count of 2007 will be the [America’s Great Backyard Bird Count](#) February 16 to 19.

Results from the over 2,000 individual counts expected to take place this year enable Audubon and other conservationists to assess the population status of both resident and migratory birds across the Western Hemisphere, as well as the state of the habitat that is critical to these feathered flyers.

“Each CBC volunteer observer is an important contributor, helping to shape the overall direction of bird conservation,” says Geoff LeBaron, National Audubon’s Christmas Bird Count Director. “Audubon and our partners at Bird Studies Canada, the Patuxent Wildlife Research Center and the Boreal Species Initiative rely on data from the CBC database to develop Audubon’s ‘State of the Birds’ report and inform Audubon’s WatchList, which is used to prioritize Audubon’s bird conservation work.”

During last year’s count, about 62 million birds were counted by over 57,000 volunteers. Thanks in part to Bird Studies Canada, the Canadian partner for the CBC, there were 2,060 individual counts – a record high.



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The information they collected revealed the effects of the historic 2005 hurricane season: storms dramatically altered where birds were found on a continent-wide level, and the birds displaced by the storms were then discovered in out of range places.

Some western birds, most notably Franklin’s Gulls, Townsend’s Solitaires, and western warblers and tanagers, displaced to Atlantic Canada by hurricanes, were seen moving back southward through the eastern states. In other cases there were unusually high numbers of a particular bird species counted in an area, such as the astounding number of Gray Catbirds on many counts in northeastern North America.

The CBC began over a century ago when 27 conservationists in 25 localities, led by scientist and writer Frank Chapman, changed the course of ornithological history.

On Christmas Day in 1900, the small group posed an alternative to the “side hunt,” a Christmas day activity in which teams competed to see who could shoot the most birds and small mammals. Instead, Chapman proposed that they identify, count, and record all the birds they saw, founding what is now considered to be the world’s most significant citizen-based conservation effort – and a more than century-old institution.

Since Chapman’s retirement in 1934, new generations of observers have performed the modern-day count. Today, over 55,000 volunteers from all 50 states, every Canadian province, parts of Central and South America, Bermuda, the West Indies, and Pacific Islands, count and record every individual bird and bird species seen in a specified area.

The 107th CBC is expected to be larger than ever, expanding its geographical coverage and accumulating information about the winter distributions of various birds. The data, which are 100% volunteer generated, have become a crucial part of the U.S. Government’s natural history monitoring database.

For more information, visit the [Christmas Bird Count webpage](#).

To learn more about how you can improve your local habitat for birds and wildlife, visit the “[Backyards for Nature](#)” webpage.

Links: [To Find Local Audubon Activities – Visit the Chapter Directory](#)
[About the Pittsburgh Christmas Bird Count](#)
[Presque Isle Audubon Society](#)
[Allentown Christmas Bird Count](#)
[Warren Christmas Bird Count](#)
[Quittapahilla Audubon Society Bird Count](#)
[Bedford Audubon Society](#)
[Seneca Rocks Audubon Society](#)
[Northeast PA Audubon Society](#)

Quick Clips

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

[Outdoors: Naturalist Sees Red in Reindeer Myths](#)
[Game Commission Seeks Voluntary Bird Protection](#)
[Cranberry Township Receives Governor’s Award for Environmental Excellence](#)
[Electric Firms Unlikely to Get Break on Caps](#)
[PPM Energy to Build Wind Turbines in Somerset County](#)
[FirstEnergy Buys Wind Power From Somerset Project](#)

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[Allegheny Company Receives Recognition for Organic Solar Cell](#)
[Carnegie Mellon Students Propose Plan to Green Up City's Vacant Lots](#)
[Nature Lovers Laud New Trail](#)
[\\$100 Million OK'd for New Allegheny Park](#)
[Young: Visionary Plan for Banks of Schuylkill](#)
[Editorial: Help for Modern Land Use Philosophy](#)
[Valley Residents Get Into the Swing of Recycling](#)
[Long Overdue, Coal Miner's Day Celebrated in PA](#)
[Tests Verify Performance of Emergency Oxygen Equipment of Miners](#)

Watershed NewsClips

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

[Elementary, High School Students Team to Study Stream Health](#)
[Older Students Help Fourth Graders Study Stream](#)
[PA, Other States Get Money to Cleanup Abandoned Mines](#)
[AML Fee Reauthorization Big Win for PA](#)
[Rendell Praises Effort to Reauthorize Federal AML Fee](#)
[Musto Praises Hazleton Mine Reclamation Project](#)
[Laurel Run: New Purpose for Mine Fire Land?](#)
[17 Lebanon Groups Back for Growing Greener Grants](#)

Regulations

The Department of Environmental Protection published proposed revisions to the [Altoona](#) and [Harrisburg-Lebanon-Carlisle](#) 8-Hour Ozone Nonattainment Area Implementation Plan. The Environmental Quality Board published proposed regulations on [landfill proximity to airports](#). The Fish and Boat Commission published proposed regulations [protecting reptiles and amphibians](#) and a list of what it considers [native reptiles and amphibians](#).

[Pennsylvania Bulletin – December 23, 2006](#)

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

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

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

Technical Guidance & Permits

No new technical guidance was published this week.

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

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

Calendar of Upcoming Events

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

- **January 2** – General Assembly opening session and swearing in ceremonies.
- **January 16** – First day of session for the Senate.
- **January 22** – (Tentative) first day of session for the House.
- **January 26** – [Regional Water Management Task Force](#) – SW PA Elected Officials Briefing. Regional Learning Alliance, 850 Cranberry Woods Dr., Cranberry Township. 412-624-7792. 2 to 4 p.m.
- **February 15** – Legislative Forestry Task Force Meeting. Penn Stater Conference Center, State College. 10:00.

DEP Calendar of Events

Watershed Events (*courtesy [PA Organization for Watersheds & Rivers](#)*)

Environmental Education Workshop/Training Calendar

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

Senate Committee Schedule **House Committee Schedule**

Helpful Web Links

PA Environment Digest Video Blog

Daily NewsClips **Daily DEP Update** **GreenTreks Network** **Watershed Weekly**

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

Send your stories about environmental issues, programs and positive actions to **PA Environment Digest** - DHess@HolstonCrisci.com or go to www.PaEnvironmentDigest.com .

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