

ENVIRONMENTAL SYNOPSIS

The Chairman's Corner

Rep. Scott E. Hutchinson, Chairman



As promised last month, I'd like to delve further into some of the details regarding waste tire recycling and reuse found in the 2007 report on that topic issued by the Joint State Government Commission. I had mentioned the report last month, noting that the Joint Legislative Air and

Water Pollution Control and Conservation Committee (Committee) had provided input into it, based on the Committee's long history in developing and helping to enact waste tire recycling and reuse legislation.

This month, I'd like to examine how Pennsylvania compares to some other states, and how that relates to such issues as funding for waste tire remediation and the future of cleanup efforts. Some of the findings in the report are particularly interesting, given that legislation was introduced which sought to restore a dedicated funding stream for waste tire remediation.

The first item that jumps out at readers is one that has been of great concern to the Committee over the years. It concerns which states collect a fee on the sale of new tires and what these fees are used for. While most states – all but 14 – collect such a fee, there are only three states where the fees are not dedicated specifically toward waste tire remediation. Can you guess which state is one of the three?

If you answered Pennsylvania, go to the head of the class. Pennsylvania collects a \$1 fee on the sale of every

new tire sold for highway use. Not one penny of that money goes to waste tire cleanup, market development, recycling incentives or to the waste tire industry at all. The money collected is dedicated to subsidizing mass transit. The \$1 tire fee, plus a \$2 a day car rental fee and a three percent vehicle lease tax generate \$96 million a year for mass transit.

While Pennsylvania has done a remarkably good job of cleaning up waste tires (the report estimates that approximately 26.9 million of 36 million on tire piles have been cleaned up since the enactment of Act 190 of 1996 - the Waste Tire Recycling Act), think of how much more could be getting done if the \$1 per tire fee actually went toward waste tire recycling and reuse. My suggestion – and it is one I have made before – is that money raised on the sale of new tires should go toward remediation, recycling and reuse of waste tires. Speaking of remediation, this is an issue that cries out for some legislative remediation.

It is of renewed interest because legislation (Senate Bill 1050) that would dedicate \$1.25 million per year for four years from Pennsylvania's Recycling Fund to the Used

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NOTES FROM THE DIRECTOR

CRAIG D. BROOKS, EXECUTIVE DIRECTOR

American Rivers recently released a “national agenda” for responding to the recent floods throughout the country and for helping to protect communities from future flooding. The American Rivers plan asks Congress to double federal funding for voluntary relocation programs, and to prohibit construction of new navigation structures and levees until the Army Corps of Engineers ensures that such structures will not increase flooding downstream. This year’s flooding marked the second “500 year flood” in less than two decades.

In addition to providing more relocation funds and curtailing levee construction, the plan asks the federal government to:

1. Stop further wetland and stream relocation by halting new permits to fill wetlands unless state and federal agencies can show they will not increase flood risk, and by passing the proposed Clean Water Restoration Act of 2007. The Clean Water Restoration Act would eliminate Clean Water Act language restricting regulatory authority to “navigable waters” and waters that could affect interstate or foreign commerce. Instead, it would provide, in part, that the federal government would be able to regulate all interstate and intrastate waters and tributaries.

2. Fully fund the \$1.8 billion comprehensive restoration plan for the Mississippi River to help restore the river’s natural ability to absorb flood waters. The Mississippi has been degraded over the decades. Its islands have eroded and backwaters have filled in, greatly reducing the river’s natural ability to absorb flooding.

3. Fully fund the National Levee Safety Program Act (H.R. 1587) which directs the secretary of the Army to carry out programs and activities to make levees safer. In 2007, Congress passed the National Levee Safety Program Act but did not provide funding.

4. Pass an updated version of the National Flood Modernization Act that recognizes the impact of global warming on flooding.

5. Maintain land conservation programs because these lands can help absorb flood waters. In the Midwest, more than 106,000 acres of land were removed from the program in 2007 and 2008 – land that could have helped absorb this recent round of flooding.

6. Provide \$2 billion for incentives to grow crops like switchgrass that can be used to produce biofuels and protect floodplains. Incentives for the production of flood-tolerant crops would better meet the federal Farm Bill’s priorities while simultaneously protecting critical floodplains.

