

[the sylvanian]

winter 2014

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[what we want]

our issue chairs have identified what they want. can you help them get these things done?

 <p>[dedicated funding for public transportation]</p>	 <p>[tax greenhouse gas emitters]</p>	 <p>[ban longwall mining under streams]</p>
 <p>[regulation of diesel generators]</p>	 <p>[enact stream buffer law]</p>	 <p>[ban power lines in national forests and protected lands]</p>
 <p>[expand protected wilderness in allegheny national forest]</p>	 <p>[ban of industrial development on public lands]</p>	 <p>[increase renewable energy requirement for electricity]</p>



explore, enjoy and protect the planet.

[from the editors]

what we want

This whole issue is dedicated to things we wish for. We asked our issue chairs this question:

What ONE thing would you like to see made law, which would be most helpful to you as issue chair? Some of our issue chairs dreamed big, others a bit smaller.

As we approach the new year, it might be a good question to ask ourselves. What one thing would make your life easier? Some believe that putting our aspirations out into the universe allows "the forces" to begin working on them with us. We are not sure that we believe that but we don't think it ever hurts to be able to put into words what hope for.

We have diverted from our normal View From Harrisburg, which usually features a rundown of pending legislative actions, to allow our outgoing Chapter Director Jeff Schmidt to say good bye to our members and our new Chapter Director Joanne Kilgour to introduce herself to you.

This will be a new and exciting year for the Sierra Club and we urge you to stay informed by visiting our Web site, liking us on Facebook, following us on Twitter and reading our blog.

Happy New Year!



Wendi Taylor



Phil Coleman

WENDI TAYLOR AND PHIL COLEMAN
Co-editors of *The Sylvania*

chapter directory

Due to space restrictions, the Chapter Directory was not included in this issue. To view the directory, go to http://pennsylvania.sierraclub.org/PA_Chapter_2008/chapter-directory.html



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Contributor deadlines are March 15 (Spring issue), June 15 (Summer issue), September 15 (Fall issue), and December 15 (Winter issue). Anonymous contributions are not accepted.

SIERRA CLUB MISSION STATEMENT: To explore, enjoy and protect the wild places of the earth; To practice and promote the responsible use of the earth's ecosystems and resources; To educate and enlist humanity to protect and restore the quality of the natural and human environment; and To use all lawful means to carry out these objectives.

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[the sylvanian]

[what we want]

special report

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[on the cover]

Strategy Design's Sydney Willis displays our issue chairs' "wants." We want changes that will enforce the environmental controls we need. We are up front about things to work on. Now, we must work for what we want. And we need to get all our members involved and active.

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[the view from harrisburg]

by Jeff Schmidt

passing the torch

When we opened the Sierra Club's Harrisburg office in 1983, I never dreamed that it was the beginning of a 30-year career working as the Club's lobbyist in the state capital. These three decades have been an incredible adventure, working in a team with a great cadre of Sierra Club volunteers and staff. When I made the transition from volunteer to the Chapter's Legislative Liaison in 1983, I was fortunate to have the support and guidance of Sierra Club stalwarts like Wyona and Phil Coleman, Dick Pratt, Sam and Bobbi Hays, Peter Wray, Paul McHale, Barry Kauffman, Bruce Sunquist, Mike Stibich, Gordon Bosler, and many others. While some of these friends have passed on, others are still active to this day.

That first year in Harrisburg was somewhat lonely, since I was the first full-time environmental lobbyist in Pennsylvania. Over the last three decades, many sister organizations have established offices and lobbyists in Harrisburg. As a result, we

have increasingly had company working the halls of the Capitol. We are now involved with a number of different coalitions with different organizations, focused on a variety of issues.

We have worked on a wide variety of issues during my tenure in Harrisburg; many resulting in significant victories: the original '84 Oil and Gas Act, Act 101, the law that established state-wide mandatory recycling requirements, hazardous waste clean-up, restrictive radioactive waste disposal requirements, mandatory notification for pesticide applications in schools, California Car requirements, mercury reductions from power plants, energy efficiency, expansion of renewables through the state Alternative Energy Portfolio Standards (AEPS) law, PA Sunshine Program (rebates for residential solar installations), funding for Growing Greener, and many more.

We also fought the good fight against bad proposals, sometimes winning, sometimes not. We lost on Act 54, which legalized the use of long-wall mining under homes, other structures and streams in western Pennsylvania; and Act 13, amendments to the PA Oil and Gas Act, which took away the right of local communities to deter-

mine where drilling and associated activities can occur. It is with great pleasure that just as I write this, the PA Supreme Court has struck down the local government pre-emption provisions of Act 13 as unconstitutional. This is a major blow to the gas drillers and their advocates, such as Governor Corbett and the House and Senate Republican leadership.

I came to Harrisburg to represent the Sierra Club in '83, and have now been here during five different Governors: Thornburgh, Casey, Ridge, Rendell and now Corbett. While there had been differences on certain issues, I found the Casey and Rendell Administrations to be the most receptive to environmental protection. And I have found Governor Corbett and his appointees to be the most hostile to environmental protection and cooperation with environmental organizations. As we enter 2014, a critical election year, we have a unique opportunity to change the state's top leadership, and plot a new course for Pennsylvania's environment. I urge everyone to make that a top priority.

We have a very strong team of leaders for the PA Chapter. Our top volunteers include Chapter Chair Wendi Taylor and Conservation Chair Tom Au whom I am confident can provide a smooth transition as I retire from Chapter staff.

I am extremely pleased that the Pennsylvania Chapter has hired Joanne Kilgour to replace me as I retire. Joanne is an attorney with a background in environmental issues. She has been Legal Director for the Center for Coalfield Justice in Washington County. She has been working on a variety of coal-related issues with Club volunteers and staff. She has also been a volunteer with the Allegheny Group, including as a delegate to our PA Chapter Executive Committee. By bringing Joanne on board, the Chapter has chosen one of its own to carry the torch forward.

When the Chapter hired me in 1982, I was a volunteer with the Lehigh Valley Group and the PA Chapter. 31 years later, I am returning to the volunteer ranks of Sierra Club, confident in passing the torch to a new leader of a new generation. Please join me in welcoming Joanne Kilgour as the new Director of the Sierra Club Pennsylvania Chapter. Thanks for all the support over these years. I am proud to be part of our Sierra Club family.

JOAN WILSON



from the new chapter director, joanne kilgour

As we enter into 2014, I want to recognize that this will be a big year for the Sierra Club Pennsylvania Chapter. There will be many critical political races, frontline struggles against the harmful impacts of fracking and coal-based energy, and a push to inspire elected officials to be proactive by adopting forward-thinking clean energy legislation. We will also be losing Jeff Schmidt as our staff leader. (Thankfully, though, we will be welcoming Jeff back as a volunteer!)


As I knew coming into this role, and as has been affirmed for me making the rounds with him at the Capitol in Harrisburg, Jeff has not only been an outstanding director but also an icon in the environmental movement in Pennsylvania. I want to thank Jeff for his incredible tenure with the Sierra Club and for helping transition me into my new position at the helm of our office.

Like Jeff, I began my work with the Sierra Club as a volunteer. Many of you may have worked with me last year at our Executive Committee meetings, in the Allegheny Group, or on various mining issues, and for those of you I have not had the opportunity to meet I hope that will change very soon!

