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January 27, 2012

Senator James F. Clayborne, Jr.  
Senate District #57  
9200 West Main Street, Suite 2  
Belleville, IL 62223

Dear Senator Clayborne, Jr.:

It has come to the attention of our associations that Governor Quinn is seriously contemplating the nomination of Alderman Joe Moore of Chicago as the next director of the Illinois Environmental Protection Agency (IEPA). Together, we represent thousands of businesses that participate in the IEPA permitting process and we wanted to share with you several critical concerns we have about this potential nomination.

In the past month, Alderman Moore has reached out to our organizations and others representatives of the business community and provided us with his perspective on why he would be a good choice for the position and what he would bring to the IEPA. We certainly appreciate that Alderman Moore has taken the time to personally meet with us and we do respect the service he has given the City of Chicago as a public servant.

However, even after our meetings we are teaming up to discourage the nomination and, if necessary, lobby against his confirmation to this critical state government position.

As background, Alderman Moore has been a member of Chicago's City Council since 1991 and is probably best known for three big, public City Council battles: the Fois Gras ban, the Big Box Ordinance and the Chicago Clean Power Ordinance.

We believe that he's not the right person for IEPA Director for the following reasons:

- **Chicago Power Ordinance** -- By championing the Clean Power Ordinance in Chicago, the Alderman showed his willingness to undercut an IEPA-negotiated agreement, create uncertainty in the regulatory process, introduce the concept of a city having greenhouse gas emission regulations and, most importantly, single out specific plants for specific regulations in an effort to treat them differently. His willingness to lead the charge on an ordinance with these ramifications is an example of what the business community often complains is over-reaching government interference and its negative impact on job creation.

- **Product Attacks** – The Alderman’s own website included attacks on the use of plastics, pesticides, fertilizers, and genetically modified (GMO) foods as harmful to health and the environment (note: these references have been recently removed from the website but hard copies are available upon request). Regardless of your own position on these issues, it should be generally recognized that the Chicago City Council is not the proper forum for them. This is another example of the Alderman being unable to exercise sound judgment as to appropriate use of government powers.
- **Aldermanic Record** – Alderman Moore’s record includes taking on big issues that have generated attention for him and his positions. As alderman, that type of aggressive advocacy may have its place. However, the job of the IEPA director is an administrative position that is best done outside the limelight. It’s not a place to make laws, push personal agendas or single out companies or industries; it’s a place to administer policies and regulations. It seems as though Governor Quinn would be trying to put a square peg into a round hole when it comes to this nomination.
- **Big Box Ordinance** – The Alderman’s very public Big Box ordinance was a measure that put a narrow agenda over the interests of thousands of consumers. His belief in this kind of government intervention in the market while denying consumers access to retail opportunities gives businesses leaders great pause as to how he would run an agency that regulates businesses large and small.
- **Experience** – Alderman Moore does not have experience running an organization as large as IEPA. An Alderman typically has three to five staff to manage with a small office budget. The IEPA has more than 800 employees and an annual budget of more than \$300 million. Unlike previous IEPA Directors who have all been well versed in the state’s Environmental laws, Alderman Moore’s only environmental experience appears to be advocating for the Chicago Clean Power Ordinance and work with the National League of Cities’ committee on land, air and water.

We hope this background explains the nature of our opposition to Alderman Moore’s appointment and confirmation. As a State Senator that might have the opportunity to vote on the confirmation of Alderman Moore as IEPA Director, we wanted you to know of our position with the hope that you will stand with us in opposition.

Sincerely,

Todd Maisch  
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