

John “Johnny” Painter Testimony

Good afternoon. Today’s topic is stream bank maintenance and repair, or as you witnessed on the tour “LACK OF.”

First let me say as farmers and conservationists it is heartbreaking and gut wrenching to see our soils washed away. Those farms and that soil is much more than how we make our living. It’s part of our legacy, something we want to pass on to our children and beyond. There’s a reason its called real estate. God Only made so much it, its not renewable, once its washed away, its gone forever!

One of the sites you visited today is land my family owns. It’s some of the most productive prime farmland in the county. All of the sites visited today would fit in that class. Unfortunately, its also some of the most vulnerable of being washed away!

The damage you looked at today happened August 17-18 due to a storm that dumped 8-10 inches of rain in a few hours on an already waterlogged landscape. But that storm didn’t cause the flooding. The flooding was the result of many years of neglected and over regulated stream maintenance. Years of allowing gravel bars and organic trash/debris to build up and even a few engineering blunders.

Farmers and landowners as well as local and county officials are very hesitant and quite frankly afraid to attempt much maintenance of our streams, due to the highhandedness and threat of fines from DEP. Quite frankly even you as state Reps have very little oversight or authority to control them.

Okay Enough Whining. What can be done?

- 1) Allow landowners to remove debris without permits or fear of retaliation
- 2) Create a general permit for municipalities to clean and restore stream banks/ As needed, when needed, and where needed without limits to length or area size. And allows for removal of gravel and sand bars even with vegetative growth on them.
- 3) Anyone who operates a business knows that not everything is about the least cost way. Some things may cost more initially but contribute to the greater good. You are sitting in a district that still has many gravel roads, or as I like to say, “we live on a dirt road three months a year and a mud road the remainder.”

Let’s create a fund that’ll help municipalities remove gravel bars, help pay for crushing and reuse this gravel on our roads where it’ll do more good instead of harm.

Of course, these will all require set guidelines and oversight. As farmers and conservationists, we expect and accept that. Ladies and gentlemen, I’d ask that you consult with and seek advice from DEP, DCNR, and other necessary regulatory agencies to come up with a legislative fix for this problem. However, I’d also ask that you retain legislative authority to the solution and not hand it over to them as their “baby”!

In closing I want to say thank you for visiting the 68th district today and taking the time to see and hear our concerns. Ladies and gentlemen maintaining our streams and protecting/preserving our farmlands is very important to the 2% of us that proudly call ourselves farmers but its also vitally important to the other 98% of the population that enjoy the most ABUNDANT, AFFORDABLE, and SAFEST food supply in the world.