

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
POTOMAC REGIONAL WATER RESOURCES COMMITTEE

\* \* \* \* \*

IN RE: STATE WATER PLAN REGIONAL COMMITTEE INPUT ON  
THE DRAFT STATE WATER PLAN

PUBLIC HEARING

\* \* \* \* \*

BEFORE: PHYLLIS CHANT, Chair

HEARING: Thursday, September 18, 2008  
7:30 p.m.

LOCATION: Penn State Mount Alto Campus  
Multi-Purpose Center  
One Campus Drive  
Mount Alto, PA 17237

WITNESSES: Patrick Naugle, Michael West, Randy Clark,  
Scott Romberger, Neil Negley, Tim Weston

ORIGINAL

Reporter: Jen Alves

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## P R O C E E D I N G S

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CHAIR:

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I would like to welcome you this evening to the Potomac Regional Water Resource Public Hearing to solicit input on the draft state water plan. My name is Phyllis Chant and I represent the Potomac Water Resources Committee. With us this evening we have the members of the Potomac Regional Water Resource Committee and also the Department of Environmental Protection.

The purpose of the hearing is to solicit input for the draft state water plan. This hearing satisfies the requirements of the Water Resources Planning Act. Notice of this meeting was published in the Pennsylvania Bulletin on August the 23rd of 2008. The meeting was also advertised in several area papers.

In order to give everyone an equal opportunity to comment this evening, I would like to establish the following ground rules. Can you hear me back there? Okay. I would first call upon the witnesses who have pre-registered to testify at this evening's hearing, as included on the schedule of the witnesses. After hearing from these witnesses, I will

1 provide any other interested parties with the  
2 opportunity to testify as time allows.

3           Oral testimony is limited to ten minutes  
4 for each witness. Organization by request is to  
5 designate one witness to present testimony on their  
6 behalf. Each witness is asked to submit three written  
7 copies of his or hers' testimony to aid in the  
8 transcribing of the hearing.

9           Please state your name and address for  
10 the record prior to presenting your testimony. And we  
11 would appreciate your help in spelling names and terms  
12 that may not generally be familiar with --- that we  
13 may be familiar with, so that the transcript can be  
14 accurate as possible.

15           In addition to or in place of the oral  
16 testimony presented at today's hearing, interested  
17 people may also submit written comments of the  
18 proposal. Comments should be addressed to the  
19 Department of Environmental Protection, Water Planning  
20 Office, which is Post Office Box 2063, Harrisburg,  
21 Pennsylvania, 17105-2063. Comments can also be  
22 E-mailed to DEPstatewaterplan@state.pa.us. That's  
23 DEPstatewaterplan@state.pa.us. Contact sheets with  
24 this information are available from DEP Staff persons.  
25 All comments received today at today's hearing, as

1 well as written comments received prior to September  
2 the 30th, 2008, will be considered by the Regional  
3 Water Resource Committee.

4 An official Comment Response Document  
5 will not prepared for comments received at this  
6 hearing. Anyone interested in a transcript of this  
7 hearing may contact the reporter here this evening to  
8 arrange to purchase a copy.

9 Okay. I would like now to call for the  
10 first witness. I'm going to ask the witness to come  
11 forward and to speak into the microphone. Is anybody  
12 having problems with me? Okay. I would like to call  
13 Patrick L. Naugle. Right there.

14 MR. NAUGLE:

15 Good evening. My name is Patrick Naugle,  
16 and I reside in Gettysburg, Pennsylvania. I'm a past  
17 president of the Watershed Alliance of Adams County  
18 and an appointee to the Potomac River Basin Water  
19 Resources Committee of Act 220. In making my  
20 comments, I am not representing those organizations.  
21 I gave the following testimony at a Pennsylvania DEP  
22 hearing on 9/17/08. I repeat my testimony in these  
23 proceedings because I believe that it highlights some  
24 critical aspects of Act 220 and the importance of some  
25 of the recommendations of the Potomac River Basin

1 Water Resources Committee.

2 I'm going to go off of my written  
3 testimony just to give you a little background. The  
4 case that I testified in last night entailed a request  
5 for water withdrawal from Marsh Creek, which is in  
6 Adams County. It was a request from a development  
7 called Mason Dixon Country Club. The development is  
8 basically a 1,200-home development with several golf  
9 courses. It literally sits right on the border of  
10 Pennsylvania and Maryland, the Pennsylvania Mason-  
11 Dixon.

