

Citizens' Association for Sensible Sewage

Contact: George DeVault, 3502 Main Rd. E. (610) 965-6871 devault@fast.net

August 15, 2005

Dear Friends and Neighbors -- It is not too late. You and I still have a chance to convince the Upper Milford Twp. Supervisors to adopt a sensible -- affordable -- sewage plan.

But we have to act now. Today! Time is quickly running out. The Supervisors want to adopt the new sewage plan Aug. 30. Here are four low-cost and effective things you can do to save yourself thousands of dollars and preserve our quality of life in the township:

1. Send Sue Smith a letter -- Ms. Smith is chairman of the Upper Milford Supervisors. By law, your letter and the township's response will go in the plan submitted to the state.

Tell her exactly what's on your mind. Tell her what having to pay an average of \$7,850 in "upfront costs" and an extra \$115 a month -- for the next 20 years -- will do to your household finances. Be specific about your concerns. Here is her address:

Susan J. Smith, Chairman
Upper Milford Twp. Supervisors
5831 Kings Highway South
Old Zionsville, PA 18068

2. Attend Aug. 17 Meeting -- This coming Wednesday at 7 p.m. at the Vera Cruz Fire Company Social Hall, 4093 Main Road West. Bring a list of questions -- and a neighbor!

3. Check Out The Plan, Yourself -- It is on display at the township building. Pack a lunch, though. It weighs almost six pounds, has more than 400 pages and costs \$200 per copy. Find your home on the color maps. See what kind of a future is planned for you.

4. Spread The Word -- Tell all of your friends and neighbors throughout the township that this proposed plan affects them, too. It is not just "the Vera Cruz sewer."

The plan covers everyone living in Upper Milford. Vera Cruz is only first on the sewer hit list. Other areas targeted for sewers through 2020, on an "as-needed basis," include:

- * Old Zionsville
- * Zionsville
- * Seventh Street Extension
- * Golf Circle
- * Adjacent to South Fifth Street
- * Hosensack Creek, Church View Road area
- * Indian Creek area adjacent to St. Peters Road west of Chestnut Street
- * Swabia Creek basin adjacent to Chestnut St., Mill and Tank Farm Rds. and Rose Dr.

This plan is required by state law (Act 537). But the consultant who did the plan went from Step 1 (data collection) to Step 10 or so (public sewers) -- without looking at the real needs, cheaper alternatives or how we can pay for it all. Big bucks in designing sewers!

How should an Act 537 plan really be done? Bottom line of the attached PA Dept. of Environmental Protection policy couldn't be more clear -- "practical, affordable solutions."

Is Upper Milford's new plan practical? Is it affordable? You decide. Then tell Sue Smith what you think, while there is still time. The future of our township is still in your hands.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER QUALITY PROTECTION

DOCUMENT NUMBER: 362-2206-007

TITLE: POLICY ESTABLISHING NEW PROGRAM DIRECTION FOR ACT 537
COMPREHENSIVE PLANNING

EFFECTIVE DATE: April 15, 1997

AUTHORITY: Act 537 of 1966, the Pennsylvania Sewage Facilities Act (as amended), 25 PA
Code Chapter 71

POLICY: DEP will help rural municipalities and their consultants find practical,
affordable solutions to their existing and newly discovered sewage problems
that will protect public health and the environment, and will assist them in
finding the funding necessary to implement these solutions.

PURPOSE: Resolving the sewage needs of rural Pennsylvania municipalities may not be
practical using conventional methods, due to low development density and lack
of available funding. Without affordable, practical solutions to their sewage
problems, these municipalities suffer public health and environmental
conditions that place their residents at risk and limit opportunities for economic
growth. Through this policy, DEP will:

- Develop information and resources to help rural municipalities and
their consultants find practical, affordable solutions to existing
problems that protect the public health and the environment;
- Help them plan for their future growth; and
- Assist them in finding available funding sources.

This policy document describes how the Department plans to achieve these
objectives.

APPLICABILITY: This policy will be used by regional Act 537 program staff to assist rural
municipalities in resolving their sewage treatment needs.

DISCLAIMER: The policies and procedures outlined in this guidance document are intended to
supplement existing requirements. Nothing in the policies or procedures shall
affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation.
There is no intent on the part of the Department to give these rules that weight
or deference. This document establishes the framework within which DEP will
exercise its administrative discretion in the future. DEP reserves the discretion
to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 3 pages.

