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Environmental Synopsis

The Chairman's Corner

Rep. Scott E. Hutchinson, Chairman

The Joint Legislative Air and Water Pollution Control and Conservation Committee (Committee) recently completed its reorganization meeting for the 2007-2008 legislative session. At that meeting, the Committee names its chairman and vice-chairman for the session at hand. It also is a time when the Committee says farewell to some members who move on to other legislative assignments, and welcomes new members.

In its first order of business, the Committee saw fit to once again name me as chairman for the 2007-2008 session. I'm pleased and grateful to the Committee for its support and thank the members for their unanimity and devotion to duty.

I feel the Committee is doing important work and pursuing that is a task which I enjoy. The Committee's work has also proven to be educational for me, and I believe it is rewarding for the commonwealth's residents, as the Committee seeks solutions to a number of problems that are important to Pennsylvanians all around the state.

Two that come immediately to mind are the deliberations of the Committee's Sewage Task Force and its Forestry Task Force.

Wastewater treatment affects everyone at one time or another in terms of personal and environmental health and water quality. There are really no exceptions - so improving Pennsylvania's system of wastewater treatment would be a positive step forward no matter what part of the state you live in.

With the recent news about a new forest pest invading Pennsylvania (see Notes From the Director on page 2 for more details), the work of the Forestry Task Force becomes even more critical. Sen. Roger Madigan, the long-time chair of the Forestry Task Force and a Committee member, returns to both of those key roles.

I am also pleased to welcome back Sen. Raphael Musto as the Committee vice-chairman, a position he has held for several years now. Sen. Musto brings a wealth of experience on environmental issues, legislative savvy and institutional knowledge to the table and is a great help to me and to the Committee's efforts. Committee members did well to re-elect the Senator as vice-chairman.

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In This Issue...

Joint Legislative Air and Water Pollution Control and Conservation Committee

NOTES FROM THE DIRECTOR

CRAIG D. BROOKS, EXECUTIVE DIRECTOR

They're here – the EABs or emerald ash borers! It was only a matter of time before the ash tree-killing insect arrived here in Pennsylvania. It had been spotted on the borders of the state several years ago and has infested trees in Maryland, Virginia, Ohio, Indiana, Illinois and Michigan. And now it's here.

The EAB is an invasive beetle that destroys ash trees and has now been detected for the first time in Pennsylvania. Adult beetles were found in Cranberry Township, Butler County by U.S. Department of Agriculture surveyors, through a joint effort of federal and state agriculture agencies, the Department of Conservation and Natural Resources and Penn State Extension. Because of its detection, quarantines will be imposed for Butler, Lawrence, Allegheny and Beaver counties.

The natural range of the EAB is eastern Russia, China, Japan and Korea. It is suspected that the insect was accidentally imported to North America from China in the 1990's and probably arrived here in the United States on solid wood packing materials carried on cargo ships or planes originating in its native Asia.

The EAB was first discovered in southeastern Michigan in the summer of 2002 and has since destroyed more than 20 million ash trees in southern Michigan, Ohio and Indiana. More than 10 million trees have been destroyed in Michigan alone and approximately one in every ten trees in Ohio is an ash.

The current EAB damage estimate: More than 7 billion ash trees at risk

From outward appearances, the beetle seems to do little damage to ash trees, but looks can be deceiving. First, the insect larvae feed on the inner bark of the ash trees, and consume so much bark that it disrupts the tree's ability to transport water and nutrients. Because the initial damage occurs on the interior, evidence of the EAB sometimes takes up to a year to recognize. Some of the signs that the EAB has infested a tree are thinning and/or yellowing leaves, D-shaped holes in the bark of the trunk or branches and small holes in the bark where the bugs have bored their way out.

Since its discovery, the EAB has caused regulatory agencies to issue and enforce quarantines in those states infested with the EAB and impose fines to prevent potentially infested ash trees, logs or firewood from moving out of the area where EAB infestation has occurred. It has already cost municipalities, property owners, nursery operators and the forest products industry in other states tens of millions of dollars.

In Pennsylvania, if you suspect EAB infestation, call 1-866-253-7189

To add to the devastation, the insect is unusually difficult to kill. There are no known natural predators and the insect is resistant to insecticide. Research and experience over the past few years have shown that insecticide treatments had minimal effect and infestations continued despite ongoing treatment programs. Woodpeckers, however, like EAB larvae and heavy woodpecker damage can be a result. Currently more than seven billion ash trees are at risk. Nearly 114 million board feet of ash saw timber with a value over $25 billion is grown in the Eastern United States each year.