Permitting, funding, land conservation and construction changes are all part of the American Rivers “national agenda”

American Rivers is a national organization that promotes the protection and restoration of America’s rivers. Founded in 1973, American Rivers has more than 65,000 members and supporters nationwide.

More information about flood protection and American River’s recommendations can be found at: www.AmericanRivers.org.



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.

Energy Efficient Streetlights: a Bright Idea

– Tony M. Guerrieri, Research Analyst

America's cities, responding to a growing sense of urgency over climate change and skyrocketing energy prices, are rapidly stepping up programs to conserve electricity. In a move that is expected to cut costs, reduce energy consumption and potentially eliminate tons of greenhouse gas emissions, cities are phasing out old incandescent streetlights and replacing them with energy efficient and longer lasting light-emitting diode (LED) street lighting.

A report by the American Chamber of Commerce Executives (ACCE) examines the potential economic and environmental benefits of using energy efficient street lighting technology in the Washington D.C. region and nine other large metropolitan areas (including Philadelphia).

According to the ACCE report, *"Energy Efficient Streetlights: Potentials for Reducing Greater Washington's Carbon Footprint"*, streetlights in U.S. cities consume significant amounts of energy each night. The total number of streetlights in the ten cities is 4.4 million. These streetlights use an estimated 3 billion kilowatts of electricity annually. This produces the equivalent of 2.3 million metric tons of carbon dioxide (CO₂) a year, or hundreds of thousands of cars on the road. Considering the Philadelphia region has 326,297 streetlights and spends thousands of dollars to operate and maintain them, a reduction in energy use and longer wait time between replacements could help reduce energy costs.

In a typical city, between 25 percent and 40 percent of the energy budget is consumed by streetlights. The report suggests that widespread use of energy efficient streetlight technology in these ten regions could cut electric consumption in half – by 1.5 million kilowatts – while reducing greenhouse gas emissions by 1.2 million metric tons of CO₂. This is the equivalent of removing 212,768 automobiles from the nation's highways or the savings of 131.9 million gallons of gasoline.

The report focuses on two strategies. The first would be to simply change old streetlights to new energy efficient LED lights. LED lights are differ-

ent from standard incandescent streetlights in that they do not require heating of a filament to create light. Rather, electricity is passed through a chemical compound that generates light. LED technology has been around for decades and is commonly used in video screens, signs and traffic signals. It has been tested for more general and demanding uses – such as streetlights – in the past several years.

The other strategy would be to create a centrally controlled "smart" streetlight network. Besides LEDs, the ACCE report examines the centrally managed streetlight network being implemented in the city of Oslo, Norway. The system feeds data into a control center that keeps track of lights that need to be fixed and automatically dims streetlights based on season, neighborhood safety, local weather conditions and traffic density. Streetlights at dawn, for example, do not have to be at full power to still do their job.

There are two possible strategies put forth in the ACCE report to improve energy efficiency: simply change streetlights or implement a "smart" streetlight network

The report highlights the Greater Washington region and its 296,262 streetlights. Currently the region's streetlight systems consume 200 million kilowatts of electricity resulting in an expenditure of \$12 million annually. The report estimates that implementation of both LED and "smart" streetlight technologies in the Washington region could reduce public lighting energy use by half. Applying a 50 percent savings, the report estimates that total electric use can be reduced by 100 million kilowatts annually, saving \$6 million and reducing the region's CO₂ emissions by nearly 78,000 metric tons, the equivalent of removing 14,239 passenger cars from the roads for one year or more than 8.8 million gallons of gasoline.

The ACCE report estimates that it would cost nearly \$70 million to install such a system throughout the entire Washington region and would take about seven years to pay for itself in energy and maintenance savings.

A breakdown of the D.C. region shows that if Arlington County, Virginia were to achieve a 50 percent increase in streetlight efficiency it would result in a savings of \$263,000 annually and an equivalent reduction in carbon footprint of 3,413 metric tons of CO₂. A 50 percent increase in streetlight efficiency in Montgomery County, Maryland, with its 66,000 streetlights, would save 22.3 million kilowatts and approximately \$1.338 million.

