

**Delaware Riverkeeper Network ~ American Rivers ~  
Clean Water Action ~ Juniata Valley Audubon ~ Earthworks ~  
Pipeline Safety Coalition ~ Pine Creek Valley Watershed Association ~  
Conemaugh Valley Conservancy ~ PA Forest Coalition ~ Earthworks ~  
Aquashicola / Pohopoco Watershed Conservancy ~ Sierra Club  
Pennsylvania Chapter ~ Berks Gas Truth ~ Brandywine Conservancy ~  
Citizens for Clean Water ~ Raymond Proffitt Foundation ~  
Allegheny Group, Sierra Club ~ South Branch Tunkhannock Creek  
Watershed Coalition ~ Protecting Our Waters ~  
Quittapahilla Audubon Society ~ Marcellus Outreach Butler ~  
Tour de Frack ~ Pennsylvania Council of Churches ~  
Conodoguinet Creek Watershed Association ~ Pennsylvania Council of  
Trout Unlimited ~ Perkiomen Valley Trout Unlimited**

June 11, 2013

Representative Marcia Hahn  
354 West Moorestown Road  
Nazareth, PA 18064

**Re: Proposed Legislation Regarding 25 Pa. Code Section 102.14**

Dear Representative Hahn,

We are writing this letter regarding your May 30, 2013 proposal to introduce legislation that would repeal 25 Pa. Code Section 102.14, which requires 150 foot riparian buffers on high quality (HQ) or exceptional value (EV) waterways, two of which, Bushkill Creek and Catasauqua Creek, are located in your district. The 150 foot buffer requirement is designed to protect the quality of our EV and HQ streams and provides benefits for reducing downstream flood damages to impacted communities. This minimal buffer requirement is not a shift in Pennsylvania policy as has been suggested but rather is one of the most cost effective and beneficial basic protections for fulfilling the State's promise of clean water and safe communities.

In fact, hundreds of municipalities have enacted their own buffers ordinances, many of which go farther than current state requirements by requiring buffers for all streams, not just EV and HQ streams. At least 15 out of 38 municipalities in Northampton County have buffer requirements for all streams in their jurisdiction.

Removal of the buffer requirement from the Chapter 102 regulations threatens the health and quality of life of the Commonwealth's citizens and ecosystems. Assertions by developers to the contrary have been broadly demonstrated to be unfounded by experiences throughout the state.

There is overwhelming data on riparian buffers which demonstrates that they provide a wide range of economic benefits to society by reducing flooding and flood damages, water pollution, and erosion; and that they provide economic benefits to builders, landowners and host communities as well. To the extent that minimum buffer requirements require an investment by developers and landowners, it is an investment they fairly shoulder for the pollution and stormwater impacts that every development, no matter how constructed, will increase the volume of polluted runoff that enters local waterways and converge upon downstream communities to their detriment; but it is also an investment that they demonstrably benefit from as repeated study documents that buffers help developers and states fulfill their pollution and stormwater prevention obligations and result in developments that sell more quickly and for greater value as a direct result of the existence of the healthy buffer.

### **Vegetated Buffer Zones Minimize Flooding and Flood Damages and the Costs that Accompany Them.**

Vegetation along waterways encourages rain, runoff and high flow waters to slow down and to soak into the soil, reducing the amount of water that gets dumped on downstream communities where it can cause damage. Floodplains vegetated with trees and shrubs can be four times more effective at retarding flood flows as grassy areas and more effective than streamside lands that have been developed with pavement and/or structures. And by protecting 150 foot buffers along waterways, we ensure a community safety zone, preventing construction in those areas that are closest to the waterway and therefore most likely to flood when heavy rains fall. This can have immense cost savings for individuals, businesses, and governments since responding to flood damages requires huge expenditures in order to provide services like temporary housing, food, and water to flood victims, repairs to public infrastructure, and repairs to private homes and businesses.