What are some steps to help reduce infestations? First, when you travel, please remember -- do not move firewood to new areas. This only increases the spread of the insect to other areas. Second, restrict the movement or transport of ash logs, nursery stock, branches or ash wood chips out of their local area. In Pennsylvania, if you suspect you may have EAB infestation, call 1-866-253-7189.

RESEARCH BRIEFS

Each month, the committee's staff researches and prepares a number of "briefs" on several topics relevant to the Joint Conservation Committee's mission. Very often, these briefs include references to reports and further research on the topics so that readers may pursue issues on their own.

Conserving Energy and Saving Money: The Role of Mass Transportation

– Tony M. Guerrieri, Research Analyst

The transportation sector is the largest consumer of petroleum in the United States – accounting for over half of America's petroleum consumption. Any strategy to reduce America's transportation-related petroleum consumption must recognize the important energy savings that are derived from transit use. Currently, according to a report by the American Public Transportation Association (APTA), Americans who ride buses, subways and trains to work save the country 1.4 billion gallons of gasoline each year.

The APTA report, *"Public Transportation and Petroleum Savings in the U.S.: Reducing Dependence on Oil"*, examines the amount of gasoline that is saved by individual households and the nation every year as the result of public transportation services. The report also explores a possible future where many more Americans would have the choice to take public transportation.

Energy savings from public transportation contribute to the national and economic security by making America less dependent on foreign oil or on new sources for drilling. Public transportation usage reduces U.S. gasoline consumption by 1.4 billion gallons each year – or the equivalent of 108 million cars filling up, almost 300,000 each day, according to the report. In terms of total barrels of crude oil, this would be the equivalent of 33.5 million barrels of crude oil, each one holding 42 gallons.

These savings are a product of several efficiencies that result from public transportation service: transit carries multiple passengers in each vehicle; traffic congestion is reduced because transit riders do not make additional trips on roadways; and transit systems do not rely exclusively on petroleum to power their fleets. The report suggests that public transportation also saves energy by enabling land use patterns that create shorter travel distances, both for transit riders and drivers. To calculate the total petroleum savings from transit, the report examines all of these efficiencies.

The report also found significant total savings at the household level, where public transportation provides a cushion against the ups and downs of fuel prices. A two-adult "public transportation household" saves an average total of $6,251 every year, compared to an equivalent household with two cars and no access to public transportation service. A public transportation household is defined as a household located within three-quarters of a mile of public transportation, with two adults and one car.

By way of comparison, the report states that the level of total savings would exceed $5,781 – the average U.S. household spent on food in 2004 – and be slightly less than the $6,848 paid in yearly interest on the average home mortgage.

Americans who ride buses, subways and trains to work save the country 1.4 billion gallons of gasoline each year, says the American Public Transportation Association

These savings are attributable to several factors. The report suggests that households that use public transportation drive 16 fewer miles per day on average, walk more and own fewer cars.

The savings were calculated by adding up the fees for maintenance, insurance, and loan payments on one automobile, which come to about $5,586 a year including depreciation, according to 2006 American Automobile Association figures.

Just the fuel savings alone for a "public transportation household" are roughly $1,399. After subtracting transit fares, the fuel savings are about $665 per year.

Public transportation has seen an upsurge in recent years, with ridership up 25 percent since 1995, according to the report. In the first quarter of 2006, public transportation use increased four percent over 2005, with light-rail ridership jumping more than 11 percent. Areas seeing the biggest increases include those with the largest bus systems – Los Angeles (bus ridership grew by

8.8 percent), Detroit (bus ridership rose by 18.7 percent), Houston (10.8 percent increase) and Seattle (10 percent increase), according to the report.

The report argues that far greater energy and economic benefits could be derived through increased use of public transportation. If twice as many Americans had the choice of taking public transportation, these gasoline savings would at least double to 2.8 billion gallons each year. In order to double ridership, the report suggests that public transportation options would only need to achieve a 33 percent increase in ridership on existing routes, and 67 percent on new routes.

