

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

IN RE:
COOPERATIVE CONSERVATION LISTENING SESSION

A Public Session was taken by and before
Loretta B. Devery, Registered Professional
Reporter and Notary Public, at Montgomery County
Community College West Campus, 101 College Drive,
Pottstown, Pennsylvania, on Monday, September 18,
2006, commencing at 10:13 A.M.

PRESENT:

STEPHEN L. JOHNSON
EPA Administrator

REP. JIM GERLACH (R-PA)

MARVIN MORIARTY
Regional Director, U.S. Fish and Wildlife Service

HOWARD M. NEUKRUG, P.E.
Director, Office of Watersheds
City of Philadelphia Water Department

LYN O'HARE
Assistant Manager,
Berks County Conservation District

DANIEL J. WITTER, Ph.D., Moderator

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DR. WITTER: Good morning. Welcome to the 17th of 24 listening sessions on cooperative conservation being held all over the United States.

My name is Dan Witter with D.J. Case and Associates, and I'm the moderator for today's session.

I'm joined on the podium by Environmental Protection Agency Administrator Stephen L. Johnson, Representative Jim Gerlach, Fish and Wildlife Service Regional Director Marvin Moriarty, Lyn O'Hare, Assistant Manager, Berks County Conservation District, Howard Neukrug, Director, Office of Watersheds, City of Philadelphia Water Department. Our court reporter, Loretta Devery, and our sign interpreters, Randy Masick and Deb Knerr.

To begin, I'm honored to introduce members of Joint Veterans Council of Pottstown and members of Boy Scout Troop 249, Pottstown, as they come forward to lead us in the Pledge of Allegiance. Please advance.

(Applause.)

1 (Pledge of Allegiance.)

2 DR. WITTER: I'd very much like to
3 thank several generations of conservationists we
4 saw in that group. You may be seated. Thank
5 you, men.

6 I'd like to start by giving a quick
7 preview of our process for today. I'll make some
8 introductions. We'll have some opening comments
9 and brief presentations by the people here on the
10 podium. And then we'll move right to the reason
11 we're gathered here, and that's to listen to your
12 comments on cooperative conservation.

13 The process we're going to follow is
14 designed to hear from as many people as possible
15 while giving everyone a fair chance to be heard.
16 As you came in this morning, you should have
17 received an index card with a number on it. I
18 hope you received it. Everyone should have your
19 index card, both as a souvenir of the event and
20 also it has your number of order of comment.

21 I will call in number sequence of
22 fives, one to five, six to ten, and so forth.
23 Come to the microphone. Please speak right into
24 the microphone so everyone can hear it. Give us

1 your name, spell it if appropriate or our event
2 reporter may ask for a spelling if it's not
3 obvious, city and state, organization if you're
4 representing one. We're going to capture all the
5 proceedings.

6 If you're not comfortable with
7 speaking today, note that you can give comments
8 by letter, fax, or go to the website listed on
9 the card, leave them in the box at the back of
10 the room if you have written comments. All
11 methods of comment are weighted equally in this
12 process.

13 We will request that you keep your
14 comments to two minutes. That's not much time it
15 may seem, but we want to give everyone a chance
16 to participate, and you'll be amazed how much you
17 can say in two minutes. I'll show you a yellow
18 card at two minutes and then a 30-second grace
19 period to try to wrap the comment up, please, if
20 you would.

21 My responsibilities as moderator are
22 two-fold: First, to keep everything moving
23 along. I apologize in advance if I have to cut
24 you off. That grieves moderators when they have

1 to interrupt folks. That's very painful for me,
2 but I will do that from time to time. And second
3 -- I should not even have to say this, nor have
4 we had to at any other meeting, certainly we want
5 to keep the -- stay on topic and we will conduct
6 the proceedings with civility.

7 Given the number of people, we
8 really would like to try to avoid not having a
9 question and answer period from the podium or get
10 into an exchange. But in any case, that should
11 afford everyone the opportunity to participate.

12 Now, for opening remarks, to offer
13 welcome is Dr. Dean Foster, Vice President and
14 West Campus Administrative Officer, Montgomery
15 County Community College. Welcome Dr. Foster to
16 the podium.

17 (Applause.)

18 DR. FOSTER: Thank you, Dan. Good
19 morning, everyone. Welcome. On behalf of the
20 Board of Trustees, our College President, Dr.
21 Karen Stout, our faculty, our staff, and our
22 students, welcome to Montgomery County Community
23 College and our West Campus in Pottstown along
24 the Schuylkill River.

1 Administrator of the U.S. Environmental
2 Protection Agency on May 2nd, 2005. He assumed
3 the position with the stated goal of promoting
4 and maintaining the utilization of sound science
5 while using collaborative innovative approaches
6 to solving environmental problems, a laudable
7 goal for a career scientist as Dr. Johnson is.

8 The EPA implements and enforces the
9 nation's Federal environmental laws and
10 regulations. The agency has over 18 thousand
11 employees nationwide and an annual budget of 8.6
12 billion dollars.

13 Prior to becoming Administrator, Mr.
14 Johnson had served as the Acting Administrator
15 since January 2005, Deputy Administrator from
16 August 2004 to January 2005, and Acting Deputy
17 Administrator of the agency from July 2003 to
18 August 2004. Mr. Johnson has been a part of EPA
19 for 25 years.

20 Mr. Johnson was born in Washington,
21 D.C. He received a BA in biology from Taylor
22 University in Indiana, an MS in pathology from
23 George Washington University, and was awarded an
24 Honorary Doctorate of science by Taylor

1 University. Join me in welcoming Mr. Johnson to
2 the podium.

3 (Applause.)

4 MR. JOHNSON: Thanks very much. And
5 I want to welcome all of you to this Cooperative
6 Conservation Listening Session. As I pulled up
7 this morning, I commented to Jim that this
8 brought back memories. I grew up in Maryland,
9 not that many hours south of you, but grew up in
10 Montgomery County, Maryland, and went to
11 Montgomery County public schools. So it was -- I
12 really appreciate the opportunity to be here, and
13 thank you so much for being with us here today.

14 As has been mentioned, this is the
15 17th of 24 listening sessions that are being
16 conducted really around the country. And it's a
17 follow-up to last year's White House Conference
18 on Cooperative Conservation, which I know in fact
19 some of you attended.

20 But during that first ever
21 conference, the President called together more
22 than 1,300, that's 1,300 local leaders to
23 exchange ideas of how communities and government
24 can work together to better enhance, restore, and

1 protect our nation's precious natural resources.
2 Today is a continuation of that important
3 discussion.

4 President Bush has directed EPA and
5 our Federal partners to empower local residents
6 with the tools to solve local environmental
7 challenges. Landowners, communities, the private
8 sector, and partners at all levels of government
9 know we each have an important role to play in
10 protecting our shared environment.

11 Environmental responsibility is
12 everyone's responsibility. And I'm pleased to be
13 here to celebrate the stewardship of eastern
14 Pennsylvania residents and environmental results
15 that you have delivered to your communities.

16 Today I look forward to hearing how
17 EPA and all of us can work with you to become
18 better partners and keep this environmental
19 momentum going. Collaboration is one of EPA's
20 core principles for meeting President Bush's call
21 to accelerate the pace of environmental
22 protection while maintaining our nation's
23 economic competitiveness. And thankfully, right
24 here in eastern Pennsylvania, this ethic of

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1 collaboration is vibrant and it's actively
2 practiced.

3 The Schuylkill Action Network, which
4 we'll hear from in a few minutes, is showing how
5 teamwork can drive the comeback of a vital
6 waterway and a major source of drinking water.

7 We'll also hear from the
8 Philadelphia Vacant Land Management and
9 Reclamation Program, one of the local initiatives
10 featured at the President's conference. This
11 community driven partnership is converting rubble
12 into green space. I had the opportunity to tour
13 a number of these sites last year and saw
14 firsthand how turning urban blight into urban
15 pride was just a great, great example. And these
16 examples continue with collaborative conservation
17 efforts, protecting the Delaware estuary,
18 reducing nutrient pollution, and cleaning up
19 abandoned mines.

20 As I said, environmental
21 responsibility is everyone's responsibility. And
22 by empowering local residents to solve local
23 environmental challenges, President Bush is
24 equipping America's eager army of citizen

1 conservationists with the essential tools to
2 protect our nation's environment.

3 I'm pleased that our nation is
4 embracing the ethic of cooperative conservation.
5 Last week, legislation was reported out of the
6 Senate Environment and Public Works Committee
7 that will clean up our watersheds. Introduced on
8 behalf of the Bush Administration, the Good
9 Samaritan Clean Watershed Act will clear the
10 legal road blocks and allow communities to clean
11 up abandoned hard rock mines that are located
12 literally nationwide, over 500,000 in fact.

13 Today I look forward to hearing from
14 you, looking forward to hearing about the
15 environmental progress that is made, that has
16 been made to protect the lives and livelihoods of
17 Pennsylvania residents. We welcome your thoughts
18 on how we've done well, how we can do better, and
19 how we can keep this momentum going. Thank you
20 for taking time out of your busy schedules to be
21 with me today. And I'm very eager to listen to
22 all of your suggestions. Thanks so much for
23 being here.

24 (Applause.)

1 DR. WITTER: Thank you, Dr. Johnson.
2 Representative Jim Gerlach was elected to the
3 U.S. Congress in 2002. He now serves on the
4 Financial Services Committee and Transportation
5 and Infrastructure Committee. He has spent the
6 last 15 years in public service representing the
7 citizenry of southeastern Pennsylvania.

8 Six weeks before the 2004 election,
9 the House approved a Representative Gerlach
10 sponsored bill to reauthorize the National
11 Estuary Program, an initiative within the
12 Environmental Protection Agency that restores
13 coastal habitat and protects public water
14 supplies, a wonderful example of cooperative
15 conservation.

16 Representative Gerlach received a BA
17 from Dickinson College in 1977 and a Juris
18 Doctorate from Dickinson School of Law. Please
19 join me in welcoming Representative Jim Gerlach.

20 (Applause.)

21 REP. GERLACH: Thank you very much.
22 Good morning, everybody. Thank you so much for
23 coming out this morning. We look forward to
24 hearing your comments about how we can all

1 collaborate and partner and cooperate together to
2 improve our environment nationwide and
3 particularly here in southeastern Pennsylvania.
4 And I think there's no better area than
5 southeastern Pennsylvania to prove that there is
6 a lot of collaboration and partnership and
7 cooperation going on all the time on a lot of
8 environmental issues that is facing this area.
9 And I see out in the audience a number of folks
10 that are representative of different
11 organizations and associations that have been
12 part of that for a lot of years. And so I thank
13 you for all the good work you've been doing and
14 all the good work we're going to continue to do.