If the Greater Philadelphia region were to change over its nearly 326,297 streetlight fixtures, it would reduce CO₂ emissions by 50 percent, or by 85,000 metric tons annually. This is the equivalent of removing 15,692 automobiles from the region's highways or the savings of more than 9.7 million gallons of gasoline.

The ACCE's 27-page report, "*Energy Efficient Streetlights: Potentials for Reducing Greater Washington's Carbon Footprint*", is available at: http://www.acce.org/uploadedFiles/Publications/Streetlights_White_Paper.pdf.

World Energy Use Projected to Grow

– Craig D. Brooks, Executive Director

World energy consumption is projected to grow by 50 percent between 2005 and 2030, driven by increased economic growth and expanding world populations in developing countries, according to the U. S. Department of Energy's (DOE) Energy Information Administration (EIA).

EIA projects that total energy demand will increase by 95 percent in developing countries, compared to an increase of 24 percent in members of the Organization for Economic Cooperation and Development (OECD). EIA also projects that worldwide carbon dioxide emissions will grow by more than 50 percent between 2005 and 2030, with most of the projected emissions growth to occur in developing countries.

Average world oil prices have gone up every year since 2003 and prices this year were more than twice as much as prices in 2003. EIA cited a variety of factors that led to oil prices reaching \$140 per barrel earlier this year, including strong demand growth in non-OECD countries, especially Asia and the Middle East; no growth in production since 2005 from members of OPEC; rising costs for oil exploration and development; across-the-board increases in commodity prices; and a weaker U.S. dollar.

EIA suggests that coal's share of world energy use has increased sharply over the past few years, and without significant changes in existing laws and policies, particularly those related to greenhouse gas

emissions, increased growth is likely to continue. Coal accounted for 24 percent of the total world energy use in 2002 and 27 percent in 2005, largely because of the rapid increase in the use of coal in China. China's coal consumption has nearly doubled since 2000, given the country's rapidly expanding economy and large domestic coal deposits. China's demand for coal is projected to remain strong. EIA predicts that coal use will expand by two percent per year between 2005 and 2030, and coal's share of total world energy consumption will reach 29 percent by 2030.

As the world's energy demand continues to grow, EIA suggests that concerns about fossil fuel prices, greenhouse gas emissions and energy security make nuclear generating capacity developable

EIA suggests that concerns about rising fossil fuel prices, energy security and greenhouse gas emissions support the development of new nuclear generating capacity. World nuclear capacity is expected to rise from 374 gigawatts in 2005 to 498 gigawatts in 2030. Declines in nuclear capacity are projected only among OECD members in Europe, where several countries (including Germany and Belgium) have either plans or mandates to phase out nuclear power, and where some old reactors are expected to be retired and not replaced. China is projected to add 45 gigawatts of net nuclear capacity over the projection period, followed by Russia with 18 gigawatts, India with 17 gigawatts and the United States with 15 gigawatts.

Sustained high prices for oil and natural gas have encouraged the expanded use of renewable fuels. Renewable energy sources are attractive for environmental reasons, especially in countries where reducing greenhouse gas emissions is of particular concern. Government policies and incentives to increase renewable energy sources for electricity generation are expected to encourage the development of renewable energy even when it cannot compete economically with fossil fuels. Worldwide, the consumption of hydroelectricity and other renewable energy sources will increase by 2.1 percent per year between 2005 and 2030, according to the EIA. In contrast, world consumption of coal will increase by two percent per year; natural gas by 1.7 percent per year; nuclear energy by 1.5 percent per year; and liquids by 1.2 percent per year.

More information on the *International Energy Outlook 2008* report is available at: <http://www.eia.doe.gov/oiaf/ieo/index.html>.

Portland Retains Top Spot for Most Sustainable U.S. City of 2008

- Tony M. Guerrieri, Research Analyst

Quick, name the nation's greenest city. Perhaps to nobody's surprise, Portland, Oregon is the most sustainable city in America, according to a survey by SustainLane, a San Francisco based green media company that monitors sustainability practices in American cities. The survey ranks the largest 50 U.S. cities based on their performance in 16 key eco-friendly categories.

