COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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ENVIRONMENTAL JUSTICE LISTENING SESSION

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BEFORE: CARL JONES, JR., ESQUIRE, Chairman

MARCUS KOHL, Regional Director

PATRICK MCDONNELL, Secretary

MEGAN LEHMAN, Community Relations Coordinator

JOHN BRAKEALL, Regional Coordinator

HEARING: Thursday, April 20, 2017

4:41 p.m.

LOCATION: Genetti Hotel

200 West Fourth Street

Williamsport, PA 17701

Reporter: Xi Xia

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Sargent's Court Reporting Service, Inc.
(814) 536-8908
WITNESSES: Barbara Jarmoska, Jack McKee, Mike Ochs,
Ralph Kisberg, Gail Landers, Harvey Katz,
Jim Dunn, Tina McCafferty, Karen Frock,
Jerry Walls, Spencer Myers, Brian Auman
APPEARANCES

ALSO PRESENT:
Carol Carrington
Heather Mayhall
Mel Zimmerman
<table>
<thead>
<tr>
<th>Index</th>
<th>Page Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>DISCUSSION AMONG PARTIES</td>
<td>7</td>
</tr>
<tr>
<td>PUBLIC COMMENT</td>
<td></td>
</tr>
<tr>
<td>By Barbara Jarmoska</td>
<td>7 - 11</td>
</tr>
<tr>
<td>By Jack McKee</td>
<td>11 - 14</td>
</tr>
<tr>
<td>By Mike Ochs</td>
<td>14 - 18</td>
</tr>
<tr>
<td>By Ralph Kisberg</td>
<td>18 - 21</td>
</tr>
<tr>
<td>By Gail Landers</td>
<td>21 - 23</td>
</tr>
<tr>
<td>By Harvey Katz</td>
<td>24 - 25</td>
</tr>
<tr>
<td>By Jim Dunn</td>
<td>26 - 28</td>
</tr>
<tr>
<td>By Tina McCafferty</td>
<td>29 - 31</td>
</tr>
<tr>
<td>By Karen Frock</td>
<td>31 - 35</td>
</tr>
<tr>
<td>By Jerry Walls</td>
<td>36 - 38</td>
</tr>
<tr>
<td>By Spencer Myers</td>
<td>38 - 39</td>
</tr>
<tr>
<td>By Brian Auman</td>
<td>40 - 41</td>
</tr>
<tr>
<td>By Harvey Katz</td>
<td>41 - 43</td>
</tr>
<tr>
<td>By Mike Ochs</td>
<td>43 - 45</td>
</tr>
<tr>
<td>By Ralph Kisberg</td>
<td>45 - 47</td>
</tr>
<tr>
<td>By Barbara Jarmoska</td>
<td>47 - 49</td>
</tr>
<tr>
<td>By Karen Frock</td>
<td>50 - 52</td>
</tr>
<tr>
<td>By Jim Dunn</td>
<td>52 - 54</td>
</tr>
<tr>
<td>CLOSING STATEMENT</td>
<td></td>
</tr>
<tr>
<td>By Chairman</td>
<td>54 - 55</td>
</tr>
</tbody>
</table>
I N D E X (Cont'd)

CLOSING STATEMENT

By Secretary McDonnell

55 - 56
<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Page</th>
<th>Offered</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NONE OFFERED</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MS. LEHMAN

Good evening. The first speaker who's registered is Carol Carrington. Next is Brian Auman.

MR. AUMAN:

Oh, I need to check in.

MS. LEHMAN:

Sorry.

Barb Jarmoska.

MS. JARMOSKA:

Do you want me to come to the front or do you want me to stand here?

MS. LEHMAN:

Yes. Please come to the front, speak into the microphone and spell your first and last name, please.

MS. JARMOSKA:


First of all, I'd like to thank the Department of Environmental Protection for this opportunity.

I had no idea before the public notice appeared in the Sun-Gazette of this meeting that there
was a Department of Environmental Justice. And now tonight, I've learned that it's been in existence practically 17 years or more. So in any event, thank you for this opportunity.

I have a lot of concerns, both personal and involving the community that you're targeting as a whole.

My personal concerns have to do with the fact that I live near the Loyalsock State Forest and there is a lot of gas drilling going on in this area. And that is, of course, the biggest, I believe, Environmental Justice concern. And I do not think that that is limited to the marginalized communities that you are addressing.

But because that seems to be the focus of this meeting, and perhaps I'll get another three minutes, I'm going to devote my time to that community.

I am --- I am not a marginalized or economically disadvantaged person. I am blessed not to be that. I own rental properties in this community. And as a landlord, I can tell you that during the gas boom, I had terrified tenants.

I did not choose to raise the rent in
any of my rental properties, but the tenants that
lived in those properties, many of them were on fixed
incomes, they were elderly and they were very afraid
that if I raised the rent, that they were going to be
out of housing and they didn’t know where they were
going to go or what they were going to do. So there
was a lot of anxiety.

I actually had one tenant who sent me a
check for $100 higher than his monthly rent along with
a letter saying, I know that because of what is
happening in this community, you can now get twice
what I am paying for the house I’m living in. I can’t
afford that. The most I can afford is an extra $100 a
month. I’ve included that in this check. And I ask
you please allow my children and myself to stay here.

So that was an enormous issue and it may
return. As you know, gas is a boom-bust cycle. We
had a boom, we had a bust. Now it looks like the boom
is coming back.

