

2783

# EMBARGOED MATERIAL

**From:** Tim Townes [TTownes@JLOEW.com]  
**Sent:** Thursday, June 17, 2010 9:38 AM  
**To:** mwhite@pasen.gov; eerickson@pasen.gov  
**Cc:** IRRC; E. Kahn Development; Jack Loew  
**Subject:** Disapprove final Chapter 102 rulemaking

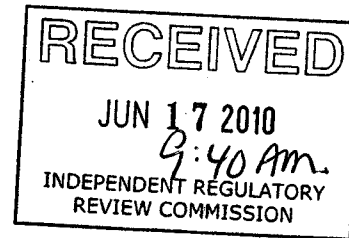
Senators Erickson and White:

I thank you for the opportunity to offer comments on the final 25 Pa. Code Chapter 102 rulemaking, regulation #2783. I have a number of concerns with respect to the proposed rulemaking, and I urge you to **disapprove** the final rulemaking. The mandatory 150-foot buffer on both sides of all HQ/EV streams and the ultra-conservative stormwater infiltration requirements will be extremely detrimental to the commercial, retail, and residential industries as a whole and my business individually.

Assuming the Commonwealth will ultimately adopt some form of riparian buffers, I would like to voice my request that the requirements include the ability to create flexible designs by using other best management practices in conjunction with reduced buffer widths to achieve the results sought by the use of buffers alone. I would also like to see infiltration standards that more closely mimic existing conditions instead of an artificial standard.

We are in desperate economic times. Adopting these regulations as is might be a death nail to many existing and proposed projects. Please disapprove these regulations and allow the implementation of guidelines that protect the environment while promoting vitally needed growth.

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