



THIS LETTER WAS SENT OUT 11-21-02 -

# Citizens Advisory Council

to the Department of Environmental Protection  
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November 20, 2002

Dear Member of the General Assembly:

For the last two years the Citizens Advisory Council to the PA DEP has urged the General Assembly to pass comprehensive water resource management legislation. We urged action on this issue after conducting a series of forums and collecting data that reflected the weaknesses in Pennsylvania's current approach. We have followed closely the various legislative proposals that have been introduced and provided comments.

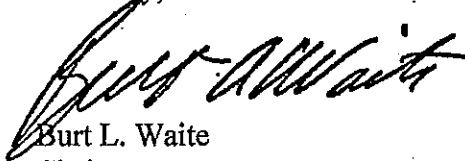
We want to make it clear that the Council believes that the state must institute a water resource program that includes water resource planning, emphasizes public involvement, provides for ongoing data collection, and promotes water conservation. But, we have consistently emphasized the need for a comprehensive program that links planning to management and implementation. Piecemeal action only defers and may preclude important decisions to a time when there may be insufficient political will to adequately address these critical needs. Based on our review of the most recent initiative, S.B. 1600, we believe the legislation is inadequate for the following reasons:

1. The waiver provision in the legislation allows the Environmental Quality Board to exempt broad categories of water users from future reporting. If the State is to maintain an accurate and ongoing database on water use in the Commonwealth, this waiver should be significantly curtailed and only be provided on a case-by-case basis.
2. The bill does not make it clear that its provisions do not supersede the existing authority of the PA DEP to manage other water programs and to meet its obligations relating to any programs where the federal government has provided primacy. It should be clearly stated that these ongoing mandates still apply.
3. It should also be clear that PA DEP has final authority in the authorization of the plan. We support the development of the regional and statewide advisory committees, but believe that the final responsibility and authority for the statewide water plan and guidelines lies with the Department. As currently constructed, the bill obfuscates this issue by allowing the Statewide Committee to "approve" the plan and guidelines. One Environmental Quality Board is sufficient. How many mini-EQBs do we need in the Commonwealth?

4. The legislation should include water well construction standards, as such standards will help to protect ground water quality from contamination from surface activities. The various legislative proposals that have been introduced on water well standards have been the victims of a misinformation campaign. This issue must be addressed, because ensuring that water wells are drilled safely will protect the health of citizens of the Commonwealth now and in the future.
  
5. Finally, the Council's position builds on the recommendations of the Governor's 21st Century Environment Commission. We have advocated that planning must be followed by management. The legislation does not address management or implementation. This is a serious shortcoming. A plan with no implementation is like a cart without wheels. We can place lots of information in the plan, but where will it take us? Without an integrated, comprehensive approach, severe shortages and over-use may render water resources incapable of meeting essential needs, cause conflicts among users, disrupt or damage economic activities, destroy aquatic organisms and contribute to environmental degradation, pollution and unsanitary conditions. All of these are detrimental to the health, safety and welfare of Pennsylvanians and to Pennsylvania's economy.

Please call Sue Wilson, Council's Executive Director at 717 787-4527 if you have questions or if we can provide further assistance.

Sincerely,



Burt L. Waite  
Chairperson  
Citizens Advisory Council