Mt. Pleasant Area graduate advances environmental mission

By A.J. Panian

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Ashley Funk's mission to preserve the quality of Pennsylvania's atmosphere and environment for current and future generations will get some hard-earned attention from the state's Department of Environmental Protection.

At a Nov. 19 hearing in Harrisburg, the state's Environmental Quality Board (EQB), at the urging of DEP officials, voted to accept for further review a climate change petition for rulemaking filed by Funk, 19, a 2012 graduate of Mt. Pleasant Area School District.

The petition requests that the state impose regulations strictly limiting and regulating fossil fuel carbon dioxide emissions. It also requests that the state develop an emissions-reduction strategy to achieve safer atmospheric concentrations of carbon dioxide by the year 2100.

"I am glad that the EQB decided to stand with me and my generation by accepting my petition for rulemaking," said Funk, a sophomore at Wellesley College in Wellesley, Mass., where she is pursuing a double major in environmental studies and political science.

"I'm looking forward to following the DEP's next steps in the process, and I'm glad that Pennsylvania's government will finally be beginning its necessary journey in addressing climate change," she said.

Petition undergoes long-awaited review

Funk's attorney, Kenneth T. Kristl, made a five-minute presentation on the petition to the board during the hearing.

The board then put the petition to vote.

"I am pleased that the EQB accepted Ashley's petition for rulemaking, and that the DEP recommended that acceptance," said Kristl, an associate professor of law and director of the Environmental and Natural Resources Law Clinic at Widener University School of Law in Wilmington, Del.

Pending publication of Funk's petition in the Pennsylvania Bulletin, the state's official gazette for information and rulemaking, its contents will undergo DEP review, Kristl said.

Within 60 days, the DEP must report back to the board with its recommendation on whether or not to adopt the regulation Funk is requesting, to adopt a different version of the rule or to avoid moving ahead with any regulation, he said.

"I hope the DEP will ultimately recognize that the public trust articulated in Pennsylvania's Constitution requires such regulation in order to conserve and maintain the atmosphere and environment for Pennsylvanians like Ashley for future generations to come," Kristl said.

Activist learns lessons in perseverance

The Pennsylvania Environmental Quality Board voted recently to accept for further review a petition for rulemaking filed recently by Ashley Funk, 19, a 2012 graduate of Mt. Pleasant Area School District. The petition requests that the state impose regulations strictly limiting and regulating fossil fuel carbon dioxide emissions, and establish an emissions reduction strategy to achieve safer atmospheric concentrations of carbon dioxide by 2100.
Funk originally submitted the petition to the department in May 2012. However, the agency required Funk to revise and resubmit the document twice before ruling that it met the petition submission policies and therefore warranted review by the department's environmental quality board, she said.

"The first few times the petition was returned, the DEP was questioning small details, like the language used, but they never rejected the underlying idea behind the petition," Funk said.

"I knew that our petition was compelling, and I believed that if we continued to adjust the minor details the DEP was questioning, then eventually our petition would be successful in making it to the EQB," she said.

DEP spokeswoman Amanda Witman said the agency's study will focus on the merits of the draft rulemaking concocted by Funk.

"DEP was pleased to receive an administratively complete petition for rulemaking from Ms. Funk," Witman said.

Group effort helps push cause forward
Funk filed the petition with the help of Our Children's Trust, an Oregon-based nonprofit organization, which is orchestrating a global, youth-driven legal campaign, she said.

The legal effort advances the fundamental duty of today's government: to address the climate crisis based on scientific baselines and benchmarks, and to do so within timeframes determined by scientific analysis, Funk said.

"I would have never have been able to submit the petition without the help of Our Children's Trust and Kenneth Kristl," she said. "They really helped me through the process and gave me both guidance and hope."

In essence, Funk has asked the state to adopt a carbon dioxide emissions reduction plan consistent with the best available science described by James Hansen, a nationally regarded climatologist, in his most recent paper, she said.

Such a plan would reduce statewide fossil fuel carbon dioxide emissions by at least 6 percent annually until at least 2050, and expand Pennsylvania's capacity for carbon sequestration through forest and soil protection, among other methods, she added.

Funk's petition for rulemaking relies on Article I, Section 27 of the Pennsylvania Constitution, which states: "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 to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."

"I am hopeful that the DEP will acknowledge our constitutional right to a safe atmosphere and will ultimately enact greenhouse gas regulations within Pennsylvania," Funk said.

Woman's passion sprouted early
As a high school student, Funk established "Pollution Patrol," a group dedicated to cleaning up litter, recyclables and tires from various streams, parks and streets throughout Mt. Pleasant and surrounding communities.

For her efforts, Funk received an Earth Day Award and $500 in recognition of her work by the National Society of High School Scholars.

She also received the 2012 Sue Wiseman Scholarship established by Keep Pennsylvania Beautiful, the state affiliate of Keep America Beautiful Inc., the nation's largest volunteer-based community action and education organization.

"In high school, Ashley found her passion in politics and the environment," said Ashley's mother, Carolyn Funk of Shaft. "She has always championed causes. She's been to Washington, and she's even marched on the White House. Now they've been working on this (project) for a few years now. She's quite a fireball."

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