

Susquehanna River Basin Commission Holds Hearing on Comprehensive Plan

by Sue Smith-Heavenrich

Broader View Weekly July 18, 2008

The Susquehanna River Basin Commission (SRBC) held one of three public hearings on Tuesday, July 8, at the Treadway Inn in Owego. SRBC Deputy Director Thomas Beauduy, SRBC alternate commissioner Kenneth P. Lynch, and SRBC consultant David Ladd served on the panel for the hearing.

The commission, created in 1971, is a partnership between the federal government and state agencies from New York, Pennsylvania, and Maryland. They are charged with managing the Susquehanna basin's water resources through planning, development, and regulation.

The plan being discussed, Ladd explained, is a framework for managing and developing the water resources. It is revised and updated approximately every 15 years. Because the Susquehanna basin is so large, the SRBC needed to define the scope of the plan. They focused on six key needs: (1) water supply, (2) water quality, (3) flooding, (4) ecosystems, (5) the Chesapeake Bay, and (6) coordination, cooperation and public information.

There are a number of demands upon the water supply: agricultural uses, mining, energy development, industrial use, and residential use. Through regulation and planning, the SRBC hopes to meet these immediate and future needs in a way that "maintains sustainable economic viability, protects instream uses, and ensures ecological diversity."

To achieve this, they set out six goals, including maintaining an equitable system for allocating water for various uses in a way that protects the water supply for the bay. One of their goals is wise management of "consumptive water use" – that is, the withdrawal of water from the basin for use in a manner that does not allow it to be returned to the rivers and streams.

Although the hearing was set up to gather public comments on the Comprehensive Plan, many of the people attending the meeting had questions related to energy exploration and drilling. In light of the recent flooding, one questioner asked whether the DEC planned to issue drilling permits on flood plains.

"Drilling activities are permitted in the flood plain as long as the [regulatory] conditions are met," Lynch answered.

Answering a question about enforcement of existing regulations Beauduy said, "We're a small agency; we've got 40 people." Without field officers, the SRBC relies on companies to monitor themselves. When queried about illegal water withdrawals from rivers and streams, Beauduy encouraged people to contact either DEC or the SRBC.

One person brought up the consumptive use of water for hydro-fracturing, especially when drilling through Marcellus shale. “They will be taking over 100,000 gallons a day from the Chemung,” he said.

Beauduy explained that permits for taking water out of the river are based on historic low-flow records. If they take the water out, they must mitigate the loss, Beauduy explained. Some of the companies do this by storing water during high flow; others pay a fee to the SRBC for use of water stored for release.

As far as gas well drilling, the SRBC considers every drop of water put down a gas well as consumptive use. “It is wastewater,” Beauduy said, “and wastewater is regulated by state agencies.”

Doug Groves, from Tioga Center, referred to the SRBC’s stated goal to restore populations of migratory fish throughout the Susquehanna River system. “There are already many riffles and shallows in the creek,” Groves said, describing Catatunk Creek. Given the amount of water that Chesapeake will be permitted to remove, Groves figured that “soon the migratory fish will have to put shoes on to get from one pool of water to the next.”

Many people expressed concern about how the SRBC and DEC will hold the oil and gas companies accountable for potential pollution of water resources. Attendees wanted to know more about the mix of water, sand, and chemicals that drillers will use. One person asked whether DEC would require companies to reveal the chemicals they use in hydro-fracturing, including those deemed “proprietary”.

“We (NY DEC) have not yet approved a horizontal drilling well in New York State,” said Lynch. “We want to protect the wells of individuals as well as city water supplies.”

With the increased interest in Marcellus shale, DEC is asking additional questions before issuing a permit such as: whether a company will drill horizontally; how much water they will use; whether they are using anything toxic; and where they will take the wastewater.

“With every permit request, we ask what chemicals they will use,” Lynch said.

Referring to SRBC’s groundwater management plan, Roy Lackner of Binghamton said, “You state that preserving the cultural heritage in the basin is a goal. Yet you are turning rural areas into industrial zones with wells closely spaced, noisy pumping engines, and storage ponds full of toxic water.”

Lynch responded, “The wastewater will be regulated. They do not have permission to pollute.”

“But 40 percent of the water [including the chemicals] stays in the formation,” Lackner countered. “Why are you afraid to put a moratorium on the fracking?”

Other people expressed similar sentiments, telling the commissioners that they wanted to see the permitting process slowed down until the agencies had time to study the environmental and groundwater implications of hydraulic fracturing.

“We can live without oil and gas, but we cannot live without water,” said Sarah Ober, a farmer from Candor. She, too, urged DEC to consider a moratorium on the fracturing and requested that the companies be more open about their process.

“We all have a right to know what they are using,” Ober said.

The public has until August 18 to submit written comments on the draft Plan. You may submit them by mail to: Ava Stoops, Administrative Specialist, Susquehanna River Basin Commission, 1721 N. Front Street, Harrisburg, PA, 17102, (717) 238-0423, ext. 302, or by e-mail to astoops@srbc.net.

You may read the draft Comprehensive Plan for the Water Resources of the Susquehanna River Basin online at http://www.srbc.net/planning/comp_plan_with_appendicies.pdf