

## Thank you for your comments on "State Water Plan 2022 Update Draft Report"

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To: Holly M. Fishel <hfishel@psats.org>

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Thank you for the comments you submitted to the Department of Environmental Protection's (DEP) eComment regarding State Water Plan 2022 Update Draft Report.

Your comments are valuable to DEP and will be included in the official record of public comments. At the conclusion of the public comment period (on 9/19/2022), the Department will prepare a comment/response document containing all comments received during the official public comment period.

### Your Comments...

The Pennsylvania State Association of Township Supervisors represents Pennsylvania's 1,454 townships of the second class and is committed to preserving and strengthening township government and securing greater visibility and involvement for townships in the state and federal political arenas. Townships of the second class cover 95% of Pennsylvania's land mass and represent more residents — 5.7 million Pennsylvanians — than any other type of political subdivision in the commonwealth.

PSATS recognizes that the goal of the 2022 State Water Plan update is to help decision makers at all levels make informed decisions and effectively protect water resources. The Association believes that government at all levels has a responsibility to ensure that future generations will be able to enjoy a clean, safe, and bountiful environment.

Accordingly, the Association has consistently supported local, state, and federal policies that will ensure the preservation of our environment for all Pennsylvanians without imposing an undue burden and cost on residents and ratepayers. PSATS believes that all new mandates on sewage treatment, stormwater, and drinking water systems must be accompanied by sufficient funding so that municipalities and their ratepayers and taxpayers are not overburdened.

PSATS agrees that land use and water supply planning should go hand in hand to make sure that future generations have an adequate water supply. Land use planning should remain in the hands of municipal officials, who should also have a voice in the water supply planning process.

Would strengthening the link between land use and water resources management include voluntary tools to empower municipalities to better incorporate water availability into its land use plans? If so, PSATS supports voluntary tools but opposes mandates. We agree that considering water quantity and quality when performing a cost benefit analysis for land development is important, however the available tools for stopping or limiting development that will exceed water supplies may need strengthened.

Multimunicipal planning is beneficial for both the participating municipalities as well as for the area of the plan. However, cooperation is not always viable and those without this option should not be penalized in grant funding or for technical assistance.

Any review of Pennsylvania's water rights laws should include the input of township government. PSATS is happy to be included in this process. We recognize that this is a complex issue.

PSATS does not have a position on training and licensing requirements for water well drillers. We do ask that any legislation implementing water well standards include a grandfather provision for municipalities that have at least as stringent regulations already in place. Many townships have taken the lead and do require standards for locating and drilling wells.

The Association opposes any legislation that would require water usage fees from any private or public water sources. We support the recommendation to NOT require any such fees, taxes, or restrictions on private water wells and believe that this language is necessary for the success of any such legislative proposal.

As noted in the report, townships of the second class do have the ability to generate fees to manage stormwater. Municipal authorities also have this ability. PSATS supports the continuation of current law.

We agree that stormwater best management practices should continue to be developed and disseminated to municipalities, including background for why these are best practices and how to effectively implement them.

Proposals for DEP to collaborate with PennDOT on water runoff issues, including the design of culverts for municipal road crossings could be beneficial, provided that such designs don't include unnecessary permitting and fees or delay needed roadwork.

Due to rapid societal changes, the regional priorities should be revisited and additional opportunities for local input provided. Some assumptions in the report should be reviewed, such as the amount of impervious parking lots that will be unused in the future. While shopping habits continue to change, many businesses are now requiring employees to return to work. Who will pay for the recommended retrofits to apply best management practices to these areas?

While we recognize that asset management systems for water and wastewater treatment systems can be beneficial, this should be a best practice. We commend the report for recommending that technical and financial assistance be provided to help with asset management. Many small providers of water and wastewater are providing service to ratepayers who are low-income or on fixed income. These services exist because of lack of clean water or failing septic systems and water or wastewater systems were mandated at a significant cost. Again, we reiterate the need for any mandates to be accompanied by sufficient funding so that municipalities or authorities and their ratepayers are not overburdened.

PSATS supports the following priorities in the plan:

- Dedicate and increase funding for the Environmental Stewardship Fund (ESF) – this program allows townships to undertake conservation and stormwater management projects that they would be unlikely to afford without this assistance.
- Provide funding for Act 167 stormwater plans and Act 537 sewage facilities plans and providing funding to help municipalities update these plans. The state must provide funding to reimburse townships for 50% of the costs incurred to prepare or update Act 537 plans as mandated by DEP. The current lack of funding for this program has created an unfunded mandate.
- Fund enhanced flood forecasting and warning systems and ensure that local governments have access to these critical tools
- Increase efforts to enhance community preparedness and resiliency for flood events and recovery assistance following flood events.
- Direct DEP to work with municipalities to update the state's stormwater management model ordinance

No attachments were included as part of this comment.

Again, thank you for taking the time to provide comments. Please contact me if you have any questions.

Sincerely,  
Kate Cole

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