The *2008 SustainLane U.S. City Rankings* measured each city's performance and ranked them overall according to the cumulative results. Among the categories used to measure sustainability: air quality, city innovation, commute to work, energy and climate change policy, green building, green economy, housing affordability, knowledge base/communications, local food and agriculture, metro congestion, metro transportation, natural disaster risk, planning/land use, solid waste diversion, tap water quality and water supply.

Once again, Portland earned the top spot in the rankings by posting the best average across the 16 categories. It also ranked No. 1 in SustainLane's 2006 survey. Portland was rated first in five categories – energy and climate change policy, city innovation, knowledge base/communications, green economy and green building (the city has 149 buildings registered and 43 buildings certified by the U.S. Green Building Council).

Philadelphia is among the leaders in the sustainability survey, ranking high in commuting and local food and agriculture, but not as well in other areas

Rounding out the top ten were (numbers in parentheses denote 2006 ranking): No. 2 San Francisco (2), No.3 Seattle (3), No. 4 Chicago (4), No. 5 New York (6), No. 6 Boston (7), No. 7 Minneapolis (10), No. 8 Philadelphia (8), No. 9 Oakland (5) and No. 10 Baltimore (11).

The biggest change in the rankings since 2006 was the slip of Las Vegas, Nevada from 27th place two years ago to No. 47 in 2008. Columbus, Ohio gets a most improved nod for moving up 20 slots to the No. 30 position in 2008 from the 50th slot in 2006.

The lowest three cities are: No. 48 Tulsa (40), No. 49 Oklahoma City (49) and in last place – No. 50 Mesa, Arizona (47). Yet even these cities did well in some categories. In fact, no city consistently ranks

at the bottom of all the categories. There is a mix of good and not so good environmental quality in all the cities.

In the 2008 survey, Philadelphia was among the sustainability leaders. In its assessment of the city, SustainLane gave the city its best mark for city commuting (5th place) when compared to other cities in the survey. The numbers of commuters who use public transportation or walk to work are highly important in the ranking because reduced auto emissions means less environmental impact.

The city of Brotherly Love's farmers' markets and community gardens make it a leader in locally grown and organic food. It is no surprise that Philadelphia placed seventh in local food and agriculture.

However, Philadelphia ranked low among American cities in air quality, ranking 34th. The city ranked 24th in the green buildings category, which recognizes designs that are highly efficient and constructed with sustainable materials.

In compiling the survey results, SustainLane found several national trends in cities that rank high, such as greener downtown areas, more bicycling, public transit, renewable energy, government sustainability plans, and community groups in large cities across America.

- More bicycling: There are 12.3 percent more cyclists across the nation. The cities racing ahead are Portland, New York, Oakland, Washington D.C., Minneapolis, and Columbus.
- Revitalizing downtowns: Cities across the U.S. like Columbus, Oakland and Philadelphia are livening up downtowns and creating areas with high density, mixed use space; infill redevelopment and transit. This marks a "Back to the Future" historic shift from suburbs back to cities, according to the SustainLane survey.
- Re-use of rail infrastructure: New light rail and other public transit infrastructure investments lead to more dense, energy efficient and livable cities. Phoenix, Seattle, Portland, San Francisco, New York, Detroit, Houston, Albuquerque, Denver, Dallas, Austin and Charlotte, North Carolina are leading others in moving down the tracks.
- Mainstreaming of green movement: More city governments are getting up to speed on high level sustainability officer appointments, climate change plans, adaptation studies, biodiesel and green building. Houston, Atlanta and Columbus are among those on the move.
- Alternative/Renewable Energy: Wind and solar energy production and energy conservation are priorities in Boston, San Francisco, Portland, Houston, Austin and Sacramento, and are being looked at as possibilities across nearly every city ranked.
- More neighborhood community groups: Citizens are joining together to solve problems caused by rising fuel costs (300 percent price increase over

the last five years) and climate change. The result: community gardens, livable spaces, and waste solutions such as anaerobic digesters in Seattle, Minneapolis, Denver, San Francisco, Chicago and Detroit.

In addition to the list, the SustainLane website also offers a detailed assessment of all 50 cities. These assessments spotlight some of the more innovative programs and projects underway in these green cities.

To read the full *2008 SustainLane U.S. City Rankings* and see how Philadelphia compares to other American cities, visit: <http://www.sustainlane.com/us-city-rankings/>.

