

Annual Report

2016



JOINT LEGISLATIVE
Air and Water Pollution Control &
CONSERVATION COMMITTEE

February 2017

COMMONWEALTH OF PENNSYLVANIA

REPLY TO:
HOUSE OF REPRESENTATIVES
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SENATOR SCOTT E. HUTCHINSON
CHAIRMAN



TONY M. GUERRIERI
EXECUTIVE DIRECTOR

Joint Legislative Air and Water Pollution Control
and Conservation Committee

TO: Members of the General Assembly

FROM: Senator Scott E. Hutchinson, Chairman

SUBJECT: Annual Report 2016

DATE: December 15, 2016

The Joint Legislative Conservation Committee has played a pivotal role in conserving Pennsylvania's natural resources for nearly 50 years. While the Committee has enjoyed an accomplished resume during this time, its work will never be complete. Our rapidly evolving society constantly offers new challenges to how we safeguard our air, water and land for future generations. Although legislators may differ in their approach to environmental policy, the Committee remains dedicated to helping build consensus on issues that affect our cherished natural resources.

The Annual Report is a recap of the Committee's activities during 2016. As in previous years, the range of issues examined by the Committee was remarkably diverse. Electronic waste, forest management and Pennsylvania's Heritage Areas were just a few of the topics that rose to the forefront of the Committee's agenda. In pursuit of these issues, the Committee visited communities across the Commonwealth and gained a better understanding of our state's environmental policy landscape.

As a Member of the General Assembly, I strongly urge you to take advantage of the resources the Committee offers to you and your constituents. From research on emerging environmental topics, to public hearings and forums, there are many ways to become involved in the Committee's activities. The Committee generated considerable momentum during the 2015-16 Legislative Session and I look forward to continuing that progress in the upcoming year.

COMMITTEE NARRATIVE

In the mid-1960s, there was a growing public awareness on the impact of pollution on air and water resources. As a result, in 1967, Pennsylvania voters approved, by a 2-to-1 margin, a \$500 million bond referendum for conservation and recreation purposes. Funds were to be used for the conservation and reclamation of land and water resources of the Commonwealth, including the elimination of acid mine drainage, the construction of sewage treatment plants, and for developing outdoor recreational areas.

On January 19, 1968, Governor Raymond P. Shafer signed Act 448, creating a new legislative service agency known as the Joint Legislative Air and Water Pollution Control and Conservation Committee. The Committee's mandate was to provide oversight to the General Assembly on the expenditures from the bond referendum. It was to be governed by an 18-member board, comprised of nine legislative members from each party – half from the Senate and half from the House of Representatives.

In its first year, the Committee reviewed flood control projects, mine drainage treatment plants and new state parks. Very quickly, however, the Committee's legislative purview expanded beyond bond expenditures to include an important role in many of the Commonwealth's most ground-breaking environmental laws including: Wild and Scenic Rivers Act of 1968; the establishment of the Pennsylvania Department of Environmental Resources in 1970; the 1970 amendments to Pennsylvania's Clean Streams Act; the Surface Mining Conservation and Reclamation Act of 1971 and Article 1, Section 27 of the Pennsylvania Constitution, also known as the Environmental Rights Amendment.

Over the decades, the Committee's scope has continued to grow to include new environmental challenges. Key examples of the Committee's assistance to the General Assembly include:

- **Pennsylvania's Waste Tire Recycling Act: Working with stakeholders, the Committee took an active role in developing Act 190 of 1996, and a follow-up measure to expand the original law (Act 111 of 2002) for the safe disposal of waste tires.**
- **Pennsylvania's Sustainable Water Infrastructure Task Force: In 2008, the Committee, in cooperation with DEP, held a series of eight public meetings which resulted in Act 64 of 2008, a successful bond issue for construction, rehabilitation and improvement of water treatment systems within the Commonwealth.**
- **Prescribed Burning Practices Act: Working closely with former Representative Gary Haluska of Cambria County, the Committee and its Forestry Task Force played a significant role in the development of Act 17 of 2009, which regulates the prescribed burning of state-owned lands.**
- **The Legislative Forestry Task Force: Since 1994, the Legislative Forestry Task Force, through a series of resolutions enacted in succeeding legislative sessions, has worked on a number of policy issues affecting the health and productivity of Pennsylvania's public and private forestlands.**

For nearly 50 years, the Committee's mission remains the same: to assist the General Assembly in ensuring the sustainable use of Pennsylvania's diverse natural resources.

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Joint Legislative Air and Water Pollution Control
and Conservation Committee

COMMITTEE MEMBERS

2015 – 2016 Session

Chairman

Senator Scott E. Hutchinson

Rep. Stephen Bloom
Rep. Matthew Bradford
Rep. Eli Evankovich
Rep. Ted Harhai
Rep. Patrick Harkins
Rep. Kurt A. Masser
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Senator Camera Bartolotta
Senator Andrew E. Dinniman
Senator Matthew H. Smith
Senator Patrick J. Stefano
Senator Sean Wiley
Senator John T. Yudichak

COMMITTEE STAFF

Tony M. Guerrieri, Executive Director
Michael J. Nerozzi, Assistant Director
Coleen P. Engvall, Research Analyst
Denise M. Plummer, Administrative Assistant

A MESSAGE FROM THE EXECUTIVE DIRECTOR

It gives me great pleasure to introduce the Joint Legislative Conservation Committee's Annual Report for 2016. The Committee effectively performs a wide range of activities in fulfillment of its mission to promote a clean, healthy and productive environment supporting a sustainable society and economy.

As a legislative service agency, the Committee has become a trusted, independent and investigative arm of the Pennsylvania General Assembly due to its oversight of existing policy, insight into ways to improve public services, and foresight of future environmental challenges.

We provide high-quality, targeted and timely environmental research to inform decision making at all levels. Most Committee reports go beyond the basic question of whether funds are spent appropriately to ask whether local, state or federal environmental programs and policies are meeting their objectives and the needs of our society.

In the past year, through coordination with stakeholders, the Committee worked to advance the legislature's environmental, natural resources and energy priorities. The scope of the Committee's work is virtually limitless, encompassing a broad range of issues that are often intertwined. For example, where an issue has been reviewed by the Committee, such as electronic waste recycling, it is not seen in isolation, but as part of larger issues, including waste avoidance, waste collection, waste disposal and the finding of markets for recovered materials.