15 We have in this area from the
16 Schuylkill Action Network that you mentioned,
17 Administrator, to the Schuylkill Green Way folks,
18 Green Valleys Association, Perkiomen Conservancy,
19 Natural Lands Trust, just a great number of
20 organizations that partner from everything from
21 farmland and open space preservation to
22 Schuylkill River cleanup activities. You name
23 it. And we've been involved for many, many
24 years.

1 But there's obviously a lot of other
2 ideas out there on how to do it better, how to do
3 it more effectively. And that's really what the
4 purpose of this listening session is. As
5 Administrator Johnson indicated earlier, this
6 follows up on a Council of Environmental Quality
7 Conference that was conducted at the White House
8 last year. And through the collaborative efforts
9 over the last -- over a year I guess, these
10 listening sessions have been ongoing around the
11 country to get further input from you as
12 citizens, as organizations, on how we can all
13 partner from Federal, State, local, public
14 sector, private sector, nonprofit sector, to do
15 things better.

16 So we're looking forward to your
17 comments. We're looking forward to your ideas.
18 And I want to especially thank Administrator
19 Johnson for being here today. While he's
20 originally from Montgomery County, Maryland, we
21 can make him an honorary Montgomery County,
22 Pennsylvania citizen for the day and appreciate
23 his great interest and his great work he's doing
24 in EPA. Very important agency at the Federal

1 level, and I know with his leadership, a lot of
2 good things are going to happen.

3 So we appreciate his attendance as
4 well as Director Moriarty from Fish and Wildlife
5 who's here with us today as well, and appreciate
6 your attendance. So thanks for the invitation,
7 Administrator, to be here with you, and thank you
8 so much for all of you attending. I look forward
9 to your comments. Thank you.

10 (Applause.)

11 DR. WITTER: Thank you. The
12 Congressman regretted that he must leave at
13 11:00, but we're really pleased to have him for
14 -- to have him now.

15 Marvin Moriarty is Regional Director
16 for U.S. Fish and Wildlife Services Northeast
17 Region. Mr. Moriarty was previously Deputy
18 Regional Director for the Great Lakes and Big
19 Rivers Region, a position he held for 15 years.
20 During that time, he had temporary assignments as
21 Acting Deputy Regional Director in both the
22 Mountain Prairie and Northeast Regions, and as
23 Acting Regional Director in the Southeast Region.

24 Mr. Moriarty started working for the

1 Service in 1972 in wetland and water quality
2 restoration in the Delaware and Chesapeake Bays.
3 Mr. Moriarty served in the U.S. Marine Corps and
4 Marine Corps Reserve. He holds a Bachelor of
5 Science Degree in biology from St. Joseph's
6 College in Philadelphia, was born in Springfield,
7 Vermont, and makes his home in Amherst,
8 Massachusetts. Join me in welcoming Marvin
9 Moriarty.

10 (Applause.)

11 MR. MORIARTY: Thank you. Well, it
12 is indeed a pleasure to be back in Pennsylvania.
13 As you can tell from what you just heard, I have
14 worked all over the country, but I do have an
15 attachment to this area because I grew up only
16 over here in Havertown. And as you heard, I also
17 graduated from St. Joseph's University way back
18 when it was a college. So it was quite sometime
19 ago.

20 As was pointed out, I'm the Regional
21 Director for this region. The region actually is
22 13 states from Maine to Virginia and includes the
23 District of Columbia.

24 I'm also here representing Secretary

1 Kempthorne, who could not be here today, and
2 therefore representing the Department, which
3 includes the U.S. Geological Survey, the National
4 Park Service, the Fish and Wildlife Service, the
5 Office of Surface Mining, and others.

6 In this region, we have quite a few
7 facilities and a lot of people. Our research
8 labs provide hydrological, biological,
9 geological, and mapping science for the nation.
10 Our National Parks, such as the Valley Forge Park
11 nearby here, are many and provide excellent
12 opportunities to encounter history. Likewise,
13 our National Wildlife Refuges, like the John
14 Heinz Refuge down on the river in Tinicum,
15 provide a safe haven for wildlife in this busy
16 and heavily populated region.

17 Our fish hatcheries provide native
18 fish for the rivers and lakes in this region.
19 And our staff works to conserve species protected
20 under the Endangered Species Act, and oversee
21 energy production programs from coal to wind
22 energy.

23 Our law enforcement officers are
24 stationed at the region's busiest airports and

1 ports, ensuring that international conservation
2 treaties are enforced.

3 So as you can tell, it's a huge job.
4 And fortunately, we, along with our state
5 partners, have many citizen partners who care
6 deeply about the environment and the place they
7 live. Without the help of these citizen
8 stewards, we could not possibly achieve our
9 conservation goals. The thousands of hours of
10 volunteers -- volunteer time that have been given
11 to us freely by our volunteers are just
12 gratefully welcomed and help us do just enormous
13 amounts of work.

14 Likewise, in-kind activities such as
15 even moving boulders in streams allows us to take
16 the Federal dollar that we receive from you and
17 do much more in conservation.

18 And you're proving that right here
19 in Pennsylvania. For instance, the Mill Creek
20 Watershed restoration in Lancaster County was
21 done by a group of local farmers who knew what
22 that former trout stream was like and worked with
23 us to be able to restore that trout stream. And
24 in Berks and Lancaster Counties, we worked with

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1 the Berks County Conservancy, Ducks Unlimited,
2 and the Nature Conservancy, along with the
3 Pennsylvania Game Commission, to restore wetland
4 habitat that is used by the threatened bog
5 turtle.

6 And just this last Earth Day, I had
7 the pleasure of coming down here to Pennypack
8 Park and celebrating the restoration activities
9 that are going on there by a large number of
10 very, very dedicated citizens who are working
11 conscientiously to remove the barriers to fish
12 migration from the Delaware River up Pennypack
13 Creek.

14 These efforts in our mind exemplify
15 the cooperative conservation through citizen
16 stewardship and partnership that was the focus of
17 the White House Conference on Cooperative
18 Conservation in St. Louis last year as mentioned
19 by Administrator Johnson.

20 At that conference, we heard from a
21 lot of folks, as he also said. They encouraged
22 us to tap on the ground experience of landowners,
23 local organizations, and communities. They
24 inspired us to continue conservation efforts

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1 in concert with working landscapes such as
2 farming and forestry. They helped us to
3 understand ways to increase the quality of
4 citizen involvement in the conduct of our work.

5 And now we're back for more. We're
6 here to listen. You have the questions that are
7 on this sheet here, and I'm sure all of you have
8 given them great thought and will be coming
9 forward with your ideas there. And I just want
10 to say we really, really appreciate your coming
11 here today to share those ideas and thoughts with
12 us. And I, with Congressman Gerlach and
13 Administrator Johnson, are pleased that you're
14 here and sit here and welcome and are just
15 looking forward to listening from this point
16 forward. Thank you very much.

17 (Applause.)

18 DR. WITTER: Thank you, Mr.
19 Moriarty. I would note as well that we have
20 within the audience Betty Randzin. I'd like to
21 recognize the District Director of Senator John
22 Rafferty of the 44th Senatorial District, Senate
23 of Pennsylvania.

24 MS. RANDZIN: Thank you.

1 DR. WITTER: Thank you for being
2 here. Another brief advertisement, if I might.
3 Could I ask you at this time to turn off cell
4 phone pagers, cell phones, unless you're in the
5 health care industries or emergency services.
6 Much appreciated.

7 If I may just share one thing, I
8 attended Valley Forge Military Academy, not a
9 short distance from here, for a number of years,
10 playing in the band. And though I still perform
11 in the band in Missouri -- I'm a Missourian the
12 last 30 years -- a recent show we just played,
13 Sound of Music, was, as Maria came forward to
14 give the climactic song, we were treated to
15 Tchaikovsky's 1812 Overture on someone's cell
16 phone. When even set to vibrate, these cell
17 phones can interfere with the microphones. Thank
18 you much. I appreciate it.

19 It was either Benjamin Franklin or
20 Mark Twain -- and again, because I was 25 years a
21 Pennsylvanian and 30 years a Missourian, I'm
22 going to claim both, if I may -- Ben Franklin or
23 Mark Twain commented, "There's nothing more
24 uncomfortable than a good example." Now, that

1 wry humor reminds us that good examples encourage
2 us to strive for excellence. And now for
3 examples of community conservation, I'd like to
4 -- collaborative conservation or cooperative
5 conservation, I'd like to invite to the podium
6 Howard Neukrug, Director, Office of Watersheds,
7 City of Philadelphia Water Department, to briefly
8 describe a case study in cooperative
9 conservation. Mr. Neukrug.

10 (Applause.)

11 MR. NEUKRUG: What a great moderator
12 we have. I'd like to thank the EPA
13 Administrator, Steve Johnson, for holding this
14 listening session and for the opportunity to
15 speak about the important issues of cooperative
16 conservation.

17 Last year, I had the privilege of
18 attending the St. Louis Cooperative Conservation
19 Conference. And at that time, I spoke about a
20 Philadelphia based program to convert vacant
21 lands to parks and playgrounds and neighborhood
22 farms and green development.

23 Many people from a variety of
24 backgrounds and organizations are continuing to

1 work together creatively and environmentally to
2 return some of the most dense impervious lands in
3 America to viable green corridors where people
4 live and work. I'm happy to report that the
5 partnerships remain strong and our high
6 determination to make the City of Philadelphia
7 the greenest city in America. I'd like to
8 acknowledge Mike Roman, who's with Pennsylvania
9 Horticultural Society, who spearheaded this
10 effort for the City of Philadelphia. Thank you,
11 Michael.

12 (Applause.)

13 MR. NEUKRUG: Today my topic is more
14 regional, covering the 11 counties in
15 southeastern Pennsylvania and 2,000 square miles
16 that make up the diverse Schuylkill River
17 watershed. The Schuylkill River and its
18 tributaries provide drinking water to one and a
19 half million Pennsylvanians. It also provides
20 for agriculture and cattle and cooling water for
21 electric generation and other industries. It
22 provides us a sense of place in history and
23 serves as a recreational and tourism center for
24 our region.

1 In 2001, when the City began
2 exploring new opportunities for drinking water
3 supply protection, our view was somewhat narrow,
4 focusing primarily on our projects and our
5 programs that would link directly with improving
6 drinking water quality. But as we grew, met, and
7 dialogued with others up and down stream of the
8 Schuylkill River, we began to understand how
9 through cooperative conservation everyone's goals
10 can be coordinated in a more effective and
11 enjoyable manner.

12 Today we see the Schuylkill River
13 watershed as the heart of our region with diverse
14 priorities and needs that, through the strength
15 of hundreds of individual programs, we can all
16 achieve so much. We now understand that to
17 achieve high quality drinking water, we must
18 preserve the history and culture of the river,
19 work on abandoned mine drainage in Schuylkill
20 County, work with farmers in Berks County, and
21 cooperate with land developers and county
22 planners all over the region.