And so the other thing that you ask is
how can DEP be more engaged with these communities,
and I would say move these meetings. Take your suits
and ties off, put on your --- you know, some sweats,
and go hang out where these folks live.

Go to the park, go to the basketball
court, go to the church supper. Don't --- go meet
them.

Don't expect them to come to a fancy
hotel with big chandeliers and talk to people, you
know, in suits and ties. Because it's a frightening
thing for them to do.

It's not an easy thing for anybody. But
there are those of us who are very used to it. And I
think if you want to hear from these people you need
to meet them where they are. Not expecting them to
come to where you are.

And I would also like to say --- now I'm
going to switch gears and talk from a personal
standpoint. I try as best I can to stay on top of
what's going on with the gas industry in my
neighborhood.

The township that I live in, Gamble
Township, and the four that surround it, the last I
checked there was over 200 permanent wells.

I visit SkyTruth to know what permit
violations are being issued. I also visit the
Marcellus Gas website frequently.

And my biggest complaint to DEP is that
there is really no information provided to the public
about permit violations.
Just today, I got an email telling me that there was well caving and cementing violations from Exco Resources on March 28, on April 13 --- a second one on April 13 and another one on April 18. So these are wells in our neighborhoods that are causing problems. I believe that these violations and problems with these wells should be in the Sun-Gazette, printed every time there is one. Because people think there are no problems because it's not easy to know about them.

Thank you.

**MS. LEHMAN:**
Next is Jack McKee.
And again, please spell your name.

**MR. MCKEE:**
Thank you very much.
I've been around this area for quite a while. In the month of June, 24th of June, I will be 96 years old.

So I was born and raised in Williamsport, went to Williamsport schools, went to the former Dickson Seminary, which is now Lycoming College. I went there for two-year college then I rode up to Penn State.

Graduated from Penn State, and a month
after graduating from Penn State, I entered the Armed Services. I was in the US Army for a period of four years. I served through Europe.

After the war in Europe was over, went through Belgium, Germany, France, England. Then drove through the Panama Canal, stationed just outside. And we were the very first troops sent into Japan.

Came home, got my orders on Christmas Eve to come back on the account I'd gotten discharged.

I've been around this particular area for a long time. My really big concern is that I don't know what the connection between or where this all falls for answers and questions I have, whether I go to DEP or whether I go to Susquehanna River Basin Commission.

When I go to DEP, they tell me no, that's --- you'll have to take that to your River Basin Commission.

Well, you contact them and they say, well, go into your local DEP office. It's a --- nobody can tell me where I should go or where I shouldn't go.

For example --- a couple of quick examples I can give you, I couldn't quite understand how last year or last summer, there was an order put
out by the County that all the citizens should refrain
from watering their lawns because there was a drought.

But still, the gas companies were
running their trucks up and down Route 87 and taking
water from the Loyalsock Creek.

Well, why is it that that company can
take water from the creek when the citizens have to
stop watering their lawns because there's a drought?

I noticed on the gas well up the road,
which I did --- never even put that --- and look down
at the well tank where all the frack water is.

And I noticed that the tank is
seven-eighths full of that water and there's a net
overtop of it. But the net is down in the water, so
why --- what's that net for? Well, that's to keep the
birds out of that water. That's to keep our water
from --- net down in the water.

So I wanted to give you all --- and said
no, I could talk to somebody about the net at the gas
well up the road.

So I talked to Joe and he said, well, I
just got it last week, a main inspection of that
particular site. And he said it found no violations.

And I said well, I don't understand, you
ought to pull up a ladder and maybe look and see
what's going in that tank, but now --- that net is
still down in the water, but I didn't take it this
time by the DEP.

Well, there's no law that says they have
to have that net across there to keep the birds out.
That's that --- they put that on there on their part.
So I say, you get one answer from DEP,
you get another answer from the River Basin
Commission. And I think that we would --- people know
what the difference --- when you go --- whether you
come to the DEP or whatever the --- River Basin
Commission would help us a lot.

Thank you very much.

MS. LEHMAN:
Michael Ochs.
And again, please spell your name for
the reporter.

MR. OCHS:
Mike, M-I-K-E, Ochs, O-C-H-S. I'm a
member of the Pennsylvania Green Party and I write a
column on the environment for people of faith, which
you can find at Lutherans Restoring Creation.
Welcome to Billtown, also known as
Williamsport.
And I want to address two subjects that
affect vulnerable populations, such as low income
people and minority people.

One, that is pollution from standing or
idling vehicles. And second, the matter of banning
backyard burner barrel burning.

It occurs to me that when examining air
quality, there are large populations for --- and
minority people, especially children in their schools
and preschoolers and those in nurseries who can be
exposed to diminished air quality.

As can poor adults living in high-rise
apartments, senior citizen housing, special needs
people in group homes and so forth, from at least two
sources that need some attention.

One is the presence of idling school
buses and cars, garbage collection trucks, delivery
vehicles, et cetera that discharge engine exhaust
fumes.

Another source of air pollution is the
presence of backyard burn barrel burning adjacent to
the school grounds or adjacent to other places from
these adjacent residential, commercial or industrial
properties where such burning is permitted.

First, the vehicular issues.

Your department might want to determine
if the restrictions on standing idling vehicles are strict enough and if the enforcement of the regulations is sufficient. What regulations exist, where are they applicable, what did they replace, how often is their advocacy evaluated, what more is warranted?

The children are a captive population and exposed to some measure of polluted air that surly is not healthful.

