



## REPORT ON MCCD

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By Paula Heeschen for Brodhead Watershed Association

# Citizen challenges ‘conflict of interest’

An elephant suddenly appeared in the room toward the end of the Monroe County Conservation District board’s March meeting. Local resident Tom Van Zandt challenged the board to recognize what he called the “obvious, blatant, manifest conflict of interest” represented in the person of board member David Moyer, an excavator.

Van Zandt then alluded to the recently announced plans for a 75-acre, \$350 million development in Tobyhanna Township.

“He stands to make tremendous profit from this new project,” Van Zandt said, adding a reminder that Tobyhanna Township officials had attended previous district board meetings to complain about stream protection measures that, in township Supervisor Ann Lamberton’s words, impeded economic development.

No board member responded, when asked, to Van Zandt’s comments.

Questions about Moyer go beyond this citizen’s challenge about financial conflict of interest on a project the district will monitor closely. Developers are proposing the so-called Pocono Springs Entertainment Village for the headwaters of Swiftwater Creek. Tobyhanna Township Manager John J. Jablowski Jr. described the project in a news account as “transformative.”

Whether and how such a big project will move forward depends on the official status of the Swiftwater, whose headwaters are deemed Exceptional Value waters.

Another organization, the Monroe County Clean Stream Coalition, is publicly challenging the state Department of Environmental Protection’s stream classification system and suggesting that the DEP’s current method for evaluating streams is “improper.” The coalition has formally challenged DEP’s classification determination of the Swiftwater and five other local, pristine streams, including the Tunkhannock, Cranberry Creek, Paradise Creek, Devil’s Hole Creek and Tank Creek, as Exceptional Value waters, appealing to the Pennsylvania Environmental Hearing Board.

BWA and the Citizens for Pennsylvania’s Future have filed their own joint petition to intervene in the coalition’s challenge. BWA has committed professional and volunteer time and expertise and considerable financial investment to supporting and protecting water quality.

How does all this relate to Moyer? Lamberton’s name appears in the EHB docket on behalf of the coalition. The coalition provides its address as 186 Murphy Run, Stroudsburg — the physical address of Papillon & Moyer Excavating and Paving, Dave Moyer’s business.

BWA’s mission is protecting and improving the quality of water in the Brodhead Creek and its tributaries. Water quality experts inside and out of agencies argue that headwaters of pristine streams

are especially vulnerable to intensive development. Possible pollution from earth-moving activities during construction is just one consideration. There's also the sheer amount of groundwater a complex the size of the planned Pocono Springs would consume. The question of how such substantial water withdrawals would affect the headwaters – and other consumers who rely on it – is no small matter. And, how would Pocono Springs treat its wastewater, and where would that wastewater go?

These projects affect not only those immediately involved and close neighbors, but residents and business owners far beyond the acres proposed for “transformation.”

Van Zandt has issued a challenge by raising his conflict-of-interest charge. Is Dave Moyer on the board to protect Monroe County's natural resources, which the Pennsylvania Constitution guarantees to all citizens? Or is he working to avoid, or defang, the regulations that serve to protect those resources?

The district board meets again at 8 a.m. Thursday, May 17, at the district offices, 8050 Running Valley Road, Bartonsville. Maybe MCD members – even Moyer himself – will acknowledge the elephant in the room, and address this matter.