

# — PA — Environment Digest

*An Update on  
Environmental  
Issues in  
Pennsylvania*

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Edited By David E. Hess, Holston & Crisci

January 3, 2005

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## Support Tsunami Relief Efforts in Southern Asia, Africa

We all witnessed the devastating power of nature this week as a massive earthquake and Tsunami caused widespread loss of life and destruction in Southern Asia and Africa. If you would like to support relief efforts, consider one of these options or support others of your choosing:

[Red Cross International Response Fund](#)

[Mennonite Central Committee](#)

[United Nations Children's Fund – UNICEF](#)

[Direct Relief International](#)

[World Vision Asia Tsunami Relief](#)

[Catholic Relief Services](#)

The Indian Ocean region and Asia are no strangers to devastating loss of life. In 1970 a cyclone killed nearly 500,000 people in Bangladesh and in 1976 an earthquake near Tangshan, China killed over 240,000.

In the United States, no single natural disaster in our history compares to the losses in Asia and Africa. The only event that comes close was in 1900 when 8,000 people died in a hurricane that hit Galveston, Texas. Sixty-four people died in Florida as a result of four hurricanes this fall.

In Pennsylvania, we've had floods and other natural disasters, but none that rise to the level we've seen this week. The [Johnstown Flood](#) killed over 2,200 people in 1889, but the cause of those deaths was the collapse of a man-made dam.

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## On the Hill

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### Environmental Issues to Start the 2005-06 Session of the General Assembly

With the General Assembly set to return to session on January 4 (although regular voting session isn't scheduled until January 24), we thought we do a refresher on the environmental issues left on the table from last year.

**Growing Greener II:** Gov. Rendell and Senate and House Majority Leaders agreed last July to let a Green Ribbon Commission work to put together an environmental spending proposal, part of which would be a bond issue for the Spring ballot ([PaED 7/9/04](#))

At its last meeting in November, Rep. Bill Adolph (R-Delaware) co-chair of the Commission, along with Sen. Mary Jo White (R-Venango), said they hope to finish a major piece of their work in February ([PaED 11/21/04](#))

Commission members identified their priorities as: 1) restoring the Hazardous Sites Cleanup Fund; 2) preservation of open space; 3) preservation of farmland; 4) treating acid mine drainage; 5) recycling; 6) a tie between Watershed Protection, Crop Reserve Enhancement Program and funding Community Parks; 7) a tie between Energy Harvest, Fish & Boat Commission funding and water-wastewater improvements; and lastly 8) Green Energy Purchases and restoring the Act 339 wastewater operating subsidies.

There is no argument from any members or the Administration over the most pressing need to plug the hole draining the Hazardous Sites Cleanup Fund that finances toxic site cleanups, emergency response and other activities in the Department of Environmental Protection.

Of course the big question is how will this be paid for?

[Gov. Rendell originally proposed](#) an \$800 million bond issue and funding for recycling, Hazardous Sites cleanup and other programs financed, in part by \$150+ million in fees on waste and emissions from households and businesses. Many members from both sides of the aisle, however, are concerned about the impact of raising fees with the state's economy still sluggish.

**NewsClip:** [Fight for Growing Greener II Just Begins](#)

**2005-06 Budget:** We included this general item on the budget because any environmental spending initiative will be in competition for state dollars with every other program in the budget.

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Right now the regular state budget looks like it will have a \$1 to 1.5 billion hole that must be filled by further budget cuts or additional sources of revenue, over and above any dollars spent on Growing Greener II or plugging the leak in the Hazardous Sites Cleanup Fund ([PaED 11/17/04](#))

Part of the deficit was eased this week with an agreement to obtain an estimated \$300 million in federal payments for nursing homes, but a sizable hole remains.

Gov. Rendell said last week he would not propose a general tax or gas tax increase.

Other significant legislative items left on the table this year include:

**Energy & Pollution Reduction Office:** [Senate Bill 1042](#) (Erickson-R-Delaware) creating an Office of Energy and Pollution Reduction in DEP to help small businesses and citizens reduce pollution and energy use and establishing the Rachel Carson Environmental Excellence Award.

**Deep Mine Safety Legislation:** Two and a half years after the accident at the Quecreek Mine in Somerset County, legislation is still being worked on to improve mine safety. An initiative was announced this past July, but drafts have not yet reached the General Assembly ([PaED 7/23/04](#))

**Center for Environmental Education:** [Senate Bill 1040](#) (MJ White-R-Venango) establishing the Pennsylvania Center for Environmental Education in law, although the funding for the Center was restored in the budget this year.

**Energy Standards for Appliances:** [House Bill 2035](#) (McIlhinney-R-Bucks) setting energy efficiency standards for household appliances.

**Tire Recycling:** [House Bill 2289](#) (Yudichak-D-Luzerne) amending the waste tire recycling law to clarify the lien provisions and requiring permits for certain tire recycling operations.