12 They are withdrawing groundwater to the  
13 tune of 144,000 gallons a day, but that was  
14 insufficient for their needs. So they're requesting a  
15 water withdrawal of 255,000 gallons per day. The  
16 1,200 homes are all located in Pennsylvania. I  
17 believe that has to do with the fact that Frederick  
18 County, Maryland, which is south of the border, has a  
19 moratorium on building houses outside of their  
20 incorporated boroughs. The golf courses are on the  
21 Maryland side. So that's the background that --- so  
22 what I'm going to say next is the direct testimony I  
23 gave last night and I'm going to give a brief synopsis  
24 of why I think it ties into Act 220.

25 I'm familiar with Act 220 and its various



1 designations. Marsh Creek is in consideration to be  
2 designated as a critical watershed as part of the Act.  
3 The official designation should be determined in the  
4 near future. When the critical watershed designation  
5 becomes final, an advisory committee will be formed  
6 and a Critical Area Resource Plan will be developed to  
7 coordinate water usage within the watershed.

8           Given that the critical designation for  
9 Marsh Creek will be determined in the near future, I  
10 request that these proceedings be delayed so that the  
11 withdrawal request can be handled as part of the CARP  
12 --- or Critical Area Resource Plan process.

13           Given that Marsh Creek has limited  
14 capacity from a water resource standpoint, care should  
15 be given that other potential water users in the  
16 watershed be given due consideration. Other water  
17 users include Gettysburg Municipal Authority, who has  
18 been searching for additional water supply, farmers  
19 who typically use the water at critical low flow  
20 periods in the summer, the proposed water park in  
21 Cumberland Township and other potential developers in  
22 the watershed.

23           To proceed unilaterally on the Mason  
24 Dixon Country Club withdrawal request would not be  
25 fair to the other current and potential water users in

1 the watershed. Given that GMA transfers Marsh Creek  
2 water to other watersheds like Rock Creek, it would  
3 also not be fair to those users and potential users of  
4 Marsh Creek water resources.

5           The second comment was that I presented  
6 last night --- they had an informational meeting on  
7 September 2nd, where I got a lot of this information.  
8 At the informational meeting on September 2nd, I  
9 understood that for various reasons, a Q7-10 had to be  
10 calculated for the section of Marsh Creek where the  
11 proposed water withdrawal is to occur and that a model  
12 called StreamStats was used for the calculation. The  
13 calculated Q7-10 was 2,530,000 gallons per day.

14           At that same meeting, a series of actual  
15 flow measurements were presented. Several of the  
16 actual measurements were less than the 2,530,000  
17 calculated Q7-10. On October 10th, 2007, the actual  
18 flow was measured at 210,000 gallons per day,  
19 significantly less than the low flow average from the  
20 calculated Q7-10. On October 10th, 2007, the USGS  
21 stream gage at Bridgeport on the Monocacy River,  
22 downstream from Marsh Creek, measured 2.2 cubic feet  
23 per second.

24           Attachment A --- which is a hydrograph  
25 showing the period of time --- Attachment A shows that

1 the flow measure at that gage varied from 2.0 to 2.9  
2 cubic feet per second during a 15-day period from  
3 October 1st, 2007 to October 15th, 2007. This  
4 indicates that the flows in the 173 square mile  
5 watershed upstream from the Bridgeport gage were  
6 relatively stable, and this includes the 77 square  
7 mile watershed of Marsh Creek.

8                   This flow stability during the period  
9 when the actual flow was measured at 210,000 gallons a  
10 day at the withdrawal point would indicate that an  
11 actual measure of Q7-10 would be in the 200,000 to  
12 300,000 gallon per day range. This raises a serious  
13 question as to the validity of the StreamStats model  
14 for this application. A review of the flow  
15 information from the Bridgeport stream gage for the  
16 past ten years shows the low flows measured in the  
17 period from October 1st, 2007 to October 15th, 2007,  
18 were not an anomaly.

19                   For example, attachment B, which is  
20 another hydrograph --- what? Oh, I didn't hear the  
21 five-minute rule.

22                   CHAIR:

23                   We have ten minutes altogether.

24                   MR. NAUGLE:

25                   Oh, five minutes to go. Okay. I'm

1 sorry. Okay. Attachment B says the Bridgeport stream  
2 gage from July 21st to July 28th, a seven-day period,  
3 ranged from 1.5 to 1.7 cubic feet per second.

