

McKean County Conservation District

Testimony on the Local Impact of Marcellus Shale Drilling

Comments by: Sandy Thompson, District Manager

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Good Afternoon. My name is Sandy Thompson, District Manager of the McKean County Conservation District and I would like to thank the Senate Majority Policy Committee for the opportunity to discuss the impact of Marcellus Shale Drilling in McKean County.

Conservation Districts are subdivisions of state government that were created by state law to promote the protection, maintenance, improvement and wise use of the land, water and other related resources within the Commonwealth of Pennsylvania. Pennsylvania's County Conservation districts were established in 1945 when the General Assembly passed the Soil Conservation District Act. For over 60 years the state's 66 conservation districts have served as leaders, addressing local natural resource concerns at the county level. Conservation districts were initially established to promote the value of conserving soil and water to farmers. Today's conservation districts have evolved to provide expertise in almost every area of natural resource conservation including the implementation of both urban and agricultural conservation programs. Conservation districts continue to help people and communities manage the natural resources in their area. With the onset of significantly increased gas drilling in Pennsylvania, conservation district technical assistance to landowners and industry is vital to maintaining a balance between natural resource extraction and environmental protection.

In 2006, McKean County realized the importance of Conservation Districts and took the McKean County Conservation District from a part-time educational agency to a full-time agency with the ability to touch the lives of those within the county, state, national and even international borders. Becoming full-time gave the District the opportunity to locally implement the erosion and sedimentation program (Chapter 102) which empowered the district to reach out to developers, industry, including Oil & Gas, and landowners.

The District began to build a rapport with the Oil & Gas Industry, McKean County's #1 industry, by educating them on the importance of erosion control to prevent sedimentation to our pristine watersheds through the review of their erosion and sedimentation control plans and issuance of permits. With the development of the Marcellus Shale formation, our directors saw an increased role for the District and in January of 2009 we were delegated through DEP to implement various duties under the waterways and encroachment program (Chapter 105). Our involvement with the Oil & Gas industry was then expanded to include drilling of Marcellus Shale related wells assisting them with preparing, issuing and implementing erosion control permits.

Unfortunately, in March of 2009 DEP decided that the erosion and sedimentation control (Chapter 102) and waterways and encroachment program (Chapter 105) would no longer be implemented at the local level by conservation districts but instead by DEP for all oil & gas operations related to the exploration or extraction of oil and gas. In 2010, DEP issued 62 permits related to oil and gas under the Chapter 102 & Chapter 105 programs for McKean County. These are permits that could have been issued locally and therefore our ability to work with this industry, towards the protection of our resources, was taken away.

According to PA DEP, in McKean County alone between January 2000 and December 2010 there were 4172 oil and gas well permits. This is by far the highest number of permits issued by county in the state. As of January 5, 2011 there are 66 Marcellus wells permitted in the county with 24 of those wells drilled. Extraction from the Marcellus Shale formation requires considerable water use, produces high volumes of wastewater and involves substantial earth disturbance. These activities pose a threat to surface water quality, aquatic habitat and recreational uses. Water quality monitoring efforts are needed to evaluate the environmental quality of the watershed, identify actual and potential impacts to the water resources, and determine if the environmental conditions in the watershed are supporting statewide water uses, public health and safety, economic stability, and quality of life for McKean County residents. The Upper Allegheny Watershed provides water resources for many endangered and threatened species of mussels, fish and amphibians.

Today, the District continues to struggle to find a way to interact with the oil & gas industry. We do offer technical expertise and education with implementing best management practices to prevent erosion and resulting sedimentation to the industry, both shallow and Marcellus Shale related wells. Even after DEP removed conservation districts, we still spend time dealing with complaints, referrals, questions, etc. The local residents have come to expect local support from the district office. To compound the situation, we anticipate having an increase in E&S plan activity related to construction of support industries, such as truck garages, transportation pipelines, etc. This infrastructure is a vital link in the growth of this industry. Of course, this all takes funding even though we will not be able to charge E&S review fees for these services.

The Conservation District, in an effort to serve the county's communities, expects to be consulting with municipal officials and gas company construction firms to maintain roads in an environmentally sensitive manner. Also, in the Allegheny National Forest, which includes a four county region of McKean, Forest, Elk and Warren, there are 1200 miles of dirt and gravel roads and an additional 2000 miles of dirt roads built by oil and gas industries. As an effort to educate the industry, in March, the District will be holding its Third Annual Environmentally Sensitive Maintenance (ESM) Road Builders Workshop focusing on innovative and effective practices to reduce maintenance costs and sediment pollution from unpaved roads.

As a method to protect our water resources, the District received funding to install real-time data loggers on the Potato Creek Watershed to monitor stream quality and flow before, during and after Marcellus Shale gas drilling operations. Water quality data loggers will continuously measure temperature, conductivity, and water levels. Data from the loggers will be electronically downloaded and evaluated for peaks and trends in changes in water quality. The District is actively pursuing additional funding to purchase additional data loggers for the rest of the Upper Allegheny Watershed.

As a District we see missed opportunities. For instance, ten miles of the installation of a gathering line did not have our oversight with reviewing the erosion and sedimentation control plan, issuance of permits, and technical oversight for implementing proper best management practices which could perhaps have prevented the pollution of sedimentation to our streams. This illustrates one example of what was lost in McKean County when DEP took away our responsibilities with the oil & gas industry. The industry lost technical expertise; DEP lost a partner to work with towards the protection of our resources, and the environment lost the local control needed for its protection.

In the future there must be collaboration between DEP, Conservation Districts and the Oil & Gas Industry to balance the energy needs with the protection and preservation of our natural resources. Conservation Districts must be given the opportunity to administer the erosion and sedimentation control program (Chapter 102) and waterways and encroachment program (Chapter 105) for the oil and gas industry. It is undisputed that conservation districts provide much needed services to Commonwealth citizens to help them identify and resolve critical natural resource concerns. Conservation Districts deliver essential services that protect our soil, water and air for a reasonable cost.

Over the past two years state funding going to the conservation districts through the Conservation District Fund was reduced by over \$1 million or approximately 25%. As a result conservation districts across the Commonwealth have been forced to collectively reduce their staff by almost 50 employees, representing 10 percent of the workforce.

To help Pennsylvanians conserve our natural resources dedicated funding must be established for Conservation Districts.

Thank you for giving me this opportunity to present my comments and concerns and for serving the residents of the Commonwealth. I will be happy to answer questions at this time.

Appendix:

McKean County Conservation District

PA DEP Oil and Gas Website Statistics, Jim Clark, Penn State Extension Educator

Conservation District Priorities – PACD

Where Rivers Are Born: The Scientific Imperative for Defending Small Streams and Wetlands