In this age of budgetary constraints, state agencies are challenged to accomplish their mission in the most efficient and effective manner possible. In my view, the Committee has achieved that goal by employing a small yet adaptive staff, capable of adjusting quickly to the evolving needs of the General Assembly.

For nearly 50 years now, the Committee has played a key role in environmental policy, in the provision of knowledge, and in advocacy for the sustainable use of natural resources. I am pleased to report that during 2016, the Committee continued to deliver the services we have been recognized for during the past half century. I would like to thank the staff for their hard work and dedication, and particularly the legislative members of the Committee for their ongoing commitment and support.

As you will see in this report, the Committee's many activities in 2016 laid the groundwork for exciting work in the years ahead. I look forward to continuing that journey together!

- Tony M. Guerrieri, Executive Director

ELECTRONIC WASTE RECYCLING

A REVIEW OF THE COVERED DEVICE RECYCLING ACT

In the early 2000s, there was growing concern regarding heavy metals and other toxic compounds present in discarded consumer electronics such as TVs, computer monitors and laptops. As early as 2003, states began to enact so called “e-waste” recycling laws that required consumers to recycle certain electronics, rather than continuing to include them in their residential waste.

The Committee played an important role in highlighting this emerging issue, holding a series of public hearings and workshops aimed at directing e-waste away from landfills and into approved recycling facilities. In 2010, Pennsylvania joined a growing number of states by enacting Act 108, known as the Covered Device Recycling Act (CDRA).

The CDRA places requirements on consumers, retailers, recycling facilities and manufacturers for the life cycle of certain “covered devices,” including computers, monitors, tablets, televisions and e-readers. Under the law, these devices and others, most containing lead and other toxic materials, are directed away from commercial landfills and into electronic recycling facilities.

Every level of the e-waste supply chain is subject to regulation under the CDRA. Manufacturers are responsible for registering their brands with the Department of Environmental Protection (DEP), establishing public collection programs and reporting collection data to the DEP. Retailers can only sell registered brands and must provide notification of e-waste recycling opportunities. Recycling facilities must maintain current permits and certifications for handling such materials. The DEP, meanwhile, is charged with administering the program and providing public education on e-waste. The law also includes a disposal ban which requires all covered devices to be recycled and prevents waste haulers from accepting such devices.

Within several years of its enactment, stakeholders began to experience significant growing pains from the new policy. Shifts in technology made electronic devices lighter, complicating the weight-based formula used to determine a manufacturer’s recycling responsibility. Additionally, a lack of recycling infrastructure, coupled with the disposal ban, overwhelmed municipal recycling outlets and increased the amount of e-waste in illegal dump sites. Participating recyclers, unable to charge a fee for e-waste, began withdrawing from the marketplace due to a lack of profitability. It became increasingly clear that amendments to the CDRA were needed to alleviate the mounting pressure.

On March 31, 2016, the Committee held a public hearing at the State Capitol to review the CDRA and some of the problems identified by stakeholders. The Committee heard from various testifiers including:

- **Rep. Chris Ross (R-Chester), prime sponsor of Act 108 of 2010**
- **Ken Reisinger, deputy secretary of waste, air, radiation and remediation for the Pennsylvania Department of Environmental Protection**
- **Walter Alcorn, vice president of environmental affairs and sustainability for the Consumer Electronics Association**
- **Ned Eldridge, owner and CEO of eLoop LLC**

- **Bekki Titchner, recycling and solid waste coordinator for Elk County**
- **Dave Vollero, executive director of the York County Solid Waste Authority**
- **Shannon Reiter, president of Keep Pennsylvania Beautiful**
- **Bob Bylone, president and executive director of the Pennsylvania Recycling Markets Center**
- **Michele Nestor, president of Nestor Resources**

Despite their diverse backgrounds, the testifiers independently confirmed that a comprehensive amendment is needed to correct market imbalances. This is not to say that the CDRA has not obtained tangible results, in fact over 300 million pounds of e-waste has been recycled since 2010. The backlog of older, heavier electronic devices, such as cathode ray tube televisions (CRTs), however, has caused grave concern in the recycling community. According to data provided by the Recycling Markets Center, there are still over 8 million CRT televisions in Pennsylvania, many sitting in basements and storage lockers waiting to be recycled.

The testifiers differed in how the CDRA can be improved, but there seemed to be consensus on several key issues. First, the CDRA's weight-based producer responsibility model, which dictates a pound-for-pound recycling obligation for electronics manufacturers, may need to be supplemented or modified to account for the backlog of older devices. According to the Consumer Electronic Association, the weight of electronic devices has declined nearly 70 percent since 2009. Second, there is considerable disparity in the number of approved e-waste recycling outlets present in rural communities. Altering the CDRA's population coverage requirement or providing manufacturer-sponsored municipal contracting were specific avenues discussed in the hearing testimony.

Transcripts of the public hearing are available on the Committee website. Additional information, including a video recording of the hearing, may be obtained from the Committee office.

The Committee expects that the CDRA will again receive attention in the upcoming Legislative Session, given that the issues surrounding e-waste are ongoing. The Committee plans to engage legislative leaders on this issue and provide them with the information necessary to formulate a comprehensive amendment that appeals to all stakeholders involved.

FOREST RESOURCE MANAGEMENT

LEGISLATIVE FORESTRY TASK FORCE

Pennsylvania's forests are a living testament to the state's industrial heritage as well as its conservation history. Pennsylvania's name, meaning "Penn's Woods," was inspired by the rich and vibrant forests of oak, maple, hemlock and beech. These trees fueled the state's growth, harvested for charcoal, construction and many other industries. As the pace of use began to vastly overtake the forest's ability to regenerate, the state government stepped in, purchasing large swatches of land to be conserved and reforested. Today, approximately 60 percent of the state is forested. The Commonwealth and the industries which rely on Pennsylvania's forest products now recognize their roles as stewards; sustaining and managing the forests that continue to fuel Pennsylvania's growth.

Due to the importance of forestry to the economy and rural communities, the Legislative Forestry Task Force and Advisory Committee were first established in 1994, pursuant to House Resolution 263. The resolution itself was introduced after three statewide public hearings held by the Committee in 1993. The recommendations that followed the hearings included the need for a legislative task force to further examine emerging forestry issues.

