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MR. WEBSTER: Good evening. We'd like to start our formal hearing. I have an opening statement, and I will be using the microphone, and we'd ask that each of the individuals that are presenting tonight to also use the microphone. We have a stenographer that's going to be taking your oral statements, so let me read the formal statement here.

I would like to welcome you this evening to the Upper/Middle Susquehanna Regional Water Resources public hearing to solicit input on water resource management issues in the Upper/Middle Susquehanna basin. My name is Hank Webster, and I represent the Upper/Middle Susquehanna Regional Water Resources Committee.

With us this evening, we have members from the Upper/Middle Susquehanna Regional Water
Resources Committee, as well as staff from the
Department of Environmental Protection, DEP. In our initial session where we had a public meeting, those members introduced themselves. I don't think there's a need to go through that again.

The purpose of this hearing is to solicit input from the draft of the 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 23rd, 2008, and 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. I will first call upon the witnesses who have pre-registered to testify in this evening's hearing as included in the schedule of witnesses. After hearing from these witnesses, I will provide any other interested parties with the opportunity to testify as time allows.

Oral testimony is limited to ten minutes for each witness. Organizations are requested to designate one witness to present testimony on its behalf. Each witness is asked to submit three written copies of his or her testimony to aid in the transcribing for the hearing. Please state your name and address for the record prior to presenting your testimony.

We would also appreciate your help in spelling names and terms that may not be generally familiar so that the transcript can be as accurate as possible. And don't be surprised if our

stenographer asks you to repeat information or spell information.

In addition to or in place of oral testimony presented at tonight's hearing, interested persons may also submit written comments on this proposal. Comments should be addressed to the Department of Environmental Protection Water Planning Office, Post Office Box 2063, Harrisburg, Pennsylvania, 17105-2063.

Comments can also be e-mailed to

epstatewaterplan -- that's without spaces -- at

state.pa.us. And if you need that information, we
can easily provide it or repeat it. Contact sheets
with this information are available from DEP staff
persons.

All comments received at today's hearing, as well as written comments received prior to September 30th, 2008, will be considered by the Regional Water Resources Committee. An official comment/response document will not be prepared for comments received at this hearing.

Anyone interested in a transcript of this hearing may contact the reporter here this evening to arrange to purchase a copy.

I would like to call our first witness.

The first person on our list is Todd Giddings, who is from the Pennsylvania Groundwater Association.

MR. GIDDINGS: My name is Todd Giddings, and my office address is 3049 Enterprise Drive, State College, Pennsylvania, 16801.

I'm a consulting groundwater geologist and have been studying the water resources of Pennsylvania for 42 years, and during that period, I've been involved in water supply development and in groundwater resource remediation, that is, cleanup where there have been spills that have impacted the quality of the groundwater. That has taught me how long it takes to clean up our groundwater resources once they've been contaminated.

So with that background, I reviewed the two components of the State Water Plan: The State and the Six Regional Atlases and the State Water Plan Principles document, and after that review, I want to compliment the department, the staff members, the supporting agencies, and all of the other regional and statewide committee members in the work they've done in developing this new State Water Plan for Pennsylvania.

I've been pleased to be a part of that

five-year process serving on the Upper/Middle
Susquehanna Regional Committee, and I'm really
looking forward to the next five-year cycle of
implementation of the State Water Plan and in having
it evolve because it is a dynamic document.

This principles paper has 14 individual chapters, and right away, because of my background, I was drawn to a statement on page one of Chapter 1, and that's the natural resources protection chapter, and I quote: The three principle statewide priorities guiding this plan are mainly directed towards natural resource protection. The priority endorsing integrated water resources management in particular solidifies this commitment, end of quote.

So right away, I went and looked at the three principle priorities in this document, and they're set forth in Chapter 3. And as you saw in the earlier power point presentation, the first principle priority involves the collection, interpretation, and dissemination of water resources data.

The second principle priority involves using an integrated approach to managing water resources. And that priority in particular struck a resonant chord with me because I've experienced in

my 42 years of experience in Pennsylvania that because groundwater is an unseen and hidden resource, it's often overlooked and poorly understood, and to integrate that into the State Water Plan along with the very visible surface water resources, I feel is a very important approach set forth in that priority.

And as you saw earlier, the third priority was to adopt policies that encourage technological advances to conserve and enhance groundwater resources.