My passion for the environment started at young age in my home state of Maine, where I went on my first hike - before I could walk - in a backpack carried by my mom, and where I learned to fly-fish alongside my dad and brother with the same bamboo rod my grandfather once used. For most of my early life, though, I did not realize how I took for granted the untouched mountains and trout-sustaining streams I so enjoyed. It wasn't until my senior year of college, when I learned of Plum Creek Timber's plan to develop hundreds of house lots and a resort in the wild North Woods of Maine that I began to recognize the need for environmental advocates.

After learning of this proposal, I returned to Pennsylvania where I was studying political philosophy at Carnegie Mellon University. Around this time, the term "hydraulic fracturing" started becoming part of our daily dialogue and I began to understand that it was not just the pristine Maine woods that needed protecting, but all the life-sustaining places that give us the air we breathe, the water we drink, the land we farm, and the places in which we recreate. We are so lucky in Pennsylvania to have wonderful freshwater resources, an extensive state park and state forest system, rich agricultural land, and residents such as every one of you who is willing to stand up and give a voice to the natural world.

In this coming year, it will be my sincere honor to stand with you in this endeavor. Through our united voice, we have an opportunity to lift Pennsylvania up from the ashes of coal-fired power plants and industry-driven governance to a new and more sustainable future that puts the health and well-being of the people at the forefront of policy. Thank you for all you do for Pennsylvania, the environment, and the Sierra Club, and thank you in advance for helping me to move our Chapter forward in 2014 and beyond.




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[explore enjoy pennsylvania]

cross country skiing - *perfectly flat!*

by Gary Thornbloom

Higher elevations with good trails and snow are one way to maximize cross country skiing opportunities throughout the winter, but sometimes, it takes a lake. Last winter the bare sections of trail on the mountain behind my home meant I would not be skiing there.

Twenty years ago I had skied often on Black Moshannon Lake, but years had passed, and I had not been back to ski. The lake generally has a thick - 10 + inches - coat of ice by mid-January. This is easily confirmed by speaking with State Park employees and ice fisherman. Sunshine and warm days give the top inch or so a crusty surface. Add some new, or even windblown, snow and you have a perfectly flat, superb surface for skiing.

Always confirm the ice thickness. Avoid springs and where the current is constricted and the flow keeps the water open or the ice thin.

Ski with someone who is familiar with the lake. Ski with a group — but keep spread out!

Begin at the parking lot at the intersection of Beaver Road and PA 504 and ski south on the lake. There are two miles of skiing before you encounter beaver dams, and open water. There is also an arm of the lake that goes to the east and provides another half mile of skiing. With retraces

that is five miles of skiing.

Sounds on the frozen lake are mostly silence, the wind roaring back in the forest or the wind in the conifers. If there is wind you will also feel it while you are on the open expanse of the lake. With wind and fresh snow you may also see snow dev-

encounters with pressure cracks on small lakes are that they do not pose a problem, but large lakes with open areas of water would be a different situation.

Here are some images that will keep me coming back to ski on Black Moshannon Lake: the white expanse of the lake; the conifer-lined shoreline; snow mounds



Black Moshannon Lake, where a small stream emerges from a marshy area, with otter and coyote tracks lead to the edge of the water.

that are beaver huts; otter tracks leading to open water; drops of blood in the snow - cut foot? successful hunt?; coyote tracks following otter tracks to open water - frustration?; raccoon tracks along the shoreline; fox tracks crossing the lake; deer tracks; six deer standing mid-lake, barely visible in a snow squall; mouse tracks in and around hundred year old stumps; kick and glide, kick and glide, seemingly without end in a white

ils giving form to the wind as they rise into the sky dancing over the frozen surface, or snow snakes slithering across the frozen surface.

Another sound is the pop of pressure cracks in the ice. The sound, along with feeling the ice drop under you, can put your heart in your mouth. Once you get used to the sound it is one more experience of how awesome natural processes are. My

world, untracked snow ahead, and one set of tracks behind.

Skiing on Black Moshannon Lake can be magical and other worldly, while adding several weeks of skiing to a season that ends all too quickly. Lake skiing may be an option when snow is sparse on woodland trails. Lake skiing is a way to explore and enjoy winter.

pennsylvania supreme court rules that oil and gas act is unconstitutional

by Thomas Y. Au, Conservation Chair, Pennsylvania Chapter

Municipal governments have a role to play in regulating oil and gas drilling, according to the Pennsylvania Supreme Court

In 1971, Pennsylvania voters adopted an amendment to the Pennsylvania Constitution, which simply stated:

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

This amendment, Article 1, Section 27 of the Pennsylvania Constitution, became known as the Environmental Rights Amendment. However, for decades, Pennsylvania's legislature and courts have all but ignored the text of this amendment, giving it lip service when enacting legislation, but scarcely balancing the natural, scenic, historic, and esthetic values of the environment with the demands of industrial development. The Environmental Rights Amendment was almost never used to weigh impending industrial development.

When the General Assembly enacted Act 13 in 2012, it was in response to the rapid and intensive development of Marcellus Shale gas drilling. The law was intended to foster, rather than limit, shale gas development by, among other things, limiting the role of municipal governments in reviewing and regulating shale gas operations in their municipalities. The law specifically stated that the state government intended to preempt all local ordinances regulating oil and gas development.¹

When the Commonwealth Court heard the challenge from Robinson Township and other municipalities after the enactment of the Oil and Gas Act in 2012, the court found: "By requiring municipalities to violate their comprehensive plans for growth and development, 58 Pa.C.S. §3304 violates substantive due process because it does not protect the interests of neighboring property owners from harm, alters the character of neighborhoods and makes irrational classifications — irrational because it requires municipalities to allow all zones, drilling operations and impoundments, gas compressor stations, storage and use of explosives in all zoning districts, and applies industrial criteria to restrictions on height of structures, screening and fencing, lighting and noise."

This set the stage for an appeal by the state, the PUC, and the oil

¹ "The Commonwealth, by this section, preempts and supersedes the regulation of oil and gas operations as provided in this chapter." 58 Pa.C.S. Section 3302

and gas industry to the Pennsylvania Supreme Court. On Dec. 19, 2013, the court issued its decision.

Pennsylvania's history, Chief Justice Castille wrote, includes massive deforestation, the loss of wildlife, and industrialization and coal mining. "It is not a historical accident that the Pennsylvania Constitution now places citizens' environmental rights on par with their political rights," the plurality said. Constitutional provisions, he pointed out, are to be interpreted based on "the mischief to be remedied and the object to be attained."

Chief Justice Castille applied this analysis to Sections 3303, 3304, and 3215(b)(4):

Section 3303, which preempted local regulation of oil and gas operations, violates Article I, Section 27 "because the General Assembly has no authority to remove a political subdivision's implicitly necessary authority to carry into effect its constitutional duties." The Commonwealth is the trustee under the amendment, which means that local governments are among the trustees with constitutional responsibilities.

Section 3304, which requires "all local ordinances" to "allow for the reasonable development of oil and gas resources" and imposes uniform rules for oil and gas regulation, violates Article I, Section 27 for two reasons. "First, a new regulatory regime permitting industrial uses as a matter of right in every type of pre-existing zoning district [including residential] is incapable of conserving or maintaining the constitutionally-protected aspects of the public environment and of a certain quality of life." Second, under Act 13 "some properties and communities will carry much heavier environmental and habitability burdens than others." This result is inconsistent with the obligation that the trustee acts for the benefit of "all the people."

