

BAILIWICK NEWS

February 14, 2019 – Volume 3, Issue 5

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Addendum to Feb. 6, 2019 *Bailiwick News*: University Area Joint Authority review of DRI application; citizen activism; critical analysis

By Katherine Watt

*Transcription of Jan. 16, 2019 Letter from UAJA
Executive Director Cory Miller to Centre Region
Planning Agency Director Jim May, Re: “Proposed
Halfmoon Township Development of Regional Impact”*

“In response to your letter of December 7, 2018, UAJA offers the following comments.

While it is possible for UAJA to speculate on the ability to serve a particular area, allocation of capacity and determining how service to a particular area might occur are determined through the Act 537 sewage Facilities Plan, which is the responsibility of the municipalities.

In May 2018, RETTEW completed the “Capacity Summation for the Spring Creek Pollution Control Facility,” which was presented to the UAJA Board in June 2018, and forwarded to the Centre Region in July 2018. The capacity summation indicates that there is influent hydraulic and organic capacity for this development. It also indicates that there is effluent hydraulic capacity assuming that the existing G.D. Kissinger Meadow stream augmentation is not adversely impacted by regulatory action, and the continuation of Phase 3 of the Beneficial Reuse Project to move reuse water to the top end of the Slab Cabin Run sub-watershed is accomplished as described in the current Act 537 Plan.

Even if the stream augmentation is adversely affected by regulatory action or additional conservation easements prohibiting beneficial reuse, it is possible for the Centre region municipalities to significantly increase beneficial reuse by encouraging or mandating the use of beneficial reuse water in place of potable drinking water.

The biggest capacity question that cannot be answered is the nutrient capacity. As is pointed out in the capacity summation report, nutrient capacity is a mass limit, which cannot be increased by adding treatment at the plant.

[Editor Notes: Nitrogen loading factor as of May 2018 report at p. 3 – 25 pounds per year per EDU. Nitrogen capacity at UAJA as of May 2018 report at p. 7 – 164,381 pounds per day or 6.0 mg/l, at a cost of approximately \$670,000 per year for a “significant volume of carbon supplementation” to enable “Remaining Total EDU Capacity” of 43,247 EDUs.]

Nutrient capacity can only be increased through non-point source best management practices (BMPs). Nutrient capacity is also the responsibility of the municipalities to allocate through the Act 537 Plan. Currently, since it is not addressed in the plan, UAJA continues to allocate the capacity on a first come, first served basis.

Since it appears likely that Pennsylvania will not meet its Chesapeake Bay requirements, the Centre Region municipalities should plan for the reduced nutrient mass limits which would result from EPA applying the backstop limits in 2025 or sooner as described in the capacity summation report.

[Editor Notes: Potential UAJA nitrogen capacity, as of May 2018 report at p. 8, if EPA cuts the nitrogen mass limit from 6.0 mg/l to 4.0 mg/l – 109,588 pounds per day, dropping “Remaining Total EDU Capacity” to 28,034 EDUs.]

The municipalities that are currently served by UAJA should consider if they want to allocate any nutrient capacity to the proposed property, since it is outside of the current sewer service area.

This would also be decided as part of the Act 537 planning process.

The property proposed for development is difficult to serve because of the configuration of the sewer service boundary.

Most of the time, the Centre Region municipalities oppose sewer lines being located outside of the SSA. In this case, the best way to serve this area likely would result in sewers being located outside of the sewer service area.

How the area is to be served is determined by the municipalities through the Act 537 planning process.

The area to be served is not within the municipalities currently served by UAJA.

The municipalities which formed UAJA should consider what Halfmoon Township’s relationship to UAJA should be.

In summary, UAJA speculates that service to this area is possible.

However, the determination of answers to the concerns listed above would be determined through a full Act 537 Plan update.”

Citizen Activism

Feb. 12, 2019 Way Fruit Farm Facebook Post

This is a long post, but important to all of us living in the Centre Region, so please read to the end when you can.

We are trying to help our community residents know about an important meeting coming up this Thursday night (yes Valentines Day) that will affect most of the Centre Region.

Although we typically don't get involved in politics or government, this meeting has the potential to affect us, our customers, and the environment for years to come.

Because there has not been widespread advertisement of the meeting and many of our customers have voiced concern over various aspects of this development process, we wanted to spread the word as best we can. If you want to have input this may be one of your last chances to do so.

There is a large development proposed for Halfmoon Valley. The township is considering adjusting the current township zoning and expanding the Centre Region growth boundaries. The development will be in the fields near the Gray's cemetery that many of you drive by on your way to us and will include over 2,500 houses.

If the growth boundary is extended it will allow the developers to have public sewer. This will allow for townhouses, condos, and large commercial development.

If you are from other townships and municipalities within the Centre Region, this still impacts you and you can be involved. There is a need to understand this proposed development's impacts on the ecologically sensitive and important Scotia Gamelands and the watershed from there that supplies Bellefonte (yes Big Springs starts under us in Halfmoon Township) and the State College water supply.

A presentation will be given by Clearwater Conservancy on the value of the watershed.

As you can see, there are lot of big issues to ponder and without input from the community, progress will happen that does not necessarily reflect the desires of the local people.