23 To help us focus on these issues,
24 the Schuylkill Action Network, or the SAN, was

1 formed in 2003. The SAN is working in
2 partnership with many of us in this room,
3 including Pennsylvania DEP -- thank you, Joe --
4 and other State agencies, local watershed
5 organizations, water suppliers, local
6 governments, EPA and other Federal agencies, to
7 improve the water resources of the Schuylkill
8 River watershed.

9 The SAN is working on public
10 outreach and environmental education, abandoned
11 mine reclamation projects, agricultural BMPs,
12 storm water management controls, restorations in
13 municipalities throughout southeast Pennsylvania.
14 In all, we have a list of nearly 100 projects
15 ongoing or ready to be initiated throughout the
16 watershed.

17 And thank you to EPA, the SAN got a
18 tremendous boost when it received a 1.1 million
19 dollar EPA watershed initiative grant. And this
20 grant has helped us create the energy and
21 excitement to propel this movement forward. And
22 equally impressive continues to be the tremendous
23 work of the dedicated EPA staff like Gloria
24 Reynolds and more recently Chuck Nesby have

1 worked -- brought to this effort. So thank you
2 very much to the EPA.

3 Moving forward, the SAN's next big
4 challenge is how do we sustain this organization.
5 How do we sustain the organization's vision. And
6 how do we continue with underground activities
7 well into the future. And this is an issue not
8 just for the SAN, but for many of the
9 environmental organizations throughout the
10 country.

11 So given the purpose of today's
12 forum, I would like to offer just a few
13 suggestions to EPA on the question how can EPA
14 help us to help ourselves. Well, first off,
15 continue to use dialogue, understanding, vision,
16 cooperation, and where necessary, a little
17 coercion, as incentives to encourage local
18 leaders to look broadly at how they can
19 participate in solving the region's environmental
20 challenges.

21 Be our Federal advocate for expanded
22 funding in support of environmental
23 infrastructure and conservation needs. Ensure
24 that there are policy and regulatory incentives

1 and flexibility to bring all stakeholders to the
2 table. Bring those who are not covered under
3 environmental law to the table, and listen
4 carefully to what they have to say. Then let's
5 formulate a way to make them all partners.
6 We all want to clean our environment. Where
7 stakeholders will not come to the table, let's
8 change the environmental laws to make them more
9 inclusive.

10 Continue to use creative and
11 technical talents at the EPA, and there is many
12 of them -- I heard this morning 18 thousand
13 employees at EPA, all of them incredibly talented
14 and interested in the environment -- as a
15 resource for the communities and environmental
16 organizations. Continue the great work that EPA
17 has already done to integrate programs across
18 legislative acts, like the Clean Water Act and
19 Safe Drinking Water Act. Continue to press
20 forward with watershed management as a governing
21 philosophy of how cooperative conservation can
22 work at EPA and throughout the Federal
23 Government.

24 Continue to enhance cooperation

1 among Federal agencies. While EPA has done a
2 great job connecting the dots between its
3 programs, we need more and better communication
4 and encouragement for cooperative conservation
5 between Federal agencies at the staff level.
6 Most government officials embrace it, but they
7 don't have the tools or the power to make it
8 happen. We need to continue to connect the dots.
9 And continue to coordinate with and fund by
10 scientific and research programs and our
11 partners, like our partners at the American Water
12 Works Association Research Foundation and the
13 Water Environment Research Foundation, as well as
14 our regional partners in the nation's estuary
15 programs.

16 In closing, nowhere in the Federal
17 Government I believe is the wisdom and strength
18 of the cooperative conservation movement better
19 aligned for success than in the area of watershed
20 management. And at EPA, Steve Johnson, Don
21 Welsh, John Capacozza, all understand this, for
22 which I in the Philadelphia Office of Watersheds
23 am extremely grateful. So thank you very much.

24 (Applause.)

1 DR. WITTER: Thank you, Mr.
2 Neukrug. And to offer a second example of
3 cooperative conservation, Lyn O'Hare, Assistant
4 Manager, Berks County Conservation District.
5 Join me in welcoming her.

6 (Applause.)

7 MS. O'HARE: Good morning. I'm not
8 sure I could top Howard's speech there, but I'll
9 offer some examples of what at the local level
10 we've been able to accomplish through SAN and the
11 Agricultural Work Group.

12 In October of 2003, an assortment of
13 people committed to the environment met to form
14 the Schuylkill Action Network's Agricultural Work
15 Group. It was a group of representatives from
16 various agricultural and governmental
17 organizations not normally found at the same
18 table.

19 Cooperative conservation was a new
20 term at the time. And there were concerns about
21 what roles the government agencies attending
22 might play in our meetings. Assessments of the
23 Schuylkill River were now being published, and
24 the agricultural world felt somewhat under attack

1 with impairments being blamed on decades of
2 conventional farming practices.

3 Each member of the group represented
4 different perspectives of the agriculture
5 industry, from farming operations to the
6 regulatory agencies responsible for environmental
7 stewardship. As the group continued to meet,
8 these different viewpoints merged into a common
9 goal: Improvement of impaired streams while
10 enhancing the business of agriculture.

11 Traditionally, local assistance
12 agencies such as the Conservation District, the
13 Conservancy, Penn State Cooperative Extension,
14 have been stand alone organizations, each with
15 their own programs and grants to be utilized for
16 improvements.

17 Then in 2005, the Schuylkill Action
18 Network was awarded an EPA targeted watershed
19 initiative grant of the 1.1 million dollars that
20 Howard had mentioned earlier.

21 Approximately 300 thousand dollars of that was
22 allocated to SAN's Agricultural Work Group for
23 reducing ag related pollutants such as sediments
24 and nutrients from impaired streams.

1 The group was now compelled to
2 formulate a common goal needing to answer these
3 questions: What best management practices are
4 the most cost effective for the money? How do we
5 even begin to narrow down all the farms that need
6 assistance? And most of all, who should be in
7 charge? Each organization was accustomed to
8 complete independence in managing their projects
9 and were not obligated to share resources, both
10 funding and personnel.

11 After what seemed like endless
12 discussions, various member agencies were
13 approved by group consensus to handle the
14 numerous tasks involved with establishing new
15 environmental practices onto the selected farms.

16 While we are still learning the art
17 of collaboration, the Agriculture Work Group has
18 accumulated a number of accomplishments out of
19 its cooperative experience. One important lesson
20 learned is that while each organization may have
21 their own focus, both the public and the
22 government bring strengths to the table that
23 complement each other.

24 The common struggle to achieve the

1 shared objective helped overcome some
2 difficulties with funding, territories, and a
3 duplication of effort. In addition, we have
4 learned that the success of the farming industry
5 will also help produce subsequent achievements in
6 the water quality improvement. If the farmer
7 cannot see the profit in the change, the
8 incentive to continue good stewardship is gone.

9 The cooperative conservation
10 demonstrated by the Ag Work Group has been
11 responsible for a measurable success of nutrient
12 and sediment reduction along tributaries of the
13 Maiden Creek in Berks County. As a result,
14 around 15,000 feet of stream bank fencing has
15 been installed along the farms along impaired
16 streams with another 22,000 feet scheduled over
17 the next few months. Hundreds of trees have been
18 planted and a number of animal crossings have
19 also been installed.

20 Because of this collaborative
21 effort, member agencies have been able to
22 leverage additional grant moneys from other
23 sources to continue improvements in agricultural
24 practices. Through our SAN partnerships, an

1 additional 190 thousand dollars has been secured
2 for projects through grants from Growing Greener
3 2, Exelon, the Women's Resource Education
4 Network, and the Agricultural Communities and
5 Rural Environment Act.

6 On behalf of the diverse groups that
7 comprise SAN and the Agricultural Work Group, I
8 would like to thank the EPA for this opportunity
9 to share our story. Though the decision making
10 process and program funding seems very far
11 removed from us, we at the local level depend
12 heavily on the funding and the staff provided by
13 the EPA to continue the efforts in rescuing our
14 watershed. Thank you.

15 (Applause.)

16 DR. WITTER: Thank you, Ms. O'Hare.
17 Now it's your turn. I'll call the number on your
18 card. Please come to the microphone so the
19 audience and recorder can hear. Give your name,
20 spell it if appropriate, city, state, and
21 organization, if you're representing one.

22 Remember, we're going to capture all
23 the proceedings. If you're not comfortable
24 speaking today, again you can comment by letter,

1 fax, or go to the website listed on the card,
2 leave them in the box at the back of the room,
3 all methods of input are weighted equally.

4 Please, if you would, limit your
5 comments to two minutes. I'll show you a card at
6 two minutes. You'll get another 30 seconds to
7 please as you're best able to wrap your comment
8 up.

9 If I may invite to the microphones
10 then nearest you at your convenience numbers 1
11 through 5, numbers 1 through 5. And it will be
12 obvious in turn taking fashion, whoever gets
13 there first. Who's number 1 perhaps?

14 MR. ROMAN: I get to be number 1.

15 DR. WITTER: Wonderful.

16 MR. ROMAN: The ice breaker.

17 DR. WITTER: Thank you very much.

18 MR. ROMAN: Good morning, everybody.

19 My name is Mike Roman, and I'm the Senior
20 Director of the Pennsylvania Horticultural
21 Society's Philadelphia Green Program. Obviously
22 we're based in Philadelphia. And we were happy
23 to work with Howard and some other partners in
24 the City of Philadelphia to give our presentation

1 about the vacant land management work in the City
2 of Philadelphia last year. It's hard to believe
3 it's already a year gone by.

4 But just a few minutes to talk about
5 the -- two minutes, just two minutes to talk
6 about some of the things that have been happening
7 since that past year.

8 We have been fortunate to continue
9 the program. There have been another additional
10 1,000 lots that have been added -- have been
11 added to the inventory of the work that's been
12 done over the past year, for a total of 4,000
13 lots in the City of Philadelphia, which is ten
14 percent of the inventory of lots in the city.
15 So they are now clean and green spaces for the
16 neighborhoods to enjoy.

17 There's been a continuation of
18 resources coming from the City of Philadelphia.
19 Over ten million dollars has been invested in
20 this program to date, with hope of it extending
21 throughout the years.

22 There's also been some really
23 exciting news about -- some national coverage
24 that we were able to receive. We were part and

1 the City of Philadelphia was part of a
2 documentary called "Edens Lost and Found," which
3 was really looking at cleaning and greening and
4 environmental activities in a number of cities
5 across the country, including Seattle, Chicago,
6 and Los Angeles, that really focused on how this
7 greening and environmental work is helping to
8 revitalize cities. And that was aired in June of
9 this past year. It's continuing to be aired by
10 PBS periodically. So that's great news.