LOCATION: Volume 34, Tab 14A

TECHNICAL GUIDANCE:

I. History of the Problem

A range of factors contribute to the difficulty in resolving the sewage problems of rural Pennsylvania. The primary factors include the following:

- A. **Magnitude of the problem:** Act 537, the Pennsylvania Sewage Facilities Act, has always placed the primary responsibility for permitting of on-lot sewage disposal systems and planning for new land development on local municipalities. In 1994, amendments to Act 537 were passed that increase the level of the municipality's responsibilities. Rural municipalities, however, have traditionally seen management of rural sewage disposal as DEP's job and have therefore limited their involvement with it. They often begin the sewage facilities planning process before they have a basic land use plan in place that would serve as a blueprint to guide their development. In these cases, the planning process is inverted, since municipal selection of sewage facilities alternatives, rather than the basic land use plan, drives proposed land uses. DEP has also been perceived as disregarding the sewage needs of rural areas, because their low population density and limited financial resources, combined with the scarcity of available grant funds, make conventional solutions to sewage problems extremely difficult to implement. Some rural municipalities' lack of basic planning and needs documentation requires them to do considerable catch-up work to be able to compete for scarce sewage facilities construction grants and loans. This can be a critical problem in low-income areas that could require up to 90% grants to afford a sewerage project using conventional methods.
- B. **Alternatives:** Many consultants are reluctant to propose innovative or low-tech, low-cost solutions to rural sewage problems due to the lack of reliable cost or performance data on these systems. This lack of reliable data has also resulted in lengthy delays or outright denials when consultants have proposed these new approaches to DEP. Consultants may also find it easier and more profitable to propose conventional technology.

Some rural municipalities see the Department as reluctant to allow them to use the sewage facilities planning process to accomplish the goals they want to achieve. The sewage facilities alternatives selected often appear to have been chosen by DEP and the consultant, not the municipality, when in fact DEP actively avoids taking over this municipal responsibility. Adding to the problem is that municipal officials often do not want the responsibility for decisions that will be considered unnecessary or expensive by their constituents. While DEP must be more flexible when evaluating low-cost yet effective solutions that meet the requirements of existing laws and regulations, municipalities must also be willing to assume responsibility to implement the selected alternatives.

- C. **Acceptance of realities:** Both municipalities and the Department must realize that it may be impossible for some rural municipalities to correct sewage problems using conventional collection, conveyance and treatment systems, due to low development densities and lack of available funding. The Department encourages municipalities to address management of both their existing and proposed new on-lot systems and their small flow systems as an alternative in their planning. Municipalities who are willing to assume more management responsibility could extend the life of their existing sewage facilities and be able to use noncentralized sewage alternatives which may be more affordable. Both DEP and municipalities must accept that phased implementation and long-term goal setting may be necessary to implement rural projects.

II. Policy

In accordance with this policy, DEP will provide outreach and assistance to local governments in the Act 537 comprehensive sewage facilities planning process. In its oversight role DEP will provide information

to rural municipalities that have sewage treatment needs. The Department will work with the municipalities' consultants to define the range of alternatives available and to use this information to solve their sewage problems. The Department will use cases that were successfully resolved through implementation of this policy as models in other, similar circumstances.

Key elements in the Department's effort will include:

- encouraging comprehensive, long-range municipal land use and sewage planning;
- assisting in identifying and developing alternative sewage collection, conveyance and treatment technology;
- assisting in identifying and developing noncentralized sewage treatment technologies;
- encouraging practical, affordable technology;
- accepting the possibility of long-term, phased solutions;
- streamlining planning and design requirements;
- expediting and minimizing the paperwork required for implementation;
- assisting in identifying available funding sources;
- assisting municipalities in maximizing their eligibility for funding;
- pursuing the creation of new funding options through PENNVEST to provide low-cost financing for small rural sewerage projects;
- developing information on sewage management programs and elements of sewage facilities planning; and
- developing case studies of rural municipalities that have successfully addressed their sewage needs.

YOU ARE NEXT.



SEE THE MAP ON THE OTHER SIDE? IS YOUR HOUSE IN ONE OF THE COLORED AREAS?