In commenting on the decision, the Patriot-News editorial (Dec. 22) made this wry observation: "But the hope here is that it marks a new day in Pennsylvania, delivering an enduring reminder to legislators and the governor: As you're being schmoozed by lobbyists and lavished with campaign contributions from powerful industries that want special treatment, there's a limit on how far you can go to please them, because the Pennsylvania Constitution has an Environmental Rights Amendment."

[coleman's lantern]

without direction

by Phil Coleman

Did you ever take a hike without a destination? Almost all the time, we say – to ourselves if not to others – let's hike from here to (there). Or let's hike this trail to that trail and then back. In fact, lots of our hikes are circular; we want to end where we left our cars. But we have a plan even for these hikes to go a certain route. We are not good at ambling. The vast majority of my hikes were destination hikes. But at one point I decided to try walking without destination.

Here's how that came about: I took a group of students into the woods and stationed them each separately at random spots along Patterson Run. I said, "Sit where you are until I come get you. Then I will ask you what you observed." I used the word "observed" rather than "saw" because I hoped they would listen and smell as well as see.

I was disappointed. Most of them reported that they hadn't seen anything. One said he saw trees and bushes. Another asked if I thought a deer might come by. None of them heard bird song. None saw ants

busy at work. Of course, I was to blame. I hadn't prepared them. I hadn't said, "Look for little things." "See what the clouds are doing." "Can you see leaves of grass? Weeds?" "Are there birds rustling in the brush?" "Do you hear the stream gurgle?"

If I had given them this list, most of them would have taken the "A Student" approach. The A student says to herself, "I must

report on the clouds, on grass and weeds, on birds, on the stream gurgling. The A student would report on each item suggested but would not look beyond the list, would not look in another direction. The A Student follows directions to a T. Isn't that too bad!

What if one student said, "I felt an itch behind my knee"? "I scratched into the dirt and found teeny roots." "I picked up a pebble and rubbed the dirt off of it. I was hoping it would be pretty, but it wasn't."

This student wouldn't be an A Student. But perhaps she would be a poet.

I decided that I should practice what I preached. I should go without direction. Not even a time table. I should not go fast. I should sit without plan. I should open my senses to whatever I could. I wasn't very good at this. But I did manage to see clouds, to feel my body and the day. I practiced my version of meditation. Sitting with eyes closed and beginning with my toes: What were my toes feeling or doing? And proceeding from there. Occasionally, I would hear something and open my eyes. For instance, I heard a bird and wanted to see if I could see it. It was difficult for me to hear something and say to myself, "Hear it. For once, don't see it."

I am too direction oriented. Most of us are. But occasionally, we can stop and smell the roses.



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[what we want]

We owe the theme of this issue of *The Sylvanian* to management consultant Sam Maitz of Waco, Texas, who inspired us with his advice:

Go after what you want and you'll get it. When you're sure you're on the right road to success, don't let detail analysis stop you from moving forward. Don't burden yourself with unknown doubts and fears as to the obstacles that may bar your progress.

You don't need to know all your answers in advance. Just have a clear idea of the goal you want to reach. You can only take one step at a time.

If you can muster up the courage to begin, you'll find the courage to succeed. It's the job you never start that always takes the longest to finish.

Eighty percent of success is in showing up.

That got us thinking: What do we want? In so many ways, we have focused on what we don't want. We have been playing defense so long that we may have lost sight of what we want. Who better to ask what we want than the Chapter's issue chairs?

As a result, we are starting the year with a whole list of things that we want... things that we can go after -- one step at a time.

[what we want]



**[who] Transportation Committee, Dennis Winters, chair [want]
To secure dedicated funding for public transportation that is
adequate for the times**

truly adequate and dedicated funding for pennsylvania's public transportation is a must for the 21st century

Public transportation offers a solid answer to many of the 21st Century issues that face the Commonwealth. Climate change, increasing urbanization, changing social values, and pollution can all be addressed by maintaining an efficient and adequately funded public transportation system. With infrastructure funding continuing to fall far short to maintain, let alone improve, Pennsylvania's existing transportation system, transit also offers an opportunity to maximize the effect of each tax dollar when spent to move the most people instead of vehicles.

Unfortunately, like twenty-one other states, Pennsylvania's Constitution prohibits any share of the money raised through transportation-related taxes and fees to be used for public transportation. Traditionally transit providers have had to rely on allocations from general funds. Allocations made by a legislature dominated largely by rural representation has not be priority. Over the past few years more comprehensive legislative efforts have attempted to set aside more reliable funding for the state's 74 large and small public transportation agencies, but these efforts have failed miserably. Dedicated funding adequate to both maintain current levels of service and meet the growing demand for new service has simply failed to materialize.

Today transportation accounts for about a third of all greenhouse gases generated in Pennsylvania. Placing increased emphasis on public transportation offers an economical way to reduce overall emissions as well as those per-capita. Better public transportation will result in fewer vehicles, including single-occupant vehicles (SOVs). Of course, eliminating a substantial portion of the transportation-related carbon dioxide (CO2) will result in a proportional decrease in other vehicle emissions.

Anyone who has spent time in Washington D.C. knows the value of a high-quality mass transit system, like the METRO. When a system is easy to use, runs frequently and goes everywhere, people use it. In fact, Philadelphia's mass transit system, SEPTA, has more

vehicle types and serves a larger urban area than the METRO does. It is a major economic asset of Pennsylvania.

Better transit will be required to meet the needs of a population that is not only becoming more urban and less interested in auto ownership. You may have noticed that many of today's young adults are choosing to not even apply for drivers' licenses! Public transportation in Philadelphia, Pittsburgh, Harrisburg, and the other six major providers (over 2 million boardings per year) is barely maintaining current service levels, even as new riders are pressing for increased service on those systems.

What then can be done to fix this problem?

While amending the state's Constitution to treat all transportation modes equitably might be a desirable goal, it remains a long-term one at best given the complicated and lengthy amendment process. There are also good arguments against using this process since throwing the amendment door open might result in all sorts of mischief on the part of the legislature. No, a better way to go would be to press the legislature to create dedicated and reliable sources of funding adequate to the task of maintaining, planning, and improving public transportation service into the future.



[who] Climate Change Committee: John Rossi, chair [want] Enact a federal law that will place a \$5-per-ton tax on all emitters of greenhouse gases by industrial processes.

The problem with addressing climate change and greenhouse gas emission in the United States is that there are multiple facets to the problem. Past efforts have foundered, in part, due to their failure to directly address all those negatively impacted by efforts to reduce climate change and the failure to include provisions to address the international aspect of it.

Economists - Republicans, Democrats, and non-partisan - have argued that the easiest and most effective way to address the emissions of greenhouse gases, is to tax them at their source.

Here's a law - somewhat complicated - that would make our job fighting global warming and the climate disruption it causes easier.

1) The emitters of greenhouse gases produced by industrial processes would be taxed at \$5 per ton of carbon dioxide and its equivalent (CO₂ equivalents for other greenhouse gases such as methane). This tax will increase annually by 10 percent until the point that the U.S. greenhouse gas emissions are reduced to 1985 levels.