For over two decades, the Forestry Task Force has been composed of four members of the Pennsylvania General Assembly; two members of the Senate and two members of the House of Representatives. A special collection of advocates, industry representatives, and subject matter experts, the 14-member Advisory Committee plays a pivotal role in guiding the Task Force agenda. Advisory Committee members hail from a range of backgrounds, including the Pennsylvania Department of Conservation and Natural Resources (DCNR), Pennsylvania State University, the forest product industry, the Pennsylvania Game Commission and more.

The most recent resolution was introduced by the Committee's chairman, Senator Scott Hutchinson in 2015. Senate Resolution 55 reestablished a Legislative Forestry Task Force and Advisory Committee, and set forth the issues that the Task Force examined during the previous legislative session. The issues reflect ongoing developments related to forests in the Keystone State. The issues were as follows:

- **The implications of the Department of Conservation and Natural Resources' revised State Forest Resource Management Plan;**
- **The impact of pests and invasive species on Pennsylvania's forestry industry as well as the impact to overall forest health;**
- **The regulatory relationship between the State's forestry industry, local governments and county conservation districts; and**
- **The decline in qualified timber harvesters and other related occupations.**

The first meeting of the Task Force met in State College, on June 11, 2015. Ryan Szuch from DCNR gave a presentation on the State Forest Resource Management plan. The plan serves as a comprehensive informational document on the agency's priorities and programs for state forestlands. Mr. Szuch described how the document was formulated and how they hoped the changes would impact forest management strategies for the coming years.

The Task Force met again on April 14, 2016, to discuss the issue of invasive species. Sven Spichiger, entomology program manager for the Pennsylvania Department of Agriculture, began the meeting by describing the Department's current strategy for combating invasive pests. For the most part, Mr. Spichiger said, their methods were reactionary and he expressed hope that systemic preventions would be put in place. He described a category of pests that are "not able to be eradicated." This includes the infamous emerald ash borer and the gypsy moth. Mr. Spichiger warned of the damage caused by the establishment of these insects, as well as the steep price of trying to slow their advance.

Sarah Johnson of The Nature Conservancy presented on her organization's work with the hemlock woolly adelgid (HWA), an insect targeting Pennsylvania's state tree. She described how the deaths of the hemlock trees impacts water quality, biodiversity and the general health of the forests. The Conservancy has partnered with the U.S. Forest Service in order to combat this threat in key areas of New York and Pennsylvania. Their strategy, Dr. Johnson explained, first consolidates cooperation

between the various owners of the lands with the impacted trees present, then creates management areas, where chemical and biological controls are used to combat the pests.

Don Eggen, the forest resource manager for DCNR, wrapped up the meeting, describing the statewide efforts from the Department. He started by explaining the historical and ongoing battle against the gypsy moth, the first invasive species to illicit a government response, to modern day inter-state coordination and challenges. He provided a broad overview of the statewide efforts and advances, as well as the logistical difficulties associated with a fixed, state-allocated budget.

The next meeting, convened on September 29, 2016, covered the regulatory relationship between industry, local government and county conservation districts. Ron Rohall and Brenda Shambaugh from the PA Association of Conservation Districts presented testimony on their experience working with industry and various levels of government. They emphasized that the relationship tends to be strong and productive. To improve upon it, they recommended that the educational materials for industry be updated to help with voluntary compliance.

The final presenter, Chuck Coup from PA Sustainable Forestry Initiative, spoke on the decline of qualified timber harvesters and other related occupations. He presented research that attempted to address barriers to entering the industry, either as an employer or employee, as well as possible remedies. He, along with several members of the advisory board, stated that insurance and workers compensation policies needed to be revisited by the Task Force in the future for clarification.

With the final meetings concluded, the findings and recommendations of the Task Force will be issued in a report to the General Assembly in early 2017 and will be made available to the public on the Committee website. For more information concerning the Legislative Forestry Task Force, please contact the Committee office.

GOVERNOR'S GREEN RIBBON FORESTRY TASK FORCE

Committee Executive Director Tony Guerrieri was appointed as a member of the Governor's Green Ribbon Task Force in 2016. This Task Force took an executive-level approach "to analyze current limitations to forest conservation and job growth and to develop an action plan to address both objectives," according to their mission statement. Topics covered were the current characteristics of Pennsylvania's forests, issues facing forestland owners, current state of the forest products industry, the Sustainable Forestry Initiative, impacts on small business owners, forest conservation, carbon offsets and the Keystone Wood Products Association. Tours to various companies using Pennsylvania wood products, such as Martin Guitar and WoodMode, as well as other educational tours were held.

The information provided at the tours and presentations was synthesized into potential remedies by three work groups: forest conservation and sustainability, workforce development and jobs and economic development and products. The final report of the Governor's Green Ribbon Forestry Task Force can be found at DCNR's website, <http://www.dcnr.state.pa.us>.

RECREATION AND TOURISM

The relationship between recreation, history, the environment and tourism has received a significant amount of attention in recent years. In Pennsylvania, individuals and organizations representing these interests work together on a local and regional basis to define their common interests and discover ways in which they can develop a strong and mutually beneficial partnership that conserves natural, cultural and economic resources.

Tourism is big business and only growing in popularity. By some estimates, it is Pennsylvania's second-largest industry. According to the Pennsylvania Department of Community and Economic Development, 190 million travelers from throughout the U.S. visit Pennsylvania each year. Tourism in Pennsylvania is a \$40 billion industry that supports hundreds of thousands of jobs.

Most visitors come to Pennsylvania to experience our renowned landmarks and our state's rich cultural history. The most popular destinations are the cities of Philadelphia and Pittsburgh national parks, such as Gettysburg and entertainment attractions like Hershey Park. In addition to well-known locations, there are a number of lesser-known destination that are not heavily advertised and may even be unknown to some long-time Pennsylvania residents.

A significant number of Pennsylvania's tourists venture past the cities and attractions to the rural and remote areas of the state. They come for different reasons, many of which are commonly lumped together in the term "ecotourism." Ecotourism is based in the natural environment, with a focus on scenic, cultural, historic or recreational activities. Conservation and sustainable management of the natural environment are essential to planning, development, management and marketing of ecotourism.