APTA is a nonprofit international organization of 1,600 member organizations including public transportation systems, planning, design, construction and finance firms, and state associations and departments of transportation. The report, *"Public Transportation and Petroleum Savings in the U.S.: Reducing Dependence on Oil"*, prepared for the American Public Transportation Association by ICF International, can be found online at: http://www.publictransportation.org/reports/documents/apta_public_transportation_fuel_savings_final_010807.pdf.

Farmers Will Be Held To Conservation Reserve Program Contracts

– Craig D. Brooks, Executive Director

Farmers will face penalties if they break their existing Conservation Reserve Program (CRP) contracts to supply corn to meet the growing demand for ethanol, according to the U.S. Department of Agriculture (USDA). The department's position followed the release of the report, *"Prospective Plantings"*, a USDA National Agricultural Statistics Service report that provides the first official estimates of U.S. farmers' planting intentions for the coming year. According to the report, growing ethanol demand is driving U.S. farmers to plant 90.5 million acres of corn in 2007, which is 15 percent more corn acres than the previous year and the largest acreage since 1944. In view of this information, the U.S. Department of Agriculture will not offer farmers penalty-free early releases from their CRP contracts.

CRP, authorized by the 2002 Farm Bill, allows farmers to take land out of production and replace crops with grass and trees to improve soil and water quality. The reserve program is the department's largest for conservation, with 36.1 million acres enrolled at the end of FY 2006. It provides annual rental payments, cost sharing and technical assistance to establish permanent vegetative land cover in exchange for taking environmentally sensitive cropland out of production for 10 to 15 years.

The program offers general signup periods either once or twice a year that are dependent on how much money and resources are available. The enrollments under general signups account for about 90 percent of the total acreage enrolled. The program also offers continuous signup periods for smaller tracts that are open year-round and range in commitment from one year to 10 to 15 years.

Corn planting is up in nearly all states, which may curtail Conservation Reserve Program contracts in 2007-2008

According to the report, expected corn acreage and acreage for other plantings is up in nearly all states due to the favorable process fueled by the increased demand for ethanol producers as well as strong export sales. The report suggests that market forces are inspiring changes that will help meet the high demand for corn.

Because of this, the department may not offer new CRP signups in fiscal years 2007 and 2008, although the possibility for new enrollments in 2008 still exists. The time for farmers to opt out, according to the department, was in 2006 when 28 million enrolled acres were up for expiration in the years 2007 through 2010. The USDA made commitments in April 2006 to re-enroll or extend contracts expiring in 2007 and made commitments in June 2006 to re-enroll or extend contracts expiring in 2008 through 2010.

The demand for ethanol has been spurred by the national goal of producing 35 billion gallons of renewable fuels by 2017 as part an effort to cut U.S. gasoline consumption by 20 percent over the next decade. According to the report, corn farmers in 10 states (Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, Ohio, South Dakota and Wisconsin) intend to plant 69.5 million acres, up 12 percent from the 62.2 million acres planted last year. Iowa continues to show the largest corn acreage at 13.9 million acres, up 1.3 million acres from last year.

The USDA *Prospective Plantings* report is available at http://usda.mannlib.cornell.edu/usda/current/ProsPlan/ProsPlan-03-30-2007.pdf.

Who Spends the Most on Gasoline?

– Tony M. Guerrieri, Research Analyst

Few issues generate more attention and anxiety among American consumers than the price of gasoline. What do rising gasoline prices mean for household transportation expenditures? A report by the Natural Resources Defense Council (NRDC) ranks, for the first time, states based on their vulnerability to high gas prices and on pioneering solutions that protect consumers and the environment and reduce vulnerability to oil price increases.

The report, *"Addicted to Oil: Ranking States' Oil Vulnerability and Solutions for Change"*, ranks all 50 states based on the percentage of income residents spend on gasoline. While the average cost of gasoline has increased for the nation as a whole, a detailed look shows the percentage of per capita income spent on gasoline is not uniform throughout the U.S.

In general, the economies in Southern states are hit hardest when gas prices rise, while Northeastern states weather such increases better, the report said. For example, Mississippi residents spend a greater share of their income on gasoline than any other state, with 6.34 percent of residents' per capita income, nearly $1,676, going to buy gas in 2006.

There is a significant variation among states. Mississippi's 6.34 percent is two-and-a-half times more than the 2.5 percent per capita income spent by residents of Connecticut, the least vulnerable state.