Because I've designed and installed and operated groundwater cleanup systems to fix the problems that happen with spills, I'm very aware of the need for protection, and I thought about that second priority where they said that — that's the one that solidifies the protection aspect, and so I then went to the recommendations that are in this document, and there's a total of 38 of them, and they go across six chapters dealing with all aspects of water resources — supply, stormwater, flooding, conservation — the aspects you'd expect.

I found in the water quality section recommendation two that states, and I'll quote, the Commonwealth should enact legislation for the

certification of well drillers and the establishment of private water well construction standards, end of quote. And I thought about that because I've been very aware of that issue and have worked over a period of many years on the failed attempts to pass legislation previously in Pennsylvania to achieve those two recommendations that are in that sentence.

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And so it is my testimony here this evening and my very strong recommendation that this draft State Water Plan Principles document be revised, and it should elevate that recommendation two in the water quality section about the licensing and residential well construction standards to become the fourth principle priority in the document.

So right now there's three, and the reason I believe it should be elevated to become the fourth principle priority in the entire plan is because more than four and a half million people in Pennsylvania use groundwater for their potable water supply. That's 37 percent of the state's population.

Here in the Upper/Middle Susquehanna region, that percentage is higher. We're more dependent than 37 percent on groundwater in our

region. And the water resources need to be protected, because when the quality is impacted, it then becomes a quantity problem, because that impacted groundwater zone in the aquifer is no longer available for potable supply, it's contaminated. So it is not just a quality issue, it's also a quantity issue.

And Pennsylvania has an estimated 80 trillion gallons of groundwater in its aquifers. If it was put on the ground surface imaginarily, it would be eight feet deep across the entire state, there's that many gallons in our aquifers, and the implication of that to me is that is where we will turn in the future to meet our increased demands as we grow in the state.

Pennsylvania has the second highest number of residential water wells of any of the 50 states, and we're drilling about 15,000 or more a year, so we really need to enact legislation that will then drive regulations for these construction standards and for the licensing of the water well drillers.

So I want to close by saying that we're not just protecting the water quality for an individual family that they produce from their well, but that water well construction standards for

residential wells will protect the water quality in the aquifers that Pennsylvania will depend on for its future water supplies. Thank you.

(Brief pause.)

MR. WEBSTER: Slight delay as we do our technological adjustment. The second person that is registered to testify is Don Havens, who is from the Bradford County Water Well -- is a water well contractor.

MR. HAVENS: Thank you. I am Don Havens, and I live at R.D. 2, Box 381, Troy, Pennsylvania, 16947, and I live within a mile of where I was born, and if the bank lets me, why, maybe I can die there.

But I have a list of the problems that we as well drillers face, and one is coliform bacteria, iron bacteria, algae problems -- I'm not shaking because I'm nervous, but I've got so I shake in my left hand; I don't know why -- and another one is, we do have salt water in our area, not necessarily because there's salt in the ground, but there's some places where we have what we call connate water; it's trapped ocean water. Heavy metals is another one, toxic chemicals, lack of water, and abandoned wells.

And these are some of the problems, and

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without going into all the causes, I wrote down the causes of these problems and the possible solutions, and I have a few copies here that I would like to give to the Department of Environmental Resources, if those that are here could have them.

And Todd's making a good point in the fact that these problems here, let me say, would have -- 90 percent of them would have been eliminated had we had groundwater construction standards, and we've been working at groundwater construction standards from 30-some years that I have been in business. But to move this groundwater standards in to be one of the priorities, I think is a must for this Act 220, because according to the -- you have 150 pages, and here it sets on page 53, and it should be one of the things that should be on the front page.

And some examples that we have in the water well business is, a couple winters ago, I got called to a place that they didn't have any water. Well, it was an old house that had fell down and they had gone out and dug around where the well casing was and just laid cinder blocks up and had a piece of fiberboard on top of it, and that was half broken. And they tried to get the well seal off, and half of that had fell down in the well and it

was all exposed. And I said to the guy, I said, you know, this isn't very sanitary, you ought to bring this up to the top of the ground. Oh, we don't drink the water anyway, you know. But I said, well, your neighbors do.

Well, I certainly wished I'd have had a camera to take a picture of that situation because something needed to be done and -- because he's going to contaminate the neighborhood, which I don't have any authority to do it, but there does need to be some teeth in the law to prevent such things like this that's happening.