11 And then to build on that, we are
12 now working in partnership with the University of
13 Pennsylvania and the Media Policy Center, who
14 actually produced "Edens Lost and Found," to pull
15 together a symposium on October 15th through 17th
16 to invite all these cities to come together to
17 talk about their experiences, to really talk
18 about how we can build on the momentum of
19 cooperative conservation and really carry this
20 work forward.

21 So I invite you all to participate.
22 I'll leave little fliers in the back for
23 everybody to see. And if the question is still
24 on the table of what EPA can do, I think the most

1 immediate thing would be, if I can be so bold to
2 say we do have an application into EPA for a
3 grant, education grant, to support the symposium,
4 which is great. So hopefully somebody will look
5 favorably upon that.

6 And I think in the broader terms for
7 EPA, I think it's going to be great to just stay
8 in touch with the urban environment and
9 understand really what's happening on the ground
10 in the urban neighborhoods. And I think, you
11 know, learning more about that will really help
12 us to be better partners with the government. So
13 thank you very much.

14 DR. WITTER: Thank you, sir. And it
15 was -- By the way, incidentally, folks, if I may,
16 it's obvious so many of you put so much thought
17 into your comments, and not to put anyone on the
18 spot, but that was an excellent illustration of
19 just how much can be said in two and a half
20 minutes. Thank you very much.

21 Please, sir. Now we can go in turn
22 taking fashion. Please, sir. Thank you, sir.

23 MR. THOMAS: My name is Bob Thomas,
24 Pennsylvania Game Commission, Harrisburg,

1 Pennsylvania.

2 Question number one, current
3 voluntary Federal conservation programs work.
4 One of the most important, Conservation Title 11
5 Farm Bill must be funded at its current level or
6 increased to meet the rising demands of farmers
7 for these programs and need for cleaner water
8 which is utilized by all U.S. citizens.

9 Multiple conservation programs for
10 purposes of soil, water, wildlife, fish, and
11 other resources are better addressed through
12 collaboration with regional and State level
13 constituents who are affected by the
14 implementation and delivery of Federal programs.

15 Programs that are more cooperative
16 in nature, such as Pennsylvania's Conservation
17 Reserve Enhancement Program, provide
18 opportunities for states to design and implement
19 program aspects that result in more conservation
20 on the ground and address specific resource
21 concerns.

22 We recommend the establishment of
23 habitat technical teams in each state to provide
24 wildlife habitat expertise, provide a better

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1 delivery system for mobile resource benefits for
2 all conservation programs. The teams would
3 consist of fish and wildlife experts from State
4 and Federal agencies along with biologists from
5 regional and national conservation organizations.

6 An example is the state habitat team
7 which was created through FSA for the upland
8 birds buffer initiative. This team has provided
9 valuable guidance for the program to focus on
10 limited number of acres that the program offered
11 into regions of the state where habitat would
12 benefit the most species.

13 In 1996, the Farm Bill was the first
14 to provide wildlife habitat as a co-equal status
15 with soil and water conservation. Wildlife as a
16 priority was continued in the 2000 Farm Bill --
17 2002 Farm Bill. The addition of the wildlife
18 habitat as a clear purpose along with traditional
19 soil and water conservation purposes injected a
20 new conservation objective only incidentally
21 provided in the previous conservation planning
22 efforts with agriculture producers.

23 The Natural Resource Conservation
24 Service has few trained wildlife biologists on

1 State staffs to ensure wildlife needs are
2 adequately considered and integrated in all
3 conservation plans with agricultural producers.

4 Furthermore, the Farm Service Agency
5 has but one national wildlife biologist to
6 oversee the benefits or the wildlife habitat
7 aspects within the environmental benefits index,
8 which carries scoring implications for the
9 Conservation Reserve Program.

10 In 2002, NRCS was charged with
11 numerous funded programs along with increased
12 funding for existing programs. We believe the
13 intent of Congress through the technical service
14 providers provision was to provide the agency the
15 ability to reach outside for technical support to
16 meet all the objectives of soil, water and
17 wildlife of this landmark conservation title.

18 DR. WITTER: And if I may, sir, I'm
19 sorry to interrupt you there. If I may encourage
20 you to please submit those written comments,
21 particularly the technical parts, there's a box
22 at the back of the room to receive those as well.
23 Thank you for your comment.

24 MR. THOMAS: Thank you.

1 DR. WITTER: Thank you very much,
2 sir. Please, sir.

3 MR. SOUDERS: Good morning,
4 Administrator Johnson, esteemed panel. My name
5 is Charles Souders. I'm the Manager of
6 Environmental for Pfizer, Incorporated. We're
7 located in Lititz, Pennsylvania.

8 Pfizer has been involved in numerous
9 watershed restoration projects over the last
10 several years. In conjunction with DEP, Region 3
11 EPA, Pennsylvania Environmental Council, and the
12 Conservation District, we implemented the first
13 nutrient trading demonstration pilot project in
14 the United States. We're currently working with
15 the Susquehanna River Basin Commission and PaDEP
16 to work on another ten-acre watershed restoration
17 project that will also address ground water
18 recharge.

19 Just in no particular order as far
20 as some of the -- some potential suggestions for
21 some improvements or a promotion of programs,
22 under voluntary programs, EPA administration
23 already has a very strong and very good program
24 in the environmental performance track program.

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1 We strongly encourage the EPA administration
2 support and promote this program throughout the
3 country and in all regions and supply the
4 necessary resources to support the program in all
5 the regions.

6 As a potential list of items as part
7 of these performance track programs, establish
8 watershed or habitat conservation opportunities
9 for business or private individuals and assign
10 flexibility for each project if it's completed.
11 The flexibility could be burden reductions, tax
12 reductions, a recognition, point of service,
13 preferred contractor status, preferred supplier
14 status, emission -- national emission credits.

15 Increase awareness within the
16 Federal government and EPA of what voluntary
17 programs do exist and what available resources
18 are necessary. Many times there's a disconnect.
19 Posting something on a website does not
20 constitute communication. You really need to get
21 out and let people be aware, let them understand
22 what is available out there.

23 As far as enhancing cooperations,
24 Pennsylvania has provisions in the regulations

1 that automatically adopt the programs that the
2 Federal Government adopts. I would encourage you
3 to take a look at that model. As far as
4 fostering respect locally, providing more
5 safeguard to landowners from the invocation of
6 eminent domain which can be a dangerous tool
7 for local governments to invoke requests for
8 environmental improvements.

9 In regards to some funding
10 opportunities, how about providing a box on the
11 Federal tax return which can be checked to
12 designate a dollar going to a habitat
13 restoration, or a national tax on all pollutant
14 discharges applicable to everybody. And how
15 about increasing National Park fees by \$1.00.
16 These fees could be earmarked for these
17 particular projects and managed by NGOs.

18 DR. WITTER: Sir, it grieves me.
19 The moderator grieves. Thank you very much.
20 Appreciate it. Please do submit your comments.
21 Thank you, sir.

22 That was commenters 1 through 5.

23 MR. LOPEZ: I'm number 5, yes.

24 DR. WITTER: Please, sir.

1 MR. LOPEZ: Name, Raymond Lopez.
2 I'm the Manager of the Borough of Pottstown, also
3 the Manager of the Borough Authority which
4 operate our water treatment plant and waste water
5 treatment plant. And my comment is to thank
6 you, thank you, thank you. We appreciate this
7 forum coming to the Borough and giving the
8 opportunity to our citizens to speak and to hear
9 all the things you have to say, to express the --
10 and show that you have teamwork involved from the
11 Federal level right on down to our level, and we
12 appreciate that. Jim, I know you've worked with
13 us and we appreciate that, all of you.

14 And Pottstown Borough and the
15 Authority are big stakeholders in this whole
16 cooperative effort. It's our task to get water,
17 and we really want to have water that's above the
18 standard, that exceeds for drinking water. And
19 also our discharge, that anything that we
20 discharge is above the standard that would be
21 required. So again, thank you.

22 DR. WITTER: Thank you, sir.
23 Presenters 1 through 5 should have had an
24 opportunity, presenters 1 through 5, which brings

1 us to 6 to 10. Thank you for getting yourselves
2 near a microphone. 6 through 10. Thank you very
3 much. Your number, sir?

4 MR. FEOLA: I'm number 6.

5 DR. WITTER: Please, sir, go ahead.
6 Thank you, sir, for noting that.

7 MR. FEOLA: My name is Joe Feola.
8 I'm the Regional Director for Pennsylvania
9 Department, Southeast Regional Office. I want to
10 thank Administrator Johnson in behalf of
11 Secretary McGinty, who was unable to attend
12 today, but I also want to thank you for picking
13 Montgomery County and my region. Thank you.

14 DEP has been working cooperatively
15 with many agencies over the years. SAN is one of
16 the biggest ones right now that we're doing in
17 the Schuylkill. We have a Growing Greener
18 program that supports land conservation, gives
19 funding for education, environmental education
20 programs, and also for stream bank restoration
21 and other stabilization projects.

22 We have a significant brown field
23 program which we work with EPA through their --
24 our HSCA and their Superfund program to put old

1 abandoned sites back into productive use in order
2 to preserve green space.

3 We've been very active with EPA, and
4 we continue to do so, and the conservation
5 districts and the city, we're a partnership that
6 will continue to go forever. Thank you.

7 DR. WITTER: Thank you for your
8 comments, sir. Please, sir.

9 MR. BROWN: Good morning. My name
10 is Rich Brown. I was raised and raised my family
11 in Montgomery County, Pennsylvania. I'm enjoying
12 my grandchildren living in Chester County. And I
13 work as the Executive Vice President of the
14 Building Industry Association of Lancaster
15 County. Thanks for the opportunity for comments.

16 Good environmental laws that provide
17 opportunities for market based solutions are an
18 important starting point for cooperative
19 conservation. Unfortunately, today's laws are
20 outdated and do not protect the environment in
21 the most efficient or effective way, thus are
22 rarely open to collaborative solutions.

23 The Endangered Species Act is over
24 30 years old and is not working. Despite its

1 dismal track record, the ESA continues to dictate
2 how private property may be used. Improvements
3 to the Act are long past due. Because 90 percent
4 of all listed species are located on private
5 lands, there must be renewed effort to find
6 cooperative incentive based solutions if real
7 progress is to be made.

8 First, the implementation of Section
9 VII consultation requirements must be
10 streamlined.

11 Second, critical habitat guidelines
12 must be developed to ensure that an open and
13 consistent designation process is followed.

