

Nittany Valley's Spring Creek is under threat once again.

Benner Township Supervisors are rapidly proceeding to remove the existing Benner Township **Spring Creek Canyon Conservation Overlay Ordinance** by rewriting the local zoning regulations.

In 2008, the Spring Creek Canyon Master Plan was developed for Benner Township by a broad group of people, organizations, and stakeholders to determine scientifically how to best protect and conserve Spring Creek Canyon.

It is important to understand the detrimental impact the current Benner supervisor's proposal will have on the health of the Spring Creek Canyon.

I recommend reading the **Spring Creek Canyon Master Plan** available for review at - <http://www.bennertownship.org/wp-content/uploads/2013/11/Spring-Creek-Canyon-Conservation-Strategy.pdf> .

A summary is available at https://planningpa.org/presentations10/34_Resolving_Tug-of-Wars.pdf.

The **Spring Creek Canyon Conservation Overlay Ordinance** may be viewed at <http://www.bennertownship.org/wp-content/uploads/2013/11/Ordinance-108.pdf>.

I need not remind most people that Spring Creek is an aquatic gem within our valley - an Exceptional Class A native trout stream full of fresh water springs and cool, shady basins.

Spring Creek has been running through our valley for over a million years....yet Spring Creek is surprisingly fragile and could be lost as a world class cold water stream.

In the past, Spring Creek endured sewage, over development, pollution, thermal degradation, and several major chemical spills including contamination with kepone - an insecticide similar to DDT.

However the people of Nittany Valley recognized the importance of our beautiful stream and rallied together to protect and conserve Spring Creek. Many studies were conducted to help in the development of plans using a scientific basis for conservation strategies.

The actions of Benner Township supervisors will throw away years of careful study, compromise, and planning put in place to protect Spring Creek from further preventable damage.

The Benner Supervisors seem to think they know better than the careful and meticulous studies for the conservation of Spring Creek, although their reasons have not been explained or clearly articulated.

Having shown no concern when told of permanently degraded cold water streams similar to Spring Creek, the elected Benner Township Supervisors intend to eliminate the Conservation Overlay simply because they do not like certain restrictions on activities within the Overlay zone.

The Supervisors have presented no basis or scientific evidence for their ill considered actions. In contrast the Conservation Overlay is the result of a preponderance of plans, case studies, scientific data, and success stories of how to conserve Spring Creek.

The purpose of the Spring Creek Canyon Conservation Overlay is to:

- Complement the stated Intent of the Township's Conservation District;
- Minimize site disturbance in order to promote conservation and restoration of native plant communities and promote suitable buffers in proximity to critical habitat areas;
- Preserve cultural and historical resources;
- Safeguard groundwater infiltration and protect surface and groundwater quality conditions for local and regional residents;
- Provide educational opportunities that are based on sustainable resource management;
- Protect the economic value and importance of Spring Creek to the community and the Centre Region; and
- Balance passive recreation opportunities with site capacity and sensitive environments.

Provisions of the Spring Creek Canyon Conservation Overlay Ordinance include:

- LEED bonus - LEED – or Leadership in Energy & Environmental Design is an internationally recognized green building certification system and standard.
- Phase I Cultural Resource Assessment:
- Stormwater control strategies;
- Suitable uses for primary zone;
- Disturbance analysis;
- Restoration formulation;
- Identification of natural features; and
- Forestry canopy plan.
- **Please note that the Conservation Overlay does not exclude development.**
- **The conservation requirements simply hold development within the overlay map to a higher protective standard than for development outside of the conservation zone.**

The Benner Supervisor's proposal also eliminates the entire section on Environmental Protection within the Benner Township Zoning Ordinance.

The existing zoning ordinance for Benner, adopted in 2009, is actually quite good. I remain puzzled why the existing zoning is being thrown out to be replaced by an overall poor ordinance.

Some of the provisions eliminated from Benner's existing zoning requirements include:

- Elimination of the Spring Creek Canyon Conservation Overlay zones;
- Elimination of the requirement for safety barriers around swimming pools for the prevention of child drowning;
- Elimination of certain recognized performance standards;
- Elimination of outdoor light pollution standards;
- Elimination of controls on activities and potential pollution within the University Airport;
- Elimination of clear and detailed standards that control the spread of impervious surfaces;
- Elimination of the Environmental Protection section;
- Elimination of riparian buffer requirements, and
- In general eliminates many conservation standards for the protection of our water.

What can you do as a concerned citizen?

Attend the Benner Township Supervisor meeting
1224 Buffalo Run Road,
Bellefonte, PA
Monday, April 1 at 7 PM

- Express your thoughts and concerns to the elected supervisors - in public and in writing;
- Ask for a clear and definitive explanation of the supervisor' rationale and procedures for the elimination of the Conservation Overlay and for the zoning changes in general;
- Ask the supervisors to provide documentation of their meetings and discussions concerning the proposed zoning changes;
- Ask the supervisors to explain how each change to the current zoning would benefit Benner Township;
- Ask the supervisors to provide written explanation and justification in detail for every revision to the entire existing zoning ordinance;
- Express the value you place on Spring Creek within our community;
- Ask the elected supervisors why they are more concerned with a handful of developers than with the health of Spring Creek and the rural nature of our township;
- Ask the supervisors if they will assure us that their businesses will not receive direct benefit from the proposed zoning changes;
- Ask the supervisors to explain how their actions do not present a conflict of interest;
- Ask the supervisors to respond in writing to the numerous comments they have received concerning the proposed zoning changes;
- Ask the supervisors to delay further action on the proposed zoning changes until a full study of the zoning impact has been completed;
- Ask the supervisors and the solicitor to provide details on any threat of lawsuit from developers concerning local zoning;
- Ask the supervisors to explain why the Roth Plan has been removed from the zoning;
- **Use your Vote. A local election is coming up.**