Other sites where one observes such idling occur are at fast food restaurant drive-ins, pharmacy store window drive-ins and school bus depots and so forth.

The recent law allowing vehicles in Pennsylvania to turn right at a red light with caution seems to me to be a step in the right direction, as it reduces idling at such intersections.

Because exposure to traffic fumes can affect children’s lung growth, produce long term ill health and cause premature death, attitudes about this problem need to change.

It's the role of the State to raise consciousness, awareness and efforts made by the State to incentivize transition to hybrids and electric vehicles seems to make the polluter pay, creating
clean air zones and greener transport.

Now to the backyard burner barrel

banning issue.

In my estimation, this matter should
have widened attention beyond that which occurs
adjacent to school grounds where the kids are playing
outside at recess and standing in lines waiting for
their rides, with their rides going after school and
outside the school building before the doors open in
the morning.

The practice of backyard burner barrel
burning is still widespread in our county. I have a
sheet as to where it's practiced in our county
municipalities, and I suppose there are practices like
this in other municipalities in the Commonwealth,
despite the State Constitution somewhere promising its
citizens clean air.

At the end of my testimony, which I'm
happy to share, there are two URLs for information
collected by scientists on the dangers represented by
dioxins, article pollution, organic compounds, carbon
monoxide, hexachlorobenzene and ash. Thank you. They
all come from backyard burn barrels.

Poor and minority populations may not
have sufficient income to recycle. They might not
have sufficient income to have garbage collection and so forth.

I urge some examination as to what could be done to help these low income and minority communities to have their backyard burner barrel practices done away with or banned. Some education as to the harmful effects would be appropriate.

And if I have extra time at the end of this session, I'd provide some of that.

Thank you.

**MS. LEHMAN:**

Next is Ralph Kisberg.

Again, spell your name and we've got three minutes at this time.

**MR. KISBERG:**

Thank you. It's R-A-L-P-H, K-I-S-B-E-R-G.

Thank you for the opportunity to look at the --- some of the State Environmental Justice communities of the county. One is Porter Township. It's a low lying and flood prone area.

Agriculture, logging and gas development all add to stream flow throughout much of the county during heavy rains and melt off events. You've all seen it here increase.
The Creek Basin, which affects the Porter Township, in particular, has seen heavy gas development and far more development that has and will continue to lead to a loss of forest cover and an increase in impervious surfaces and substitute for low lying cover instead of trees.

Agriculture especially has taken a lot of our natural backbones, water catchments over the years; the river has very few of these now for a variety of reasons.

Wetland flood plain restoration is something that we haven't seen here. One way to address that and a way to start would be to use some of our county's gas impact fee money on that kind of work.

In terms of water quality, here we've seen an emphasis on expensive wastewater treatment facilities, and that will have a three-year income percentage impact on low income families. And also emphasis on agriculture practices to address nitrogen and improve water quality.

But generally, we've just seen what seems, to the layman looking at it, that it's fairly ineffective measures to address forest cover loss.

Again, let the flood plain restoration
and increased filtering capacity could be emphasized as to the reforestation.

Onto --- another topic is air quality. Health-related data on low income areas shows the correlation with respiratory issues for a number of reasons. Here we're getting gas development.

And what we don't want to see, I think a lot of us, is wait until we're out of containment to deal with what we think will be a leading role by that industry, the deterioration of our countywide air quality.

If you came in town this morning, you might have seen an inversion hanging over the river valley. We're prone to those in our river creek valleys here.

So again, the health impacts are --- may have a greater impact on Environmental Justice community residents if they've already had respiratory issues. Most of our population lives in the river valley.

Last night, we heard someone describe gas in this region as a geo-political weapon. Some 18 interstate pipeline projects are planned to move gas from the Marcellus region to other states and there are numerous proposed export facilities.
The industry even now hooks on the sweet spot, the most productive areas, and they have to make that up. In the less productive areas, we will see more drilling, more compression and it's a concern. We don't want it to get out of control.

As pads and wells and everything all --- everything involved increases, we need DEP to monitor all surfaces and come up with true aggregations and a basic system that keeps us from becoming an energy sacrifice, which would be an environmental injustice for all.

Thank you.

MS. LEHMAN:

Next I have Gail Landers with a question mark? Okay.

You were waiting to decide.

Right?

MS. LANDERS:


And I had a question mark because I didn't know how we were going to start the public comment.

I, too, like Ralph, live in a flood plain area, Old Lycoming Township. I've lived there over 40 years, actually. So I have experienced flood
and still choose to live there.

To me, the biggest issue for all of us is having clean, safe water, because that's life. We live two miles from the Lycoming Creek, from the mouth of Susquehanna, which carries on down to the Chesapeake Bay. So our water is on a roll past Harrisburg and beyond and beyond and beyond.

I'm also part of a faith-based community, as Michael, with the United Church of Christ with our Penn Central Conference. And I'm part of the environment justice team.

And for me, that's a very broad and inclusive term, not just for those who are marginalized. So I appreciate your first statement for including all of us, not just the marginalized in environmental justice.

I think sometimes for me it's easier to use others' words than my own, and I'd like to share from a book that Ann Pelo had, The Goodness of Rain: Developing an Ecological Identity in Young Children.

This is posted on ExchangeEveryDay, just the beginning of this month.