14 Third, opportunities for voluntary
15 conservation efforts must be increased. I'd like
16 to highlight MPDES storm water program. Current
17 storm water regulations are complex, confusing,
18 costly, and oftentimes duplicate the efforts of
19 State and local governments. Furthermore, the
20 lack of compliant assistance and the agency's
21 overbearing focus on punitive enforcement reduces
22 the program's legitimacy and thereby its
23 effectiveness.

24 Some suggestions. First, the

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1 permitting program must be streamlined and
2 simplified by eliminating duplicative permit
3 requirements. EPA and the State should
4 collaborate to development consistent enforcement
5 policies.

6 Third, watershed partnership
7 programs should be developed to facilitate
8 innovation and improve long term compliance.
9 Thank you for the opportunity.

10 DR. WITTER: Thank you sir. Please.

11 MR. DAY: Number seven. Good
12 morning. My name is David Day. I'm the
13 Conservation Coordinator for the Pennsylvania
14 Fish and Boat Commission, located in Harrisburg.

15 On behalf of the Commission, I want
16 to first extend my appreciation to the committee
17 for its consideration of these comments.

18 Briefly, the Fish and Boat
19 Commission has jurisdictional authority and
20 responsibility to protect and manage fish,
21 amphibians, reptiles, mussels, and other aquatic
22 invertebrates and their habitats. The Commission
23 is financed primarily through proceeds from the
24 sale of fishing licenses, stamps, and boat

1 registration with approximately 20 percent of our
2 overall funding from a variety of grant sources.
3 The agency does not receive State general revenue
4 funds. Therefore, the Fish and Boat Commission
5 relies heavily upon Federal grant sources to
6 address the needs of non-game species.

7 Also important to our efforts are
8 voluntary incentive based Federal conservation
9 programs such as the Conservation Title and the
10 Farm Bill. For example, Pennsylvania is
11 nationally recognized as a leader in removal of
12 dams, with over 60 dams removed in the past five
13 years. For some of these dam removals, wildlife
14 habitat incentive program funds were leveraged
15 with other funding sources, including State and
16 local funds, to complete these projects. State
17 wildlife grant funds were also used.

18 And as noted by the committee, this
19 time of collaboration across the organizational
20 spectrum of Federal, State, local, and private
21 partners is characteristic of the cooperative
22 relationships in Pennsylvania and additionally
23 would be further enhanced through the
24 establishment of State habitat technical teams.

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1 It is also recognized that dam removal is just
2 one of the applications of funds, so the need is
3 truly great.

4 Other U.S.D.A. programs such as the
5 wildlife -- Wetland Reserve Program, the
6 Conservation Reserve Enhancement Program, and
7 Fish and Wildlife Services Landowner Incentive
8 Program can be much needed protection for Fish
9 and Boat Commission trust species such as the
10 federally threatened bog turtle.

11 For these programs to be successful,
12 data collection and analysis necessary for
13 advancing our understanding of the resources and
14 effects of best management practices, I would
15 like to briefly highlight three points.

16 First, a State wildlife grant
17 program is critical to the Fish and Boat
18 Commission's efforts to address the needs of
19 non-game species. There's often limited
20 knowledge about these species and their habitats
21 essential for their protection and management. A
22 State wildlife grant program is the foundation
23 for this assessment.

24 Second, the value of long term

1 monitoring cannot be overstated. To truly be
2 effective and ensure sustainable conditions for
3 future generations, it is important that
4 monitoring efforts coincide with the program
5 goals.

6 And third, coordination for
7 monitoring can increase efficiency and reduce
8 costs. And this is being exemplified by the
9 National Fish Habitat Initiative with 19 agencies
10 represented.

11 DR. WITTER: That's perfect closure,
12 sir. Thank you. Very well done. Thank you.
13 Thank you.

14 And I wonder if this would be an
15 opportunity to say thank you to the Congressman
16 for being here this morning. He needs to go to
17 another commitment. Thank you, sir.

18 (Applause.)

19 REP. GERLACH: Sorry I need to run,
20 but the Administrator indicated that all of your
21 comments will be put into a compendium of sort of
22 a transcript I guess of everything that was done
23 here today. So I look forward to receiving a
24 copy of that so we can go through what the other

1 comments are here this morning. And appreciate
2 that very much and will continue to work not only
3 with you but also EPA and the Fish and Wildlife
4 folks to make sure we have good environmental
5 policies. So thanks very much and thanks for
6 attending.

7 DR. WITTER: Numbers 6 through 10
8 had opportunity at the microphone there. Numbers
9 6 through 10. I want to have second call on
10 those numbers. 6 through 10. Going once, twice,
11 sold.

12 Numbers 11 through 15, please. And
13 your number, sir?

14 MR. GAUGLER: 15.

15 DR. WITTER: And your number, ma'am?

16 MS. GATTIS-SCHELL: I'm 11, but he
17 can go.

18 DR. WITTER: Well, 15 can go, by
19 golly. That's ecumenical. Please, sir, go
20 ahead, please.

21 MR. GAUGLER: Good morning. My name
22 is Michael Gaugler, and I'm the Senior Vice
23 President of Research for the water industry at
24 Brain, Meyer and Corray Company in New York, also

1 a Pottstown resident.

2 My comments have to do with the
3 infrastructure status in the country. In the
4 recent past, EPA has focused on cleaning up
5 source waters, contaminant removal, disinfection
6 methodology. And it's been very successful in
7 finding legislative solutions to these problems
8 either through the Clean Water Act, Stage Two
9 Disinfectant Byproducts Rule LT2, perchlorated
10 arsenic, etc. However, the distribution systems
11 of the improved water supplies among most of the
12 54,000 community water systems have deteriorated
13 over the last several decades. This has led to
14 increasing levels and leakage. If we could
15 reduce the leakage and infiltration within the
16 systems, it would conserve large quantities of
17 water supplies and protect end users.

18 My suggestion to EPA is to find the
19 legislative solution and the requisite funding to
20 encourage the community water systems to replace
21 the pipes and valves on a regular schedule, much
22 the same way it has used regulatory actions for
23 cleaning up source waters, contaminant removal,
24 and disinfection methodology.

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1 DR. WITTER: Thank you, sir.

2 Please, ma'am.

3 MS. GATTIS-SCHELL: Good morning.

4 My name is Mary Gattis-Schell. It's a hyphenated
5 name, G-A-T-T-I-S-S-C-H-E-L-L. I work for the
6 Lancaster County Planning Commission in
7 Lancaster, Pennsylvania. I thank you for coming
8 here today and for allowing me the opportunity to
9 speak. I also want to take a minute to thank Don
10 Welsh and his staff for the tremendous support
11 that we received from his brown fields office,
12 and also to say thank you to EPA for the over 850
13 thousand dollars that we've gotten for brown
14 fields related work in Lancaster County.

15 It truly has made a difference in
16 Lancaster County. Because of this funding, we
17 have had access to resources and other Federal
18 agencies. It's allowed us to build our capacity
19 at the local level to assist the public, private,
20 and not-for-profit sectors in achieving their
21 goals for their communities. Generally, we're
22 working in urban areas as opposed to some of
23 others talks about watersheds. I know the urban
24 areas really are important and the urban

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1 revitalization is critical.

2 The other thing that this funding
3 has done, and with the development of our program
4 in Lancaster County, what we've done is we have
5 really spurred greater private sector involvement
6 in projects. And we are now seeing redevelopment
7 of large brown field sites. The former Raymark
8 site in Manheim Borough, which is over 67 acres,
9 and the former Armstrong World Industries floor
10 plant in Lancaster which is being redeveloped by
11 a consortium of a local college, an economic
12 development company, and a local hospital.

13 And it's through that type of
14 private collaboration on these big projects that
15 I'm able to focus on the other projects, the
16 small, more non-descript kinds of projects in the
17 communities because the private sector has
18 stepped up and really is taking this on.

19 I want to highlight one of our
20 hallmark projects, which is a three and a half
21 acre urban park which was established in the
22 1960s as part of urban renewal. It needed to be
23 redeveloped. And through a collaboration of the
24 County, the State, the EPA, and a neighborhood

1 community development corporation, that park has
2 been redeveloped, Roberto Clemente Park, and it
3 has been featured on a number of EPA's
4 publications.

5 Finally, I want to say that what --
6 I will be submitting formal comments. This is
7 not formal. I put them together at the last
8 minute as I was sitting in the back of the room.
9 But I want to say my advice is to continue to
10 fund initiatives that allow for innovative
11 approaches to conservation. For instance, green
12 roofs, which can help address urban issues of
13 storm water in regards to quality and quantity
14 issues, and continue to foster cooperation.

15 Finally, I'm meeting this afternoon
16 with Pennsylvania DEP on how to use the Clean
17 Water Revolving Fund for brown fields projects.
18 And I just encourage you to continue to work with
19 local people so that you find out how things
20 really happen on the streets.

21 DR. WITTER: I let you get away with
22 it. Thank you, ma'am. Thank you. Appreciate it
23 very much. Thank you, ma'am.

24 That should have been numbers 11

1 through 15, 11 through 15. A call again, 1
2 through 15 should have had -- please, ma'am, yes.

3 MS. DALY: I'm number 16.

4 DR. WITTER: Looks like you're right
5 next, ma'am. Please.

6 MS. DALY: My name is Tina Daly,
7 D-A-L-Y. I'm speaking as the co-chair of the
8 Pennsylvania Environmental Network Sludge Team.
9 As a basis for discussion and respect and in
10 answer to all your questions posed on the
11 handout, first of all, I'd like to say that we're
12 opposed to deregulation and we're opposed to
13 privatization. And we recognize it's a fine line
14 between cooperation and privatization.

15 We want all laws, regulations, and
16 policies to be one -- to, one, include provisions
17 that mandate public involvement in the decision
18 making process.

19 Two, to reflect the precautionary
20 principle.

21 Three, to be health based and not
22 risk based.

23 We also want no preemption which
24 eliminates local decision making and input. We

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1 need to eliminate beneficial use. We need to
2 eliminate general permitting. And we need to
3 eliminate linguistic detoxification. We want
4 existing laws to be enforced. We want the
5 polluter to be held accountable and liable.

6 We need to eliminate demonstration
7 projects that allow laws not to be followed.
8 When projects are undertaken, we want to know who
9 gets the benefits and who gets the risks. We
10 want a ban on land application of sewage sludge,
11 sewage effluent, septic waste, and sewage sludge
12 projects -- products I mean.

13 And I would like to just ask one
14 question here. I don't expect an answer. But we
15 would like to know if it's true that spinach is
16 grown on sludge amended soils, and if it's true
17 that sewage effluents are used to irrigate
18 spinach.

19 We want all Government agencies to
20 recognize the Beer 7 Report on ionizing
21 regulation -- radiation, and that there is no
22 safe level of exposure to ionizing radiation.