If this passes on February 14 there is a very high likelihood we will see over 2,500 new houses in Halfmoon Township. This would be a big change to the most rural township in the Centre region. It may be the last opportunity to have a say in the process.

We hope you will join us to be informed and share your input. Without input from all, we think it is harder for our leaders to make decisions that reflect our communities wishes.

Can't make it to the Halfmoon Township meeting? The Centre Region will hold a meeting soon to discuss, determine impact of and vote on Halfmoon Township's change to development requests. At that time, all municipality's residents are also welcome.

Thank you! We appreciate your time! See you soon!

- Who: All Centre Region residents welcome
- What: Halfmoon Township meeting
- When: this Thursday, 2/14/19 @ 7pm
- Where: Halfmoon Twp. Community Center located on Municipal Lane
- Why: Resident input is crucial to ensuring our supervisors know how to proceed on this vital development and watershed project.

Comment Posted by Andy Merritt:

it is unfortunate that the post indicates this is new, it is not. this development is not anything new. i was on the board from 2009 - 2018. this topic was discussed at several meetings over the years i was on the board. because a person did not pay attention does not mean it is new.

townships must provide all levels of zoning from agricultural to residential to low income, etc to industrial. the township must show where it intends the development to be. i suggest anyone reading this and upset about to look at the maps of what the township could look like without a plan. the reality is the property borders Patton Township and we must work with Patton as they do their plans. it is about managing the growth, make no mistake it is coming.

as i read through the comments i want to remind most everyone commenting, you most likely bought or built out here, often times destroying someone else's view. we arrived here in 96 on what is now Centennial Hills. i am just glad that the residents here at that time did not oppose this development. as the views are beautiful. the greed that some mention is the same greed that brought us out here, low property cost and low taxes.

the reality is that it is not your land, i do not think anyone here wants the local government determining what you can do with your land, most properties here are ag in nature allowing for a wide variety of uses. in my neighborhood i have a chiropractor and medical billing office, their house, their property their business. we have chickens that crow at all times. i could put in a pig farm if i wanted, i do not but could. currently an automotive shop is being built on Ike Circle, i am certain that the residents who live there are not crazy about it.

as you gather to consider what to do with someone else's property, be careful what you wish for. keep in mind the old adage, the government is the enemy until you need a friend. i trust the board is working in our best interest as they continue to balance the demands of multiple constituencies.

This comment is more than a little bit misleading on several topics, including the timeliness of public access to contextualized information about emerging issues of public concern; the relationship between individual townships and the region overall, in terms of what zoning types a municipality "must" offer owners/developers; characterization of those interested in protecting ecosystems and rural character as hypocrites for having chosen to live in areas with intact ecosystems and rural character worthy of protection; and the proper moments – according to Merritt – for citizens to engage in land use planning processes.

To take one example, citizens are often told that the discussion at a planning commission meeting is not the proper time to raise objections, because the planning commission is "merely advisory" and the real decision will be made by the board of supervisors or council at a later date – "You're too early, come back later."

Then citizens who show up to supervisors meetings, or COG General Forum meetings at the regional level, are told that the time to lodge complaints was previously, at the "discussion" phase which took place in the advisory committees, but that given the "recommendation" of the "advisory" committee, the legislative body will proceed over citizen objections – "You're too late."

It's a really tightly put-together bait-and-switch system that benefits insiders at the expense of those who cannot make tracking local politics a full-time endeavor: ordinary citizen taxpayers. And it's readily observable all over the Centre Region's local governing systems on a wide variety of issues. There are very good reasons for constituents not to "trust" – as Merritt does – that the supervisors are working in good faith to meet the needs of multiple constituencies on a level political playing field.

So it's great that some Halfmoon and Centre Region citizens have been tracking this process for many years – which they have – trying to figure out the right time to invest their precious time and energy trying to build a stronger, broader public response.

And it's great that they're now making that push and that a stronger, broader group of citizens are informing each other and preparing to participate more fully.

Hi Andy! We did not mean to insinuate that this is new. But did want to bring it up to the community as a last chance to give input, as it seems to be.

We have kept our opinions and leanings personal, but felt the need to help communicate facts to our customers about an issue that will impact most of them.

Thanks!

CRITICAL ANALYSIS

It's interesting that Merritt did not attempt to make an evidence-based argument as to why he believes housing construction on rural land outside the regional growth boundary is a good idea,

Other than to trot out the old thought-stopper that "growth" is inevitable, so resigned acceptance is the only appropriate citizen response whenever and wherever developers want to raze cultures, neighborhoods, farms, meadows, woods and wetlands.

Merritt simply characterized opponents of the plan – regardless of their evidence-based rural preservation, ecological, economic, traffic and procedural arguments, as lazy, ignorant, too-late-to-engage, greedy, and hypocritical.

He tried to equate chiropractor offices and backyard chickens with a couple thousand new homes and households, with their associated roads, driveways, stormwater runoff, water and sewer infrastructure, traffic, emergency, fire service and public education needs.

Then he concluded with uncool threats about dire consequences lying in wait for those who attempt to use their government to achieve community rural preservation and ecological goals against the interests of those who attempt to use their government to achieve private profit at public expense.

As if government is either an "enemy" or a "friend" to private citizens, and not an expression of the moral will of the human communities from whose consent its power is derived and for whose purposes its power is theoretically supposed to be exercised.

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