And I'm quoting, we live in a culture that dismisses the significance of an ecological identity. The culture deposits that we make home, but
the simple fact habitation, rather than by intimate
connection to a land, the sky, the air. Any place can
become home we're told, which means really that no
place is home.

And this is the dangerous view, she goes
on to say. When no place is home, a dammed river is
regrettable, but not a devastating blow to the heart.
When no place is home, eating food grown thousands of
miles away is normal and the cost to the planet in
processing and shipping it is easy to ignore.

An ecological identify offers an
antidote to the displacement that makes possible the
wounding and wrecking of the planet.

And I appreciate that this is so close
to the anniversary of Earth Day. I think it gets
people more motivated to think that we all have a
responsibility. And that there's a lot of hope and
not to dwell on the despair.

Thank you.

MS. LEHMAN:

I couldn't quite make it out, but it's
another Landers. Did you wish to speak?

Okay. Very good.

Next is Harvey Katz, also with a
question mark.
MR. KATZ:

I’m Harvey Katz, that’s K-A-T-Z. And I’m a retired research fishery biologist. And I just want to talk on the subject of the potential for expansion of our flood plains, because those lands in particular tend to be valued at real estate lower prices. And so it brings in a lower income people who then become subject to flood impacts.

One thing we know is that since the natural gas industry moved into Lycoming County in about 2008, since that time, we’ve lost about 30,000 acres of forested land. And most people would just dismiss that.

But we know from scientific work that’s been done by Hubbard Brook Experimental Forest people, it’s an outgrowth of Dartmouth College up in New Hampshire, that when trees are cut down the amount of water getting to a local stream can increase by 84 percent, depending on how much of green vegetation is removed.

As the increase in water gets to a local stream, it then flows towards the flood plains and with larger amounts of water getting to the stream that means that the flood plains will expand in their size in terms of geographical size as well as height.
And as a result of that, I would expect that buildings that usually sat right on the edge or just outside of the flood plains and owners who watched their neighbors go under water but not them, that with the additional water coming down the stream, they'll go under water, too.

And that will begin to affect two things. One is the obvious one, that these homeowners will suffer home damage.

And the second is that FEMA will kick in, because now the new homes will come under their jurisdiction and they'll be assessed flood insurance costs.

So the bottom line is that when you cut down trees, you cause damage by expanding the flood plain and then you impact home and business owners that now have become flooded.

So I think DEP needs to look at that. And it's going to happen whether DEP looks at it or not. But maybe you can do something about it to avoid a future catastrophe.

Thank you.

MS. LEHMAN:

Jim Dunn is next.
MR. DUNN:

Thank you. Hopefully I don't need the microphone. J-I-M, D-U-N-N.

I think the single biggest thing we can do to help the disenfranchised poor within the Williamsport area, which is what we're talking about, Williamsport's certainly the urbanized area of Northcentral Pennsylvania.

If you connect them to nature, and that's not a particularly easy thing to do when you have people living in an urban area, relying on public transportation and generally broken families with many, many social issues that inhibit them from connecting to nature.

And we all know and there are many studies that prove that a connection in nature improves your health, improves your quality of life, it does nothing but good.

So how do we connect people in the urban area to nature? Well, we're very fortunate here in that within a mile of where we're standing here, which is the heart of our urban area, with some of the more disenfranchised people living very close by, we could walk along the public transportation system, Riverwalk, all the way to a community park in South...
Williamsport and be connected to a 50-acre wetland that could easily be a 100-acre wetland. They could be connected to a mile of shoreline.

And all this could be done through the granting process at DEP and DCNR in which we could actually create a solution. We could actually link people in an urban area to a natural area to help them.

We have all seen the studies that, you know, all the state agencies have produced books in showing the decrease in medication, improvement in mental health, physical, everything. The list goes on and on.

We have a unique opportunity here in Williamsport at a very low price to connect people to nature, improve their health physically and mentally. And you know, in an extended session or, you know, at future date, I would love to be able to present that to you.

Air quality, water quality, they're all, you know, wonderful concerns. Flood plain restoration was brought up.

If you bring in flood plain restoration in buyouts and different types of mitigation techniques, you can combine recreation, habitat
improvement for your link to nature all within the buyout programs and the restorations. And you can link them all within your urban area.

And let me just give you some examples. Just a couple miles to the west is Lycoming Creek. Several opportunities to improve the flood plain --- the flood plain through restoration and linking with existing recreation in allowing people to connect to nature, improve recreation and improve the flood plains.

And the west, we have the Loyalsock Creek. The same thing could be done there. And the site which I spoke about a mile from the bridge here is in the middle.

So our entire community, the urban area, could be connected to nature, improving, you know, the flood plain. It's just --- there's just no downside to it.

And again, I know there's many people that want to speak. In the extended session, I'd be happy to speak more to this.

Thank you.

**MS. LEHMAN:**

Karen Frock is up next.

**MS. MCCAFFERTY:**
I think you missed me.

MS. LEHMAN:

Oh, I'm sorry. Yeah, you didn't check that, I'm sorry. Come on up. Let me get you first and then Karen will be next.

Let me check everyone else who didn't check the box to speak. Heather Mayhall, Jerry Walls or Mel Zimmerman. Do any of you wish to speak? Jerry says yes?

Okay. So we'll go to Jerry after Karen.

MS. MCCAFFERTY:

My name's Tina McCafferty, T-I-N-A, M-C-C-A-F-F-E-R-T-Y.

It's not going to be as nice as everyone else who has been up here. I'm very upset. I've been upset for ten years. My house is not finished. My mental state is not well.

