



Senate Environmental Resources and Energy Committee

Senator Mary Jo White Chairman

Patrick Henderson, Executive Director

Room 169 • State Capitol Building
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August 24, 2009

John Hanger, Secretary
Department of Environmental Protection
16th Floor Rachel Carson Building
Harrisburg, PA 17120

Dear Secretary Hanger:

I am writing to urge you to reconsider your decision to discontinue funding for West Nile virus spraying across much of the Commonwealth.

As you know, West Nile virus is a potentially fatal disease that has been detected in over 20 counties so far this year. The first human case was confirmed earlier this month. As DEP has noted, the number of human West Nile virus cases has decreased substantially in recent years. No doubt, this reduction is in large part due to enhanced public awareness and an aggressive prevention and control spraying program. I strongly suggest that now – in the midst of higher temperatures and relatively high rainfall in much of the state – is the most inopportune time to discontinue funding for this program. Doing so only increases the public health risk facing Pennsylvanians.

According to the Department's August 20th press release, grant funding will cease in 36 counties, while continuing in 31 counties. The Department has claimed that the program must be suspended until a final state budget is approved by the General Assembly. I strongly disagree with this assertion. For starters, Governor Rendell had before him recently Senate Bill 850, which appropriated \$5.193 million for the West Nile virus program. Yet, the Governor chose to veto \$3.610 million of this appropriation. This reflects a conscious decision by the Governor to reject spending authority for a critical and time-sensitive program.

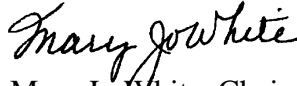
Governor Rendell chose to sign in full certain appropriations in Senate Bill 850 even though he stated that they were less than adequate, and that he would seek to supplement them in a "final" budget resolution. Examples include state park and state forest operations, and \$137 million for DEP's own general government and environmental programming appropriations. Clearly, authorizing the full \$5.193 million for the West Nile program and then seeking additional money at a future date was an option the Governor chose to reject. I also believe the Department has the discretion to transfer funds from its Clean Water Fund to augment its West Nile virus program.

Therefore, in addition to urging you to revisit the decision to stop funding the spraying program, I would appreciate a response to the following questions:

- 1) Please list the 36 counties where spraying will cease, and the 31 counties that will be funded through the end of the calendar year. How was this list arrived at?
- 2) The Governor reduced the appropriation for West Nile virus spraying contained in SB 850 from \$5.193 million to \$1.583 million. How was this number arrived at, and why was any portion of this critical appropriation vetoed?
- 3) What is the current unencumbered balance in the Clean Water Fund? Will you authorize the transfer of funds from this or any other special fund or account under your control to supplement funding for the West Nile virus program? I note there is ample precedent for similar transfers in the past; for example, Acting DCNR Secretary Quigley transferred funding out of the Oil and Gas Lease Fund to the Bureau of Forestry this past spring when the Bureau faced a shortfall.

Thank you for your prompt attention to this request. If you require any additional information or clarification, please contact my office.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jo White".

Mary Jo White, Chairman
Senate Environmental Resources
& Energy Committee