Also, in Bradford County now, they're starting to drill in the Marcellus shale, and of course, the telephone keeps ringing, well, how is this gonna affect my groundwater. I think probably it will affect probably some groundwater.

They use, of course, millions of gallons of water, I guess, to frack these wells, and I've made a lot of noise because I wanted them to diffuse potable water down that first at least 900 feet for when they run the water string so as not to pollute the fresh water with so-called creek water or any water that they can get.

Certainly there's going to be some spills

after they frack this, because they've got these so-called basins they catch the spill water in, and supposedly, they're supposed to truck it away to Meadville or someplace the western part of the state to be processed, and you're bound to have some spills.

So it's something that probably needs more attention in this gas and oil business which we talked about. But, of course, it's kind of new to us, so we have no idea where it's going to wind up, but these are some of the problems that we're facing, in our area anyway.

So I guess that was -- answers my statement, but I would like to give these handouts, if you'd raise your hand, the DEP officials. Thank you.

MR. WEBSTER: Next on our list of individuals testifying today is Jim Weaver from the Tioga County Planning Department.

MR. WEAVER: My name's Jim Weaver, and my office address is 118 Main Street, Wellsboro, PA.

I'm going to make my comments short and sweet. The opportunity -- I didn't -- I couldn't find the report on the website, so I thought, well, I'll come down, see what's going on here, and I had the

opportunity to testify to the Regional Planning

Committee when the County Planners were all asked to

come and provide a panel, and I appreciate the

opportunity to provide that input.

And I also want to point out one specific person, Mike Callahan -- or Cavanaugh -- who sent me on an odyssey thinking about the sewer separation, and I think it's a critical piece of the puzzle that we often overlook about how we get a little confused about what water resources mean and where we are going with that whole piece of the puzzle. So I prepared just some brief remarks here and I'd just like to run through these.

We are in revolutionary times. We are at a crossroads not only with water resources in this state, but across the country, and I think it's really time that we start thinking outside the box. We can't continue to use the same level of thinking that we used to get into this mess, to get out of it. And in the words of Einstein, who was a relatively intelligent man, he gave us some hints; he didn't give us any solutions, but he gave us some hints, and he really wanted to point out that that level of thinking that we are in now is not going to solve the problems that we're faced with, and we

didn't get here overnight and we're not going to get out overnight.

And I've been thinking about how we relate to the planet as humans, and in a lot of respects, we live here as aliens. We've separated ourselves from the natural world, and I think that's a major concern.

I read an interesting book about invasive species, and Mr. Burdick really framed it well for me, because he said that the separation between man and nature is the thickness of a human skull, and that really frames it for me, because that's actually what we've done, is we've built this technological world that we live in, and I've had the opportunity during the process of developing our county comprehensive plan to ask some questions of the residents in the county, and I asked one time how many people actually got off the concrete during the day, and I'll ask that question of you, as well. How many of you have been off the concrete today?

You get in your car, you push the button, the door opens, you back out, you drive to work; you get out of the car either in a parking garage or on the concrete and you walk to work, and you reverse that process when you get home, and I think we, in a

lot of respects, separated ourselves from the natural world with what we've done.

And so I was really impressed with the data and the information that you've provided us here tonight, and one word that always resonates with me is the word "holistic". I think holistic management is a very key component of how we need to approach this process of looking at our water resources, and one of the key components of holistic management is to quit treating symptoms and start treating root causes.

And if you look at what we're doing and where we're doing it, oftentimes what we're dealing with is a symptom and not a root cause. So that whole purpose of really digging into what's going on, what we're doing and why we're doing it and looking at those root causes is a key component of where we need to go with this, and it's a challenge for this committee.

I applaud you for the work that you've done; you've assembled a tremendous amount of really vital information. As a county planner, some of the tools that were presented tonight, I'm chomping at the bit to get some of this GIS work and GIS data layers to use at the county level as we do planning

for subdivisions and looking at land developments and all the things that we have identified in our comprehensive plan as important land uses.

And just before I came today, I got an E-mail from Penn Futures, and I found out today that the fish in the Susquehanna are sick, and that disturbs me, as a fisherman, as a person who really appreciates the natural resources.

I've seen the water this year lower in our streams than I've ever seen them before, and we're not in a drought condition. What's up with that?

That's a really confusing situation for me.

So this whole idea of the fish being sick in the Susquehanna is a canary in the mind from my perspective and we're blaming agriculture. But the next paragraph in that article was to blame agriculture.