I cannot believe what has happened. And now the Department sits up here, and it recently filed a lawsuit against not one, but two communities who chose to protect their environment, their community. Isn't that what we're talking about in our objectives?

I mean, shouldn't we all be able to protect our own environment? Shouldn't we --- and
what are we doing? The Department of Environmental Protection is suing communities because they don’t want an injection well in their community.

Do you want an injection well in your backyard? Do you want this? Do you guys want an injection well in your backyard? Do you? No. I don’t. Does anybody here want an injection well in their backyard?

AUDIENCE MEMBER:

No.

MS. MCCAFFERTY:

The Department of Environmental Protection is supposed to be saving this place and you are destroying the planet, you are destroying the state and you're destroying the planet.

We’re spewing methane like crazy, we're poisoning our water, we’re poisoning our air, we’re wrecking our PA Wilds.

For what? Plastic? We need to make --- we need cracker plants so we can make more plastic so it can all go into the ocean and more turtles and whales and everything can die. Is that what we’re going to be going for here?

Oh, Asia needs it? We need to ship it over to Asia? What are we doing? What are we doing?
We are an insane culture and we should all be in the street saying no.

Everyone in the Environmental Department should be standing up. Why are we issuing permits? Why are we issuing permits to companies when their wells are failing everywhere. And in the same day, hand them a permit to do it somewhere else.

What are we doing? We're insane. It is out of control. And it's everybody's responsibility in this room to no for our children. I mean, we are --- our children are screwed. Absolutely screwed.

My son and I have been fighting this industry for ten years trying to save this planet. I'd like to see everybody else start doing it, too.

And instead of sitting here and acting like there's some environmental justice going on here. In this place, there is no environmental justice and we're not protecting the environment.

MS. LEHMAN:
Karen Frock?

MS. FROCK:
K-A-R-E-N, F-R-O-C-K. I live in Plunketts Creek Township. Thank you for being here. I maintain that all communities are Environmental Justice communities at the very
definition of justice. The major environmental issue facing us now is the unjust imposition of the natural gas industry on the Commonwealth, and in particular, on our public lands and rural communities.

This is made worse by New York and Maryland effectively putting an end to having this industry in their states. That forces us to bear the brunt of it.

There's a lack of real, meaningful public participation, and therefore, lack of any control over what takes place on lands that belong to all of us.

Here in our region, we have been building and want to build a future sustainable, low impact, natural, recreational, encouraged tourism. We are sitting in the middle of some of the most beautiful natural and historic assets in the east, truly world class.

The gas industry directly threatens and negatively affects those assets. While impact --- impact funds are not going to mitigate those affects, the gas industry here has already been marked by serious, repeated violations and disregard for land and water as well as for promises made to the people.

If we let our wild places and
communities be destroyed, we lose our heritage and our future as well as our present way of life. We also waste years of work put in by myself and thousands of others, such as the Pennsylvania Lumber Heritage Region, the Pennsylvania Wilds, the Susquehanna Greenway, the Pine Creek Rail Trail, the Loyalsock Trail and countless more.

My township, Plunketts Creek, is exceptionally beautiful and people live, work and visit here because of our forested mountains, streams and quality of life. A large part of our township land is state forest and state game lands.

We have a magnificent virtually untouched Allegheny Ridge, part of the Loyalsock State Forest, rising above the exceptionally valued Loyalsock Creek.

Across that historic stream, Jacoby and Cove Mountains in Gamble Township all have formed part of the Loyalsock State Forest.

Those lands belong to all of us. And for some of us, human and wildlife, they're literally our habitats. They provide important ecological services. They're also part of the environment, which we predicate our sustainable future.

They're a treasure we share with the
countless thousands of visitors who come here to hunt, fish, hike, ski, kayak and enjoy our local communities and businesses.

Our public lands also present our Constitutional right as Pennsylvanians. But our state government leased them out to the gas industry, and now they're ready to collect.

Our township's been catastrophically affected by floods in 1996, 2011 and 2016 with weather patterns attributable to climate change that can be expected to recur, allowing the fossil fuel industry to proliferate while contributing to the increased runoff is unconscionable.

DCNR says there's nothing we citizens can say or do to keep Pennsylvania General Energy from exercising its lease rights and spreading well pads, pipelines, access roads and related infrastructure across the top of the Allegheny Ridge, where underground railroad conductor Daniel Hughes led people from slavery to freedom.

And on Jacoby and Cove Mountains, this industrialization will change these last unspoiled mountains of Penns Woods forever. If you want there to be environmental justice, give them some real public participation that have actual power.
I don't recall ever learning of a public meeting that asked whether I thought we should lease the state forest to the natural gas industries for high volume, horizontal hydrofracturing, pipelines, compression stations and more.

Our state government even leased the Loyalsock Creek to Inflection Energies so they frack underneath it. I don’t believe I ever voted any referendum that asked me whether it was okay to do that. And it is not. I must stress it is not okay.

If you want to cultivate environmentally responsible, economic development to communities, keep the gas industry out of our state forests.

Thank you.

MS. LEHMAN:

Jerry Walls?

MR. WALLS:

I’d like to wait, please.

JUDGE:

Okay.

Heather Mayhall, do you want to speak?

MS. MAYHALL:

No.

JUDGE:

Okay.
And that was the last, so Jerry, it's up to you.

