

What is the problem?

An out of town housing development group (Toll Brothers) with a long history of violations of the Clean Water Act in 23 states wants to build luxury student housing on the watershed above the Thomas-Harter Wellfields. The land is along Whitehall Road at the intersection of Blue Course Drive. The wells are the water supply for 2/3 of State College. What is really concerning here is how shallow the wells are, how fragile the limestone rocks are and how much toxic chemicals are in the soil. The soil on this farmland has been treated for years with pesticides and the heavy construction required for this development is planned to include extensive excavation and blasting, which can lead to these contaminants and others from the planned housing development ending up in our water supply. We could end up with polluted wells. The Clearwater Conservancy is currently purchasing easements to protect the Thomas-Harter Wellfield from development. These easements are on land that is adjacent and downslope from the luxury student housing development. According to the Center Regional Planning Agency this development could “*negatively impact this important regional drinking water supply*”¹. The State College Borough Water Authority who look after the wells said this development is “*just the wrong thing.*”²

Now in 2017 the situation is perhaps much worse. Climate change is bringing severe weather events that include heavy rains and flooding. Since the site is on a hill above the wells, the stormwater basins will be under great stress and may not be able to prevent pollutants from contaminating the wells.

Didn't someone sue?

Yes, local landowners sued Ferguson Township to overturn the approval of this development. This was supported by fundraising activities by the Nittany Valley Water Coalition who raised over \$25,000 from our wonderful community. Judge Grine ruled in our favor and overturned approval of the proposed development plan on the grounds that the stormwater capture basins are proposed to be placed on land zoned rural agricultural as the primary use, which is illegal. But when Toll Brothers appealed to the Commonwealth Court we lost on a technicality as we did not object within the short 30-day window allowed for such objections. The appellate court did not even address the main point of our argument. We will appeal to the PA Supreme Court.

Penn State owns the land. Why are they selling?

Penn State's administration says they are locked into an agreement to sell this land, which was entered into in 2012. If they pull out, Toll Brothers may sue. We believe that even if this should happen Penn State should still not sell. Penn State is a Land Grant University and one of the foundations of its current strategic plan is *Ensuring a Sustainable Future*. In Penn State's own words:

*"Penn State will be a leader in creating comprehensive solutions to mitigate the dangers of climate change and address **the challenges of providing safe and abundant water, clean and renewable energy sources, and plentiful and nutritious food.** With service to the citizens of the Commonwealth as an institutional commitment, we embrace the challenge*

¹ March 29th, 2004 Centre Regional Planning Agency Memo to Ferguson Township (Author: Sebastian DeGregorio)

² July 7, 2015, Transcript Excerpt – Joint Work Session – State College Borough Water Authority and Ferguson Township Board of Supervisors.

Factsheet on the Toll Brothers development on Whitehall Road/Blue Course Drive

articulated so clearly in our Constitution" which states "Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the commonwealth shall conserve and maintain them for the benefit of all the people" <http://strategicplan.psu.edu>

All we want is for Penn State to live up to these noble words and stand by its commitment to the community by protecting our water.

So what? Who cares?

The over 3,000 citizens who signed the petition care. The Nittany Valley Water Coalition cares. Clearly the local citizens who started this legal battle care. And you may have heard about the Clearwater Conservancy's effort to raise \$2.75 million to prevent future development on the Meyer and Everhart farms by putting this land into a permanent agricultural easement. Their goal is to protect the same wells that the Toll Brothers' development threatens. Lots of people care about protecting the Thomas-Harter wells and the water they provide to this Centre region.

Are you against student housing?

No, we are not against development and we think there are many places where student housing can and should be built. It makes a lot of sense to place student housing closer to the University but not on farmland very near our water supply.

Can't we just build a water treatment facility?

Yes. If the water gets polluted we can build a water treatment facility. That would likely cost over \$40 million and the cost would not be paid by Toll Brothers or Penn State but by us, the local water users and taxpayers.

What do we want?

We want Penn State to engage Toll Brothers and find a solution that is a win/win for all. Penn State has land they could sell to Toll Brothers to build on that would not endanger our water supply or destroy open space in this area. This is the wrong place for massive luxury student housing development.

How to get involved

- Express your concern by writing a letter to the Editor of the Center Daily Times and to Penn State's President, Dr Eric Barron at president@psu.edu (814-865-7611).
- Put a yard sign up to show your support. Also get your neighbors involved. The only way we can stop this is by working together.
- FB <https://www.facebook.com/Nittany-Valley-Water-Coalition-411453045714666/>
- Check our page for more information <http://nittanyvalleywatercoalition.org>
- Donate. Write a check to- CommunityWise P.O. Box 1256, State College, PA 16804 or PayPal communitywisesc@gmail.com
- Send us an email to get on our newsletter NittanyValleyWaterCoalition@gmail.com