Agriculture's not at fault. We're all at fault, all of us. And if you don't think that's true, then I need to talk to you, because what are you eating? It's not an agricultural problem; we all eat, we all contribute to that situation, and to pan it off or pawn it off, it just exacerbates the problem, because it's not my problem, it's agriculture's problem.

We need to refocus how we look at these issues, and it's all of us that are contributing to the degradation of our water resources. And now we're faced, and it's been brought up a couple times already tonight, with an energy resource extraction process that, in the short term, is leading all of us, especially here in the north central part of Pennsylvania, reeling.

I had the opportunity to attend the Susquehanna River Basin Commission meeting last week. Phenomenal, absolutely phenomenal how that group has jumped up and taken care of a lot of really, really important details, and I was very much impressed with the SRBC and the way they do their work. And again tonight, I'm having the opportunity to be impressed with the way DEP is doing their work. But they can't do it alone, it's got to be all of us, and word needs to get out that we all have an impact.

As a county planner, I travel around the state, I'm involved with the PA Wild's planning team, I'm also a member of the County Planning Directors Association, and we had the good fortune at one of the County Planning Directors Association meetings to hear Secretary -- Deputy Secretary Cathy

Curran Myers talk about the integrated water resource management.

I challenge all of the DEP folks that are in here tonight to make sure that Cathy Curran Myers has the support she needs across the state to put that into play. It's a critical piece. I've got a classic example on my desk in the Planning Department right now with an Act 537 planning module that won't move from -- it moved from my desk because I made the comments with the township, it doesn't have the capacity to interpret that new plan, and we've got some major issues with high quality water sheds, with wetlands, with spray irrigation systems, which is, like, as foreign as you can get, from my perspective, in dealing with wastewater.

And so -- and that's just one piece of the puzzle. And so -- and I had the opportunity to hear a little video clip yesterday that Deputy Secretary Myers was giving some input to a group of municipal officials, and she started rattling off all of the pieces of the puzzle that municipal officials are involved with.

We can't expect them to have the capacity to deal with that, so this integrated water resource

management is a key and critical component of the State Water Resources Plan.

It's a bold move, but it's a good place to start, and I'm really pleased with the work you've done, and thank you for the opportunity to testify here this evening. Thank you.

MR. WEBSTER: The next person on my list is Harvey Katz for the Coalition for Responsible Growth and Resource Conservation.

MR. KATZ: Thank you. My name's Harvey
Katz, that's K-A-T-Z, and I'm a member of the
Coalition for Responsible Growth and Resource
Conservation, and it's a smart growth organization,
but we're not against growth; we're for smart
growth. Anyway, my address is 455 Shady Knoll Road,
Montoursville, Pennsylvania, 17754.

Okay, there are five points I'd like to bring up, and some of these are mentioned in the draft plan, others aren't. I wanted to just say a couple words about pond development.

Particularly up in our part of the water shed, most of the creeks, runs, rivers, streams in the Lycoming County area and adjacent counties are marginal trout fisheries, which means that during the summertime, it gets a little bit difficult for

trout to survive -- not impossible, but it makes it a little bit hard -- and that's the way it's been for recorded history for our area, at least back up until the last ice age.

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Over the past few years, more and more people are installing small ponds, usually under one acre, on their property, and our organization took a look at Loyalsock Creek, and one of the things that came out of that analysis was that there are more than 400 ponds that have been built on the creek system, and so we started looking at, so what?

Well, it turns out that because of the way they're constructed, they tend to release the hottest water in the summertime, so it makes it very difficult for trout to survive, and that, in turn, if the trout don't survive, then we lose a major resource; we lose all the recreational funding and money that comes from that activity. And on top of that, we're part of the Pennsylvania Wilds, so we should be looking for ways to enhance the Wilds experience, not diminish it. All right, so that's the pond issue.

The plan does talk about innovative solutions, but I'd like to see a greater emphasis on that, and I'll give you a couple of quick examples.

In our area of the country, a sewage treatment plant that allows a home to hook up to its system figures on 240 gallons of sewage per day for the average homeowner.

Now, the actual water usage is slightly above that because they're only counting sewage. But if we had a system, a simple one, for example, if you -- like, people, when they wash their hands in a basin or a sink, they usually leave the water running -- not everyone, but most people do -- and that water just goes right down the drain. That's crystal clear potable drinking water that's going down the drain.