2) An equivalent tax will be placed on imports of manufactured goods from countries that are not controlling their carbon emissions. This tax will increase annually by 10% until the point that global greenhouse gas emissions are reduced so that the world's temperature will not increase by more than 3.5 degrees for the period from 1997 to 2050.

3) Revenues from the tax on U.S. based emissions will be split five ways: a) 30 percent to be used to help poor Americans with higher energy bills and on programs to make their homes and residences more energy efficient. b) 20 percent to be spent on programs to make American public buildings—federal, state, local, and school systems—more energy efficient and to install solar panels upon them. c) 20 percent to back a revolving no interest loan fund for

loans to businesses impacted by the tax on U.S. emissions. Loans will be used to invest in new energy efficient plants, technology, and equipment; or for investments into clean, renewable energy. d) 15 percent will go into a worker retraining fund for workers displaced by reductions in carbon emissions. e) 15 percent of the revenues will fund new research into increasing energy efficiency and developing more efficient renewable energy technology.

4) Revenues from the import tax would be placed in U.S. government program which will dedicate 65 percent of its revenues to assist poor and developing countries in developing renewable sources of energy and in reducing their carbon emissions. Twenty-five percent of the import tax money would go into a relief and recovery fund to assist countries hit by disasters caused by or exacerbated by global warming (hurricanes, floods, droughts, etc.). Ten percent will go into a fund to provide relief for climate disruption-related disasters in the United States.



[what we want]



[who] Coal Mining: Patrick Greuter, chair [want] Pennsylvania to ban longwall mining under streams.

coal mining still causes severe impacts in southwestern pennsylvania

A common narrative accepted in recent years speaks to the imminent demise of the American coal industry. Due in large part to the successful efforts of the Sierra Club's Beyond Coal Campaign. At last count, 184 proposed coal projects have been abandoned since 2010. When forced to account for the true cost of their operations with updated regulations and citizen enforcement actions, coal-fired power plants across the country are closing.

However, that narrative does not hold true when assessing the Pennsylvania coal mining industry, particularly in southwestern Pennsylvania. Washington and Greene counties are home to a number of large underground coal mines, including the Bailey Mine complex operated by CONSOL Energy, which is the largest underground coal mine in the country.

These deep mines use longwall mining to extract coal from the Pittsburgh coal seam, resulting in significant damage to the environment and communities in which they operate. Longwall mining is a method by which an entire coal seam is removed in large panels, often several thousand feet long and about 1,500 feet wide. There are no surface supports left in place to maintain surface structures and entire landscapes are damaged. Buildings, roads, fields and particularly streams are susceptible to damage from longwall mining subsidence.

One provision that would make a profound impact on the environment would be a prohibition of longwall mining under streams. All too often, streams that are undermined are irreparably lost. The sheer size of longwall operations makes it impossible to avoid the many miles of rivers and streams in the region. Importantly, it should also be noted that longwall machines do not turn; they do not stop; and they do not slow. They care nothing about

what is above their operations but rather only for the coal seam in front of them. They move in straight lines in their relentless extraction. In Greene County, CONSOL Energy has tried unsuccessfully for four years to repair streams they have dewatered around the Bailey Mine to no effect. The streams are simply gone and are not coming back.

Mine officials have said that their business model relies on this consistent extraction. Any level of care or concern for surface structures simply is not feasible; it is too capital intensive and leaves too much coal behind. If these claims are accepted at face value, it shows what a precarious house of cards these companies have created for themselves. Just like we've seen with coal-fired power plants, if the industry is forced to take even the most basic of protective measures, such as preserving our streams, their business model falls apart and coal is unable to compete with modern energy options like wind and solar.

What seems just as likely is that these companies have every ability to take appropriate steps to protect the surface but choose not to. The coal industry has shown time and again they will fight any measures that threaten their domination over the region. A measure banning longwall mining under streams would force the

industry to publicly acknowledge their systematic destruction of Pennsylvania's streams.

This is only the first step. Small steps and victories like this are key to preventing environmental damage in Pennsylvania and truly moving ourselves beyond coal.



Subsidence from Longwall Mining has destructive effects across Southwestern Pennsylvania.



[who] Clean Air Committee, Nancy F. Parks, chair [want] Regulation of all diesel generators to reduce air pollution

even small distributed electricity generation sources should protect human health

Not too long ago, diesel generators were almost entirely used as emergency generators for hospitals and the like. However, now more and more diesel generators are used for unregulated non-emergency purposes, not just as emergency generation but as peaking units to supplement power plants. A loophole in state law permits them to be unregulated. Unregulated uses contributed to 60 tons of extra NOx in York County in a past year, forcing York County into ozone non-compliance and non-attainment under the Clean Air Act.

Pennsylvania House bill HB 1699 could be a step in the direction of controlling air pollution sources here in PA. Large or small, these sources have significant implications for Pennsylvanians ability to breathe

Some minor state regulation does exist for new diesel distributed generation but not for existing units. We need to bring existing units into compliance.

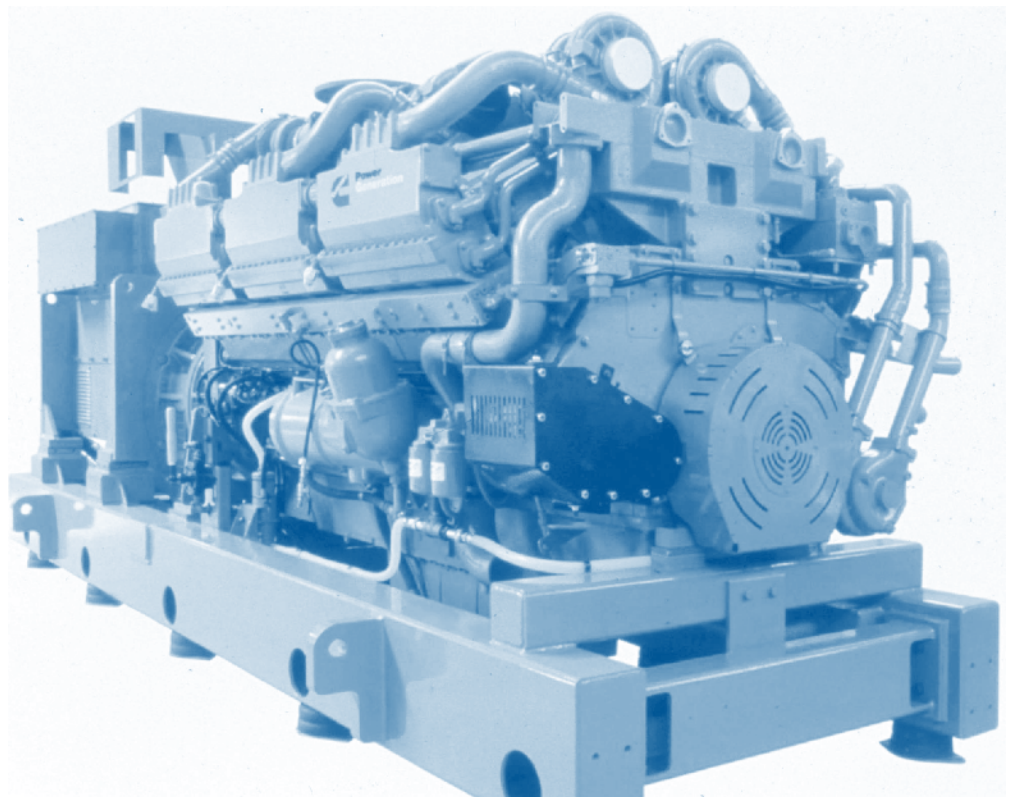
These diesel generators – specifically stationary non-emergency generators -- are now being given legitimacy within HB1699. We must amend the legislation so that all diesel fuel non-emergency generators are required to be registered by PA Department of Environmental Protection (DEP), required to keep prescribed records, comply with emissions limits and have an annual compliance audit. We also need to see if these units are complying with federal and state requirements for low sulfur diesel fuels, thereby reducing particulate matter air pollution.