23 We want the words "prevent" and
24 "eliminate" used in laws, regulations, and

1 policies instead of "control" and "minimize."

2 Thank you very much.

3 DR. WITTER: Thank you, ma'am.

4 Commenters 16 through 20, 16 through 20, please.

5 16 through 20. Please, first one to the

6 microphone wins.

7 MS. ASMUS: Thank you very kindly.

8 My name is Susan Asmus -- that's A-S-M-U-S --

9 from the National Association of Homebuilders in
10 Washington, D.C.

11 Homebuilders live in the communities
12 in which they work and build. And like all
13 citizens, they value the natural resources and
14 quality of life that their communities provide
15 and regularly work to protect them.

16 While there are several
17 environmental programs that we believe could
18 benefit from cooperative conservation, I will
19 focus my comments today on EPA's storm water
20 permitting program. Currently, builders in many
21 areas of the country must obtain two or even
22 three permits to allow storm water discharges to
23 leave their sites. In extreme cases, the
24 Federal, State, and local requirements conflict,

1 leaving builders in a Catch-22.

2 For example, in Missouri, a
3 construction site was inspected by the Missouri
4 DNR and found to be in compliance. Two days
5 later, EPA inspectors visited the site and issued
6 a citation. In effect, the various levels are
7 working at cross purposes instead of working
8 collaboratively toward a common goal. The
9 breakdown, miscommunication, and sometimes
10 adversarial relationship between the Federal,
11 State, and local governments must be fixed if
12 real progress is to come from this and other
13 environmental programs. Similarly, the
14 disconnect within the agencies must be addressed
15 as well.

16 Second, builders who construct one
17 home are currently subjected to the same
18 standards as those building a 500-lot
19 subdivision. This makes little sense in terms of
20 practicality or environmental protection. Thus,
21 we urge you to simplify and streamline the
22 permitting requirements.

23 Finally, the storm water program
24 should invite and facilitate compliance.

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1 Instead, it is plagued by punitive punishments
2 that only discourage and dissuade. For example,
3 a builder in New Mexico was cited for failure to
4 conduct weekly inspections, even though he had
5 only held the permit for six days. Similarly, a
6 builder was fined over ten thousand dollars for
7 failing to submit a Notice of Termination, even
8 though all the other requirements had been met,
9 final stabilization was completed, and no
10 environmental harm had occurred.

11 Those who are policing the law have
12 lost sight of the original purpose. Instead of
13 focusing on all the details of paperwork, we
14 encourage the agency to rework their enforcement
15 practices and allow these -- the positive
16 reinforcement to be facilitated through
17 meaningful on the ground compliance assistance.
18 Thank you.

19 DR. WITTER: Perfect closure. Thank
20 you, ma'am.

21 Please, sir. And if I may encourage
22 you, I do not want to have you at discomfort
23 while you wait your turn. You're welcome to have
24 a seat and I'll continue to call 16 through 20.

1 Please, sir.

2 MR. CASEY: Okay. My name is Lloyd
3 Casey. And I'm the Immediate Past President of
4 the Pennsylvania Forestry Association and also
5 the Vice President of the National Woodland
6 Owners Association.

7 And I'd just like to make you aware
8 that in the eastern half of the United States,
9 almost all of the private -- almost all of the
10 woodlands is owned by private landowners. And
11 there are about ten million of them in the United
12 States compared to about two million farmers.
13 If you're going to maintain and enhance the
14 quality of life in Pennsylvania, you're going to
15 have to assist these owners in the proper
16 management of these lands.

17 The Pennsylvania Bureau of Forestry
18 in cooperation with the U.S.D.A. Forest Service
19 and the Cooperative Extension Service have worked
20 hard to maintain the 17 million acres. This is
21 since 1950 we have maintained 17 million acres of
22 forest land in Pennsylvania. And of that, 78
23 percent are owned by these private owners.

24 These owners are under-served by the

1 Federal Government. Over 60 percent of the
2 owners are over 55. And so any practices that
3 they install are basically for future
4 generations, not for themselves, given our
5 rotation age on forest, they're 80 to 90 years.

6 These forest owners provide clean
7 air, clean water, wildlife habitat, and
8 aesthetics for which they don't get paid. And
9 they also have the privilege of paying taxes on
10 those lands. Federal assistance is needed to
11 provide incentive funding and tax reduction to
12 encourage these woodland owners to maintain
13 forest land use and to control development that
14 is causing a downturn in the quality of life here
15 in the Commonwealth.

16 There's a couple things I would like
17 to suggest. And that is maybe a reprioritizing
18 of where EPA works. While we're looking at our
19 degraded watersheds and spending a lot of money
20 there, we aren't looking at those that have been
21 or still high quality, and we're going to have to
22 put some money into those to maintain those
23 things. And we would suggest that you use the
24 New York City model all over the country in which

1 cities are paying private landowners to assist
2 them in the proper management of those woodlands.

3 And just remember that only 35
4 percent of our woodland owners are farmers. So
5 when you put money in through the Farm Bill,
6 you're not really helping them. Thank you.

7 DR. WITTER: Thank you, sir.

8 Please, ma'am.

9 MS. RAUENZAHN: Good morning. My
10 name is Harriet Rauenzahn. That's
11 R-A-U-E-N-Z-A-H-N. I'm a volunteer with Sierra
12 Club in Berks County.

13 I think it's very well to talk about
14 the cooperation between the Federal Government
15 and the local organizations, but my concerns are
16 largely with what the Federal Government is and
17 is not doing to preserve wildlife habitat and
18 species.

19 First of all, I would like to see
20 the enforcement and funding of the ESA. I don't
21 doubt there may be some need for reform, but not
22 at the expense of the wildlife it's supposed to
23 help.

24 Second of all, I'd like to see the

1 Federal Government to cease drilling for oil and
2 gas in sensitive public lands. The most
3 noticeable recently has been the western Arctic
4 where there's now -- in the courts, there is a
5 suit by the Federal Government trying to drill in
6 the Tisuk Brook Lake area in the western Arctic.
7 This is a very bad move. It's quite wrong to
8 take the wildlife habitat in this very sensitive
9 area visited by millions of birds, mostly geese
10 and eider, ducks, and other creatures. The Tisuk
11 Brook Lake, the Utatuck Uplands, and the Colville
12 River -- this is addressed to Secretary
13 Kempthorne -- those three areas are particularly
14 in need of protection.

15 There are millions of acres on which
16 to drill in the western Arctic for oil and gas,
17 and we do not need to destroy sensitive wildlife
18 habitat. And can I have one second?

19 One more thing, if you wanted to
20 preserve wildlife and species, you need to enact
21 a rational energy policy based on conservation,
22 use of renewables and alternatives, things like
23 increased fuel efficiency standards, instead of
24 the present policy of the Bush Administration

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1 which is to drill everywhere. Thank you.

2 DR. WITTER: Thank you, ma'am. 16
3 through 20, 16 through 20? I note we have
4 completed commenters 1 through 20. If you have a
5 card in those numbers and you've not commented
6 yet and you feel inspired or compelled to speak,
7 I'll continue to return to 1 through 20. If not,
8 21 through 25, 21 through 25.

9 DR. CUTHBERT: Thank you. Good
10 morning. My name is Dr. Lewis Cuthbert,
11 C-U-T-H-B-E-R-T. I'm President of the Alliance
12 for Clean Environment. We're a grass roots
13 organization with about a thousand members, based
14 in Montgomery, Berks, and Chester Counties,
15 looking at a pretty broad range of issues. I'd
16 like to thank Administrator Johnson for including
17 Pottstown on your tour. Let me begin with just
18 an observation and then an identification of two
19 needs and a request. I'll try to do that within
20 my two minutes.

21 The first is the obvious benefits of
22 cooperative conservation have been extolled by
23 many of the speakers today. Good things
24 happening. However, conservation is not

1 synonymous with protection from toxic threats per
2 se.

3 We've been working for several
4 years, since 2001, on a Superfund TAG Grant
5 focused on the Occidental Chemical site, which is
6 bordered on three sides by the Schuylkill River.
7 So first and foremost, thank you, EPA, for the
8 TAG Grant to help us learn as much as possible
9 about that site and try to promote a safe and
10 complete cleanup.

11 Obviously, we're concerned about
12 toxic wastes that are sitting on that site, two
13 lagoons and two landfills very proximate to the
14 Schuylkill River, within a few hundred yards.
15 And we just had a major flood event in this
16 community in June. So we're very concerned about
17 that kind of exposure.

18 We're also concerned about the
19 introduction from the Wadesville area upriver of
20 acid mine pool water, something approximating a
21 billion gallons, unfiltered.

22 And thirdly, we're very concerned
23 about multiple sources of radiation discharges
24 into the Schuylkill, three of them in very close

1 proximity, Pottstown Landfill, the Limerick Power
2 Plant, and a facility that cleans the uniforms
3 used by workers at the power plant. So we're
4 concerned about those issues.

5 We see two needs that we'd like to
6 share with you, and we'll submit all of our
7 written suggestions in writing before we leave
8 today. But the first is a need for increased
9 protection for the environment, for the wildlife,
10 and for residents. We encourage you to keep up
11 your good work and to increase and strengthen
12 standards. We suggest increased use of
13 independent science. Use of the precautionary
14 principle recommended by our physicians.

15 Second point is there's a need for
16 improved communication and inter-agency
17 cooperation. You've heard that from several
18 other speakers. We've not heard much back from
19 Region 3 EPA concerning the cleanup of the Oxy
20 site which was declared in '89. So it's been
21 quite a significant amount of time.

22 We'd like to request Administrator
23 Johnson's intervention to expedite the complete
24 cleanup of that site. We've written to you, and

1 we know how busy you are and the multiplicity of
2 issues, but we'd like you to take another look at
3 our request. We'll leave it in the back of the
4 room today, and hope you can help us expedite.
5 Obviously, it's important to lots of residents.

6 DR. WITTER: Thank you very much.
7 Thank you, sir.

8 DR. CUTHBERT: Card number 2 belongs
9 to the lady over here. Her name is Donna
10 Cuthbert. She's the Vice President of the
11 Alliance for a Clean Environment. She's going to
12 share of couple of graphics which may be of
13 interest.

14 DR. WITTER: Sir, if I may --

15 DR. CUTHBERT: She has card number
16 22.

17 MS. CUTHBERT: My two minutes. I'm
18 22.

19 DR. WITTER: Oh, 22. I'm sorry.
20 Forgive me. I thought you said 2. You're
21 welcome to --

22 MS. CUTHBERT: My two minutes.

23 DR. WITTER: Show and tell is
24 appropriate, for two minutes.

1 MS. CUTHBERT: I'm going to try to
2 do this in two minutes. First of all, for us,
3 this is about health. This is about the health
4 of our community. We've mapped cancers. It
5 looks like a war zone. There are many other
6 illnesses elevated. For us, this isn't about
7 money, it's not about anything except the health
8 of our community and our future.