MR. WALLS:

Good evening. My name is Jerry Walls, J-E-R-R-Y, W-A-L-L-S. I am a resident of Loyalsock Township, just east of Williamsport.

I make my comment from a perspective of being Executive Director of the Lycoming County Planning Commission for 38 years. I retired just last May.

And little that I know, what was going to transpire, starting in 2008, in the way of a very substantial increase in a range of impacts and they were not just environmental impacts, but impacts to many kinds of businesses, from housing prices to --- as mentioned here earlier, to impacts on our transportation system.

And also, I'm a Board member so I saw firsthand the kind of business increase and drop off that happens with this kind of boom or bust development.

I would like to support the Department of Environmental Protection's efforts in permitting. It is not perfect, but you have done a job that is thankless and is prone to criticism from all sides.
I'm aware that your department secretary receives a considerable comment, I'm sure, from permit applicants who want faster permitting.

I'm aware of the hazards of that, if it does not provide for accurate input from municipalities and from the community at large, whether it's in the environmental justice community or other ordinary folks.

I think that the DEP has an opportunity to do a number of positive things, in addition to your responsibility for adequate protection when developments need permits.

For example, you could certainly take the suggestion that Jim Dunn just offered on helping to foster and --- and encourage and fund a nature preserve, such as the Sylvan Dell Nature Preserve or natural park that is being proposed.

Because it also helps to not only protect wetlands, which protect downstream public water supplies, such as Montoursville's well system, but it also helps to protect neighboring property owners and offer a wonderful opportunity for wildlife and research and student education, whether it be from Lycoming College or Penn College of Technology or nearby colleges that can certainly benefit seeing the
effect, the biological diversity in that Sylvan Dell
region.

I think the DEP also has a
responsibility to limit deforestation for all types of
development and require effective revegetation for all
development.

And I'm not just referring to the
natural gas development, but wetlands, access roads or
any other type of development. And in general, I
think you do a really good job.

MS. LEHMAN:

At this time, I will offer an
opportunity for anyone who hasn't yet spoke who would
like to speak. Please come forward.

Okay.

Remember to say and spell your name,
please.

MR. MYERS:

Spencer Myers. S-P-E-N-C-E-R,
M-Y-E-R-S. I'll keep it short.

I think you might roll your eyes at
keeping on the global scale, but I wake up every day
scared out of my mind of climate change. And I mean,
I hope everyone does. Everyone needs to.

And I think the DEP can play a big part
of community and the true cost of carbon and other
greenhouse gases. The website could be a source. And
overall organization going upstream. You could get a
--- offer more resources towards calculating the cost
of carbon and greenhouse gases.

And the biggest argument on the side for
natural gas and for fossil fuels are money, the
economic boom.

But my kids aren't going to see that
money. And my kids are, in fact, going to see a
negative return on that investment.

And the investment in cleaner energies
or fuel, they make a return later. And changing the
rhetoric to be able to communicate that --- that
future yield, I think is just incredibly important.

MS. LEHMAN:
Is there anyone else who would like to
speak?

AUDIENCE MEMBER:
I have a second topic.

MS. LEHMAN:
Okay.

We're going to take one last call for
anyone who hasn't yet spoken, and then we'll start
back with those who would like more time.
Brian?

MR. AUMAN:


I'm just going to speak in general. But just the idea of, you know, how --- how do we make meaningful, cost-effective investments, whether it's in the environment, whether it's in our communities?

And this whole idea that's been touched on by numerous people here, talking about flood plain restoration, recreation trails, connecting people with nature in low income and minority populations, you know this whole idea of stacked benefits.

Yeah. How can we identify those projects that not give us one or two of those options, but give us five to ten of those options?

So I think we do have some demonstration opportunities here in Greater Williamsport area to not only create great environmental habitats, storm water mitigation offsets, great recreation and trails, reconnection to the river.

We can start stacking all of those benefits, and those are the projects that really need a raise to the top --- or raised to the top of prioritization.
And I'm --- offers an opportunity for interagency collaboration that brings DEP to the table, brings DCNR to the table, brings DCED to the table. Those kind of win-win opportunities that, together, we can really build better communities.

So thanks for your time.

MS. LEHMAN:

Is there anyone else who would like to speak who hasn't yet come forward?

Okay.

We will offer three additional minutes to anyone who has already spoken, and I guess we'll just go first come, first serve on that.

Harvey?

MR. KATZ:

It's Harvey Katz again.

I've been looking at the way our county assesses property value. And at the same time, I'm looking at how the value of land is determined, principally, by the real estate industry.

And since Lycoming County tends to be rural in nature, we had a very large number of farmers as well as woodland property owners.

And in the case of farmers, a fairly large component of them see their land as their
retirement. Not all, I mean some have, you know, a plan to pass on their land to their kids or relatives. But if you talk to farmers, that's their money.

Well, it turns out that for those farms or properties that are anywhere near a natural gas operation, the ability to build homes or businesses on those properties goes down. In large part, it goes down because the risk to putting buildings up on those areas goes down --- goes up.

And in some cases, where the natural gas industry build roads or gathering ponds, you can't build on that. You can't build on a road and you can't build right over a pipeline.

So the result is that landowners and farmers, including farmers, now own land that is at a higher risk.

And therefore, it's reflected in the value of the land and the price of the land goes down. And the assessment of that land goes down at the time the land is sold.

As the value of the land goes down, then the ability to assess property taxes also diminish.