4 I won't go into the details since we have  
5 some time considerations here, but the bottom line is,  
6 there are a lot of low flow measurements in the last  
7 ten years, which would put the calculation of the  
8 Q7-10 in jeopardy.

9 I won't go into any of the other points  
10 that I had testified ---. To tie into Act 220, I  
11 believe the circumstances of those singular cases  
12 addressed by the above testimony will be faced  
13 repeatedly as more water users apply for permission to  
14 use water in a water resource limited situation.  
15 Points that I believe will apply to most cases are;  
16 one, the critical need for a comprehensive water  
17 resources plan for the critical area. Without a plan  
18 for future uses, the limited resource will be used up  
19 in the order of request. This approach ignores future  
20 potential water uses that may be of greater value to  
21 the community. There has to be a balance of water  
22 used to create and support jobs, agricultural uses and  
23 residential uses.

24 Act 220 requires a CARP to be established  
25 for critical watersheds. It's imperative that these

1 plans be created and be effective.

2           Two, measurement of water resources is  
3 actually critical for reasonable management of the  
4 resource. In the case above, it is evident that there  
5 is a significant discrepancy between the calculated  
6 Q7-10 and my estimation based on a stream gage located  
7 downstream.

8           Several other streams empty into the  
9 monitored stream making the hydrology somewhat  
10 complex. As an aside, a local engineering company  
11 testified at the same proceedings and they  
12 independently estimated the exact same range for an  
13 estimated Q7-10. Bottom line, we need more stream  
14 gages so that accurate Q7-10s can be established. In  
15 the case above, if an inaccurate Q7-10 is established,  
16 in this case possibly off by a factor of 10, the  
17 resulting water withdrawal will be devastating to  
18 aquatic life and downstream users.

19           And finally, the Potomac River Basin  
20 Water Resources Committee has recommended that  
21 regulation be established in the Potomac Basin similar  
22 to the regulatory authority of the Susquehanna River  
23 Basin Commission in the Susquehanna Basin. Water  
24 resource plans are of little value if there's  
25 insufficient regulatory authority to assure

1 compliance. Thank you for allowing me to testify.

2 CHAIR:

3 Thank you. The next person I would like  
4 to call, or witness, is Michael West. You have ten  
5 minutes.

6 MR. WEST:

7 My name is Michael West. I work for  
8 Baroid Industrial Drilling Products. We manufacture  
9 and help implement the use of products to safely  
10 construct water wells. I'm a member of the  
11 Pennsylvania Groundwater Association. I live in Mt.  
12 Jewett, Pennsylvania. I'm a member of the National  
13 Groundwater Association. I'm on several subcommittees  
14 with the National Groundwater Association, and I am  
15 certified by the National Groundwater Association.

16 I am a geologist by training. I just  
17 quit drilling wells three years ago to go work for  
18 Baroid as a field representative to help train and  
19 properly construct water wells in the northeast  
20 region. And quite often --- I just got back from  
21 Toronto last week, so I go all over the country.

22 My big concern here is that we really  
23 need to move the need for standardized water well  
24 construction standards in the State of Pennsylvania as  
25 one of the top priorities and include that in the

1 statewide priorities list. The reason for that is  
2 we've been trying to get construction standards in the  
3 State of Pennsylvania for several years, and it  
4 usually gets bogged down in legislation.

5           To help alleviate that situation, this is  
6 something that the water plan should put as one of the  
7 top priorities that needs to be addressed so that our  
8 legislature feels the pressure from the people that  
9 actually enact this. We are one of two states in the  
10 country that do not have standardized construction  
11 standards for water wells.

12           In my application --- in my business, I  
13 see things that you wouldn't believe happen to water  
14 wells. We always seem to look at water wells as if  
15 they're a fire hydrant. I've actually seen peoples'  
16 wells that were contaminated due to this reason  
17 because the well was not properly sealed.

18           We really have to put forth the safety of  
19 our water wells. Our water wells can be a source of  
20 contamination to our surface waters. When we have  
21 aquifers that have water wells that are improperly  
22 constructed, allowing contamination into that aquifer  
23 and then that same aquifer feeds a spring that flows  
24 into a stream that becomes part of our watershed.  
25 We've now just contaminated it by the means of

1 improperly constructed water wells. So it's not just  
2 the individual well that is in jeopardy here, it's  
3 other peoples' wells and our watershed.