**Mine Subsidence Assistance:** [House Bill 148](#) (Solobay-D-Washington) would add water supply replacement coverage to the mine subsidence assistance for building owners.

**Farmland Preservation:** [Senate Bill 779](#) (Waugh-R-York) amends the Agricultural Security Area Law to further provide for purchasing agricultural conservation easements allowing the preservation of farms of less than 50 acres.

**Year in Review:** [Instant Replay of 2004 Legislative Accomplishments](#)  
[Significant Environmental Headlines of 2004](#)  
[“Forces of Nature” in 2004 – Examples to Follow](#)

## House Sets Budget Hearings for February, March

The House Appropriations Committee announced it will hold budget hearings for the departments of Environmental Protection and Conservation and Natural Resources on March 3.

The Senate Appropriations Committee had previously announced budget hearings for DCNR on March 2 and DEP on March 9.

The Governor's budget address is February 1.

## Joint Conservation Committee Newsletter Highlights Parks, Water Issues

The [December Environmental Synopsis](#) published by the Joint Air & Water Pollution Control and Conservation Committee describes the new Oil Heritage Region in Venango/Crawford counties, runoff threats to the Great Lakes and reviews some of the major Committee events in 2004.

## House Democrats Name Committee Chairs

Rep. Camille "Bud" George (D-Clearfield) was again named Democratic Chairman of the House Environmental Resources & Energy Committee.

"Pennsylvania made great strides in the last two years breaking the mindset that environmental stewardship must come at the cost of economic growth," Rep. George said. "However, much more needs to be done, especially seeing that Growing Greener II is put before voters in the May 17 primary so the Commonwealth can invest in its future through jobs and its communities by protecting and bolstering its natural resources."

The Senate Democrats and House Republicans have not yet named their Committee Chairs.

## In Other News

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### Recycling Your Holiday Tree, Lots of Options

The holidays are almost over and now is the time to think about how you're going to recycle your holiday tree.

Some folks no doubt bought live trees they hope to plant outside to enjoy all year round. But most of us enjoyed fresh cut trees.

Many communities, home improvement and other business hold special tree recycling drop off events where trees are chipped into mulch, rather than going to a landfill for disposal.

Checkout these potential options by going to the [TreeCycling webpage](#) on Earth 911. You can search for recycling locations by Zip Code and town name.

If you can't find a recycling option near you, call [your County Recycling Coordinator](#).

A discarded holiday tree can also provide shelter for land animals. Penn State Professor of Wildlife Ecology, Dr. Gary San Julian, said that recycled conifers supply thermal cover for birds and small mammals and are especially effective when stacked

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over larger woody materials. Some people create a supplemental bird feeder by decorating their discarded tree with suet, small fruits, and seeds.

One caution, trees dry out fast and can be a fire hazard, so be careful where and how you recycle them around your home or farm.

Here are some special TreeCycling events we came across:

[PA CleanWays Westmoreland County TreeCycling Locations](#)

[Don't Trash those Trees in York County](#)

[Lansdowne Tree Recycling Schedule](#)

[Centre County Tree Recycling](#)

### **Historical and Museum Commission Offers Historic Preservation Grant**

The Pennsylvania Historical and Museum Commission announced this week applications are now being accepted for 2005 Historic Preservation Certified Local Government (CLG) Grants.

The deadline for applications is January 14.

CLG grants help local governments strengthen their local historic preservation efforts and expand their preservation activities. Grants may be used to:

- Conduct systematic surveys to identify and evaluate the municipality's historic and archaeological resources;
- Prepare nominations for the National Register of Historic Places;
- Prepare and publish new or revised historic district design guidelines including signage guidelines;
- Develop the necessary documentation (maps, photographs, inventories, research and writing) to designate additional municipal historic districts or to enlarge a previously designated municipal historic district;
- Offer historic preservation training for CLG review board/commission members and staff;
- Develop and publish brochures or educational materials that explain municipal historic preservation responsibilities, activities, programs, and/or local regulatory procedures;
- Develop a municipal historic preservation plan or to develop a historic preservation plan as a component of a local government's comprehensive plan;
- Prepare predevelopment documents (architectural plans and specifications, engineering and feasibility studies, and historic structure reports) for buildings or structures currently listed in the National Register (project must advance the CLG's historic preservation goals).

To be certified, local governments must maintain a historic preservation commission, survey local historic properties, enforce local preservation laws and provide for public participation in preservation activities and the grants can be used to carry out these responsibilities. Municipalities do not have to achieve CLG status by the time the grant application is due, but if awarded a grant, they must have achieved CLG status by the contract start date in order to receive grant funds.

For information on how to become a Certified Local Government or to discuss the program in detail, contact Michel R. Lefevre at 717-787-0771.