Agency Says Stricter Standards Could Save Billions of Gallons of Motor Fuel

– Craig D. Brooks, Executive Director

The Department of Transportation's push for stronger fuel economy standards would save motorists 18.3 billion gallons of fuel by 2030, according to a draft environmental impact statement released by the department's National Highway Traffic Safety Administration (NHTSA). The department has proposed increasing fuel economy standards to 35.7 miles per gallon (mpg) for passenger cars and 28.6 mpg for light trucks, up from 27.5 mpg and 22.5 mpg currently, for a combined total of 31.6 mpg. This would be the first increase in fuel economy standards in two decades.

The Energy Policy and Conservation Act of 1975 (EPCA) established a program to regulate fuel economy and provided for the establishment of average fuel economy standards for passenger cars and separate standards for light trucks. As part of that act, the Corporate Average Fuel Economy (CAFÉ) program was established to reduce national energy consumption by increasing fuel economy of cars and light trucks. EPCA directs the Secretary of Transportation to set and implement fuel economy standards for cars and light trucks sold in the United States. Also, the Energy Independence and Security Act of 2007 requires car manufacturers to reach a 35 mpg target by 2020. The proposed rule is the first step in implementing this act.

The draft impact statement evaluates several

alternatives, including a "technological exhaustion" standard which would require car makers to employ all feasible technologies regardless of costs, and a total-costs-equal-total-benefits standard, which would mandate that manufacturers install technologies until the costs equal the fuel savings. Technology exhaustion could push fuel economy as high as 52.6 mpg, according to the report, while cars and trucks could reach a combined level of 43.3 mpg under the costs-equal-benefits scenario.

There are industry concerns about the feasibility of certain of the fuel standards and whether they are too aggressive

The environmental assessment calculates the environmental costs and benefits of various fuel economy scenarios. According to NHTSA, the proposed standards represent the best balance of cost and effectiveness, using computer modeling. In the draft assessment, NHTSA found that alternative scenarios would in fact save more diesel and gasoline than the 18.3 billion gallons saved by 2030 under the proposed rule. The technology exhaustion alternative would conserve an additional 13.2 billion gallons while the costs-equal-benefits alternative would yield an additional 10.3 billion gallons of savings over the current proposal.

However, various automobile manufacturers offered guarded support for the NHTSA proposal, saying that the push to achieve these standards is too aggressive. The NHTSA proposal would raise the fuel economy requirement for model years 2011 to 2015. To meet the 31.6 mpg standard by 2015, manufacturers would have to improve fuel economy by 4.4 percent each model year beginning in 2011. While the Alliance of Automobile Manufacturers (AAM) supports the goal of 35 mpg by 2020, the trade group suggests that achieving a 4.5 percent increase in fuel economy each year as outlined by the NHTSA is not currently technologically feasible. The specific standards outlined by the NHTSA will pose a significant challenge to the automobile industry, according to AAM.

The fuel economy standards environmental impact statement is available at <http://www.nhtsa.dot.gov/> under the fuel economy section.

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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

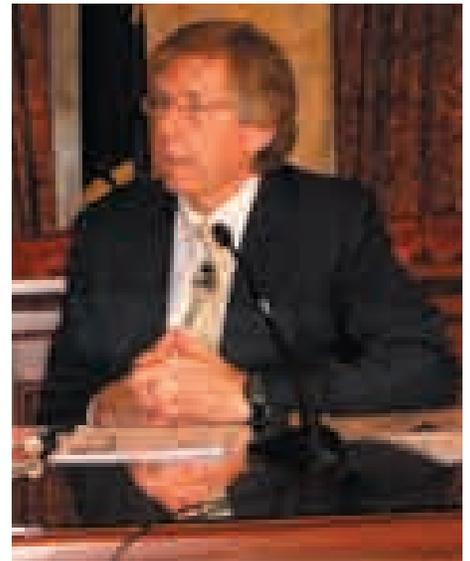
There are no events scheduled at this time. Check our website at <http://jcc.legis.state.pa.us> for additions to the schedule.

COMMITTEE CHRONICLES . . .