4           Water has become one of the most valuable  
5 resources that we have. If you don't really  
6 understand that, we'll put a monetary value to it. If  
7 you pay a dollar for a 20-ounce drinking water at your  
8 local convenience store, if you equate how many of  
9 those bottles it takes to fill the same quantity as a  
10 barrel of oil and you're paying \$256 a barrel for  
11 drinking water. That's more than we're paying for the  
12 oil to manufacture gasoline for your vehicles. It is  
13 a very valuable commodity and we need to protect it,  
14 not for just ourselves, but our children, our  
15 grandchildren and our neighboring states as well. Our  
16 neighboring states have construction standards.  
17 They're making safe water wells.

18           Any time that we don't construct safe  
19 water wells, we're taking the chance of contaminating  
20 aquifers and streams which affect our neighbors. So  
21 we need to step up and actually take the initiative to  
22 start protecting our own water right here at home, so  
23 that it's not just for us, it's everyone else that's  
24 involved as well.

25           That's pretty much what I had to say on



1 this, other than the fact that it's going to help with  
2 the other standards or the other priorities. If you  
3 look at the idea that we want to have data gathering,  
4 if we have well drillers that actually are certified  
5 and have taken tests to verify that they have the  
6 knowledge to actually drill the water well and  
7 construct it safely, that gives us more information.  
8 They're giving us reports. They have the right  
9 information on it that aids in gathering information  
10 that we want for the water plan.

11                   As far as integrating our resources,  
12 that's just one more method of gathering information.  
13 If we know that we have water wells that are properly  
14 constructed, we have information on what wells are  
15 there and what type of productivity the wells have,  
16 then when you're evaluating an area for, say, a  
17 development with a large scale water use, you have an  
18 idea of what the impact is, not just on the stream  
19 flows, but is that going to impact the residents of  
20 the area that are already there consuming water from  
21 the water wells?

22                   It's going to help with the different  
23 technologies because we're --- the more we go for  
24 safely constructed water wells and good quality water  
25 to protect ourselves, it brings in more technology

1 that we can continue to protect against and help in  
2 all aspects where we can look at existing wells and  
3 utilize the technologies that we learned in  
4 constructing the wells properly with actually fixing  
5 old wells. If you go into one that's getting  
6 contamination, we have methods that we can actually  
7 rehabilitate those wells and bring them up to  
8 standards and make them safe. And if we don't make it  
9 law that this stuff has to happen, we don't look for  
10 standardizing it, it's not going to happen.

11 We have a lot of contractors in the state  
12 that step up to the plate. They refuse to construct  
13 wells if they're not properly constructed. We've got  
14 to applaud those builders, because it's not law  
15 making, but it's their own good judgment that makes  
16 that happen.

17 I just --- I feel that the rest of  
18 Pennsylvania, that it's time to at least step up and  
19 join the rest of the country in standardizing the  
20 construction in making safe water wells. Thank you.

21 CHAIR:

22 I'd like to call on Scott Romberger to  
23 come up to testify. Speak into the microphone. Say  
24 your name, sir.

25 MR. ROMBERGER:

1                   Thank you. My name is Scott Romberger,  
2 that's R-O-M-B-E-R-G-E-R. I'm with Snow Time, Inc.  
3 We own three ski resorts, one in the Susquehanna River  
4 Basin and that's the Round Top and two in the Potomac  
5 River Basin, Liberty Mountain Resort in Adams County  
6 and Whitetail Mountain Resort in Franklin County.

7                   And I guess, I'm a little confused here  
8 tonight with the idea of regulation and that's one of  
9 our biggest concerns, because I see the goal back  
10 there, the last one, says establish regulatory  
11 authority in the Potomac River Basin for approval and  
12 withdrawal of water and adopting SRBC. So I guess,  
13 I'm hearing that there won't be any regulation, but I  
14 am concerned that with the 20-year goals, that that's  
15 where we'll ultimately go.

16                   And we're not against conservation. In  
17 fact, our industry is very much into conservation of  
18 our natural resources. Our National Association has  
19 adopted a lot of programs to protect the environment,  
20 and we try providing a product or a recreational  
21 experience that is really good for the general  
22 population. So I just want to make that clear.