The Committee is aware of the economic and environmental challenges of ecotourism and has met several times over the years with representatives of various stakeholders. The discussions have focused on the potential of the state's recreation and heritage resources, revealing the critical need for developing public and private partnerships at all levels. In 2016, the Committee toured several ecotourism sites in Pennsylvania, with particular interest in the role tourism was playing in economic development, community building and historical preservation.

HAWK MOUNTAIN

As part of its ongoing commitment to sustainable development and conservation, the Committee toured Hawk Mountain Sanctuary, a non-profit wild bird sanctuary in Berks and Schuylkill counties, on July 29, 2016. Hawk Mountain Sanctuary, atop Blue Mountain, is the oldest and most well-known raptor observation site in Pennsylvania. It is a favorite stopover spot for many species of raptors including ospreys, vultures, eagles and hawks.

Hawk Mountain staff provided an inside look at their conservation science research and training facilities, including a trip to one of the sanctuary's most popular raptor overlooks. Environmental education and interpretation is the key to creating an enjoyable and meaningful ecotourism experience, and is one of the key characteristics of ecotourism.

Mr. Todd Bauman, director of land and management, provided the Committee with an overview of land management challenges and opportunities. For example, development activities led to concerns that sanctuary resources were being impacted by activities originating outside of the sanctuary's boundaries. In 2013 the sanctuary purchased 25 acres of privately-owned forest. Half of the \$200,000 purchase price came from a state grant and the sanctuary provided the other half. Acquiring the property protected the sanctuary from private development and preserved the scenery enjoyed by hikers along the Appalachian Trail and people visiting Hawk Mountain.

Spanning over 2,600 acres, the sanctuary boasts approximately 70,000 visitors each year and was voted the second-best bird-watching destination in the country. The tour highlighted the conservation efforts of Hawk Mountain and how this internationally-acclaimed raptor sanctuary is positively impacting the local economy.

PENNSYLVANIA'S HERITAGE AREAS

The Committee is a strong supporter of the Pennsylvania Heritage Areas program, which highlights geographic regions of our Commonwealth sharing a common historic or industrial theme, such as oil production, the railroad industry or transportation. Heritage Areas are not only symbolic of our past, but are primary drivers of tourism and economic development in the community, generating an economic impact of over \$2 billion annually.

Unfortunately, appropriations for the program have been inconsistent, leaving many of the Heritage Areas without a reliable source of funding. This uncertainty has led many of these small non-profit organizations to question whether they will be able to effectively promote tourism and development within their region in the years to come.

On August 23, 2016, the Committee traveled to Carbon County for a tour of the Delaware & Lehigh National Heritage Corridor (D&L). The tour began at the Lehigh Gap Nature Center (LGNC), one of the largest superfund sites east of the Mississippi. The LGNC is a non-profit, member-run conservation organization.

The meeting at the LGNC featured presentations from several speakers including Mr. Lorne Possinger, regional manager with DCNR; Ms. Nicole Beckett, borough manager of Lehigh, Pa; and Ms. Elissa Garofalo, executive director of the D&L. Presenters discussed the economic and environmental significance of the development of the LGNC and the D&L Heritage Corridor.

The Committee learned of the redevelopment of a major portion of the Palmerton Zinc Superfund Site into a wildlife preserve and habitat that promotes conservation, education and research. In fact, according to the nature center staff, it is the only superfund site in the country that has been turned into an environmental education center. In addition, the LGNC meeting featured an informational discussion on the history of the D&L, along with several linkage projects that will help connect the corridor with other communities in eastern Pennsylvania.

In 2017, the Committee will continue its commitment to Pennsylvania's Heritage Areas Program, specifically their potential as a tool for economic development. Due to the efforts of Rep. R. Lee James (R-Butler/Venango) and Senator Kim Ward (R-Westmoreland), the Heritage Areas program received a stable source of funding the state's 2016-17 fiscal code, yet challenges still remain to

ensuring the program is viable in the future.

While the tourism industry is growing, Pennsylvania's ecosystems are facing unprecedented pressure from other activities. One of the key pressures is water, as many ecotourism companies use Pennsylvania's extensive water resources for their services.

The scenic Lehigh River, one of the largest tributaries of the Delaware River, shaped the growth of Jim Thorpe, a town that grew with the anthracite coal industry. When Jim Thorpe looked to revitalize its downtown in the late 1980s, reconnecting with the river was a major goal.

The Lehigh River offers outstanding recreational opportunities. Popular uses include fishing, whitewater rafting and kayaking. In recent years, the rafting industry on the Lehigh River has drawn thousands of recreation enthusiasts annually. Increased recreational use has caused certain management problems because of increased demands. A guided tour of the Lehigh River offered a firsthand look at the river's impressive natural resources.

A representative of the whitewater rafting industry pointed out various problems with crowds and conflicts between river users (e.g., anglers and rafters) and private landowners. Rafters, anglers and others, however, have attempted to devise strategies for solving these problems and reducing the negative effects on the recreational experience and the river's scenic and natural qualities.

Known for its narrow gorge and fast whitewater, the flow of the Lehigh River is governed by the Francis E. Walter Dam in White Haven, Pennsylvania. The U.S. Army Corps of Engineers, in cooperation with the Pennsylvania Department of Conservation and Natural Resources, the Delaware River Basin Commission and the PA Fish and Boat Commission agreed to manage the river to enhance recreational opportunities as well as significantly improve water quality.

The rafting industry depends on the water releases from the dam to ensure the water levels needed to raft the Lehigh River throughout the summer season. Each year, the Army Corps announces the days it will release extra water from the dam, which increases the power of the rapids downstream.

While the rafting industry benefits from water releases, it also creates issues for anglers. Trout need water colder than 68 degrees to live. The water spilling out of the dam in mid-summer is too warm to chill the river sufficiently for trout. The trout that do survive hover in cold spots and retreat into cooler streams and tributaries that feed the Lehigh.

Much of the Corps ability to provide water for anglers and rafters, especially later in the year, depends on rainfall. If the lake's water level remains relatively high on July 1, there should be enough water to support scheduled releases for rafting through the end of August, and to support fisheries with daily releases through mid-September.

The Committee's efforts in the past have helped raise awareness and visibility of the state's ecotourism industry. The Committee plans to continue discussions on ecotourism issues in 2017.

