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Department of Environmental Protection  
**PENNSYLVANIA**



# Pennsylvania Water

## Overview Water Resources Planning Act

This legislation establishes a water resources planning program in the Department of Environmental Protection (DEP) utilizing a collaborative process – by actively involving stakeholders at both the regional and statewide level – to prepare and update a comprehensive State Water Plan. The State Water Plan is designed to provide up-to-date information on water availability, an assessment and projection of water use and future demands on a watershed basis, identification of critical water planning areas where water demands are projected to exceed available water supplies, and the development of critical area resource plans for these areas. The bill recognizes that with proper planning, Pennsylvania's water resources are capable of serving multiple uses in a balanced manner. To gather the data necessary to assess current water demands, the bill provides for registration of major water withdrawals (exceeding 10,000 gallons per day), and periodic reporting of water usage by such major users. The bill establishes a formal program to promote voluntary water conservation and water use efficiency practices for all water users.

Pennsylvania has never had a water resources planning program that involves all stakeholders in an effort to answer basic questions such as how much water we have, how much water we use and how much water we need.

The planning process envisioned by the bill focuses on a truly collaborative process. That process utilizes regional committees of stakeholders in each of 6 major river basin regions, coupled with a Statewide Water Resources Committee. These groups will work with the Department to develop both regional plan components (basin plans) and ultimately a State Water Plan that reflects both regional concerns and priorities along with federal, statewide, and interstate policies, plans and priorities. Reflecting that commitment to a collaborative process, the bill provides that both the policies and guidelines that guide the planning process, and the ultimate plan, require approval by both the Statewide Committee and the Secretary of DEP.

The major elements of this proposal were developed as a result of fifteen Public Water Forums held by the departments of Environmental Protection, Agriculture, Community and Economic Development and PENNVEST in April and May of 2001, and a series of meetings with business, farm, environmental and local government leaders throughout 2001-2002. The best ideas from many stakeholders were brought together in a proposal that reflects an effort by all concerned to achieve balance and compromise.

As discussed in the section-by-section analysis, the bill contains a number of important features that address concerns of major stakeholders and the public:

- The bill recognizes that groundwater and surface water are linked, and must be considered together.
- The bill recognizes that there are many different reasonable and beneficial uses of Pennsylvania's waters, including agriculture, public water supply and energy production; and instream uses, such as navigation, recreation and fish and wildlife habitat. All of these legitimate uses must be evaluated, considered, accommodated and balanced in preparing a truly workable State Water Plan. The bill focuses on balance throughout the planning process.

- This is a planning bill only. It does not establish any water allocation or water withdrawal permitting requirements. As expressed in subsections 301(c) and 506(a), this bill does not give DEP any additional authority to regulate, control, or require permits for the withdrawal or use of water.
- The bill recognizes the need to plan and manage water on a watershed basis, without regard for artificial political boundaries, and with the understanding that water management programs should be based upon an accurate and current State Water Plan. It makes clear that political subdivisions do not have the power to allocate water resources or regulate water withdrawals, while preserving the powers of local government to regulate land use under the Pennsylvania Municipalities Planning Act and other laws.
- Registration and reporting requirements apply to those users who withdraw more than 10,000 gallons per day, and are designed to avoid duplication and unnecessary expense. The bill explicitly provides that rules governing reporting must provide alternative methods for estimating water use, in lieu of metering, particularly for users who withdraw between 10,000 and 50,000 gallons of water per day.
- Specific protections are provided for confidential information, including data whose disclosure might present threats to the safety and security of water supplies.

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