

2927

Cooper, Kathy

From: Thompson, Sandy [sdthompson@mckeancountypa.org]
Sent: Thursday, December 06, 2012 11:50 AM
To: IRRC
Subject: No. 2927 Environmental Quality Board #7-466: Dam Safety and Waterway Management Fees

Dear Commission Members and Staff,

On behalf of the Board of Directors of the McKean County Conservation District, I would like to submit the following comments in reference to No. 2927 Environmental Quality Board #7-466: Dam Safety and Waterway Management Fees being considered at your December 13th meeting.

Conservation Districts are local entities and it is our job to represent the interests and well-being of not only our environment but the landowners within our county border. The fee schedule reflects the necessity to keep the fee low for the agricultural community to a certain extent but does not consider an average landowner trying to access their property or stabilize the stream, hence preventing erosion. These proposed fees are too excessive for these particular landowners and will encourage non-compliance. As an example – if a landowner is required to obtain a Joint Permit for a stream crossing to access his property he would now be charged \$100 for the permit but if the proposed fees go through that fee would be at least \$1,750.

DEP's response to this statement is that they acknowledge the comment and disagree. DEP has completed an evaluation of program costs and estimated revenue as part of this rulemaking process. These fees were developed to offset only a portion of the operating costs of the Water Obstruction & Encroachment (WO&E) Program. DEP expects that people will act in accordance with the law.

While we understand the necessity behind DEP proposing a change in the fees associated with this program we would suggest to have separate categories created depending on the type of applicant/project, i.e.: Commercial/Industrial, Residential Development, Timber Harvest, and Residential. The fee could stay as proposed for Commercial/Industrial and Residential Development but should be reduced for Timber Harvest, Residential and Small Business applicants that would have a more difficult time recouping costs.

DEP's response to this comment is that they acknowledge the comment and respectfully disagree. DEP has completed an evaluation of program costs and estimated revenue as part of this rulemaking process. A work load analysis was conducted by DEP for all activities performed by staff members. The average time spent for each aspect of the review was determined and multiplied by the wage of the specific individual performing the review thus giving a total for the review. Fees for General Permits (GP) are based upon the time required to review and process the registration and not necessarily upon the impact to the environment, which is minimal when qualifying for the use of a GP.

Thank you for your time and consideration, please feel free to contact me with any questions or comments.

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