Because these emissions are created by these reciprocating internal combustion engines, fueled by diesel and generating electricity, they should be making real and significant emissions reductions that are measurable, quantifiable, verifiable and federally enforced under the Clean Air Act. These emission reduc-

tions should be over and above what the best units are achieving now, thereby allowing us to benefit from real and significant reductions.

These non-emergency generators should be monitored with continuous emission monitoring instead of annual compliance review with emission limits that can be monitored at all times. These limits must be enforced and not just by the discretion of PA DEP but by federal enforcement under the Clean Air Act.

The Sierra Club gives conditional support for HB 1699 and the control of air emissions from non-emergency electricity generators. We can support this bill as long as the emissions reductions achieved are real reductions in air emissions and do not interfere with ozone attainment.



[what we want]



[who] Water Issue Committee, Barbara Benson and Thomas Au, co-chairs [want] Pennsylvania to enact a Stream Buffer Law

To protect and enhance water quality, Pennsylvania needs a law that would require Pennsylvania streams to be protected by 100-foot vegetated buffers. Stream buffers offer a simple, no-cost or low-cost way to prevent pollution and runoff from degrading our streams.

When land leading up to stream banks is covered with natural vegetation, it can function as the sponge nature intends. Vegetation takes up water and encourages infiltration through the soil to groundwater. During and after rainfall, water is slowed down by the vegetation and has more time to infiltrate the soil rather than running off into the stream. Much of the storm water stays in the soil and re-charges the aquifers (water storage) rather than running directly into the stream. Because less water runs off, there is less flooding. Pollutants, such as nitrates, phosphates, sediments, and toxic chemicals, are removed from the water as the water moves through the soil. A healthy watershed includes streams that filter stormwater and support diverse aquatic organisms.

Streams that do not have vegetated buffers may get too warm for the organisms that live in the stream. Sediments may clog the breathing tissues of fish water bugs. Waters that are polluted with nitrates and phosphates may experience algal blooms. This results in fish kills and changes in the composition of the plant and animal species that would normally live in the stream. Streams not protected by vegetated buffers currently are subject to serious degradation.

A law requiring buffers would prevent many stream miles in the path of new development from degradation. Scientists have concluded that this one stormwater management practice - to leave

or create 100 foot vegetated buffers - does the most to protect streams from water quality degradation and maintain or restore aquatic life.

Most developers and home builders are adamantly opposed to such a law because developers believe they will make less profit if they cannot build on the space required by the buffer. In fact, studies have shown that developments that contain streams and buffers of trees and shrubs along the shore are valued by buyers and the buyers will pay more.

Earlier attempts to put in place regulations to require buffers achieved only partial success. Currently, buffers are not required in all new development. There are regulations that require 150 feet buffers for only special designation streams (Exceptional Value and

High Quality streams), and only in new development. Watersheds would be better protected by 100-foot buffers on all streams in new development and even wider buffers for our finest streams. Impaired streams can benefit from buffers as well. In areas where development is fast paced, getting such a law in place would save many streams from serious degradation.

Many municipalities are currently in the final stages of developing and implementing stormwater management plans as required by the Federal Clean Water Act. A stormwater management plan for the municipality could include these as one of their best management plans and that would be an excellent choice for reducing stormwater runoff pollution.



[who] Transmission Lines Issue Committee, Nicole Faraguna and Don Miles, co-chairs [want] A federal law strengthening protection of national parks and forests from power lines which affect animal habitats and viewsapes.

federal ruling worries national park advocates

The Sierra Club and its environmental allies must seek federal legislation that strengthens the protections for our national parks and forests and eliminates inflated economic incentives for poorly-planned, unneeded transmission projects.

Despite a federal lawsuit filed by the Sierra Club's Pennsylvania and New Jersey chapters and nine other environmental organizations, Pennsylvania utility PPL and New Jersey utility PSE&G are in the process of constructing a massive electric transmission line through the heart of the Delaware Water Gap National Recreation Area. The park is the most-visited of the National Park System between Boston and Washington, welcoming five million visitors each year.

The Sierra Club, along with Appalachian Mountain Club, Appalachian Trail Conservancy, Association of New Jersey Environmental Commissions, Delaware Riverkeeper Network, National Parks Conservation Association, New Jersey Highlands Coalition, New York – New Jersey Trail Conference, Rock the Earth, and Stop the Lines, filed the lawsuit with the U.S. District Court for the District of Columbia on October 15, 2012, represented by the environmental law firm Earth Justice of New York City.

Known as the "Susquehanna-Roseland Power line" (S-R Line), the project is designed to bring electricity from dirty coal-fired generating plants in central Pennsylvania to northern New Jersey and New York City, along a route from Berwick, PA to Newark, NJ. The transmission project guarantees the utilities a high return on their investment, thanks to the Energy Policy Act passed under the Bush Administration.

The environmental organizations argued that this electricity is not needed, since electricity demand in the metro area has declined for the past four years.

Dozens of twin 190-foot transmission towers will carry 500 kilovolt electric lines, along an existing right-of-way of a small power line, through protected wild areas of the park, including wetlands,

historic sites, and geologic rarities, severing connections between plant and animal habitats. The S-R lines will heavily intrude on the viewsapes of the park and will cross high over the Delaware National Scenic River and the renowned Appalachian Trail.

The environmental organizations argued the approval for the S-R Line by the U.S. Department of Interior (DOI) National Park Service (NPS) in October 2012 violated the National Environmental Policy Act (NEPA) by failing to hold public hearings on a \$66 million "contribution" to DOI by the utilities for project approval – a deal made after the scheduled public hearings had ended and as the result of secret negotiations with DOI.

The lawsuit also argued that the environmental damages that would result from the proposed commercial and industrial activity, affirmed by the utilities, would be inconsistent with the organic Acts of Congress creating the national parks.

However, District Court Chief Judge Richard Roberts ruled this fall that construction could begin because the

EPA did not require a public hearing after the multi-million-dollar "contribution." He also ruled the new powerlines -- despite being more than double the height and having double the clear-cut of the existing 80-year old small-powerline -- did not violate the law, which created the park, because of the existing, smaller powerline. The decision was not appealed due to the likelihood the conservative-leaning D.C. Circuit Court would not reverse the decision of the chief judge.

For the environmental organizations on both sides of the Delaware River -- and for the many members of the Sierra Club and the public who enjoy the natural wonders of the Delaware Water Gap National Recreation Area -- this loss, which allows massive damage to the park's environment -- is devastating. They also are concerned that this decision may set a precedent for other commercial projects in our national parks.