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Applicants for PHMC grants are required to use the [web-based electronic grant application process \(eGrant\)](#). Exceptions will be made for those applicants who do not have Internet access. Inquiries on exceptions should be directed to Bryan Van Sweden at (717) 772-5071.

### **Citizens Guide to Dam Removal Monitoring and Restoration Now Available**

A new *Citizens Guide to Dam Removal Monitoring and Restoration* has been published by the Pennsylvania Organization of Watersheds and Rivers.

The 36-page guide describes how to conduct water monitoring in order to document the effects of dam removal on a stream and impoundment.

To order your copy, go to [POWR's website](#).

### **Comments Requested on Beaverdam Watershed TMDL**

The Department of Environmental Protection is requesting public comments on a proposed TMDL (total maximum daily load) plan for the Beaverdam Branch Watershed in Blair County. A public hearing to receive comments will be held on January 12.

Comments are due March 2 and questions should be directed to Tim Kania, Cambria DEP Office, 814-472-1900 or by email: [tkania@state.pa.us](mailto:tkania@state.pa.us).

Copies of the proposal are available on [DEP's TMDL webpage](#).

### **Nesting Season Uncertain for Harrisburg Falcons in 2005**

An adult male peregrine falcon was found with an injured wing at the AMTRAK Station, across the street from the Rachel Carson State Office Building in Harrisburg on December 16<sup>th</sup>, according to DEP staff. It is likely but still not certain that this is the adult male from the [RCSOB nest site](#).

The good news is the bird will probably survive the injury. The bad news, he will not be rehabilitated and released in time for the 2005 nesting season; and he may not be released into the wild at all if the injury proves to be too debilitating.

There are a number of possible scenarios that could play out from this point. A ranging male could displace the injured male by bonding with the female. The female could leave to seek out a male or the female could remain here and not nest this season.

Typically, a male peregrine selects the nest site and offers it to a female. If the female accepts the site, the pair will bond and subsequently they will nest. In the past, at other peregrine nest sites, male and female peregrines have been displaced. This usually occurs through direct confrontation by the challenging bird and occasionally a fight to the death. The interest in the falcon cam and falcon programs should remain high given the speculation about what might happen at the nest ledge in coming months.

DEP would appreciate any reports of peregrines seen at the ledge via web cam viewing and sightings in the Harrisburg area. The adult female is seen regularly at the nest ledge and on nearby buildings. Her leg band, coded 44, can identify her. Any male seen in the area will be one third smaller in size than the female.

Reports can be submitted on the "Contact the DEP Staff" email link- [rapfalcon@state.pa.us](mailto:rapfalcon@state.pa.us) or at the DEP Education and Information Center- 717 772-1828.



### Keystone Wild! Notes Winter Edition Available, Tax Check-Off Reminder

[Keystone Wild! Notes](#), the official publication of the [Wild Resource Conservation Program](#) in DCNR, put out its winter issue this week highlighting the 2004 grant recipients of the program, efforts to eradicate invasive species, identification of important mammal habitats in the state and the Isabella Tiger Moth.

Notes also announced the opening of the WRCP's new online store—[The Nature Shop](#)-- featuring educational materials—books, videos and more—produced by the program.

When you get your state income tax form in the mail this month, look for instructions on how you can make a tax check off donation to the Wild Resource Conservation Program and support non-game restoration activities.

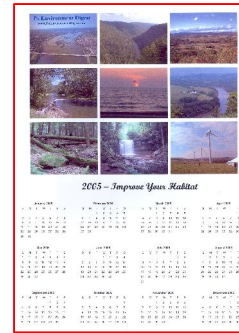
To be added to the paper or electronic mailing list of Keystone Wild! Notes, drop an email to [Terri Weidman](#) or [Dr. Ronald A. Stanley](#).

### Track Progress this Year with a 2005 “Improve Your Habitat” Calendar

You can track your progress this year on a handy, one-page “Improve Your Habitat” calendar illustrated with a collage of photographs highlighting the beauty and diversity of Pennsylvania’s environment.

Just download and print the file attached to this story. For best results, use photo paper.

We hope you enjoy it! And would appreciate your ideas and suggestions on how we can highlight Pennsylvania’s environment!



### Cost Recovery Agreement Proposed with McKean County Cabinet Company

McCourt Label Cabinet Company will pay the Department of Environmental Protection \$100,000 and two percent of its annual net profit over the next 20 years to resolve its liability for the alleged contamination of the Lewis Run municipal well with volatile organic compounds under a [proposed agreement announced this week](#).

The action was taken under the state’s Hazardous Sites Cleanup Act.

DEP has already spent \$750,000 in responding to problems at the well site and expects to spend another \$3 million for response costs.

The public has 60 days to comment on the proposed agreement.