23                   But one of the concerns I have is  
24 adopting the SRBC model. I'm familiar with that model  
25 and one of the things that the SRBC model does, it

1 places a lot of financial burden on business and  
2 industry, but there's a lot of other consumptive uses  
3 of water, where nobody has a financial burden.  
4 There's a lot of domestic water use, maybe some  
5 agricultural use, even the evaporative loss of ponds  
6 that we've constructed, we're required to pay a fee  
7 on. But we have made the 15 acres, I'm guessing, of  
8 surface water of our ponds. There's a 340-acre lake  
9 at Pinchot Park. There's no cost there. All the  
10 domestic uses of people watering lawns, there's no  
11 fee, so the entire fee of building these additional  
12 storage points is the argument of the SRBC, to put  
13 that money aside to provide storage, it's entirely  
14 placed on business and industry, and I think that's an  
15 imbalance. It's something that I would like to just  
16 share, that I just think we ought to consider, if we  
17 get to the regulatory point, that that is of concern.

18                 Also, the consumptive use, skiing and  
19 making snow is one of our biggest uses of water. And  
20 we really convert a liquid state to a solid state, and  
21 the majority of it melts back in. And we don't  
22 necessary agree with the SRBC in their formulas for  
23 determining consumptive use. Because from a practical  
24 standpoint, when the temperatures are cool, we pump  
25 water, it freezes into snow. Winters around here are

1 warm, it melts, goes back in. And year in, year out,  
2 without fail, our ponds and reservoirs are always full  
3 at the end of the season. So we contend that that  
4 water goes back into the water basin.

5           So when we do look, if we ultimately look  
6 at regulation, don't put us all in the same bucket and  
7 say that all the uses are the same, because there are  
8 a lot of unique uses out there and I just encourage  
9 you to do that.

10           As far as our recreational water use, I  
11 saw another one of the objectives back there is to  
12 protect recreational water use. And I'm just  
13 wondering if skiing is part of that? I was flipping  
14 through some of the materials, maybe we'll refer to it  
15 as the atlas, it looks in the Ohio River Basin, skiing  
16 was considered a recreational activity in the Ohio  
17 River Basin. I'm not sure it is in this river basin's  
18 planning and such.

19           We think that it is a valid recreational  
20 activity. In fact, we think it's good for America to  
21 do that, you know, with the obesity problem in America  
22 and we're really encouraging people to get out and do  
23 active things. And we think that we're a good  
24 thing --- skiing is a good activity for that and it's  
25 something that should be considered as a recreational

1 use.

2                   And then just as a practical stand of  
3 business and industry and the balance between  
4 conservation and running a business. And that is a  
5 challenge, I realize that and we need to protect our  
6 water resources. But we have to consider the economic  
7 impacts of all that and I do recall some of the points  
8 up here tonight about having that balance, but I'd  
9 just encourage you to consider that.

10                   For example, our two resorts in this  
11 basin, probably in an average year we have \$7 million  
12 in payroll, so we're employing a lot of people in this  
13 region and we have to consider those competitive  
14 impacts and the economic impacts if we can't function.  
15 We won't be able to function without water use and  
16 that would have a significant effect on the employment  
17 in our local areas. So those are just some points  
18 that I wanted you to consider as you go down the road  
19 and possibly get to the area of regulation. I hope it  
20 doesn't get there from a business standpoint, but it's  
21 likely it may. So those are just some things I'd like  
22 you to consider. Thank you.

23                   CHAIR:

24                   Thank you. Our next person is Neil  
25 Negley. Neil Negley, come forward to testify.

1                   MR. NEGLEY:

2                   Good evening. My name is Neil Negley.  
3 I'm a water well drilling contractor in Franklin  
4 County, right here, for the last 30 years. We're in  
5 drilling and pump, commercial and also residential and  
6 other treatment, commercial and residential business.  
7 What I've seen in the last few years --- well, the  
8 whole 30 years since I've been in the business is well  
9 regulation. I realize that Paul West is going to be  
10 here. He took a lot of my punch lines, so mine might  
11 be shorter than some.

12                   I see a need for well regulations. My  
13 company is certified with the National Groundwater  
14 Association and we're licensed in five states besides  
15 --- or four states besides Pennsylvania. And all the  
16 other states we have to take tests. To get licensed  
17 in Pennsylvania --- you can actually, probably get a  
18 license for your dog, if your send your dog's name to  
19 get a license to drill in Pennsylvania, probably the  
20 next day, in case you're not aware of that.