ABANDONED TURNPIKE

The Committee has been closely involved with the proposed Pike2Bike project since 2014. During the preliminary stages of the project, the Committee hosted a tour of the Abandoned Turnpike to meet with local officials involved with the project and hear about the opportunities the project

presents for the region. The Committee also invited members of the Pike2Bike Coalition to the State Capitol, where they presented on their project at an Environmental Issues Forum. The Committee fully anticipates continuing its partnership with the Pike2Bike Coalition as the project moves closer to becoming a reality.

To increase awareness of the educational and recreational benefits that the Abandoned Turnpike provides to visitors, Pike2Bike sponsored a bike tour in October 2016. The goal was to bring more publicity to the project, and to incorporate the Abandoned Turnpike into Pennsylvania's bike trail system. DCNR Secretary Cindy Adams Dunn and PennDOT Secretary Leslie Richards were among the participants in an 8-mile bike ride through rural Bedford and Fulton counties where riders learned about the history of the Abandoned Turnpike and the ongoing Pike2Bike project.

The most popular attraction of the Abandoned Turnpike is the long tunnels that visitors can explore between enjoying the scenic views of the Appalachian Mountains. With the hope that these tunnels will set the Abandon Turnpike trail apart from other similar destinations, the Pike2Bike Coalition will continue to build support for the project.

INFORMATION, EDUCATION AND OUTREACH

COMMITTEE HEARINGS

The Committee conducts public hearings on environmental and conservation issues each year. The details for these hearings are posted on the Committee's website, in our newsletters and are also sent to stakeholders who have expressed interest in the topic. All hearings include an opportunity for the public to submit written comments and provide information to the Committee members.

The hearing agenda, testimony and transcript are all available to the public. Electronic transcripts from recent public hearings, such as the March 21 hearing on electronic waste recycling, can be found on the Committee's website, or by contacting the Committee office.

FACT FINDING TOURS

The Committee conducts numerous fact-finding tours each year to assess environmental issues, review existing programs, interview stakeholders and identify agenda items for future public hearings. These fact-finding tours generally occupy one or more intensive days of research and investigation. The Committee's fact-finding tours constitute a critical aspect of the Committee's legislative oversight function.

ENVIRONMENTAL ISSUES FORUMS

The Committee's Environmental Issues Forums are an ongoing lecture series comprised of presentations scheduled throughout the legislative session. They first debuted in 2000 as a way for guest speakers to present information on environmental topics to the legislature and public.

The following topics were covered at Environmental Issues Forums in 2016:

- **Challenges facing Pennsylvania's Heritage Areas program**
- **Sustainability and Pennsylvania's Forest Products Industry**

- **Chronic Wasting Disease in Pennsylvania’s deer population**
- **The Pennsylvania State Wildlife Action Plan**

COMMITTEE INFORMATION RESOURCES

The flow of information is critical in legislative decision making. Publications allow the Committee to explore the intersection of environmental legislation, policy research and best practices. These key resources focus directly on Committee work product and include newsletters, “Green Papers,” legislative reports, testimony from public hearings and other forms of literature.

- **COMMITTEE NEWSLETTER**

The Environmental Synopsis newsletter was first published in December 1977. The original newsletter was in a memo format, consisted of two pages and featured several short blurbs on environmental legislation and policies. It was originally distributed only to Members of the General Assembly.

Over the years, the Environmental Synopsis expanded its scope to provide more in-depth features, analysis and commentary. The newsletter is now distributed to all 253 members of the General Assembly and to more than 500 other recipients including business and industry, environmental organizations, government agencies, universities and the public. It covers state, federal and global environmental topics.

- **COMMITTEE REPORTS**

One of the Committee’s primary work products are legislative reports. The reports detail Committee findings and recommendations to the General Assembly, at times with proposed legislation. All reports are published on the Committee’s website and made available to the public.

Since its inception, the Committee has published a number of reports on topics such as water pollution enforcement; municipal solid waste management; low-level radioactive waste disposal; land application of sewage sludge; water and sewerage infrastructure needs; state parks; the Pennsylvania Infrastructure Investment Authority Program; forest resources management; Pennsylvania’s Heritage Parks Program; water quality credits and trading; and the use of fly ash in mine reclamation projects (see Appendix B).

Following the completion of a report, subsequent action on the part of the Committee may be required, and the Committee will assist as needed in drafting legislation, updating research, tracking legislation, attending hearings and answering questions from legislators, legislative staff, interest groups and constituents.

- **COMMITTEE GREEN PAPERS**

Another product is the Committee’s issue briefs, known as “Green Papers.” Each Green Paper will be on a specific environmental issue that has come to the attention of or is being dealt with by the Committee. Many of these Green Papers are conducted at the request of the legislature or Committee members. Others, however, are the result of the Committee’s own

initiative, shedding light on emerging environmental topics.

Each Green Paper is intended to provide a more in-depth look at specific issues than normally permitted by other Committee publications. For example, previous topics included: A review of Pennsylvania's Wild Resource Conservation Act; urban storm water management; the recycling and regulation of used oil; using employer trip reduction programs to improve air quality; recycling residential greywater for other uses; an assessment of unit pricing for municipal solid waste; entrance fees: a supplemental resource for state parks; arsenic in pressure-treated wood; fuel cell technology; and cross-connection control and backflow prevention.

The most recent Green Paper, composed in late 2016, examined the issue of food waste both here in Pennsylvania and in the country as a whole. Several states have taken action to try to reduce the amount of food being discarded at all levels; from the farm, to the grocery store, to individual homes. Often the food that is discarded is safe and edible, or able to be composted. The Green Paper examines potential policy solutions that have been tried in other states, as well as at the federal level.

The Committee's Green Papers are available on the Committee's website or by contacting the Committee office.

- **COMMITTEE SOCIAL MEDIA**

The Joint Legislative Conservation Committee website, <http://jcc.legis.state.pa.us>, has been updated to provide a variety of information about the Committee and its activities in a more accessible manner. The website still provides a list of members, meeting dates and previous hearings, while now featuring pictures from Committee events. The Committee's reports, newsletters and other publications are posted on the website.

The Committee continues to maintain a Twitter account as well as a Facebook page where we post updates about news, research and upcoming activities. This year we added a Flickr image sharing account which can be accessed from our website, along with our other social media.

- **MEMBER ENGAGEMENT AND OUTREACH**

One of the best opportunities to make a positive impression and set the tone for future interaction is at the beginning of a legislative session, once members have been appointed. Effective member engagement can have a significant impact on understanding, utilization and participation in Committee activities.