So what we're doing here in Lycoming County is creating a situation in which we have large amount of acreage that are being --- where the owners
are being denied the ability to cash in on their retirement by building on it. And I'm not going to argue with the pros and cons of that. That's a separate issue.

And then because the assessed valuation goes down, now the ability to collect property taxes also decreases. And the County and the school system go into a crisis mode.

Now, they can offset it by increasing the mill rate to recover the amount of money they collect in property taxes to offset the lower assessed value.

But it's a problem that I see rearing its ugly head and it's one that no one is even thinking about.

And if we don't start heading it off now, we're going to be in lots of trouble, particularly with our County and school finances.

Thank you.

MS. LEHMAN:

Mr. Ochs?

MR. OCHS:

I did prepare my testimony and I'll hand out some of them. I have more, if you're interested.

And then I also handouts on the presence of backyard
burner barrel burning in Lycoming County. And something we didn't get to about defining low income communities. There are many ways to define that, and one of which is to use the --- the free school lunch program and reduced school lunch program data in Pennsylvania. And I have an indicator of that here. And another way is to look at political statements, such as a recent candidate said that 25 percent of Williamsport is in --- in the low income territory. I meant to begin my remarks by quoting the Nature Conservancy. Pennsylvania is the third highest greenhouse gas emitter in the nation and is responsible for one percent of all global emissions. So this issue of standing vehicles and backyard burner barrel issues can be seen in --- in a larger United States and planetary context, it seems to me. And it made it may assume more importance in the Commonwealth is signing and implementing any clean power plant. And if it's singing in that regard, we might unfortunately see carbon emissions grow. Hopefully the State Attorney General will have success with those from other states in
saving us from such increases. And as much —— as
more air pollution is inconsistent with a cleaner
environment.

I don't have the data on what greenhouse
gas emissions result from backyard burns, but whatever
does occur, contributes to global warming which, in
the minds of many, is an existential threat to both
the poor and rich, non-white and white.

Fortunately, the Supreme Court of the
United States has compelled the US EPA to regulate
carbon as a pollutant in the 2007 Massachusetts versus
EPA case.

Thus, our State Attorney General has an
important line of defense in this matter and I would
hope that the State DEP follows suit.

Thank you.

MS. LEHMAN:

Mr. Kisberg?

MR. KISBERG:

Just to continue a little bit about air
quality issues and the gas industry. We —— I believe
the dehydrators and the separators don't --- aren't
--- there's no accounting emissions from them. We
know we have very dry gas here compared to the Western
Pennsylvania.
And maybe it's a big concern out there, where percentages are --- are different with the --- it may be more of a problem.

I --- I can give you an illustration. In a local township, this is an issue for us. So because people aren't getting the right information --- and I don't know how DEP permitting compared to township permissions are laid.

But in the Loyalsock Township, there was a hearing a couple years ago on a well pad and the attorney for the energy company would not let any discussion of anything but the wells and the pad.

There was no --- in other words, you couldn't bring up that there were going to be other equipment on the pad that will have engines. It will have emissions. It will have --- have to be serviced. It has to be fueled.

So all this is --- it doesn't give the neighbors a --- a true impression of what they're dealing with.

And I wonder if there is any way to --- to make sure that people are allowed --- they can't even ask questions to --- of these people. They --- they --- they just --- the township did not let --- and there was a judge --- someone served as a judge of
the proceedings and there was a solicitor.

They agreed that any time someone tried
to bring up something, even pipelines going from the
well pad and the safety of the pipelines. No, you
can't talk about that. All we are permitting is the
pad.

And it doesn't --- doesn't seem just and
I don't know if there's anything that could be done.

Thank you.

MS. LEHMAN:
Anyone else?
Okay.
Was it Karen?

MS. FROCK:
Yes.

MS. LEHMAN:
Okay.

And then you and then Jim.

MS. JARMOSKA:
Again, my name is Barbara Jarmoska.

It seems to me, in looking at ---

sitting here and listening to the comments, I think it
is just important to point out that reduction is
sinking, has in the past and continues to really be a
challenge and to get us in trouble.
And what Ralph just said about the reductionism that's present at hearings with the gas companies, and certainly the reductionist thinking in not looking at the global picture and climate change that is certainly upon us is an enormous challenge.

We put things in these tiny little boxes and we will permit this, and then this. And we're not looking --- not only are we not looking at the aggregate when it comes to deforestation, when it comes to air pollution, DEP is not looking at that.

You're looking at the emissions from a single compressor station and seeing if that is within your limits.

And I would propose that we need to change our way of thinking, because we live in a time when the big picture is increasingly dangerous.

This young man stood up and said my children are not going to reap the financial benefits of gas drilling and the gas industry, they are going to reap the consequences.

And it may be called natural gas, but the consequence is that it's going to leave us with are very, very unnatural.

And --- and we also look at everything in terms of dollars and cents, and if we would stop
looking at --- at the reductionistic picture, we would see that what makes sense ---.

We're at a pivotal time in the history of the world, in the history of Pennsylvania. We have an opportunity here to make the shift to a renewable, sustainable economy and it is for our economic and environmental benefit.

And so we hear these arguments that it's one or the other. It's either money or the environment.

Nothing could be further from the truth. Those two are intimately wed and when the economics win, the environment wins.

If the DEP could change its way of thinking and get this message out to the legislature, to the public, get it out to the public so that we can put pressure on the legislatures, because I'm sure you are under tremendous pressure and working under horrible budgetary constraints and doing the best you can under some very, very challenging circumstances.