Where does Pennsylvania rank in terms of per capita spending on gasoline?

Also in the "top ten" in terms of per capita spending are South Carolina, 5.6 percent (or $1,645); Georgia, 5.47 percent ($1,745); Kentucky, 5.31 percent ($1,555); New Mexico, 5.26 percent ($1,547); Oklahoma, 5.07 percent ($1,621); Arizona, 4.88 percent ($1,528); Louisiana, 4.88 percent ($1,510); Arkansas, 4.87 percent ($1,358); and West Virginia, 4.72 percent ($1,288).

Pennsylvanians spend a smaller share of their income on gasoline than residents of most other states. The report says average Pennsylvania drivers spent $1,231.10, or nearly 3.4 percent of their income, at the pump last year. That makes Pennsylvania 43rd most vulnerable.

The state's drivers spending the smallest share can be found in Connecticut (2.5 percent or $1,248). Drivers in three Northeastern states - New York ($1,060), Massachusetts ($1,294) and Rhode Island ($1,059) - also spent less than three percent of their income on gas.

A second ranking shows that while some states are pioneering solutions like promoting clean cars, clean fuels and smart growth, others are taking little or no action. In fact, about one-third of states are taking few, if any, steps to reduce their oil dependence, according to the NRDC report.

Only about one-third of states are taking steps to reduce oil dependence

Alabama, Kentucky, Mississippi, Nebraska, New Hampshire, Ohio, South Dakota, Texas, West Virginia and Wyoming are the states doing the least to reduce their oil dependence.

In contrast, California, Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Rhode Island and Washington are doing the most to promote energy-saving policies to wean themselves from oil. The report cites policies that encourage clean cars and clean fuels, smart growth planning and development, and public transit for making some states less vulnerable to increases in gas prices.

For example, California is ranked first for adopting measures such as a clean cars standard, tax credits for bio-fuel refueling stations and a low-carbon fuel standard, and making a significant investment in public transportation.

The report ranks Pennsylvania 12th, giving the state credit for adopting clean cars standards. Wyoming is ranked 50th for doing virtually nothing to reduce oil consumption, according to the report.

The U.S. currently consumes 21 million barrels of oil per day, a level that threatens the nation's security and economic viability as well as overall global environmental health, according to the report. It outlines solutions to end oil dependence and protect citizens from increases in gas prices, and notes which states have adopted such policies.

The percentages in the report are based on data from the U.S. Energy Information Administration, the U.S. Federal Highway Administration and the U.S. Bureau of Economic Analysis.

The NRDC report, *"Addicted to Oil: Ranking States' Oil Vulnerability and Solutions for Change"*, is available at: http://docs.nrdc.org/air/air_07061901a.pdf.

Bonds Used To Meet SRF Match Requirements Reduce Funds For Water Projects

-- Craig D. Brooks, Executive Director

According to the U.S. Environmental Protection Agency's (EPA) inspector general, some states are shortchanging themselves of funds for clean water and drinking water projects because they use their State Revolving Funds (SRF) to pay the principal and interest on bonds that were used to match federal money for infrastructure projects.

A report issued by the inspector general suggests that current practices have resulted in an estimated $937 million less available for loans since the inception of the SRF programs. This results in fewer projects being started and completed, leaving more systems with public health concerns.

The clean water SRF was established under the Clean Water Act of 1987. Under the program, EPA provides federal seed money in the form of capitalization grants to states based on need. The states then make low-interest loans to wastewater facilities to upgrade infrastructure and fund conservation programs.

Monies available from State Revolving Fund programs are less than what they should be, according to EPA

Based on the fund's success, Congress established the drinking water SRF in the State Drinking Water Act Amendments of 1996, and the money is distributed in a similar way for drinking water utility upgrades.

Both SRF's require the states to provide a 20 percent match of the federal capitalization grant. The SRF's are intended to be self sustaining and provide a continuous source of funding for water projects.

However, using bonds for the state match reduces total money available for loans in the future. The report says that is because states tap the interest earnings from the SRF loans to pay principal and interest on the bonds rather than turning those earnings back into more water projects.

The inspector general has recommended that EPA revise its regulations to no longer allow states to use bonds repaid from the SRF to meet state match requirements.