[what we want]

[who] Public Lands, David Sublette, co-chair [want] Expand the area designated as protected wilderness in Allegheny National Forest

In the early 1970's, members of the newly formed Allegheny Group of the Sierra Club worked with others in Pennsylvania to explore what areas of the Allegheny National Forest (ANF) might be suitable for wilderness protection, according to Peter Wray of the Allegheny Group. In his 2005 account, "A Short History of the Campaign to Include Areas of the Allegheny National Forest in the National Wilderness Preservation System," Wray noted that an essential factor in this campaign was the need to form a strong coalition. Groups throughout western and central Pennsylvania joined the coalition: Audubon, Trout Unlimited, hiking clubs, and Sierra Club groups.

The coalition's goal? To persuade Pennsylvania Congressmen to designate wilderness areas on the ANF.

Bruce Sunquist, Bob Pratt, Sam Hays, and Helen McGuiness identified areas to be considered, and Congressmen Bill Clinger and Peter Kostmayer, from Warren and Bucks County, respectively, proposed the legislation. Pennsylvania Senator John Heinz provided the impetus from the Senate side, and on October 30, 1984, Public Law No: 98-585, known as "Pennsylvania Wilderness Act of 1984" was enacted.



Nearly 30 years have passed, and though only roughly 2 percent of the ANF is protected, no new wilderness has been designated by Congress. Instead, the Allegheny National Forest has become an industrial park for gas and oil exploration, supported by the local Congressional representative, who has demonstrated very little interest in protection for this national forest.

For the past 10 years, the conservation community has worked to get Congressional support for a wilderness bill with fleeting moments of optimism. However, the current Congressman for the 5th District, Glenn Thompson, whose district encompasses the entire ANF, strongly opposes wilderness designation and endeavors instead to weaken existing wilderness laws.

In 2007, the Forest Service recommended two areas of the ANF as wilderness study areas: Chestnut Ridge and Minister Valley. The Pennsylvania Chapter of the Sierra Club supports all efforts for these two wilderness study areas to be formally designated for wilderness protection. Although together they comprise only about 15,000 acres, Minister Valley is located in close proximity to the existing wilderness area of Hickory Creek.

We will continue to press for wilderness protection of Chestnut Ridge and Minister Valley, and as we celebrate the 50th anniversary of the 1964 Wilderness Act. We would like to commemorate the 50-year old act with the enhanced wilderness designation for these two areas.



[who] Public Lands co chair Gary Thornbloom [want] A ban of all industrial development on public lands.

thwarting industrialization of pennsylvania's public lands

Our public lands are under an unprecedented attack led by industry, and facilitated by politicians. A ban of all industrial development on public lands would provide the single best protection of these lands. Public land would still need our eyes, ears, and voices, but banning industry would be a major move in the direction of maintaining the integrity of these ecosystems.

Pennsylvania public lands consist primarily of forested land: 2.2 million acres of State Forest Land; 1.5 million acres of State Game Land; 500,000 acres of National Forest (Allegheny); 283,000 acres of State Park Land.

Allegheny National Forest has been turned over to the oil and gas industry. Roads, gas well sites, oil well sites, and pipelines have carved up the forest; streams have been polluted, and the stench of gas and oil is common. First you smell it, and then you see the rainbow colors in pools of water as you approach the well sites.

With the mania for shale gas, the oil and gas industry is now going after our State Forests. Industrialization of State Forests is incompatible with the mission of the Bureau of Forestry (BOF): The Bureau of Forestry's mission is to ensure the long-term health, viability and productivity of the Commonwealth's forests and to conserve native wild plants. BOF has traditionally included timber harvest and conventional gas wells as part of this mission. Shale gas wells and infrastructure, and wind turbines and infrastructure, take the negative impacts of an industrial presence in our forests to new levels.

Industrialization of State Forests will result in the same situation as currently exists in the worst areas of the ANF. The Road Tour described in the 2013 Fall Sylvanian takes you through the begin-

nings of an industrialized forest. Hike Eddy Lick Trail Loop in Sproul State Forest, and you can smell the gas.

Politicians have gone after State Parks in the past. The environmental community fought proposals for resorts in Prince Gallitzin and Erie Bluffs State Parks successfully. We did not fight the Nature Inn at Bald Eagle State Park, and today there is a beautiful "green" nature inn at the heart of the Park. Everything is right about the inn, except its location – it should have been outside the Park on private land. This is where the battles were in the past, but the oil and gas industry now has the potential to impact State Parks.



State Game Lands (SGL), purchased entirely by hunter's dollars, are a little different. The PA Game Commission manages these lands with very little public input, but they do manage for wildlife and wildlife habitat. SGLs are threatened by the same threats from industry, however the Game Commission is better at getting more from industry in exchange for the impacts. The Game Commission has also

refused to allow wind turbines to be located on SGLs.

Edward Abbey observed: The industrial corporation is the natural enemy of nature. John Muir railed: These temple destroyers, devotees of ravaging commercialism, seem to have a perfect contempt for Nature...

Is it reasonable to ban the industrialization of public land? Consider:

57 percent of Pennsylvania is forested; 25 percent of that is public land. That is only 14 percent of Pennsylvania to declare off limits from ravaging commercialism and the natural enemy of nature. This is reasonable.

[what we want]

[who] Energy Issue Committee, co-chair Justina Wasicek [want] Enact a law to increase the percentage of clean renewable energy that is used to supply our electricity, instead of fossil fuels.

“To breathe clean air, you need to use clean energy!”

Pennsylvania has long relied on burning coal for electricity, for heating, and for powering our industries. We have paid the price – in subsidies to the coal industry, in air polluted from the smokestacks, and in water that has been polluted from mining and acid mine drainage. Currently, we are starting to require more environmental controls on the air and water discharges from coal--- only to have another fossil fuel, natural gas, become the new “in” fuel. Natural gas is cheaper now, but it has the same serious pollution impacts we have seen before -- the drilling impacts our water supply, and the emissions escape into our air and worsen climate change.

We need to convince our legislators not to jump on the bandwagon of producing more natural gas in Pennsylvania. Instead, we need to focus on clean energy. Clean, renewable energy sources – like solar, wind, and geothermal — do not have the emissions that fossil fuels have to pollute our air and water and add to green house gases.

There is a way to focus on producing and relying on more renewable energy sources. Other states have figured this out, and are not wedded to providing incentives only for natural gas and coal. Most states have laws that govern the sources of electricity that utilities use to provide electricity to our homes and businesses. In Pennsylvania, the Alternative Energy Portfolio Standards Act (AEPS) requires utilities to obtain part of their electricity from Tier 1 sources – mostly renewable energy sources like solar, wind, and geothermal. There is even a separate category for just using solar.

Neighboring states have better standards for using renewable energy sources like our Tier 1, under similar time frames. Delaware

’s standard requires that 25 percent of its energy be supplied from eligible renewable energy sources (like our Tier 1 sources), by 2025. Maryland requires 20 percent from eligible renewable energy sources by 2022. New Jersey requires over 20 percent from similar renewables by 2021. Guess what Pennsylvania’s Tier 1 requirement is? – only 8 percent of the total power supplied by 2021!