If so, you may soon be forced to spend tens of thousands of dollars to connect to public sewers.

The map is just one small part of a master plan, a sewer plan for ALL OF UPPER MILFORD TOWNSHIP through the year 2020.

Most people shrug this plan off as "the Vera Cruz Sewer Project." But, as you can see from the map, it takes in more than just the village of Vera Cruz. A whole lot more!

The plan (**above**) weighs nearly six pounds. It has 400-plus pages, dozens of color maps and costs \$200 per copy.

Township Supervisors intend to adopt the plan this coming **Tuesday, Aug. 30 at 7:30 p.m. at the Township Building, 5831 King's Hwy. S., Old Zionsville, PA.** Approval by PA Dept. of Environmental Protection is expected within days.

The plan also includes a new **Septic Management Program.** That will empower the township to begin regularly inspecting all septic systems in the township. For the first time ever, the township will order repairs of problem septic systems. If that doesn't solve the problem, public sewers will follow.

Have a properly working septic system? Doesn't matter. It must be drained and destroyed.

How much will it cost? Only an average of \$7,850 per household in Vera Cruz, says the township. Try \$35,701, says The Morning Call.

An Acorn Dr. resident recently spent \$10,000 fixing his sand mound. A plumber just gave him a connection estimate of \$30,000. A Main Road East resident got an estimate of **\$58,000.** If he needs a grinder pump, add \$10,000 more.

Why hasn't the township told you about this before?

Why didn't it send you a "fact sheet," as it did Vera Cruz residents earlier this month?

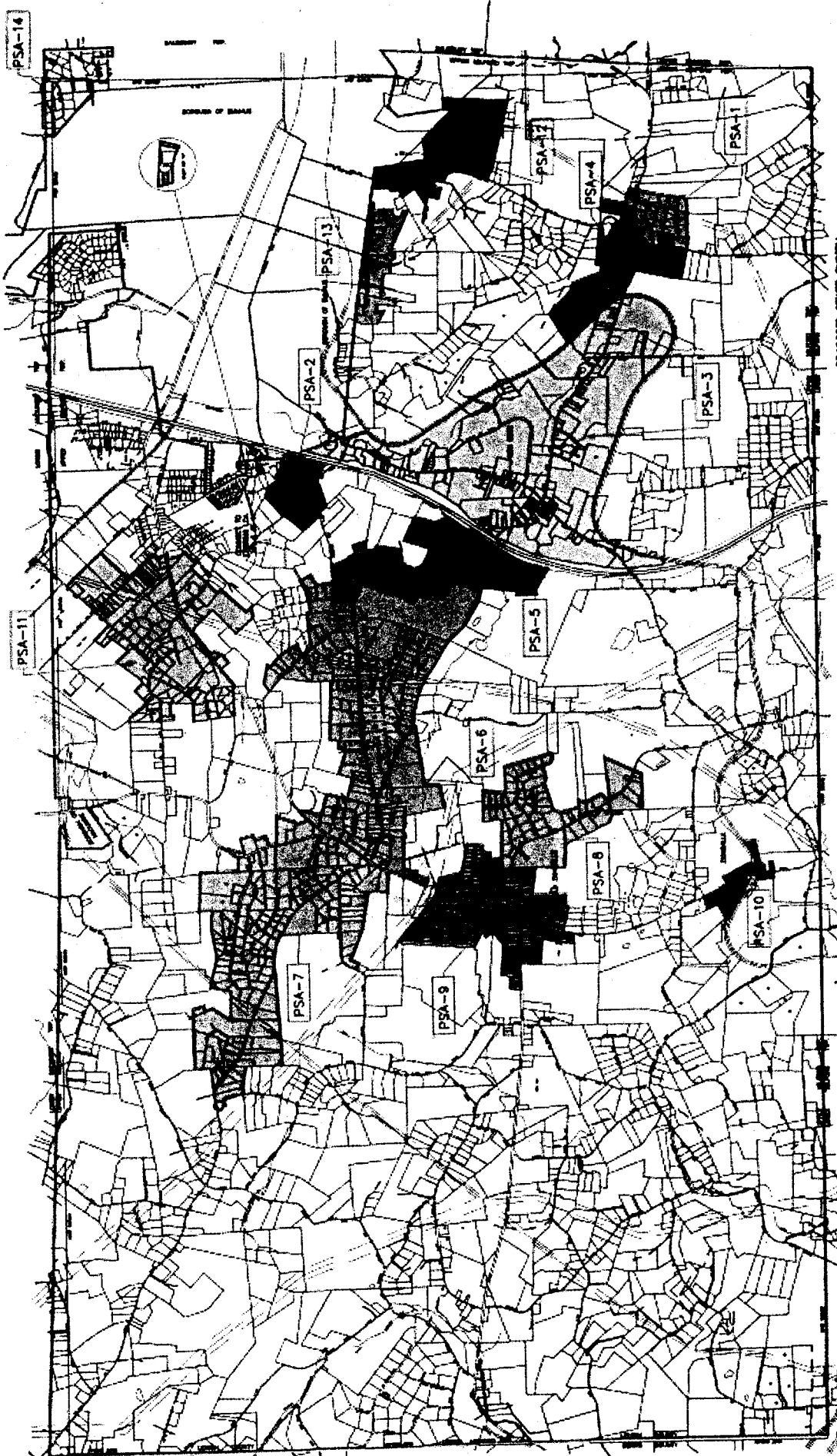
ASK THE SUPERVISORS, YOURSELF.

