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Chambers, Laura M.

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From: BErixxon [BErixxon@bensoncompanies.com].
Sent: Monday, November 30, 2009 9:07 AM
To: EP, RegComments
Cc: berixxon@comcast.net
Subject: Proposed Chapter 102 Regulations

DEC 7 REC'D

INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Board,

I write this letter as an avid outdoorsman and a father whose daughter rows daily on the Schuylkill. I want all the watersheds and rivers in eastern Pennsylvania protected, but I fail to see the rationale for the changes proposed in the Chapter 102 Regulations. Running from Boathouse row to Manayunk, this morning, it's very clear that water quality in the Schuylkill has improved dramatically over the past decades. These improvements came under the existing regulations or prior regulations. The proposed regulations are extreme and are not scientifically substantiated.

The inclusion of mandatory minimum buffers is an unwise:

1. It does not incorporate differences in elevations, soils, or vegetative cover; even drainage pattern.
2. It eliminates the ability to engineer sound site plans in the buffer area (an engineered BMP can never be 100' from a stream bank).
3. It will eliminate Millions of dollars of developable commercial and residential ground in the state; in these economic times, legislatively destroying landowner value, be it private, municipal, or state owned is ill advised.
4. The ground that these regulations make undevelopable is substantial has it been quantified and have the affected landowners been notification?
5. The wording in the mandatory buffers and the requirements to replant them, may damage the water shed; certainly there are areas that may benefit, but conversely there will be areas that will be damaged. Clearing to the stream bank is risky. Therefore, site specific analysis should determine this, as the current regulation does, not the new state wide mandatory regulation.

The timing of these changes is also unwise:

1. The current recession has basically stopped private residential and commercial development; the resulting job losses are substantial.
2. The lack of private development and construction is hurting all the townships and counties in the Commonwealth, the proposed changes will exacerbate there budget problems.
3. The private or public projects that will be started, as the economy comes out of the recession, will be delayed, will be more expensive, or may be cancelled.

Certainly, protecting our watersheds is vital to everyone in the region; but the proposed chapter 102 regulations are unwise. Please do not approve the proposed 102 regulations.

Sincerely,

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