When it comes to solar requirements over the next several years, these other neighboring states range from requiring 2 percent to 4.1 percent . Pennsylvania only requires 0.5 percent -- that’s right, only one half of one percent – for solar, by June 2020.

The single best legislative provision that I would like to see is an increase to the amount of clean, renewable energy sources that utilities must use to supply electricity to us. We should increase the AEPS Tier 1 requirement to 15 percent, or even better-- to 25 percent. If we do, we can expect to see several benefits—in terms of our health, jobs, the cost to consumers, and the impact on greenhouse gases. The legislation sponsored by Rep. Vitali and Sen. Leach would increase the renewable share to 15 percent by 2023—which would be enough to offset electric generation from 3 average PA coal plants.

Using more clean energy would reduce mercury, soot and SO2 pollution. Increasing the Tier 1 requirement could also reduce electricity rates and create more renewable energy jobs.

The Chapter is working with the Beyond Coal Campaign to increase the clean energy required in the mix of fuels under the AEPS, and to move away from polluting fossil fuels. Join us!



[letter to the editor]

An article in the fall Sylvanian encouraged readers to contact Department of Conservation and Natural Resources (DCNR) to object to plans to improve and reopen a public shooting range on the Michaux State Forest.

More than a year and a half of investigation and deliberation on the part of local and statewide DCNR managers and a local stakeholder task force was invested into examining this issue including several open meetings and a public comment period. Environmental concerns, recreational conflicts and budget constraints were all carefully considered issues that went into formulating the proposed decision.

The fundamental problem expressed by the writer seems to be the location of the current range and its potential impacts on recreational users at the nearby Lone Pine Run Reservoir.

The reservoir is a man-made, quiet destination surrounded by hardwood and pine forest, enjoyed by kayakers, boaters and anglers alike.

DCNR is responsible for managing our state forest for multiple uses and values that sometimes conflict. There's often a challenge with a high impact activity such as hunting and shooting sports and the many other forest user groups. We work to provide a bridge-building role in these situations which was the reason for the task force and public process.

With input from the task force and public, DCNR has determined that relocating the range would increase the public cost and environmental impacts without addressing root problems.

The general intensity of recreational use and road access in the area makes it one where a target range may actually have fewer noise impacts than if sited in a less disturbed or fragmented forested area within the Michaux.

The site of the closed range is a former borrow pit and of course was already used as a range for several years, making it more attractive than an undisturbed remote area of the forest.

During the public comment period there was strong public support for improving the management practices at the range in order to minimize environmental impact, recreational conflict and operational cost. We are acting on that recommendation.

An expanded task force including members from local conservation groups, municipal government, academic institutions and recreational user groups is working to draft a management plan, review range design, and assist with developing an operational schedule to minimize recreational conflicts and potential for wildlife impacts.

Future range operational hours being proposed will provide quiet days and weekends at the lake for recreational visitor's averse to range noise. It also will not be in operation during the primary nesting season to avoid potential impacts to nesting birds.

Additional public information and discussion meetings will be held once range design, management and monitoring plan, and proposed operational hours are finalized.

The proposal to reopen the shooting range is in keeping with DCNR's mission to manage the forests in a way that makes them accessible to the public; balances the needs of various stakeholders including hunters and shooting sports enthusiasts; and continues to protect and sustain the forest for future generations.

Dan Devlin
State Forester

[more letters to the editor]

I've been a proponent of clean energy for many years now and I wish I had funds to help overtake the criminal lobbyists in Washington D.C. that work for the oil companies. We have not learned our lesson from the embargo that occurred when OPEC was created, and as long as lobbying is legal, the individual has no power against the corporation.

*Eugene Spuglio
Holmes, PA*

Just a note to thank you for printing my letter on a carbon tax in the latest Sylvaniaian and also to thank you for the wonderful special report, "We're not alone," sharing what other organizations are working on. I would love to see more of this from every organization I belong to (and there are many I like to keep track of and what everyone is working on). I agree that we are all allies and we need to honor each other. I honor the Sierra Club's work on shutting down coal plants in the U.S! Great work!

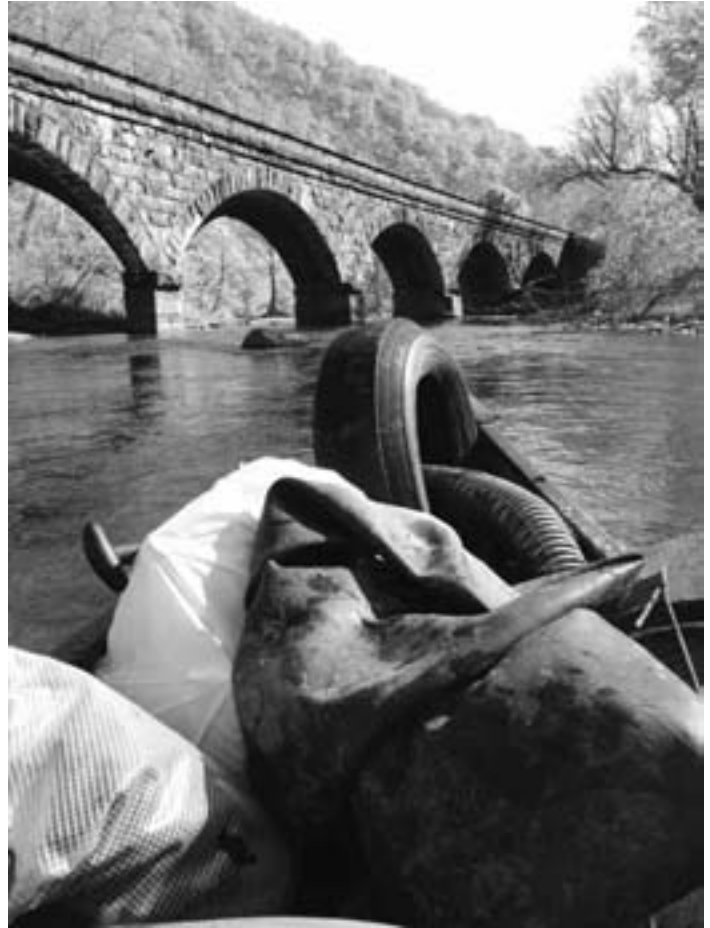
*Jon Clark
Mid-Atlantic Regional Coordinator
Citizens Climate Lobby
www.citizensclimatelobby.org*

Little Juniata River Association Float Boat Clean Up of Little Juniata Natural Area

By Anne Quinn Corr

The frost was on the pumpkin the chilly morning of Saturday, October 26, when thirty hardy volunteers launched canoes, kayaks, and even two stand-up paddleboards for a float from Spruce Creek to Barree. They set out to clean up the inaccessible (by-road) Little Juniata Natural Area. In addition to the float-illa, student volunteers from Juniata College patrolled the banks, bagging trash to be collected by the river craft navigated by members of various local environmental groups. These groups included the Little Juniata River Association, Canoe Club of Centre County, the Moshannon Group of the Sierra Club, Clearwater Conservancy, Trout Unlimited, Friends of Allegheny Wilderness, and Keep Huntingdon County Beautiful. These organizations were joined by commercial water enthusiasts Tussey Mountain Outfitters of Bellefonte and Mountain River Outfitters of Duncansville in the ambitious clean up that garnered an estimated ton and a half of trash in under 4 hours. Many hands, heavy work — resulting in a clean natural area.