Since 2000, Congress has appropriated, on average, about $2.1 billion each year for the clean water and drinking water SRF's. During the same time, states provided an average of almost $4.5 billion annually to communities for the clean water fund and an average of $1.3 billion to communities for the drinking water fund.

Under current regulations, the EPA allows seven state match options:

- State appropriations;
- General obligation bonds;
- General obligation debt repaid by SRF;
- General obligation bonds placed in SRF;
- SRF match revenue bonds;
- Pledged repayment from state loans programs; and
- Local contributions.

Most states use general fund appropriations or general fund obligation bonds repaid with state general funds to meet the state match requirement, the report said. However, to date, 20 states have used the clean water SRF to repay bonds issued to meet the required fund match and 16 states have done so for the drinking water SRF.

The report, *"EPA's Allowing States to Use Bonds to Meet Revolving Fund Match Requirements Reduces Funds Available for Water Projects"* is available at http://www.epa.gov/oig/reports/2007/20070329-2007-P-00012.pdf.

News to Use in the Environmental Synopsis... share it with a friend

The *Environmental Synopsis* is issued monthly.

The newsletter examines timely issues concerning environmental protection and natural resources.

If someone you know would like to receive a copy of the *Synopsis* each month, please contact the Committee office at 717-787-7570.

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On the Horizon . . .

A LOOK AT UPCOMING EVENTS

There are no upcoming events at this time.

Environmental Issues Forums will resume after the start of the Fall 2007 legislative session.

Committee Chronicles . . .

REVIEW OF SOME MEMORABLE COMMITTEE EVENTS

In May, the Committee held a very informative Environmental Issues Forum regarding the state's plan to use about $1.4 billion in federal funds to remediate abandoned mine lands (AML). The federal reauthorization of the AML Fund will provide additional monies to Pennsylvania, where the Office of Surface Mining has about 1,500 Pennsylvania sites on its list of AML projects that constitute serious health and safety hazards.

In the photo at right, Committee Chairman Rep. Scott Hutchinson introduces the panel of guest speakers to the audience in attendance at the forum.

At right, panel member and Department of Environmental Protection (DEP) Deputy Secretary of Mineral Resources Management J. Scott Roberts (left) answers a question. To Roberts' immediate left is Rod Fletcher, Director of DEP's Bureau of Abandoned Mine Reclamation, and to Fletcher's left is the third panel member, John Dawes, the Administrator of the Western Pennsylvania Watershed Program.

Leaving the Committee with the thanks of all of us are Rep. Scott Petri and Sen. John Wozniak. Both were valuable Committee members and we will miss them. We are grateful for their years of service.

I wish to welcome aboard three new Committee members. The Committee staff and I look forward to working with these new individuals, bringing them up to speed on Committee business and integrating them into the Committee's activities.

Joining us from the Senate is Sen. Andrew Dinniman of Chester County. Sen. Dinniman is a former Chester County commissioner, and has extensive experience with a number of community and civic organizations in Chester County.

To learn more about the Committee, check out its website at http://jcc.legis.state.pa.us

There are also two new members from the House of Representatives. The first is Rep. John Hornaman from Erie County, formerly a self-employed businessman, and the second is Rep. Bryan Cutler of Lancaster County, an X-ray technologist and a former supervisor at Lancaster General Hospital.

All three of our new members display the diversity of education and work history that is typical of the Committee's overall membership. The unique perspectives, life experiences and varied skills and backgrounds of the members give the Committee a well-rounded, bipartisan outlook in addressing the issues that come before it. It also makes the Committee fun to work with!

The complete Committee membership "roster" is listed below, alphabetically by chamber:

House Members

Rep. Bob Bastian
Rep. Bryan Cutler
Rep. Camille "Bud" George
Rep. Richard Grucela
Rep. Julie Harhart
Rep. John Hornaman
Rep. Scott Hutchinson
Rep. Thomas Petrone
Rep. Greg Vitali

Senate Members

Sen. Andrew Dinniman
Sen. James Ferlo
Sen. John Gordner
Sen. Richard Kasunic
Sen. Roger Madigan
Sen. Raphael Musto
Sen. John Pippy
Sen. Mary Jo White
Sen. Robert Wonderling

Several members of the Committee and staff taking testimony at a public hearing

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Joint Legislative Air and Water Pollution Control and Conservation Committee