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Testimony of Valessa Souter-Kline  
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Good evening. My name is Valessa Souter-Kline and I am the Western PA outreach coordinator at PennFuture. I work out of our Pittsburgh office. PennFuture is a statewide public interest membership organization working to create a just future where nature, communities and the economy thrive.

I appreciate this opportunity to speak about the proposed Chapter 78 oil and gas regulation changes and would also like to note that PennFuture will submit comprehensive written comments to the Environmental Quality Board prior to the new March 14<sup>th</sup> deadline.

First, I would like to state that PennFuture supports significant aspects of the proposed regulations. Among the changes we support are the requirements to transport wastewater via aboveground pipelines (78.56a) as well as the banning of uncovered storage of produced fluids, which, among other things, will begin to mitigate air pollution concerns (78.57a).

That being said, there are many opportunities to strengthen these regulations, which must be done if they are to provide effective and enforceable protection for our natural resources – our clean air, land and water, as protected under Pennsylvania's environmental rights amendment. The two opportunities that I will present here tonight address proposed stream buffers and endangered species protection.

The current regulations provide for a buffer between drilling activities and "solid blue line" streams, as classified in the US Geologic Survey. Protecting "solid blue line" streams alone, however, is not enough. The National Wildlife Federation states that more than half of Pennsylvania's 83,000 miles of streams flow intermittently or are headwaters (source: [http://www.nwf.org/pdf/State-Fact-Sheets/Pennsylvania\\_WeakeningTheCleanWaterAct.pdf](http://www.nwf.org/pdf/State-Fact-Sheets/Pennsylvania_WeakeningTheCleanWaterAct.pdf)), which is to say that these water bodies are not insignificant. Existing laws, such as the Clean Streams Law, guarantee the protection of all Pennsylvania waterways, including ephemeral and intermittent streams; Chapter 78 should do the same. Intermittent streams provide unique habitat and play an important ecosystem role. Also, because they carry less flow, intermittent streams are more easily harmed by smaller quantities of pollutants. Furthermore, when flowing, intermittent streams are directly connected to the "solid