Committee staff began meeting individually with legislative Committee members shortly after the new session began in January 2015. This allowed Committee staff to provide information about the Committee to each Member and receive feedback on ways the Committee can provide better assistance to their constituents.

Member outreach, member engagement and encouraging members to participate in Committee activities will continue to be important initiatives for the Committee in 2017.

• COMMITTEE INTERNSHIP OPPORTUNITY

Last summer, the Committee began accepting applications from college students to spend an academic semester with the Committee to learn about environmental policy and Pennsylvania's legislative process.

After a successful first experience with the program, the Committee invited a second legislative intern to the team. Michael McKelvey, a political science and environmental studies major from Temple University joined the Committee in January 2016. As an avid outdoorsman and nature photographer, he incorporated his passion for the environment into his work.

In the fall of 2016, the Committee welcomed Stephanie Applegate. Stephanie was a sophomore policy management major from Dickinson College. While with the Committee, Stephanie helped coordinate events, wrote reports and articles, and assisted with research. Her diligence and impressive academic background enabled her to take on a range of projects.

Both of the Committee's 2016 interns left a strong impression, and we are grateful for their time with us. The Committee continues to extend an open invitation for Pennsylvania college students to apply for a semester-long internship in environmental policy.

FUTURE COMMITTEE ACTIVITIES

Each year, environmental and conservation issues are brought to the attention of the General Assembly as they strive to preserve our state's natural resources. Some issues, such as natural resource extraction, have been on the legislative agenda for decades, while others, such as lead contamination of drinking water, are just now starting to gain traction. The Committee will continue to help legislators make informed decisions in 2017 by providing research and expertise on issues affecting the quality of Pennsylvania's air, water, land and wildlife.

One of the largest determining factors of our state's environmental focus in the upcoming year will be the change in presidential administration. Shifting priorities at the U.S. Environmental Protection Agency and other federal agencies will inevitably trickle down to the state level. A clear example is the Clean Power Plan, a controversial policy aimed at reducing carbon emissions from electric power plants. Despite ongoing legal challenges, states began assembling plans to comply the new regulations, but the incoming administration may reverse the policy. Time will tell which issues move to the forefront in the new administration, but our state will need to remain flexible to changing federal priorities.

Electronic waste was an issue the Committee dealt with extensively during 2016, holding a public hearing on Act 108 of 2010, known as the Covered Device Recycling Act. The hearing brought to light many challenges to how Pennsylvania currently manages the life cycle of electronic devices, including televisions and computer monitors. Due to the Committee's review of the subject, a conversation was started about amending Act 108 to make the law more effective. The Committee fully expects this discussion to continue during the upcoming session and new proposals to emerge.

A topic examined by the Committee's Legislative Forestry Task Force in the previous session was invasive species and their effects on our state's forestlands. Damaging insects, such as the emerald

ash borer, Hemlock woolly adelgid and gypsy moth could ravage large swaths of forest if left unchecked. Invasive plants, such as Japanese stilt grass or multiflora rose, pose a similar threat to forest health. The Task Force identified several mechanisms for combating invasive species, which are included in the final report. One such mechanism is legislation proposed by Senator Dave Argall, SB 1110 in the prior session, which updates the state's existing Noxious Weed Control Law with more preventative measures for invasive plants.

Other issues the Committee will be keeping an eye on in 2017 include, but are not limited to, the nationwide decline in nuclear power plants, drinking water quality and state wildlife management. As always, the Committee remains flexible and willing to assist legislators on the topics that are most important to their constituents, as it has during the span of its nearly 50-year history.

COMMITTEE EVENTS AND ACTIVITIES

January 6, 2016 - Staff attended a webinar hosted by the DEP concerning new rule making for oil and gas well drilling. The new regulations would separate unconventional and conventional drillers, and will require more permits, reporting and restrictions for unconventional drillers. The committee continued to follow the industry and public aspects of the issue.

January 7, 2016 - Staff attended the first meeting of the Governor's Green Ribbon Forestry Task Force in Harrisburg. At the meeting, presentations on the state of forest industries and workforces were given. With this information, the participants discussed challenges and strategies for conservation, jobs and development.

January 12, 2016 - Staff attended a webinar hosted by the National Conference of State Legislators on the Federal Clean Power Plan. Specifics of the plan, legal challenges and implementation were covered by the presentation. Committee staff learned the role of state governments, as well as predictions for how the plan would unfold in the coming years.

January 20, 2016 - Staff attended a webinar hosted by DEP on their plan to cut methane emissions from the oil and gas sector. While the rule-making was in its very earliest stages, staff learned about new permitting processes designed to limit methane leaks while reducing waste for the industry.

February 4, 2016 - Staff attended a board meeting of Heritage PA, the association of the commonwealth's heritage areas. The Board discussed challenges facing Heritage Areas as well as their participation in March's Environmental Issues Forum.

February 4, 2016 - Staff attended the Governor's Green Ribbon Task Force meeting in Williamsport. Presentations included an introduction to the forestry industry and the nationwide decline in forestry-related occupations.

February 10, 2016 - Chairman Hutchinson and staff presented information at a meeting of the House Environmental Resources and Energy on Senate Resolution 55, which established the Committee's Legislative Forestry Task Force. Chairman Hutchinson and staff answered member's questions on the topics covered by the task force, as well as membership on the advisory board.

February 29, 2016 - Committee Staff attended an informational presentation given by the Pennsylvania Recycling Markets Center. The presentation briefed staff-members on the state of the Covered Device Recycling Act and e-waste recycling at a global level.

March 3, 2016 - Staff attended the Governor's Green Ribbon Task Force meeting in Selinsgrove. The presentation focused on the diverse commercial uses of hardwood, including handmade turkey calls. The presentation was followed by a tour of WoodMode and Bingaman Lumber.

March 14, 2016 - The Committee hosted an Environmental Issues Forum at the Capitol Building featuring HeritagePA, the state association of Heritage Areas. The guests discussed challenges funding challenges for the Heritage Areas program as well as proposed solutions.

March 21, 2016 - The Committee held a hearing on the Covered Device Recycling Act of 2010. Testimony was given by stakeholders from electronics manufacturers, recyclers and consumers on how to overcome challenges to e-waste recycling in Pennsylvania.