REVIEW OF SOME MEMORABLE
COMMITTEE EVENTS

The Joint Legislative Air and Water Pollution Control and Conservation Committee's (Committee) September Environmental Issues Forum featured a presentation concerning emerging contaminants in Pennsylvania waters.

The lead speaker (pictured at right) was J. Kent Crawford, Water Quality Specialist for the Pennsylvania Water Science Center of the United States Geological Survey (USGS). Kent had spoken at a Committee forum in 2006, describing the "phase one" research being done at that time. At September's forum, Kent updated the audience about the continuing research being done and its findings.



Joining Kent was co-presenter Arienne Proctor (pictured at left), Water Program Specialist with the Bureau of Water Standards and Facility Regulation in the Pennsylvania Department of Environmental Protection. She is also the project manager of the joint cooperative study with USGS regarding emerging contaminants, and participates in an active pharmaceutical return work group with the U.S. Environmental Protection Agency

Region Three – focusing on removing unused or expired drugs from the waste stream.

In the photo at right, Committee Chairman Rep. Scott Hutchinson (left) joined Proctor and Crawford in a discussion about the emerging contaminants issue following their presentation.



Tire Pile Remediation Restricted Account has passed the Senate and been reported out of the House Environmental Resources and Energy Committee with my support. The bill's future is uncertain at present. While waste tire recycling programs had several designated funding sources when Act 190 was enacted, those funding streams have dried up in recent years and funding has been sporadic. Again, it is amazing how much Pennsylvania has been able to do with inconsistent funding.

Getting back to the state-by-state comparison, the other two states that do not dedicate fees to waste tire recycling are Alaska and Georgia. Alaska collects a \$2.50 fee on a new tire and an extra \$5 fee on a new studded tire. The purpose of the funds collected is unspecified. In Georgia's case, there is a \$1 per tire fee, but while the money collected is supposed to go to a Solid Waste Trust Fund, most of the fees have been directed to the Peach State's general fund.

There is a great deal of variety in approaches taken by different states to address remediation, recycling and reuse of waste tires

According to the report, nine states deposit their fees into accounts that could be used for waste tire recycling, but are non-tire specific accounts. Five states (Iowa, Michigan, New Mexico, South Dakota and West Virginia) generate fees for tire recycling through vehicle registrations.

The report also took a look at whether states provide incentives to recycle waste tires. It found that 42 states do (including Pennsylvania) and eight states do not. The eight are Alaska and Georgia once again, West Virginia, North Dakota, New Hampshire, Texas, Wisconsin and Wyoming. The Pennsylvania incentives include recycled content purchase requirements and bidder preference. Other examples of state incentives are grants for developing new markets and additional uses for recycled tires, funding for technology advancement, tax credits for manufacturing using a reclaimed product and for purchasing recycled materials, and incentives for enabling public use waste tire collection centers and educational programs.

Another area examined in the report was which states have a current tire cleanup program in place. Thirty-four states (again including Pennsylvania) said they do. Fourteen states do not, and two could but apparently don't. Oklahoma has a list of priority sites to be cleaned up, but no program in place. Oregon has no program in place, but does not prohibit monies from being used for cleanup programs. Interestingly, Oregon does not collect a tire fee, but does require permits for collection, transportation, storage and disposal of waste tires. The fourteen states that have no tire cleanup programs are: Alaska; Connecticut; Delaware; Massachusetts; Minnesota; Montana; Nevada; New Hampshire; North Dakota; Tennessee; Texas; Vermont; Wisconsin; and Wyoming.

One other question asked if there was a ban on landfilling tires. Thirteen states reported a total ban. The majority – 25 states – are in what I call the “banned, but...” category. While a ban on at least some tires (often whole tires) is in place, landfilling is permitted in certain cases. Pennsylvania is in the latter category. Whole tires are banned but may be used as alternate daily cover, as part of leachate collection systems and for liner protection. In several other states, tires that are cut, chipped or shredded are permitted to be landfilled.

Ten states had no ban on landfilling tires at all. The state of Washington has no ban, but allows its landfills to refuse to accept tires if they choose to. At the time the report was compiled, only one landfill opted to accept tires, and they had to be shredded. New Mexico's policy was unknown.

In a future Environmental Synopsis, I plan to take a look at the report's legislative and regulatory recommendations.

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