21                   I'm going to give you a couple examples  
22 that we ran into in the last, maybe, ten years. One  
23 example is we have a hog operation close to my house,  
24 12,000 hogs. We drilled several wells there on this  
25 farm. Some of the wells didn't meet the amount of

1 gallons per minute that was needed to supply the barn,  
2 so we kept drilling until we got enough to supply the  
3 barn. There's no regulations on these wells.

4           So the one thing he didn't use --- he  
5 should have abandoned the wells, but I couldn't make  
6 him do it, because there wasn't a regulation to make  
7 him abandon these wells. He said I'll take care of  
8 it. I told him how he should deal with abandoned  
9 wells. We come back a couple --- a year later to work  
10 on these pumps that are in the good wells and the old  
11 wells that he said he was going to abandon was still  
12 there and he also had his compost pile right beside  
13 these 300 to 400 abandoned wells that didn't have the  
14 GPM, gallon per minute, in the wells.

15           So this compost pile, if you don't know  
16 what that is, is when the hogs die, they put them out  
17 on the pile and they deteriorate and I don't think he  
18 was aware that this stuff could be running down in  
19 these holes and it could just go right down and just  
20 ruin the good ones he already had. So that's one of  
21 the reasons why we need regulations.

22           Another thing that's really upcoming in  
23 the future, that's really keeping our business alive,  
24 is geothermal industry. For those of you who don't  
25 know, our growth around Franklin County here is about



1 53, 54 degrees. And we're doing a lot of boreholes in  
2 the earth to use the earth as a conductor to help heat  
3 and cool our homes. It works great. But there's no  
4 regulations on these holes. So we can go beside a  
5 good --- there is a regulation on our commercial  
6 wells, that we can get close to that commercial well  
7 and drill this borehole and put about anything in it  
8 and no one can stop us doing it. Anybody can do it.  
9 So that's another reason why we need regulations.

10                   So what I'm here to tell you is, I see  
11 you have three good priorities in your State Water  
12 Plan. I'd like to see you move --- from page 53; you  
13 have some key points on well standard regulations,  
14 licensed standards for well drilling. If you can move  
15 that section up to maybe item number four or three or  
16 two or one, I think that would be beneficial to the  
17 state. Thank you.

18                   CHAIR:

19                   Thank you very much. At this point in  
20 time, I would like to open the floor to any person  
21 attending this hearing today who wishes to provide  
22 testimony. When you come up, please state your name.  
23 Is there another person? I'm sorry. Did I forget  
24 somebody? Oh, thank you very much. Excuse me. I'd  
25 like to call Randy Clark up to testify. I'm very

1 sorry.

2 MR. CLARK:

3 It's okay. Better late than never. My  
4 name is Randy Clark. I'm from Everett, Pennsylvania.

5 CHAIR:

6 Can I get you to talk a little louder?

7 MR. CLARK:

8 Oh, yes, okay. Yes. I'm a second  
9 generation well driller. My father started our  
10 company in the 1947. I've seen a lot of things in my  
11 experience, about 40 years behind me. I'm a past  
12 president of the Pennsylvania Water Well Contractor  
13 Association and I'm presently a board member of the  
14 board of directors for the Pennsylvania Groundwater  
15 Association. I was, for ten years, a licensed master  
16 well driller in the State of Maryland. There are a  
17 lot of things about their water well standards down  
18 there I do like, but there are a few I do disagree  
19 with. This is my statement.

20 The responsible water well drillers in  
21 Pennsylvania are represented by the Pennsylvania  
22 Groundwater Association. We've been trying to correct  
23 a longstanding oversight in Pennsylvania for a lot of  
24 years. This oversight concerns a lack of statewide  
25 domestic water well construction. Just like we said,

1 anything that requires a license, a \$60 fee for the  
2 company and we don't agree. The only thing we have to  
3 do is just submit our complete report, a geological  
4 survey, that's it.

