

Petition update

# Andrew McKinnon Remarks to Ferguson Township Supervisors - April 2, 2018

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**Nittany Valley Environmental Coalition**

State College, PA, United States



Apr 8, 2018 — Liability for water contamination: who will pay?

On April 2, the Ferguson Township Board of Supervisors held a public hearing on the Steckler Petition:

“We, the undersigned, believe the Harter and Thomas Wellfields have been put unnecessarily at risk to pollution by the selling of Penn State University land, at Whitehall Road, to the Toll Brothers Developers, in order to build student housing, to be known as “The Cottages at State College.” Since the acreage being developed is directly upland of these wells, and the geology is known as karst topography, the likelihood of runoff, regardless of detention and infiltration basins, seems probable as we enter into an era of extreme weather events due to Climate Change.

Therefore, we respectfully request Ferguson Township require written confirmation, prior to construction, that PSU and Toll Brothers are to be held financially responsible, in perpetuity, for any pollution to these wells directly attributable to the Cottages Development. And that the residents/taxpayers/rate-payers of Ferguson Township would not bear the financial burden should our water be rendered polluted by this development, which was pushed forward unguided by the Precautionary Principle and despite citizens

concerns and actions of dissent.”

Ferguson Township Resident Andrew McKinnon presented the following remarks:

Against widespread public opposition to the Cottages development, Penn State has chosen to forge ahead with plans to develop 44 acres of prime farmland and breathtaking scenery while placing the State College water supply at risk. These are resources rightfully allocated to the public trust, but Penn State not only insists on destroying the landscape but also claims it has no liability in the event the water is contaminated. This hands off position – essentially a “have our cake and eat it too” attitude – that is, we’ll accept all the benefits of development but assume none of the risks, must be confronted.

In this spirit I would like to briefly describe the hydrogeological risks to the State College water supply posed by the Cottages development in order to emphasize that Penn State and its developer, Toll Brothers, must be held financially accountable if activities associated with the site pollute our drinking water.

I have a B.S. in Geology and worked for 12 years in hydrogeology in the Centre Region. It is well known that the Nittany Valley is underlain by fractured carbonate rock, that is, limestone and dolomite, and the primary way that water flows through such rock is via fractures and conduits. Surface evidence of this karst terrain is in the form of caves, sinkholes and other closed depressions, as well as fracture traces, which are usually seen as linear features on aerial photographs.

The Cottages is to be located in the Zone 2 wellhead protection area, and therefore in the recharge zone, for the Thomas and Harter wellfields that supply two thirds of the drinking water for State College. The site lies about one mile upgradient from the Thomas wellfield and one and a half miles upgradient from the Harter wellfield. Dye trace studies suggest that water, and thus water borne contaminants, could travel 300 or more feet per day from the site to the wells, thereby potentially reaching them in a matter of weeks. Potential contaminants from the site include oil, gasoline, grease, glycol, deicing agents, chemical spills, and coliform bacteria.

A prominent fracture trace has been mapped on the site.

<https://i2.wp.com/bailiwicknews.files.wordpress.com/2018/04/4-8-18-bailiwick-illustration-1.png?ssl=1&w=450>

Portion of Figure 3, p. 76, 2007 State College Borough Water Authority Source Water Protection Report – Dashed lines are fracture traces. Diamonds are sinkholes. Triangles are public water wells.

Part of it manifests as the swale that runs across the site downslope from Whitehall Road. This swale is quite close to where the basins for stormwater captured from the site have been placed. Because of the way such basins are constructed, such as through compaction of soils and therefore decreasing the number of natural pores in the soil, contaminated stormwater could become channeled and enter the swale, percolate downward into the groundwater system, and flow southeast toward the Thomas and Harter wellfields.

Alternatively, stormwater could flow into existing sinkholes (several have been mapped in the vicinity of the site) or create new sinkholes and enter the groundwater system. Indeed, the significant alteration of topography and soils at the site through grading, increasing the amount of impervious surfaces, and channeling of stormwater flow increases the risk of sinkhole formation, providing direct avenues for contamination to enter the subsurface. Finally, risk is elevated because even if the soils on the site are not altered through compaction or other disturbance, they are generally thin in this area and therefore have limited filtration capacity. Also, the depth to bedrock is shallow, allowing contamination to reach the

groundwater system relatively quickly.

In conclusion, I am concerned that activities associated with development or operation of the Cottages puts our drinking water at risk. This is in addition to the guaranteed destruction of open space, farmland, and scenery enjoyed by residents, many of whom may have come to the area because of these natural attractions. Unfortunately, it may be too late to save the land, but at least we can save our water. I respectfully ask you to hold Toll Brothers and Penn State accountable for any degradation of our drinking water.

Additional reporting in April 8, 2018 Bailiwick News

<https://bailiwicknews.files.wordpress.com/2018/04/4-8-18-bailiwick-news.pdf>

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## Discussion



### Nittany Valley Environmental Coalition

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