**Tuesday, Aug. 30, 7:30 p.m.
Upper Milford Twp. Bldg.
5831 King's Hwy. S.
Old Zionsville, PA**

We'll see you there.

CITIZENS FOR AFFORDABLE, SENSIBLE SEWAGE, AUG. 24, 2005

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PROJECT NO
0205343

SCALE
1" = 2500'

DATE
04/25/03

FIELD BOOK

SHEET
2 - 14

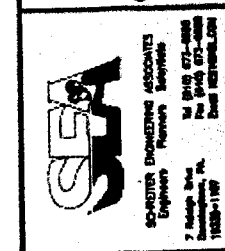
PROPOSED SEWER SERVICE AREAS
UPPER MILFORD TOWNSHIP
ACT 537 PLAN REVISION

UPPER MILFORD TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA

SCHOOR DEPALMA
 Engineers and Consultants

102 PICKERING WAY
 SUITE 501
 EXTON, PA 19341

TEL (610)594-3500 FAX (610)594-3503



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Take Back Your Township

Join the Upper Milford Citizens' Advocacy Group

The mission of the Upper Milford Citizens' Advocacy Group is to serve as an independent watchdog -- public eyes and ears -- for Upper Milford residents in all matters involving township government.

This is in the finest tradition of American Democracy, for, as it says in the Declaration of Independence, among our unalienable rights are those of Life, Liberty and the Pursuit of Happiness:

"To secure those rights, Governments are instituted among Men, deriving their just powers from the consent of the governed... Whenever any form of government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government ... it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security."

UMCAG's activities will include, but will not be limited to:

- * Endorsing/sponsoring candidates (including write-in candidates) for supervisor who, in CAG's view, represent the best interests of township residents, starting this in fall's election.
- * Sponsoring a referendum to increase from three to five the number of Supervisors.
- * Attending township meetings and reporting regularly on relevant matters to township citizens via a CAG website, newsletter, and other means.
- * Hiring independent engineers, attorneys and other professionals, as needed, and commissioning independent studies of township proposals to provide administrators and citizens with the best and most complete information available.
- * Producing and distributing flyers and brochures, yard signs, bumper stickers and posters, as necessary to keep township citizens fully informed.

We feel the formation of a Citizens' Advocacy Group is necessary because township officials have been less than forthcoming in their handling of the present sewer plan, to wit:

-- A legal notice of the plan was published in the East Penn Press in late July. Buried in the middle of the text was the fact that this was a plan for the entire township -- not just the Vera Cruz area -- through 2020. It calls for future sewerage in other areas, as-needed.

-- Township officials have attempted to keep the public spotlight on just Vera Cruz.

-- After only a 30-minute presentation on the 400-plus page plan the Planning Commission on Aug. 29 sought a resolution encouraging supervisors to adopt the plan -- the next day.

This is NOT how informed government decision-making works. Join us. And take back your township government. Write:

Upper Milford Citizens' Advocacy Group (UMCAG)
P.O. Box 412
Old Zionsville, PA 18068