### **Vegetated Buffer Zones Protect Fish and Recreational Fishing**

Fish such as brook and brown trout that populate both the Bushkill Creek and the Catasauqua Creek require clean water and low temperatures. Vegetated buffer zones with their pollution filtering, canopies and tree cover provide shade for streams and rivers, ensuring the cool clean water trout and other aquatic life need to thrive. Wide buffers ensure the habitats and food sources needed by a variety of fish species that are attractive to anglers; and it ensures the water quality and aesthetics needed to encourage and attract recreational boating such as canoeing and kayaking. The total economic contribution of fishing in Pennsylvania, New York, and New Jersey exceeds \$3 million. Another \$2.5 million is supplied from paddle based boating. Nearly \$2 million is spent on the gear to support these industries with another \$3 million generated from related travel. In addition, nearly \$750,000 is generated in state and federal taxes on all of these water-based activity income streams. So, healthy and wide buffers mean healthy environments but also long-term and sustainable economic benefits and jobs.

## **Vegetated Buffer Zones are Effective and Cost Efficient for Preventing Pollution from Entering Waterways.**

Plants in vegetated buffer zones absorb harmful pollutants, which pose threats to human health and ecological quality. Without vegetated buffer zones, excess nutrients such as phosphorous and nitrogen wash into waterways degrading water quality, in part through the removal of oxygen needed to support life in the creek that is the base of the food chain. During warm summer days, excess nutrients and the proliferation of algae can cause water to turn green and ecologically unhealthy, making it less productive and less attractive for local communities who might otherwise wish to swim, fish, or enjoy the natural waters of their community. Communities in Washington D.C. spend as much as \$3 to \$5 per pound to remove nitrogen from wastewater, a process that forested buffers provide naturally. Very few, if any, communities in Northampton County can actually afford such water treatment facilities. It has been shown that every \$1 invested in watershed protection such as vegetated buffer zones can save communities between \$7.50 and \$200 in costs for new filtration and water treatment facilities. Other pollution such as sediment, road salt, and the heavy metals and toxins that gather on roadways, parking lots and development sites can also be prevented from moving into the waterways by wide vegetated buffers. In sum, buffers are proven to prevent and remove water pollution that communities otherwise have to pay to clean up.

## **Vegetated Buffer Zones Stop Erosion**

Over the past 30 years scientists have documented a fast increase in the rate of erosion across the country, much of it attributed to urbanization. This could mean the rapid decrease of Pennsylvania's public and private lands. Vegetated buffers help prevent erosion. The root systems of plants in the vegetated buffer zone hold the soils and lands in place preventing soil and sediments from being washed into the waterway conserving precious land resources, and also preventing the erosion that undermines roads and bridges which are costly to repair and/or replace. Research has found that on average it costs between \$10- \$30 per linear foot to preserve a stream, while it costs almost \$300 per linear foot to restore it.

Recognizing the value of forested buffers, Pennsylvania grants are funding millions in the restoration and enhancement of damaged streams and buffers throughout the Commonwealth. The cost of restoration versus prevention is astronomical. Better to stop the damage before the expense of restoration is required.

## **Buffers Actually Increase the Marketability and Market Value of Nearby Homes.**

Buffers also benefit builders and homeowners alike. Buffers increase the market value and marketability of nearby homes and communities. In a survey conducted by the National Association of Home Builders, 43% of home buyers paid a premium of up to \$3,000, 30% paid premiums of \$3,000 to \$5,000, and 27% paid premiums of over \$5,000 for homes with trees. Regional economic surveys have documented that conserving forests on residential and commercial sites enhanced property values by an average of 6 to 15%; it also increased the rate at which units were sold or leased.

Living nearby healthy plant ecosystems also increases property values. One study found that homes within 1,500 feet of a park sold for \$1,600 more than properties further away from

naturalized areas. Similarly, the study found that property values go up for homes within 1,500 feet of a wetland by an average of \$37 per acre. And Pennypack Park in Philadelphia has been credited with a 38% increase in the value of nearby property.

**In Sum.**

One hundred fifty-foot buffers provide the residents of your district with an overall improved quality of life through effective and low-cost environmental protection, sustainable local and state tax savings, and job opportunities, particularly with activities associated with Bushkill and Catasauqua Creeks. Thank you for taking the time to read this letter and we look forward to meeting with you.

Yours sincerely,

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cc: House Environmental Resources and Energy Committee