9 We want to bring to your attention
10 that on your own website, you can now count up
11 how much these environmentally related diseases
12 actually cost the public. And we'd like you to
13 take that into consideration in all your
14 permitting decisions.

15 And it's not only about people, for
16 your benefit in particular, there were hunters
17 that came to us that found over 30 deer with
18 tumors in ten years by the Oxy site. It needs to
19 be cleaned up. It can't be left there with
20 institutional controls put on it and some new
21 polluter coming in polluting our air again. As
22 you can see, we can't afford that. So that's
23 documented.

24 Here's the other thing. This is

1 about the flood at Oxy. We were talking about
2 the Schuylkill River and the flooding. This is
3 what our letter to you was about. You can see
4 that even in 2000 yet the parts per billion,
5 1,400 parts per billion of vinyl chloride still
6 on the Oxy site. TCE, up to 450 parts per
7 billion. And this two parts per billion drinking
8 water. This five. This is really unacceptable.
9 So it's got to go because every time it floods,
10 all that stuff can be released.

11 And the last thing is the
12 demonstration project and the releases of
13 radiation. From Pottstown there's three releases
14 of radiation into the Schuylkill River and it's
15 all coming down your way. So I think we really
16 need to take a look at that and find some way to
17 eliminate that.

18 And also -- it defies common sense
19 and logic to be able to put a billion gallons a
20 year of acid mine pool water that the State DEP
21 says is one of the worst threats to ground water
22 in the state, and then to put that much into the
23 Schuylkill River every year in a short period of
24 time too. That's not over a year's time, that's

1 in five or six months during the hottest months
2 when there's not as much water during the drought
3 time.

4 So it's not about dilution. And
5 dilution, we'd like to point out, is not the
6 solution to this pollution. We have to start
7 thinking about cleaning it up. Thank you.

8 DR. WITTER: You're welcome, ma'am.
9 Thank you. All in two and a half minutes.

10 MS. CUTHBERT: I tried.

11 DR. WITTER: Thank you for all of
12 your good forms this morning. Compliments as a
13 moderator that you are doing such a good and
14 civil job of your presentations. Much
15 appreciated. Please, ma'am.

16 MS. MAZZE: Yes, I am Diane Mazze,
17 M-A-Z-Z-E. I am a member of ACE. I've done a
18 lot of the chemical research --

19 DR. WITTER: Ma'am, if I may, to the
20 microphone. Thank you. Thank you so much.

21 MS. MAZZE: I've also written a book
22 with a toxicologist, which is not on the market
23 yet, on freon and natural gas poisoning. So I
24 know a lot about the synergism of gas and so

1 forth.

2 It was interesting to note the
3 comment from the Philadelphia Water Company about
4 how clean Philadelphia is and green Philadelphia
5 is. That's wonderful. But Philadelphia sewage
6 sludge was put on the field -- farmland field
7 behind my home two years ago and I ended up in
8 the emergency wing of the hospital because of the
9 toxins that burned my lungs. Philadelphia sewage
10 sludge and other sewage sludge are being dumped
11 on our fields up here.

12 There are over 60,000 different
13 toxic substances in the sludges according to
14 Cornell University's toxic chemical lab and the
15 American Society of Engineers. We have heavy
16 metals, asbestos, petroleum products, industrial
17 solvents, chlorinated pesticides, dioxins, PCBs,
18 nuclear -- polynuclear aromatic hydrocarbons,
19 bacteria, viruses, protozoa, parasitic worms, and
20 fungi. I took wonder if the E.coli problem in
21 the fields of California could have been from
22 sludged fields.

23 I also am very concerned about the
24 leachate that comes out when we have floods and

1 enormous rains. Three, four days of rain in a
2 row, what's happening to the leachate from the
3 Pottstown Landfill.

4 Also, we have three flares, Dr.
5 Johnson, that are out-gassing heavy metals and
6 chemicals all the time, 24 hours a day, 365 days
7 a year into our air. Those chemicals, when
8 tested in 2002 and 2003 by DEP contained 36 VOCs.
9 33 of the chemicals in our air were also in
10 landfill gas. And I might add that when the 356
11 landfills were tested in California, 67 percent
12 of them, or 240 of them, contained ten toxic
13 carcinogenic chemicals, all ten of those
14 carcinogenic chemicals in our air.

15 So we really need to clean up our
16 air, our water, and our soil. How can we clean
17 up the Schuylkill River when we have all this
18 waste coming into our rivers? Thank you so much.

19 DR. WITTER: Thank you, ma'am.
20 Please, sir. Thank you. Please, sir. 21
21 through 25 is where we are.

22 MR. ROHRBACH: 25.

23 DR. WITTER: Please, sir.

24 MR. ROHRBACH: My name is Ron

1 Rohrbach. I'm the Executive Director of the
2 Homebuilders Association of Berks County. And I
3 was raised in Pottstown. Thank you for coming
4 here. A little lighter note, this used to be a
5 regular stop for every big band in the country.
6 Used to be.

7 A couple of things. I'm not going
8 to read a written comment to you. I've got one
9 in my hand. Lyn is sitting up there. I know she
10 knows who I am. There's another cooperative
11 effort that's happened in Berks County over the
12 past two years that has to do with the permitting
13 process and filing for permits for the E and S
14 permits for our members.

15 Our members locally do care about
16 conservation. And as a result, we launched a
17 project two years ago that seemed to be working
18 more efficiently when it comes to -- or
19 effectively when it comes to conservation and the
20 permitting process to the point that other
21 districts and members of the DEP have begun to
22 adopt as an optional way of filing.

23 Secondly, to point out that our
24 members in Berks County care about conservation,

1 in the past three or four years, numbers of our
2 members have filed to get approval in local
3 municipalities for what is referred to as a
4 conservation design for subdivisions only to have
5 the local municipalities reject the applications
6 and move to something different. If there's
7 anything that you guys can do or individuals can
8 do -- forgive my slang -- we'd appreciate it
9 because we don't need to use as much land as we
10 use to build homes on.

11 DR. WITTER: Thank you, sir. Last
12 call, 21 through 25. 21 through 25. That should
13 wrap up 1 through 25. 1 through 25. 26 through
14 30, please. 26 through 30 may come to the
15 microphones. 26 through 30. 1 through 30. 1
16 through 30. 31 through 35, please. 31 -- thank
17 you, ma'am.

18 DR. BECKER: Good morning. My name
19 is Dr. Julie Becker, and I'm with the Women's
20 Health and Environmental Network. And we
21 appreciate this opportunity to talk with the
22 administrators.

23 WHEN's mission is to champion the
24 health of women and their families by reducing

1 environmental exposures through education,
2 research, and direct action. We work as a public
3 health organization with special emphasis on
4 primary prevention against toxic exposures.

5 I'd like today to just talk about
6 two things. One is sort of a success story and
7 one where we need assistance.

8 The success story has been working
9 with the elimination of mercury in healthcare
10 systems throughout southeastern Pennsylvania.
11 And WHEN has been very successful in working with
12 Healthcare Without Harm, Hospitals for a Healthy
13 Environment, H2E, and spearheading our efforts
14 with more than 50 healthcare systems as well as
15 the five-county public health departments to
16 eliminate a good portion of mercury. We still
17 have some ways to go, but we're working towards
18 that. That's a success story where we're using
19 cooperative conservation efforts to go ahead and
20 develop unusual partners and unusual
21 partnerships.

22 Where we need some help is on the
23 next phase of what we want to tackle, and that's
24 reducing pharmaceutical waste from the healthcare

1 industry. And we need to look at broadening our
2 partnerships from the usual suspects of a lot of
3 environmental groups to also include healthcare
4 as well as pharmaceutical companies.

5 So what we're asking for for EPA to
6 consider is when they're putting out grants
7 announcements and other kinds of things, to
8 include additional types of partnerships and not
9 just looking at who they normally chose to focus
10 on. Thank you.

11 DR. WITTER: Thank you, ma'am.
12 Please, please, ma'am.

13 MS. SWAN: Hi. I am Catharine Swan.
14 I'm the Executive Director of Green Valleys
15 Association. We are a watershed association. We
16 protect 155 square miles of watershed up in
17 northern Chester County. We were founded in
18 1964. So we are definitely a very strong grass
19 roots organization.

20 I have a couple of things that I'd
21 like to comment on. And as you see, mine are all
22 little notes I've just jotted down right now.
23 One is you're talking about how to increase your
24 collaboration. And I would say that what we want

1 to do is increase the collaboration of the
2 businesses with the nonprofit organizations. If
3 you could come up with some sort of program that
4 would bring us together -- and obviously we're
5 probably talking about funding -- us as a grass
6 roots organization are always open-armed to
7 wanting to work with the businesses to help give
8 them the resources. We are the ones who are on
9 the ground, we understand it. We're the ones who
10 are communicating with the residents and the
11 townships. They're the ones that come to us.
12 We're very -- all of us grass roots organizations
13 are very valuable to businesses in advising them
14 of how we can do it right.

15 The next point is, us, as a grass
16 roots organization, can also be extremely helpful
17 in getting the word out about your programs. You
18 have a wonderful website. You've got some great
19 resources on there. I'm very impressed. And I
20 have to say one of the reasons why I have been on
21 your website so much is because we have Ben
22 Grumbles, who is your Assistant Administrator
23 from the Office of Water from Washington, D.C.
24 who's going to be our keynote speaker at our

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1 annual dinner, which is on October 11th.

2 And we obviously did that because
3 what we want to do is we want to educate our
4 community, the community members, the residents,
5 the businesses, the townships, of what EPA is
6 doing federally and how we can increase our
7 collaboration with you and also state here wise.

8 So -- and we are also going to be
9 citing you on our website under our Greener
10 Living Program. So that's one way in which we
11 can help.

12 I also want to talk a couple things
13 about technically, strengthening -- in our
14 watershed -- oh.

15 DR. WITTER: Thank you so much,
16 ma'am. I wonder if you might provide those
17 lengthier comments in the box in the back. And
18 remember, additional ways to comment. I didn't
19 mean to cut you out there. As you know, if
20 there's a way I can make eye contact and use my
21 body English to help you. You might try, as I
22 discovered, at two minutes and 36 seconds, say in
23 conclusion. That seems to work. Thank you very
24 much. Appreciate it. Thank you, ma'am.

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1 MS. SWAN: Thank you.