But I just encourage you to, as much as possible in your messaging, to look at the big picture because that's where the justice is.

Thanks.

MS. LEHMAN:
Ma'am, you're up next.

MS. FROCK:

Yeah. I also wanted to thank you for everything that you have done and that you will do. I --- I feel very strongly for all the people who've spent their careers trying to protect what we have here in this Commonwealth and have had to preside over this period of intense change and pressure on all that.

And I know a lot of the things we talk about are outside DEP's purview, but we don't always know where to go. We turn to the greater power. And so we rely upon you to take what we say, to go to DCNR, take it there. You know?

It's like a big, complicated picture and we're just trying to put the pieces together, but it's our lives that are at stake.

And it's like a David and Goliath thing. In my township, we just spent three years developing and putting in place amendments to our zoning ordinance that will address oil and gas activities in our township. We did not have that.

We just finally got that done, but still, the whole time we have been doing it and that we are, you know, going forward, because our process
hasn't ended, we're going to stay with this and continue to learn and develop.

We have to think well, yeah, but --- well, what if --- what if they sue us? What if the energy industry sues us? And we're 600 and some citizens and they're --- got more money than, you know, some small government.

And it's --- so it's like extortion. It's like, give us what we want, or else we'll sue you.

So it just seems like, again, inherently unfair to individuals who are threatened with lawsuits and townships.

I'm wishing there could be a fund, maybe, set aside to help municipalities and individuals defend against lawsuits if they are brought when people are, in good faith, trying to protect their citizens and their municipalities.

The issue of aggregate impact, they --- they --- they don't tell you the whole thing. They say you want to do this, you get that approved. Then we want to do this. Because each thing becomes the basis for the next permit application or approval by a township.

Oh, wells and some pads --- we'll use.
You already let us put a well here, so we want to put a compressor station there, and then a metering station and then the ---.

You know, just show us the whole picture. We're grownups. Let us see the whole picture. Don't try to slide it in on us.

And also, anything you can do to help citizens and municipalities with monitoring capabilities, because we know DEP can't be everywhere and you rely on us citizens to help bring things to attention, both for sound, noise -- noise limits and also, of course, emissions and other aspects.

Thanks.

MS. LEHMAN:

Jim Dunn?

MR. DUNN:

Thank you.

I'm often asked what we --- you know, what do we need in these rural municipalities to create change, to make a better difference. And what we need is we need money and we need leadership.

Philadelphia and Pittsburgh have scale, they have the masses of people, they have the quality. And they also have foundations, they have Penns and they have the Heinz. And they help with contributing
to your grant programs and creating change, creating positive improvements in these areas.

We don't have that here. You know, we don't have scales. We struggle to really make change. And the unfortunate thing is Philadelphia and Pittsburgh, they have the resources, but we have the tools.

We have --- all of nature in Pennsylvania is here in Ridge Valley section of Pennsylvania.

You know, all the water from --- not all of the water, the most significant portion of the water in the Chesapeake come from here. We have the most beautiful, you know, mountains and forested hillsides. It's all here. But we don't have the scale, we don't have the money, we don't have the leadership to protect and preserve and to get people into nature.

What I would like to see is some policy change. Policy change is slow, it's painful, but if you can come up with some solutions and develop a pilot program where you can make a couple significant projects in rural disenfranchised areas.

We could show that multi-agency cooperation between many of the state agencies,
budgeting, portions --- you now, reasonable portions
of money to create a couple of significant projects
for change, I think would make a tremendous,
tremendous difference. And I think it's reasonable
and I think it could be accomplished.

I know our area here, we have resources,
we have great planning. We have everything except for
those two components, the money and leadership. And
that's what I would plead for tonight.

Thank you.

Ms. Lehman:

Is there anyone else who wishes to
speak? Anyone who didn't and changed their mind? I
guess this is last call.

Okay. Thank you.

Chairman:

I want to thank you all for coming out
to this listening session. We have six more stops, so
please visit our website is you want to venture out to
another part of the state.

Again, we're accepting written comments
--- comments until May 25th. And our online email
address is there as well as our mailing address.

So please feel free, if you have plans,
development ideas. We have other people and they have
great ideas.

    We need some of those comments, those feedbacks. They will receive the same amount of attention as your testimony here today. We're looking for as much information as possible.

    I'll turn it over to our secretary. And again, thank you again for being here today.

SECRETARY MCDONNELL:

    Now, thank you, once last time for your time and attention today. I said this in a couple other sessions, it's incredibly valuable, I'll say for me personally, but I think for the Department as whole, to not just hear, you know --.

    One of the reasons, frankly, we're here is there's a number of people with the wherewithal to find their way to Harrisburg.

    You know, as something someone said earlier, it's important for me that we come out to you and get this information.

    And again, not just come out once, but that we have a feedback with this up through the regional office, but through our central office and myself, including the staff in Harrisburg.

    So thank you so much for your time and attention. And I and Carl took a lot of notes.
listening to you all and you can expect this is
beginning the process, not the end of one. And I
would say that I tend to be a continuous improvement
kind of guy.

So hopefully we'll be reflecting with
what we've learned here back out to you and having
another conversation and another and another to make
sure we're doing this as well as we can.

So thank you all very much and have
pleasant evening.

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HEARING CONCLUDED AT 5:48 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Jones was reported by me on 4/20/2017 and that I, Xi Xia, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

[Signature]

Xi Xia, Court Reporter