



Senate Environmental Resources and Energy Committee

Senator Mary Jo White
Chairman

Patrick Henderson, Executive Director

Room 169 • State Capitol Building
Mailing address: Senate Box 203021 • Harrisburg, PA 17120-3021
Phone: 717-787-9684 • FAX: 717-787-6088 • energy@pasen.gov

To: All Republican Senators

From: Senator Mary Jo White, Chairman
Senate Environmental Resources & Energy Committee

Date: October 29, 2010

Re: Sierra Club & Clean Water Action Legislative Scorecards

You recently received a copy of a legislative scorecard compiled by lobbyists for the Sierra Club and Clean Water Action. As is customary practice, the organizations have selectively chosen votes, co-sponsorships or other actions intended to present many in our caucus in a negative light. To that end, you may wish to consider the following in responding to constituents:

- A Senate vote for SB 490, which proposed transfers of windfall revenue from oil and gas leases on state forest land to the General Fund, is regarded as “anti-environmental”. Sierra Club and Clean Water Action characterize SB 490 as part of “*Senate Republican leadership’s ongoing effort to weaken environmental programs*”. Sierra Club and Clean Water Action seem ignorant of the fact that SB 490 merely sought to implement a proposal contained in Governor Rendell’s ’09-’10 proposed budget. Moreover, the groups ignore the fact that SB 490 also appropriated money to county conservation districts, DCNR, the Fish and Boat and Game Commissions and DEP – appropriations which were not proposed by Governor Rendell.
- While taking Senate Republicans to task for SB 490, Sierra Club and Clean Water Action do not count as anti-environmental the House of Representatives’ vote for HB 1416, the enacted state budget for FY ’09-’10 which contained a transfer of \$143 million from the Oil and Gas Lease Fund to the General Fund. Therefore, the scorecard only penalizes the Senate for an issue which a) Governor Rendell proposed and b) the House of Representatives also approved. The groups separately count a Senate vote for HB 1416 as “anti-environmental” as well, effectively including this issue twice (out of eight total votes) in their scorecard.
- Sierra Club and Clean Water Action include legislative positions taken on two regulations promulgated by the Environmental Quality Board (EQB): a) wastewater treatment standards for industrial wastewater, and b) erosion and sediment control standards and permitting fee increases. Both groups ignore legislative positions on several other significant EQB regulations promulgated this session, including: a) increased oil and gas permitting fees, which doubled the number of DEP

inspectors; b) oil and gas well cementing, casing and construction standards, and c) outdoor wood fired burner standards.

Apparently, the only action regarded as “pro-environment” is writing a letter in support of the regulations. Failure to write a letter of support is regarded as “anti-environmental”. The groups ignore actual votes *for* the regulation by legislative members of the EQB, as well as the Senate deeming both regulations approved, thus authorizing their final promulgation. It is worth noting that in June of this year, the Sierra Club issued an email alert statewide to its members falsely accusing the Senate of voting on a resolution to disapprove of the regulations. No such resolution ever existed.

- Sierra Club and Clean Water Action ignored numerous other actions by the Senate which most reasonable people would regard as “pro-environment”, including:
 - SB 118 Requires fines & penalties to be deposited into the Hazardous Sites Cleanup Fund
 - SB 275 Establishes a dispute resolution process for landowners impacted by the siting of coal-bed methane wells
 - SB 829 Provides for a public comment and response process related to preparation of the Commonwealth’s Climate Change Impact Study
 - SB 1250 Allocates to affected municipalities a significant portion of any fine or penalty assessed for violating state air quality standards. Money shall be used to remediate air pollution, as well as for parks, open space and recreation
 - SB 1379 Establishes a program for the recycling of used textbooks
 - HB 263 Further protects the Appalachian Trail from development
 - HB 262 Establishes environmental criteria for prescribed burns as means to sustainably manage forests