2 DR. WITTER: We're looking at
3 numbers 31 through 35. Please, ma'am.

4 MS. ADKINS: Good morning. My name
5 is Jennifer Adkins. I'm with the Partnership for
6 the Delaware Estuary. I am the Schuylkill
7 Watershed Initiative Grant Coordinator for the
8 partnership. The partnership is one of 28
9 national estuary programs that were mentioned
10 earlier. And we are also the official awardee
11 for the Targeted Watershed Grant for the
12 Schuylkill Watershed. So we're very pleased to
13 be able to fulfill that role, and we thank EPA
14 for that opportunity.

15 And so my -- one of my first and
16 probably most important suggestions would be to
17 keep the funding alive for those important
18 watershed programs like the targeted watershed
19 program, but also the funding for the national
20 estuary programs, because those are really the
21 funds that have allowed us to participate and be
22 a primary partner in the Schuylkill. The
23 Schuylkill Watershed is our -- the largest
24 tributary to our estuary, to the Delaware

1 estuary. So it is an incredibly important place
2 to us. And these grant funds have allowed us I
3 think to play a critical role in helping a lot of
4 the partners come together, because we do have
5 relationships with a lot of the agencies
6 involved. And our Region 3 people who are here
7 have done an excellent job with the SAN and
8 playing that role.

9 But we're also very familiar with
10 the local partners on the ground. And so my
11 second suggestion would be to -- you know, EPA
12 has a lot of leverage helping to bring partners
13 to the table. And whenever you can do that, I
14 think that's a good idea.

15 And I think that in terms of
16 respecting local interests, one of the best ways
17 to do that is to work through those local
18 partners who go out to the groups. In
19 southeastern Pennsylvania, we are blessed with
20 having quite a few of those groups working on the
21 ground with local residents. And that's a big
22 way of -- a big part of the way that we operate
23 as a national estuary program that I think could
24 be modeled and is valuable. Thank you.

1 DR. WITTER: Thank you, ma'am. That
2 should have been 31 through 35. 1 through 35.
3 36 through 40, 36 through 45. Please, sir.

4 MR. BUCHANAN: Good morning and
5 thank you. My name is Roger Buchanan. I'm
6 President of an environmental organization just
7 north of Pottstown called Ban the Quarry. And
8 I'm here to call attention to what we perceive as
9 a disconnect between EPA and DEP.

10 We have learned in our community
11 with great respect the research that EPA has
12 initiated and the publications that they have put
13 out regarding clean air and the toxic effect of
14 fine particulate matter. And we have become
15 increasingly aware of the adverse health effects
16 of fine particulate matter on the vulnerable
17 populations of elderly people, people with
18 preexisting conditions, and school children.

19 Having said all that, the disconnect
20 is that we are fighting a quarry that is right
21 next door to three vulnerable populations, a
22 senior citizen with a thousand members, a
23 community of preexisting conditions, and 750
24 school children. So we would ask that the

1 insights and the research that comes out of EPA
2 would have a more immediate effect on the
3 environmental regulatory actions that are taken
4 by the State of Pennsylvania. I thank you.

5 DR. WITTER: Thank you, sir.
6 Please.

7 MS. CHRISTIAN: My name is Evelyn
8 Christian, and I work with Delaware Valley Earth
9 Force. I'm a program coordinator. Delaware
10 Valley Earth Force is a nonprofit, non-partisan
11 organization that works with children in schools.
12 We are supportive of environmental education and
13 support teachers in their environmental education
14 projects.

15 We have a number of different
16 partners, many of them are represented here
17 today, including the EPA, and are very much
18 interested in the partnerships that can be formed
19 not only amongst businesses but also school
20 communities as well as other nonprofit
21 organizations.

22 I wanted to talk a little bit about
23 some of the things that our students are most
24 concerned about. I feel like it's important that

1 a lot of times these types of discussions happen
2 outside of populations that may not be able to
3 come and take part in these types of situations

4 because they're in school right now.

5 Three things that they're most concerned about
6 and that they do their projects on.

7 First, animals, endangered species.
8 Endangered Species Act is incredibly important.
9 Yes, conservation and cooperative conservation is
10 incredibly important, but we must not forget the
11 regulatory function of the Environmental Species
12 Act.

13 We teach our students in schools and
14 our program supports students to really look at
15 both policies and practices and see how these
16 things work together. And so we would encourage
17 the EPA to consider a solution here that would
18 encourage both the business community and
19 regulatory policies to work together.

20 The second is of course wetlands.
21 Our students are very concerned about water and
22 water issues. And so our suggestion is that the
23 USFWS's partners program and other partner
24 programs that are associated with the EPA are

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1 incredibly important here. For example, the
2 coastal program where you have landowners and
3 NGOs working together with government agencies.
4 These should be continued to be funded, if not
5 increased funding for these programs.

6 My last point is this in regards to
7 a question that you asked, which is about
8 voluntary conservation. I would urge you to
9 continue to support programs like ours, like
10 Philadelphia Green, where students are learning
11 the importance of environmental issues. They're
12 going to be the ones that are going to

13 participate in our voluntary conservation
14 programs. And so I believe that education in the
15 community is incredibly important and would urge
16 you to continue with your support of that. Thank
17 you.

18 DR. WITTER: Thank you, ma'am. 36
19 to 40. Continuing, 36 through 40. This will
20 bring us to 1 through 40 and begin at 41 through
21 45. 1 through 45. No one is standing to their
22 feet yet. 46 through 50. 46 through 50. 1
23 through 50. No one to their feet yet. 51
24 through 55. I see a pattern. 56 through 60.

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1 And clearly now it's time to ask was there anyone
2 else who received a card and wanted to comment?

3 This brings us to the point then,
4 friends, first as moderator, thank you for your
5 passion, your civility and your substance. It
6 makes my job the job it should be, listening to
7 your very interesting and important input. Your
8 communication show aspects of powerful and
9 persuasive communication.

10 I would at this point invite Mr.
11 Moriarty first to the podium to give his insights
12 and observations on this morning's deliberations.
13 If there are no additional comments, no
14 additional word from the floor, we went through 1
15 through about 70, 65, 70. I saw no additional
16 hands come up.

17 So Mr. Moriarty, your summarization
18 and then to the podium Administrator Johnson for
19 closure to this morning's program. Thank you.

20 MR. MORIARTY: So you emphasize
21 summary I guess. I have 30 pages of notes here.

22 I just again I want to thank you all
23 for your openness and coming forward with good
24 suggestions I think for us to take back and

1 continue to develop as we develop the
2 collaborative conservation efforts.

3 I heard a lot of suggestions for the
4 EPA, but I also in that saw a lot of suggestions
5 for the Fish and Wildlife Service. I heard a lot
6 of comments about businesses and businesses
7 working with environmental -- with communities
8 and working with NGOs. I think those were
9 excellent suggestions about getting the
10 businesses connected better with government is
11 one thing, but also getting businesses better
12 connected with the non-government organizations,
13 which also are a powerful force in conservation
14 is an excellent example as well.

15 I heard the -- obviously there's
16 both sides of the coin on the Endangered Species
17 Act. I think it's clear that the Endangered
18 Species Act is an important piece of
19 environmental legislation, but it's also clear
20 that there's frustrations on both sides. On the
21 Fish and Wildlife side for instance, we are
22 charged with carrying out a number of provisions
23 of the Endangered Species Act. And it's very
24 cumbersome in some places for us to be able to

1 produce the results that are required. That
2 creates concerns on the part of landowners and
3 people who are affected by the Endangered Species
4 Act. And so we're looking for solutions.

5 And the Administration is working
6 very hard to try and ensure that whatever
7 solutions do occur keep the core values of that
8 Act and make sure that it becomes more I'd say
9 nimble in being able to respond to the needs of
10 folks who need permits, for instance, or
11 consultations. And the Administration commits to
12 doing that. It's a very difficult task because,
13 as you might expect, some folks are affected
14 differently than others. And there's a lot of
15 opinions around that.

16 But the idea Mr. Kempthorne has is
17 that he wants very much to retain the core values
18 that we have and make sure that that is not at
19 all affected. That we need to be able to work
20 with people in the permitting process much better
21 so that answers are given more quickly and more
22 effectively.

23 I'd say that's about the majority
24 take-away that I have.

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1 (Applause.)

2 DR. WITTER: Administrator Johnson,
3 please, sir.

4 MR. JOHNSON: I'd like to add I
5 appreciate all the comments, and I think I had
6 more pages than you, but perhaps reflecting the
7 sense of community which I really appreciate.

8 President Bush has commented on a
9 number of occasions that all wisdom does not
10 reside in Washington, D.C. And that's the case.
11 And certainly as we've heard this morning, I
12 really do appreciate the constructive comments
13 and suggestions. And we covered a wide range of
14 topics from NPDS permits to storm water run off
15 to infrastructure issues to forestry to urban
16 environment to rural environment to site specific
17 issues such as Occidental, quarries, and other
18 kinds of issues.

19 And I really do appreciate all the
20 outstanding comments. I also want to say thank
21 you to our case study leaders for their
22 outstanding presentations. It is our desire and
23 certainly hope, and certainly it's the
24 President's direction for us to continue to look

1 for these kind of opportunities, both for
2 listening, but more importantly, not just
3 listening, but taking those suggestions and
4 putting them into practice.

5 And so our next step is as we go
6 back to Washington and we pull these all
7 together, to look at what are those additional
8 opportunities that we have, some of which will
9 require changing regulations. Perhaps some will
10 need to work with Congress to change laws.
11 Others may be procedural, may be issues of
12 guidance that we've just been doing that that way
13 for years and maybe we need to change that. In
14 some cases, there's a history and we are and
15 continue to be involved in very legally binding
16 kinds of issues, some of the site specific things
17 that we heard today.

18 But what it all comes down to is, as
19 I said earlier, and it's something that I truly
20 believe from my experience at EPA, is that
21 environmental responsibility is everyone's
22 responsibility. We at the EPA, at the Federal
23 level or Fish and Wildlife or Department of
24 Interior, we each have a role to play. The

1 states have a role to play. The local leaders
2 have a role to play. Each and every one of us
3 have a role to play.

4 So again, I thank you for taking
5 time out of your busy schedules. Thank you so
6 much for all of your comments. They were very
7 helpful and they are taken to heart and look
8 forward to working with you, not only now but in
9 the future. And with that, thank you so much.

10 And I'd like to also say thanks so
11 much to our moderator. It's not an easy job.

12 (Applause.)

13 DR. WITTER: Please do remember the
14 additional forms of input that you can make for
15 the process. Safe travels. This listening
16 session is adjourned.

17 (Proceedings closed.)

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CERTIFICATION

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3 I, Loretta B. Devery, do hereby certify
4 that the testimony and proceedings in the
5 foregoing matter, taken on September 18, 2006,
6 are contained fully and accurately in the
7 stenographic notes taken by me and that it is a
8 true and correct transcript of the same.

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11 LORETTA B. DEVERY
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