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**MEHOOPANY CREEK WATERSHED ASSOCIATION  
PO BOX 73  
MEHOOPANY PA 18629**

May 18, 2015

Department of Environmental Protection  
Policy Office  
400 Market Street  
P. O. Box 2063  
Harrisburg, PA 17105-2063  
[www.ahs.dep.pa.gov/RegComments](http://www.ahs.dep.pa.gov/RegComments)  
or by e-mail to [RegComments@pa.gov](mailto:RegComments@pa.gov).

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Re: Chapter 78a. Environmental Protection Performance Standards at  
Oil and Gas Well Sites; Advance Notice of Final Rulemaking

To Whom it May Concern:

The Mehoopany Creek Watershed covers 134.5 square miles that encompasses Bradford, Luzerne, Sullivan and Wyoming Counties. The Association has done several stream restoration projects through Growing Greener Grants over the last several years. The natural stream restoration projects we've completed improve fish, fowl and animal habitats along with stream stabilization reducing sedimentation run-off issues.

Our members monitor stream water quality, participate in litter pickup days, lime the South Branch, work on habitat improvement with the local deer quality management group pruning apple trees, planting food plots in SGL57 and assist with the local trout derby for our area's up and coming anglers.

The South Branch Mehoopany Creek is currently designated as a High Quality-Cold Water Fishery, Migratory Fishery.

Our association takes a keen interest in the various issues that have the propensity to affect our watershed. Our monthly meetings include discussions on not only water quality issues and trout habitat, but also flooding, Marcellus Shale and invasive, threatened, endangered, rare and candidate species and believe it or not air quality issues along with the prevalence of cancer within our watershed. While it is difficult to get an exact tally of wells within our watershed, there may be near 100 wells, access roads, impoundments, compressor station, gathering lines of many sizes including many stream and wetland crossings including that of high quality and exceptional value designations. We are continuing to experience development; two well pads are being constructed now. Because of these changes, and our concerns regarding the health of our watershed where many of our members also live and raise their families, we submit comments on this important rulemaking. Our comments are based on what our members discussed as being necessary to ensure that our watershed's integrity and our greater community remain a healthy place to fish, hunt, recreate and raise our families.

78a.1 We support the modified definitions for "Other Critical Communities" and "Threatened or Endangered Species". Our watershed has delicate environmental areas. Most of the Mehoopany Creek Watershed is a prime habitat area for the timber rattlesnake. Numerous wetland areas and remote forests are prime locations for critical communities and core habitat areas. We are fortunate to live in such a healthy watershed. The fact these are here, demonstrates the health of our watershed. We are only as healthy as the

environment in which we live. These definitions provide protection for these areas.

78a.15 (b.1) - authorizes Clean Streams Law authority to protect streams and wetlands when the well pad edge is within 100' of the water resource. As a watershed association and conservation group of which many are leased landowners, we support all additional measures to protect our streams.

78a.15 (f)(vii) We strongly support the addition of the notification zone for schools and playgrounds. Our watershed area includes an elementary school where there are several well pads already within 3,000 feet. We have a jointly held multi-muni association park within the development area equipped with playground equipment, baseball fields and a pavilion. The Creek Junction Park is open to the public daily where playground equipment and basketball court is utilized by families and groups. The pavilion provides location for everything from outdoor church services, family reunions and auction/barbeques. The location, while it is not attached to a school, should a well pad be able to be sited nearby could affect the daily functions and use of the park. Additionally, we also have a little league complex within our watershed that is located on private property with a 99 year lease with the local athletic association. Children of all ages and adults are regularly seen playing ball at this complex from early spring through fall. We'd prefer to see the notification zone extended to a more suitable longer distance. 200 feet is not an optimal notification zone for our local elementary school, Creek Junction Park or locally leased ball fields.

78a.41 We strongly support the addition of noise mitigation for well pad locations. Association and community members residing within the

watershed have had to live with dramatic impacts beyond what is reasonable. We encourage DEP to regulate noise such that those impacted would not have extreme indoor noise levels that prohibit normal living within their homes.

78a.51 We support the clarification to the understanding of what our assembly members had intended for replacement water supplies within the context of Act 13.

78a.57a We strongly support the addition of the new section, Centralized Tank Storage. Currently, there are no flowback water impoundments within our watershed. We've been concerned about these as the last year, Southwestern has been successfully drilling here. They have utilized large flowback water impoundments elsewhere and we didn't want to have them within our watershed. Therefore, we support the elimination of them and the replacement with Centralized Tank Storage. We'd like to see the noise mitigation requirements apply to these locations along with the minimum setbacks and nearby landowner notification. With these additions, we recommend the section for regulation.

78a.66 Reporting of Spills and Releases - Requires Act 2 cleanup process and standards. We find the modified provisions are more respectful of our watershed. We are concerned that not every spill is handled in the same manner. We find requiring Act 2 cleanup will create standards that will protect our watershed and future land use.

We appreciate the opportunity to once again submit comment that is important to our watershed and our members who live and recreate here.

Sincerely,

A handwritten signature in black ink that reads "Rusty Bennett". The signature is written in a cursive style with a long horizontal flourish at the end.

Roy "Rusty" Bennett  
President