### DEP Publishes 2005 Board & Advisory Committee Meeting Schedule

The Department of Environmental Protection this week published its [2005 schedule of board and advisory committee meetings](#).

For meeting agendas, member lists and handouts for advisory committee meetings, go to [DEP’s Public Participation webpage](#).

## Fishing Licenses Now On Sale at the New Rate

The start of the new year means it's also time for a new fishing license.

Pennsylvania fishing licenses can be purchased at any of [1,500 issuing agents](#) across the state or via the Pennsylvania Fish and Boat Commission's web site at [The Outdoor Shop](#). Issuing agents include bait and tackle shops and the sporting goods departments of many major department stores.

Anglers 16 years of age or older need to have a valid fishing license signed in ink and displayed in order to fish the waters of the Commonwealth. Additional permits may also be required, such as a trout/salmon stamp for those fishing for trout or a newly created Lake Erie permit for anglers fishing in Lake Erie, Presque Isle Bay or their tributaries. A combination Lake Erie/Trout Stamp is also available.

The annual licenses and permits will be valid through 11:59 p.m. on December 31, 2005 – making them a tremendous buy for your recreational dollar. One-day, three-day and seven-day licenses represent an equal value for the angler seeking to fish for a limited time.

## Quick Clips

[Editorial: Making Recycling Green – Carrot Instead of Stick](#)

[Well Owners Get Help From EPA](#)

[Eagles OK After Oil Slick](#)

[Editorial: Wind Energy Dispute](#)

[Giving Windmills a Spin](#)

[NJ Moratorium on Offshore Windmills](#)

## Taking Positive Action

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### Checkout Watersheds.tv for Examples of People Restoring Their Watersheds

If you want to know how other folks got started in protecting and restoring their watersheds, visit [Watersheds.tv](#) to see and hear how people just like you successfully dealt with acid mine drainage, stream erosion, agricultural runoff, dam removals, watershed education, water quality monitoring and organizational development issues through positive action.

Even if you are a member of an established group, you can learn even more through Watersheds.tv.

Funded in part by the original Growing Greener Watershed Restoration Program, Watersheds.tv is a reservoir of knowledge and experience from dozens of watershed groups, businesses and individuals from across the state.

And the best part is, they tell their experiences in their own words.

Take a look!





## **Watershed NewsClips**

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[Trail's northern spur project gets \\$10K](#)  
[POWR Progress in Watershed Protection, Restoration](#)  
[Keystone Watershed Monitoring Network Report](#)  
[Scouts work to preserve 4,150 acres](#)  
[Editorial: “Force” Project Deserves Support](#)  
[Erie Earth Force Gives Urban Runoff Priority](#)  
[Effort to get pheasants in Pike Run Watershed may yet see success](#)  
[Visual Arts: Deep Waters by PA Environmental Sculptor](#)  
[3 Bradford County Watershed Groups Seek Funding](#)  
[State Keeps Eye on Return of Drought](#)  
[Water Water Everywhere](#)  
[Happy Holidays from the Sugar Creek & Other Conservation Groups](#)  
[Musician Inspired by Monongahela River](#)

## **Regulations**

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No new or proposed regulations were published this week.

[Pennsylvania Bulletin – January 1, 2005](#)

[Comment Deadlines Open](#)

[Copies of Proposed Regulations](#)

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

## **Technical Guidance & Permits**

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The Department of Environmental Protection [proposed these changes to guidance documents this week](#)—

Final: DEP ID: 383-2100-108. DEP Permit Guide to Public Water Systems.

Final: DEP ID: 012-0501-002. Environmental Justice Public Participation Policy implementing the public participation recommendations of the Environmental Justice Work Group June 2001 report.

Draft: DEP ID: 563-2000-610. Validating Abandoned Underground Mine Maps and Establishing Barrier Pillars developed in response to the Quecreek Mine accident. Comments due January 31.

Department of Conservation & Natural Resources [notice of proposed land exchange](#) in Lackawanna County, Bureau of State Parks.

[For copies of Draft Technical Guidance](#)

[For copies of Final Technical Guidance](#)

## Calendar of Upcoming Events

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- **January 4** – Swearing in day for members of General Assembly
- **January 5** – [State Water Plan](#) Water Resources Committee meeting.
- **January 6** – [Mining and Reclamation Advisory Board meeting](#).
- **January 14** – [State Water Plan Subcommittee on Critical Planning Areas](#).
- **January 17** – (Tentative) Opening of special session on mass transit called by Gov. Rendell
- **January 20** – [State Water Plan](#) Water Resources Committee meeting
- **January 24** – First day of voting session for General Assembly
- **February 1** – Governor’s Budget Address
- **March 3** – (New) House Appropriations Committee budget hearing for the departments of Environmental Protection and Conservation & Natural Resources.

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

## Helpful Web Links

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

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

## Contributions Invited

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

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