If we reset the building codes so that we encourage people to put in a pedal-operated valve, then you could wash your hands, take your foot off the valve while you're lathering up, and then press down again.

Anyway, the bottom line is, I estimate that out of the 240 gallons per day, we could be saving somewhere in the range of 20 to 40 gallons per day. That's eight to 16 percent of our current water usage, and that's just for the homeowner.

Another thing on the innovative issue is to look at how to deal with graywater as opposed to

sewage water or toilet water, and for cities, that's an impossible problem, because we can't even separate normal street stormwater from the sewage water without great expense. But for new homes, particularly those that are not hooked up to a sewage system, we could recommend to the homeowner that they develop a toilet water processing septic system and then a separate graywater system which they might be able to use for garden use or plants around the house. So anyway, that's a couple of innovative suggestions.

Then the other thing I wanted to mention is the basic direction we're going with regard to the environment. Now, I recognize that Pennsylvania, in particular, suffered greatly during the 1800's and into the, through the early 1900's with the lumber boom; I mean, we're still suffering from soil erosion as a result of that exercise that went on more than a hundred years ago.

The coal industry has left us with slag heaps that we're still trying to come to grips with, or acid mine drainage. Many of these problems were given to us back in as early as 1850. But with those exceptions, the general trend of environmental perturbations -- problems -- is getting greater and

greater and greater as time goes on; and as someone mentioned, there was a report from Penn Future that came out today, and they were highlighting the fact that the Susquehanna River is not in good shape, and the issue of pharmaceuticals going into our waters because our sewer treatment plants are not designed to handle pharmaceuticals is causing all sorts of gender change problems in fish and other species, and that problem has been going on for about six or seven years that we know of. So that's another area to come to grips with.

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A number of homes, particularly those that have private septic systems, usually sand mounds, are finding that their septic systems are not working, and so what they do is, they petition DEP to set up an individual sewage system, and basically, my understanding is the way it works is, you separate the solids from the liquids, and then you take the liquids, treat it with chlorine, and you discharge the chlorinated liquids into the closest available stream.

In my township, we already have five of those, and they're all relatively new. The problem with that is, that while we're trying to deal with the Chesapeake Bay problem and reduce the amount of

nutrients going down there, these little systems are adding maximum amount of nitrogen and phosphates back into our local waterways. It's just the wrong way to go.

And the last item deals with the natural gas drilling people, and I'm just going to throw out one thing to think about, and that is, when I -- I've been tracking this for about a year now, and early on, the natural gas people, in general, when they requested a permit for water, requested one million gallons per well, and they -- their permit was to get enough water to satisfy that one million gallons per well.

Then later on, they came out with, well, it's three million gallons per well, because the one million gallons, we were only looking at the vertical shaft, but we're going to be drilling horizontally and we need more water, so it got up to three million gallons.

And then about three weeks ago, another announcement was in the newspapers requesting a permit for water, and this drilling company asked for five million gallons per day, with a suggested ten million gallons per day.

So my question is, is the natural gas

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industry looking for one million gallons per day -or per well -- three million gallons, five million
gallons, or ten million gallons? I mean, it seems
to be changing every time I look.

So we need to look, come to grips with what their water needs really are and stop this guesstimating that they're giving us, which isn't helping anybody; we need some firm data on that.

And that ends my remarks. Thank you.

MR. WEBSTER: Those are the four people that had registered for testimony. At this time, we can open the mike for additional testimony. Is anybody wanting to present?

(No verbal response.)

MR. WEBSTER: Well, if you are motivated at another time, remember that written comments can be submitted through September 30th of this year, and we thank you for attending. Hope it's been an informative evening for you.

(Time noted: 8:14 p.m.)

1 COUNTY OF CLINTON : ss COMMONWEALTH OF PENNSYLVANIA 2 3 I hereby certify that the proceedings and 4 evidence are contained fully and accurately in the 5 notes taken by me on the proceedings and that this 6 7 copy is a correct transcript. M. Johnston 8 COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL KELLY M JOHNSTON, NOTARY PUBLIC 9 CITY OF LOCK HAVEN, CLINTON COUNTY JOHNSTON, RPR MY COMMISSION EXPIRES 5/17/2912 Notary Public 10 11 My commission expires on May 17, 2012 12 13 14 15 16 17 18 19 20 21 22 23 24

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