

Chambers, Laura M.

From: jlevasseur@hnrq.com
 Sent: Wednesday, November 25, 2009 2:41 PM
 To: EP, RegComments
 Subject: Chapter 102 Erosion Control & Stormwater Management Revisions

DEC 7 REC'D
 INDEPENDENT REGULATORY
 REVIEW COMMISSION

Dear Environmental Quality Board:

I am the Area Manager for Hancock Forest Management (HFM) that manages 116,000 acres of forest land investments in north central Pennsylvania. I am also the current Chairman of the Pennsylvania Sustainable Forestry Initiative (SFI) Program. HFM managed land is third party SFI certified and we have just applied for third party FSC certification. We recognize the need for protecting stream quality and ecosystems but feel the recommended buffers to these revisions are excessive even in a permitting situations. They are even significantly excessive compared to the FSC Appalachian standards. Historically Forestry and timber harvesting have not been a major cause of Pennsylvania's water quality problems - illustrated by DEP's Integrated Water Quality Monitoring and Assessment Report that show silviculture and logging roads account for only two-tenths of one percent (0.2%) of the state's impaired stream miles. As thus I would like to make the following recommendations:

1. Provide forestry with the same exemption from permitting, forested riparian buffers and PCSM Plan requirements, as is provided to agricultural activities. Forest management activities if conducted according to the Pennsylvania Best Management Practices will create little to no water quality risk. Focus on water quality violations not overburdening costly regulations.
2. Allow forestry and timber harvesting in riparian buffers, including single and multi-tree harvests within inner buffer zones. If forest management is not allowed within SMZ buffers then this would constitute a significant taking of a private landowner's land and utilization of their land. This would negatively impact the economics for timberland owners of owning productive forest land and thus promote other non-conservation uses of the land such as subdivision and camp lots development.
3. Ensure that the proposed additions to the E&S plan are based on better results and not unnecessary specialized plans that are costly to develop and implement. E & S plans should be able to be completed by the existing population of foresters and timber harvesters that have already been trained in the use and practice of voluntary BMPs. For years Pennsylvania has had an excellent set of Best Management Practices for Water Quality and Timber Harvesting that work. The Pa SFI program trains loggers regarding these standards. To make changes to the E & S Plan requirements that are more restricting and costly to complete and implement will cause less compliance and greater hardship for the forest land owners to profitably manage their lands.
4. Oppose calls by activists to lower the current permit threshold for timber harvesting (25 acres of disturbance); Earth disturbances resulting from timber harvesting is spread out over a larger area of undisturbed ground. Typically less than 10% of a harvested site will experience earth disturbance activity. Typical BMP recommendations suggest that skid trails be water barred as harvesting proceeds thus further minimizing erosion and sedimentation hazards. All this

minimizes sedimentation risk for the activity on the site.

If the new changes to Chapter 102 recommendations are implemented as suggested Forest management and investment will be crucially impacted. Such substantial land restrictions threaten the future viability of the state's forest products economy and future of forest-based biomass energy as well as creates a financial burden to private forest landowners .Industrial and investment landowners will be further pressured to sell their lands resulting in lands being sold for other uses and potentially subdivided. This will result in further fragmentation, development and greater potential water quality risk. With the lack of Industrial and Investment Forest land involvement the State's Private forest lands are more susceptible to less productivity and greater forest health issues.

So I strongly suggest once again to :

1. Provide forestry with the same exemption from permitting, forested riparian buffers and PCSM Plan requirements, as is provided to agricultural activities.
2. Allow forestry and timber harvesting in riparian buffers, including single and multi-tree harvests within inner buffer zones.
3. Ensure that the proposed additions to the E&S plan can be completed by the existing population of foresters and timber harvesters that have already been trained in the use and practice of voluntary BMPs.
4. Opposes calls by activists to lower the current permit threshold for timber harvesting (25 acres of disturbance);

Thanks for your time.
John Levavasseur
Allegheny Area Manager
Hancock Forest Management
P.O. Box 3304
202 East Main St.
Smethport, PA 16749

office: (814) 887-9135
cell: (814) 251-4982

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