March 29, 2016 - Committee staff attended the Senate Oil and Gas Caucus meeting in Pittsburgh. Information on natural gas production in Western Pennsylvania was presented, along with a tour of a local natural gas compressor station and midstream facility.

April 5, 2016 - Committee staff participated in the Governor's Green Ribbon Forestry Task Force meeting in Boalsburg. The meeting covered the 2014 Forest Inventory and Analysis report from DCNR and the U.S. Forest Service.

April 11, 2016 - The April Environmental Issues Forum featured speakers from the Pennsylvania Forest Products Association and the American Forest & Paper Association. Presenters spoke about practices to support sustainability and environmental stewardship in the forest products industry.

April 14, 2016 - The second meeting of the Legislative Forestry Task Force convened at Pennsylvania State University to discuss the threat of invasive species. Presentations were given by representatives from the Department of Agriculture, The Nature Conservancy and DCNR.

May 3, 2016 - Committee staff attended the Governor's Green Ribbon Task Force meeting in Harrisburg. A presentation on forest carbon was given by the Nature Conservancy.

May 16, 2016 - The Committee hosted an Environmental Issues Forum on chronic wasting disease in Pennsylvania's deer population. The Pennsylvania Game Commission provided an update on the spread of the disease and their efforts to combat it.

June 7, 2016 - Committee staff participated in the Governor's Green Ribbon Task Force in Harrisburg. The meeting was held in the Farm Show Complex. Members of the task force listened to a presentation on the Pennsylvania Hardwoods Development Council.

July 29, 2016 - The Committee hosted a tour to the Hawk Mountain Sanctuary. Members and staff toured the Acopian Center, where the raptor biologists conduct research, before hiking to the South Overlook to learn about education, recreation and tourism opportunities.

August 23, 2016 - The Committee traveled to the Lehigh Gap Nature Center to learn about ongoing ecotourism projects. The Heritage Corridor staff discussed extending and completing trails and the numerous benefits to local communities. Afterward, the Committee toured the borough of Jim Thorpe, learning about the success of the downtown revitalization efforts and their connection to the area's natural resources.

August 24, 2016 - The Committee participated in a guided tour of the Lehigh River. Members and staff were given information about the rafting industry's reliance on water resources and its connection to the broader Delaware & Lehigh National Heritage Corridor.

September 29, 2016 - The final meeting of the Forestry Task Force met in State College to discuss the regulatory relationship between industry, conservation districts and local government, as well as the decline in qualified timber harvesters and other forestry-related occupations.

October 5, 2016 - The Pike2Bike Coalition held a guided bike tour of the Pennsylvania Abandoned Turnpike. After the Committee's previous involvement with the project, staff were invited to participate in the tour, alongside DCNR Secretary Cindy Dunn and PennDOT Secretary Leslie Richards.

October 24, 2016 - October's Environmental Issues Forum featured representatives from the Pennsylvania Fish and Boat Commission and the Pennsylvania Game Commission. Commission representatives discussed the newly-updated Pennsylvania State Wildlife Action Plan, which guides the conservation of our state's threatened or imperiled wildlife species.

October 26, 2016 - Staff attended a lecture given by Nobel Prize winner Dr. Richard Alley on climate change and its effects on Pennsylvania. The lecture was sponsored by DEP and DCNR.

Appendix A

CREATING A LEGISLATIVE POLLUTION CONTROL AND CONSERVATION COMMITTEE

ACT OF JAN. 19, (1968) 1967, P.L. 1022, No. 448

AN ACT

Creating a Joint Legislative Air and Water Pollution Control and Conservation Committee, providing for the terms and appointment of members and for organization of the Committee and employment of personnel, providing for study of air and water pollution laws and their enforcement, providing for information and assistance from other agencies of government, and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. (a) A joint legislative Committee to be known as the Joint Legislative Air and Water Pollution Control and Conservation Committee is hereby created. It shall consist of eighteen members of the General Assembly who shall serve without compensation, nine of whom shall be appointed by the President Pro Tempore of the Senate, five from among the majority party and four from among the minority party, and nine of whom shall be appointed by the Speaker of the House of Representatives, five from among the majority party and four from among the minority party.

(b) The term of each member of the Committee shall run from the date of his appointment until thirty days after the convening of the next regular session of the General Assembly in odd numbered years and until his successor is appointed and qualified. Appointments to the Committee shall take effect thirty-one days after the convening of each regular session of the General Assembly in odd numbered years. Any vacancy happening in the membership shall be filled by the appointing power making the original appointment for the unexpired term.

(c) The Committee shall organize as soon as may be after the appointment of members thirty-one days after the convening of each regular session of the General Assembly in odd numbered years, at the call of the President Pro Tempore of the Senate, by electing a chairman, vice-chairman and a secretary. The secretary need not be a member of the Committee.

(1) To conduct continuing studies of air and water pollution laws and recommend needed changes to the General Assembly; and

(2) To conduct continuing studies of the enforcement of air and water pollution laws, and in conjunction with such studies to make necessary trips to various sections of the Commonwealth to hold hearings and hear complaints.

(3) To conduct continuing studies as to the manner and effectiveness of restoration work being conducted by the various State departments with Federal and State funds including the 1967 five hundred million dollar conservation bond issue.

(4) To conduct continuing studies of mining practices, including but not limited to deep mining,

strip mining, open pit mining and quarrying.

(5) To conduct continuing studies of reclamation of mined out land, removal of scars therefrom and reclamation of land devastated by mining operations.

(6) To conduct continuing studies of all mining laws and all laws pertaining to reclamation of lands which have had mining operations conducted thereon.

(7) To hold hearings and receive complaints relating to all or any of the above subjects of study.

Section 3. The Committee shall have power to employ and fix the compensation of such experts, stenographers, and assistants as may be deemed necessary to carry out the work of the Committee, but due diligence shall be exercised by the Committee to enlist such voluntary assistance as may be available from citizens, research organizations, and other agencies in Pennsylvania or elsewhere, generally recognized as qualified to aid the Committee with information as to existing conditions or advise as to possibilities in correcting existing conditions pertaining to air and water pollution. The Legislative Reference Bureau and other agencies of the Commonwealth shall give the Committee, on request, such information and assistance as may be reasonably accessible.