The 10th Annual LJRA River Bank Clean-up, encompassing more than 20 miles of the river, is scheduled for Saturday April 5th, 2014. For more information visit the Little Juniata River Association website <http://www.littlejuniata.org/> or email Bill Anderson at bjuniata@verizon.net.



Voting Confirms At-Large Delegates Choices

Nominated candidates Wendi Taylor, Thomas Au, and Arthur Clark were elected to the Chapter Executive Committee as at-large delegates in the recently completed election.

Election Committee Chair Roy Fontaine conducted the election. He and election committee member David Hafer counted the ballots on December 21st and reported the results. With only three candidates on the ballot and three positions available, voting was light.

The three will serve two year terms.

Taylor is executive committee chair. Au is conservation committee chair. Clark has been active on forestry and public lands issues.

[meetings and outings]

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answers to crossword puzzle

(from page 24)

Across

- 1. FARAGUNA
- 3. WASISEK
- 6. THORNBLOOM
- 7. GREENTER
- 8. ROSSI
- 10. TAYLOR
- 11. KILGOUR
- 12. SUBLETTE
- 13. PARKS

Down

- 1. FONTAINE
- 2. GADOMSKI
- 4. SCHMIDT
- 5. BENSONANDAU
- 9. COLEMAN



DO YOU
HAVE
SOME-
THING
ON YOUR
MIND?

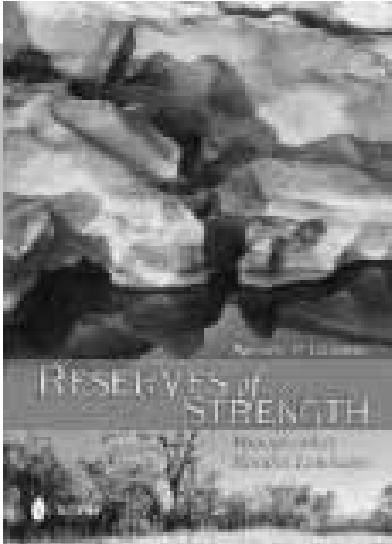
Consider this your invitation to say it on our blog. Yes, the Sierra Club Chapter has a blog that allows our members to share their thoughts, ideas and peeves with the rest of us on Sierra Keystone Conversations.

THE PROCESS IS SIMPLE.

Submit your blog to: taylorwj@comcast.net.

Or, of course, you can just be a regular reader. Find it at: <http://sierraclubpa.blogspot.com/>

[book review]



Reserves of Strength: Pennsylvania's Natural Landscape, by Michael P. Gadomski

Published by Schiffer Publishing Ltd. 2013

If you love Pennsylvania's wild places and own a coffee table, here is the book for you! Reserves of Strength: Pennsylvania's Natural Landscape, by Michael P. Gadomski. While I was working on reviewing this book, my daughter picked up the volume from my coffee table and began leafing through it and said, "Mom, where is this? We need to go there!"

Reserves of Strength is not the kind of book one reads – it is the kind of book you see. It shows why so many members of the Sierra Club work so hard to save the natural lands of Pennsylvania. The book captures the curve of the land, the way the mountains meet the sky, and the natural arrangements of the trees, rocks, plants and meadows, and the waters flowing or still. Each photo is artistically interesting and features something particularly notable about the area.

The book is organized according to regions, so the reader can concentrate on a certain area of the state. Gadomski, a former Pennsylvania park ranger, introduces each region with a mixture of history, geology and in some instances personal experiences he had in the area. He points out that while study after study shows that be people who are connected to the outdoors are healthier and happier, modern life makes it possible for

many people to live their lives without ever having any connection with nature at all.

Gadomski's book is a wonderful advertisement for Pennsylvania's many wild and empty places. Each picture is described in detail so that the reader knows the name of the mountain, lake, stream or pond and identifies the type of trees, plants or animals that is distinctive in the photos.

Reserves of Strength is also a reservoir for the thoughts and ideas of a man who loves the natural places in Pennsylvania. The author expresses the irony in the way some people regard Pennsylvania's vast open lands. He notes that the same developers who promote their rustic developments by advertising the natural beauty, pristine water and grand forest-covered hills are the same people who are working every day to destroy it all with their developments.

And if we are not careful to check urban sprawl, coal mining, natural gas drilling and landfills, Gadomski's book will become like the photos featured next to obituaries, which portray the deceased the way they used to look.

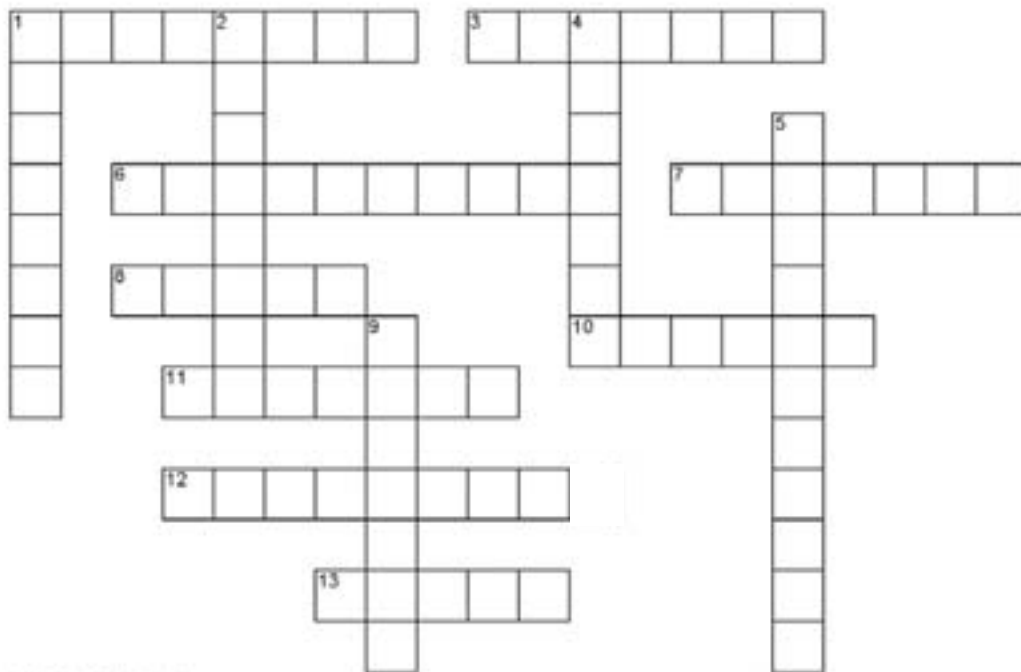
To purchase a copy, try your local bookstore or visit:
www.schifferbooks.com



explore, enjoy and protect the planet.

[winter crossword]

Changes Our Leaders Would Make



www.ChristineDiane.com

Across

- 1 Protect national forests
- 3 Promote clean energy
- 6 Protect public lands
- 7 Ban mining under streams
- 8 Tax on greenhouse gases
- 10 Chapter chair
- 11 Chapter director
- 12 Expand wilderness areas
- 13 Regulate diesel generators

Down

- 1 Chair of election committee
- 2 Wrote Reserves of Strength
- 4 Former chapter director
- 5 Improve stream buffers
- 9 Lantern

answers on page 22