5           Pennsylvania is now engaged in the  
6 enormous task of revising the State Water Plan. The  
7 driving force behind the planning process is to  
8 provide an adequate supply of good quality water to  
9 meet the needs of Pennsylvanians now and into the  
10 future. Certainly, a multi-faceted approach will be  
11 needed to provide a solution to meet our ever  
12 increasing needs. Conservation, better management,  
13 more efficient regulations and innovative technology  
14 for all play a part in reaching our goal. Groundwater  
15 and new sources of increasing storage and enhanced  
16 natural and artificial recharge will play an ever  
17 increasing role in meeting our demands.

18           As we drill more wells to accommodate the  
19 various aspects of groundwater utilization, we need to  
20 ensure that this renewable resource remains part of  
21 the solution and does not become a part of the  
22 problem. Currently, 37 percent of Pennsylvanians get  
23 their domestic water supply from wells. Some of these  
24 wells are part of the public water system and  
25 irrigation and installation are controlled by the DEP.

1 You might question the level of concern since we are  
2 dealing with minor volumes of Pennsylvania supply  
3 however, when viewed from another perspective; over 80  
4 percent of the area in Pennsylvania is supplied by  
5 this source. This includes almost all of the  
6 headwater and most of the recharge areas in the state.

7            Pennsylvania has over one million  
8 domestic water wells. We are second in the nation in  
9 volume. All of these have been installed without any  
10 statewide construction standards. Granted, there are  
11 a few counties and municipalities that have varying  
12 degrees of standards. This helps, but it is woefully  
13 inadequate. Due to the interconnection of  
14 groundwater, one bad well can contaminate 100 more.  
15 This situation indicates that a good quality water  
16 source is at great risk. Statewide domestic water  
17 well construction standards will reduce this risk.

18            Minimum requirements on location,  
19 construction methods and materials, along with  
20 enforcement, would result in better well  
21 installations. It would result in a better quality of  
22 water and reduce public risk. You might think the  
23 downside of construction standards is increasing cost  
24 of well construction. It is estimated that a 10 to 15  
25 percent cost increase would be expected, but it

1 doesn't usually cost more.

2           Statistics show that most states take a  
3 different perspective of cost. Only two states in the  
4 U.S. do not have statewide domestic well construction.  
5 Alaska, with its extremely low population density and  
6 great abundance of water, is one state. Sadly, our  
7 great Commonwealth of Pennsylvania is the other. The  
8 Pennsylvania Groundwater Association is for statewide  
9 domestic water well construction standards, so that  
10 every driller that's in my industry will use the best  
11 technology available to install domestic water wells.  
12 This will enhance the quality of water for all  
13 Pennsylvanians.

14           The Association also supports a  
15 proficiency-based licensing renewal program. We want  
16 to get rid of the \$80 well drilling --- which I just  
17 explained how the fees are --- and there is no  
18 requirement for us to demonstrate knowledge, skill or  
19 ability. Even the barber has to be tested and  
20 certified. Pennsylvania will realize that the need  
21 for statewide domestic well construction standards are  
22 included in several --- in the text of the new State  
23 Water Plan.

24           We also realize that those absolute ---  
25 may bind them and incorporate them into the national

1 agenda. We feel that such a worthy objective that  
2 produces such great benefits at a modest investment of  
3 time and dollars should be more prominently displayed.

4           The Pennsylvania Groundwater Association  
5 asks that the State Water Planning Committee and DEP  
6 evaluate the requested legislation down on page 53 in  
7 the document. We think that the legislation on the  
8 statewide domestic water well standard and  
9 proficiency-based licensing should become the fourth  
10 major priority of the new State Water Plan. The  
11 quality of Pennsylvania's water and the health of its  
12 citizens demands nothing less. And I'm in complete  
13 agreement with my fellow contractor that we do need  
14 better standards. Thank you.

15           CHAIR:

16           Thank you very much. Now, at this time I  
17 would like to open the floor to any person attending  
18 this hearing who wishes to provide testimony. I ask  
19 that when you come up here that you identify yourself.

20           MR. WESTON:

21           I'm Tim Weston. I'm a member of the  
22 Statewide Committee representing the business  
23 community, but I'm stepping up here to provide a  
24 different perspective. I am with a law firm that  
25 happens to be the firm for Mason Dixon Utilities. And

1 although this is a State Water Plan meeting, since an  
2 issue has come up, I'd like to at least give a  
3 slightly different perspective on some of the issues  
4 that are faced.

