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DEC - 7 REC'D

INDEPENDENT REGULATORY
REVIEW COMMISSION

November 30, 2009

The Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

RE: Comments for the Proposed Chapter 102 Regulations

Dear Environmental Quality Board members:

As the south-central representative to the State Conservation Commission's Conservation District Managers Advisory Committee, I was asked by my counterparts to provide and summarize our shared comments and concerns from the following County Conservation Districts: Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon and York. Each of the above Districts has submitted their own individual comments as well. We appreciate the opportunity to provide comments during this regulatory revision process.

102.6 - Permit fees

The Districts do support an increase in fees. Six of the seven Districts, with the exception of the Lebanon County CD favor a tiered fee system. The system could be as basic as requiring one fee for those sites meeting the 1-5 acre permit criteria and a separate fee for those sites of 5 acres or more. The Lebanon County CD favors a doubling or tripling of the NPDES fees from \$250 to \$500 or \$750 for General permits and from \$500 to \$1,000 or \$1,500 for Individual permits.

102.15 - Permit by Rule (PBR)

Most of the Districts' made some comment about this option. They can be summed up as follows:

1. A concern over the lack of technical reviews by Districts or DEP.

2. The allowance of 15 acres of disturbance at any given time.
3. Defining "low impact development."
4. Allowing the option to be used in High Quality (HQ) watersheds.

102.4(c) - Erosion and Sediment Control Requirements

Reference is made to "have Districts consult with the Department." We are assuming that this consultation is for structural E& S BMPs versus all BMPs. Districts routinely make decisions regarding E & S BMPs both in the field and in the office. We feel that this requirement would hinder our ability to administer the program in a timely and efficient manner.

On behalf of the Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon and York County Conservation Districts, we appreciate the opportunity to provide our common concerns with the proposed Chapter 102 regulations.

Sincerely,

Laurence Martick

Laurence Martick, District Manager
Adams County Conservation District
670 Old Harrisburg Road, Suite 201
Gettysburg, PA 17325

CC: file

Chambers, Laura M.

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From: Larry Martick [lmartick@adamscounty.us]
Sent: Monday, November 30, 2009 3:45 PM
To: EP, RegComments
Subject: FW:

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REVIEW COMMISSION



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Attached are common comments from the Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon and York County Conservation Districts concerning the Proposed Chapter 102 Regulations. Each of the above conservation districts has also submitted comments on the proposed regulations on their own. We appreciate the opportunity to share our comments with you. Thank you.

Sincerely,

Laurence Martick, District Manager
Adams County Conservation District
670 Old Harrisburg Rd.; Suite 201
Gettysburg, PA 17325
(717)334-0636 Ext. 301
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E-Mail: lmartick@adamscounty.us

-----Original Message-----

From: administrator@adamscounty.us [mailto:administrator@adamscounty.us]

Sent: Monday, November 30, 2009 3:48 PM
To: Larry Martick
Subject:

KM-4050

