

Draft Minutes
Citizens Advisory Council
September 20, 2011

John Walliser called the meeting to order at 11:25 am. The following members were in attendance:

John J. Walliser, Vice-Chair	Pat Lupo
Cynthia Carrow	Richard Manfredi
Jolene Chinchilli	Nancy Perkins
Jim Clauser	Thaddeus Stevens
Terry Dayton	Dave Strong
Janet Keim	Burt Waite
	Peter Wilshusen

I. Chair's Report

John reported that Joyce Hatala, the former Chair, has not yet been reappointed to the Council. John J. Walliser, as Vice Chair, will serve as chair at least in the interim. He introduced our newest member, Nancy Perkins, to the Council. Nancy was appointed by the Senate President pro Tempore.

Secretary Krancer is unable to attend the CAC meeting due to meetings related to the roll-out of the agency reorganization. John thanked members for coming in early for the formal announcement and briefing.

John asked for consideration of the minutes of the July 2011 meeting. Burt Waite moved and Pat Lupo seconded approval of the minutes; the minutes were approved as submitted.

II. Public Comment

The audience was introduced. No comments were offered.

III. Regional meeting update

Sue Wilson announced that there had been a last minute change in venue for the October 3-5 Regional Meeting; members will now be staying at the Hampton Inn, and one of the evening meetings will also be at the Hampton.

Members are to arrive on October 3rd and that evening. DEP will give an overview and history of Act 54 and its implementation. On October 4th, members will tour a number of sites illustrative of surface impacts of longwallmining, and there will also be a public input session from 6 pm to 9 pm at W&J College. On October 5, members have the choice of either surface or underground tours of mining related activities.

IV. Committee reports

Water Committee – Thad Stevens reported on the Water Committee’s September 12, 2011 conference call to discuss several issues related to on lot sewage systems. As a result of the call, the committee drafted a letter to Acting Water Deputy Kelly Heffner asking for updates. Thad moved and Jolene seconded approval of the letter; the letter was approved as written.

Environmental Standards—Dave Strong commented that based on the information provided at the briefing this morning, he approves of the reorganization and the movement of Acid Mine Drainage restoration efforts from Mining to Water Deputate. He remains concerned about ensuring sufficient funding to operate existing systems, especially if Title IV set aside funds are used up to build new treatment facilities. He asked Chris Gray to provide Council with more detailed information on moving AMD restoration efforts from Mining to the Water Deputate as part of the reorganization.

John noted that there are three vacancies pending in CAC’s representation on DEP advisory committees.

- Curtis Kratz resigned from CAC, also creating a vacancy on the Mining and Reclamation Advisory Board (MRAB); David Strong would also like to step down from MRAB.
- John Walliser is stepping down from the Air Quality Technical Advisory Committee (AQTAC).

Cynthia Carrow volunteered for one of the vacancies on MRAB, which meets quarterly. The other two vacancies are still open. David Strong noted that he had stepped down as Chair of the MRAB Reclamation committee, but that he will stay on MRAB as needed for the time being.

V. Executive Session

At 11:55 am, Cynthia Carrow moved and Thaddeus Stevens seconded that Council go into Executive Session. Council’s public business meeting resumed at 1:00 pm.

VI. Property Rights

Burt Waite introduced David Overstreet and George Bibikos from K & L Gates, for their presentation on Property Rights. They provided an overview of the surface, mineral and support estates and legal issues related to competition between ownership of those estates.

Topics addressed in the power point include property ownership, surface and mineral rights, rights of owners, laws, royalties, coal statutes and limitations, gas rules and limitations and regulations. After the presentation, K & L Gates addresses questions from the Council. Rule of capture leads to the need for conservation/pooling laws.

The Council thanked K & L Gates for their presentation.

VII. New or Unfinished Business

No new or unfinished business was raised.

VIII. Adjournment

Burt Waite moved and Terry Dayton seconded adjournment; the meeting adjourned at 2:20 pm.

Notice of the September meeting was published in a newspaper of general circulation in Dauphin County and mailed to individuals and offices in compliance with the Sunshine Act (1986-84). These minutes constitute the official record of the Citizens Advisory Council meeting; no official transcript is prepared.