5           And I agree it is a paradigm of some of  
6 the issues that have to be confronted in this space.  
7 In this particular development, which is a bit over  
8 600 acres, the developer, or actually the family that  
9 owns the property, started more than 20 years ago  
10 working with Freedom Township on a new comprehensive  
11 plan, which, when the township finished, had  
12 identified an area for a new pillage, a concentrated  
13 area of development to be served by public water  
14 supply and public sewer and that was their growth  
15 foundry. That's what they had identified as their  
16 area of development.

17           What proceeded was perhaps an example of  
18 why we are calling the State Water Plan an integrated  
19 plan, because for the first time in my experience,  
20 both in state government and private practice, we had  
21 an entity that actually sat down and tried to put the  
22 sewage system planning, the stormwater planning and  
23 the water supply planning in a relatively  
24 comprehensive fashion. Instead of dealing with  
25 separate ordinances and separate approaches and

1 treating it all in a segregated and bifurcated  
2 fashion, they looked at the site, the varied geologic  
3 challenges, and came up with some fairly innovative  
4 ideas. All the stormwater --- most of the stormwater,  
5 unfortunately, is on top of an area of diabase, which  
6 is not easy to infiltrate and so that stormwater is to  
7 be collected and held on the site and re-used on the  
8 site.

9           For those areas that can recharge into  
10 the groundwater and there are some sections, it is all  
11 designed for infiltration of the groundwater back to  
12 the ground. Instead of sewage being sent down the  
13 streams into the Chesapeake Bay where we had nutrient  
14 management requirements, the proposal was to treat all  
15 of the sewage at a tertiary level, store it during the  
16 winter when it can't be applied for irrigation in a  
17 reclaimed water reservoir, which is on the Maryland  
18 side of the property and re-use it on the property for  
19 the golf courses. And by the way, the golf courses  
20 are in both Pennsylvania and Maryland.

21           All of that water is re-used on the site  
22 only to be discharged in the wettest ten --- the  
23 wettest year in ten. So you're talking about  
24 basically a recapture of almost all of the water.  
25 Instead of using fresh water for golf courses, it's to



1 come from the sewage system and the stormwater that's  
2 collected on the site.

3           And then for the --- for the water supply  
4 system, it was a combination of groundwater and  
5 surface water in what is called a conjunctive  
6 management program. But they started in terms of  
7 projection for water use with mandatory conservation  
8 standards written into the covenants that are equal to  
9 or better than anything in our state law.

10           A requirement that there be no lawn  
11 sprinklers, most of the --- most of what would have  
12 been lawn area was taken out and put into a common  
13 open space to be controlled by Homeowner's  
14 Association, which is again, subject to no lawn  
15 watering and to be --- and then in recent days, they  
16 have further set aside major chunks of the properties,  
17 part of which, the conservation will cover both  
18 Maryland and Pennsylvania properties.

19           Now, I think one of the challenges that  
20 we have is what kind of development are we going to  
21 have in Pennsylvania in this basin? And one of the  
22 things I hope we will think about doing is, how do we  
23 encourage folks who are, in this case, contemplating  
24 something that will be developed over a 20-year phase-  
25 in? How do we encourage this kind of thoughtfulness?

1 I can tell you that I've worked in a lot of different  
2 developments in the Commonwealth and there are very  
3 few that I've seen actually sit down and try to pull  
4 this much together --- to think of this realistically.

5           Is there any development that's perfect?  
6 Probably not. Is there any solution for where we put  
7 the populations that are coming to us? Probably not.  
8 What we do need to do is figure out where we want  
9 development in this case and see if we can integrate  
10 these aspects of water management, stormwater, sewage  
11 and water supply. We want to go in that direction. I  
12 thoroughly have endorsed the concept of integrated  
13 water management. I hope we'll see more folks in the  
14 private sector that try to embrace those thoughts.

15           CHAIR:

16           Okay. At this point, is there anyone  
17 else who has --- who desire to provide testimony? We  
18 did receive papers, written documentation, from the  
19 other people here to testify --- you know,  
20 pre-registered. Do they have written documentation?  
21 Is it something you can provide?

22 OFF RECORD DISCUSSION

23           CHAIR:

24           If you have them, let us have them. If  
25 you don't, that's fine. Okay. Then at this point in

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time, I will adjourn the hearing at 8:15. Thank you  
very much for your attendance this evening.

\* \* \* \* \*

MEETING CONCLUDED AT 8:17 P.M.

\* \* \* \* \*