Section 4. The sum of twenty-five thousand dollars (\$25,000), or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Joint Legislative Air and Water Pollution control and Conservation Committee for the fiscal year beginning July 1, 1967 for the payment of the expenses of the members of the Committee, for the compensation and expenses of the secretary and other appointees of the Committee, for postage, supplies, telephone, telegraph, rent and miscellaneous expenses, and generally for the purpose of carrying into effect the provisions of this act.

Appendix B

COMMITTEE REPORTS

The Committee has a library of more than 70 reports its staff has researched and prepared on a variety of environmental issues. They include:

1. Comprehensive Review of the Water Pollution Enforcement Program, 1970
2. Comprehensive Review of Municipal Solid Waste Management, 1975
3. Integrated Flood Management: A Pennsylvania Perspective, 1981
4. Public Utility Commission Regulation of Water Supply Systems, 1982
5. Research Monograph: Safe Drinking Water Act, April 1983
6. Coal Reclamation Report: Part I. Remaining Previously Affected Areas, 1984
7. Coal Reclamation Report: Part II. General Reclamation Program, 1984
8. Low-Level Radioactive Waste Disposal: A Special Briefing on the Proposed Appalachian Compact, 1985
9. Research Monograph: Pennsylvania Hazardous Waste Treatment and Disposal Facility Siting Criteria, September/October 1985
10. House Resolution No. 6, Land Application of Sewage Sludge: Part I: Administrative Issues, 1986
11. House Resolution No. 6, Land Application of Sewage Sludge: Part II: Technical Criteria, 1986
12. Research Monograph: Protecting Water Quality With Well Construction And Location Standards, May/June 1986
13. Research Monograph: Resource Recovery: An Examination Of Current Technologies, Environmental Factors, And State Air Emission Standards, October 1986
14. Pennsylvania's Water and Sewerage Infrastructure Needs, 1987
15. Research Monograph: The Safe Drinking Water Amendments of 1986, February/March 1987
16. Research Monograph: The State Role in the New Federal Superfund Program, May/June 1987
17. A Review of the Pennsylvania Oil and Gas Act, Act 223 of 1984, as amended, 1988
18. Pennsylvania State Parks, 1989
19. Watershed Protection and Senate Bill 1012 of the Session of 1989, 1990
20. The Use and Regulation of Roadside Springs in Pennsylvania, 1990
21. Research Monograph: Endangered Funds For Species of Special Concern: A Review Of Pennsylvania's Wild Resource Conservation Act, May 1990

22. Research Monograph: Urban Storm Water Management, May 1991
23. Septage Management and Disposal in Pennsylvania, July 1991
24. A Review of PENNVEST The Pennsylvania Infrastructure Investment Authority Program, 1991
25. Water Resources Management in Pennsylvania, 1992
26. 1991 Annual Report, January 1992
27. Research Monograph: The Recycling and Regulation of Used Oil, February 1992
28. The Use of Geothermal Heating and Cooling Systems in Pennsylvania 1992
29. Research Monograph: Using Employer Trip Reduction Programs to Improve Air Quality, December 1992
30. 1992 Annual Report, January 1993
31. Special Report on the 1993 Water Resources Management Conference 1993
32. Research Monograph: Recycling Residential Graywater for Other Uses, August 1993
33. Report on the hearings held on Forest Resources Management, 1994
34. 1993 Annual Report, January 1994
35. Research Monograph: An Assessment of Unit Pricing for Municipal Solid Waste, September 1994
36. 1994 Annual Report, January 1995
37. Research Monograph: Entrance Fees: A Supplemental Resource for State Parks, April 1995
38. 1995 Annual Report, February 1996
39. 1996 Annual Report, February 1997
40. Forestry Issues for Pennsylvania: Report of the Forestry Task Force Pursuant to House Resolution 263, March 1997
41. Pennsylvania's Environment and the Future of Independent Power Producers, March 1997
42. 1997 Annual Report, February 1998
43. Pennsylvania's Heritage Parks Program, March 1998
44. Report of the Forestry Task Force Pursuant to Senate Resolution 29, January 1999
45. 1998 Annual Report, February 1999
46. Report on the Infiltration of Water into Sewage Treatment Systems Pursuant to House

- Resolution 376 of 1998, October 1999
47. 1999 Annual Report, February 2000
 48. Report on Water Quality Credits and Trading Pursuant to House Resolution 361 of 2000, 2001
 49. 2000 Annual Report, March 2001
 50. Report of the Forestry Task Force Pursuant to House Resolution 13 of 1999, June 2001
 51. Report on Combined Sewer Overflows in Pennsylvania, November 2001
 52. Infiltration and Inflow: Report of the Infiltration Task Force, February 2002
 53. 2001 Annual Report, February 2002
 54. Green Paper: Arsenic in Pressure-Treated Wood, April 2002
 55. Green Paper: Fuel Cell Technology, July 2002
 56. 2002 Annual Report, March 2003
 57. Green Paper: Cross-Connection Control and Backflow Prevention, March 2003
 58. Report of the Forestry Task Force Pursuant to Senate Resolution 81 of 2001, April 2003
 59. Report on a Proposed Moratorium on the Use of Fly Ash in Mine Reclamation Projects, February 2004
 60. 2003 Annual Report, February 2004
 61. 2004 Annual Report, February, 2005
 62. Report of the Forestry Task Force Pursuant to House Resolution 256 of 2003, June 2005
 63. Oil and Gas Leasing Activities on Commonwealth-Owned Lands, Pursuant to House Resolution 394 of 2003, January 2006
 64. 2005 Annual Report, March 2006
 65. 2006 Annual Report, March 2007
 66. Report of the Forestry Task Force Pursuant to Senate Resolution 137 of 2005, December 2007
 67. 2007 Annual Report, April 2008
 68. Report on E-waste Recycling Programs and Policy Options, June 2008
 69. 2008 Annual Report, March 2009
 70. 2009 Annual Report, February 2010
 71. 2010 Annual Report, February 2011

72. Report of the Forestry Task Force Pursuant to House Resolution 429 of 2009, July 2011
73. 2011 Annual Report, April 2012
74. Green Paper: Managing Spent Mushroom Substrate in Pennsylvania, September 2014
75. Green Paper: Fluoridation of Public Drinking Water, Summer 2015
76. Green Paper: High-Hazard Unsafe Dams, Fall 2015
77. 2015 Annual Report, January 2016
78. Green Paper: Food Waste, Winter 2017