



December 21, 2022

Mark Hudson
Township Manager
Lower Saucon Township
3700 Old Philadelphia Pike
Bethlehem, PA 18015

Re: Ordinance No. 2022-02 Rezoning for Bethlehem Landfill

Dear Mr. Hudson,

The Delaware Riverkeeper Network (DRN) strongly opposes Ordinance No. 2022-02, which proposes to rezone seven parcels (totaling 275.70 acres) from Rural Agricultural Zoning District (RA) to Light Industrial Zoning District (LI) in order to expand the Bethlehem Landfill. DRN agrees with the Lehigh Valley Planning Commission's (LVPC) assessment in their November 18, 2022 letter¹ that the proposed text amendments do not align with the intent of *FutureLV: The Regional Plan* to protect the health, safety and welfare of the public. Landfills and Waste Disposal Facilities are high intensity land uses that pose adverse impacts on the public. The safeguards in place to protect public health are there for a reason, and eliminating them would put public health, safety, and welfare at unnecessary risk. The proposal would more than double the current footprint of the Bethlehem Landfill, which more than doubles the amount of waste and negative impacts to the public and the environment.

The types of waste accepted by the landfill include sewage sludge, asbestos, pharmaceuticals, industrial waste, and even radioactive materials. These types of waste pose serious health risks to residents in close proximity to the landfill. If the landfill is expanded over Bull Run and right to the edge of the Lehigh River, the rain would wash this waste into these waterways, degrading water quality and inflicting harm to fish and other aquatic life. The landfill is also a large source of methane. The Pennsylvania Department of Environmental Protection (PADEP) currently tests for methane emissions that exceed 500 parts per million (ppm). In October 2022, eight sites tested at the Bethlehem Landfill were reported with an average of 4,316 ppm. Two of the sites measured at 10,000 ppm. These high methane levels are from the current footprint of the landfill and would be much higher if the expansion occurs. Methane is a major contributor to climate change and is also a direct safety hazard to the public as it is highly flammable.

¹ LVPC Letter to Lower Saucon Township, November 18, 2022.

The amendment also adds provisions for a Natural Resource Mitigation Alternative that includes a fee-in-lieu option that would avoid preserving open space in lieu of payment. The value of preserving open space cannot be substituted and DRN agrees with the LVPC that this amendment does not align with the intent of *FutureLV* to protect high-priority natural lands. The areas proposed to be rezoned are in a Character Defining Area of the Future Land Use Plan, representing the natural and scenic character of the Lehigh Valley, including High Preservation Priority features of the Natural Resources Plan such as woodlands, steep slopes, and Natural Heritage Inventory Core Habitats. The area provides critical wildlife habitat as it is one of only two sites along the entire Lehigh River that contains greater than 250 acres of forested land. The core forest and steep slope habitat are identified by the PA Natural Heritage Program as a Natural Heritage Area because the gently sloping forested hillside contains several seeps which contribute to Bull Run. This habitat supports several species of concern. The site is also connected to a private conservation easement from Petrie Bruce. This conservation easement is permanent and part of a contiguous corridor of habitat that should not be encroached upon or developed for any reason.

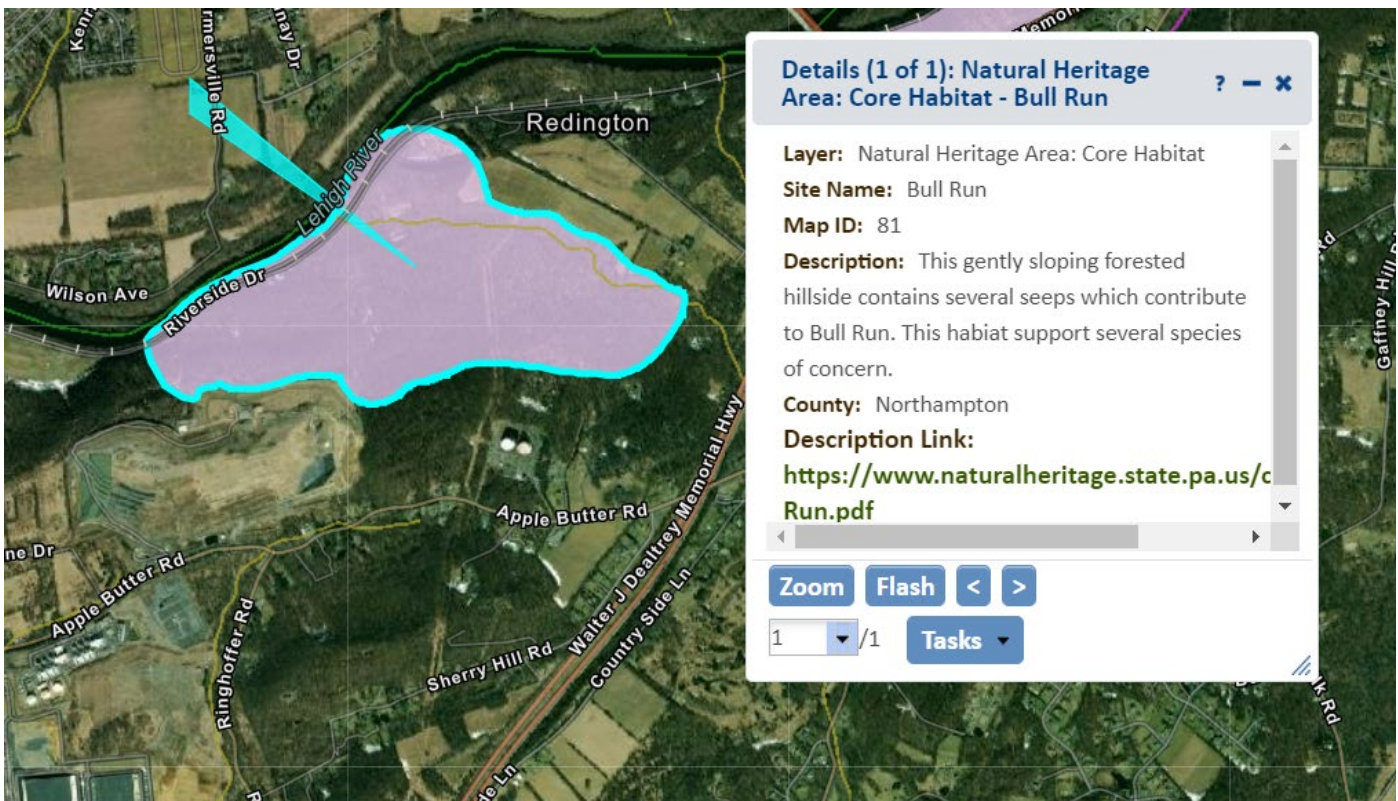


Fig. 1. Core Habitat identified by the PA Natural Heritage Program

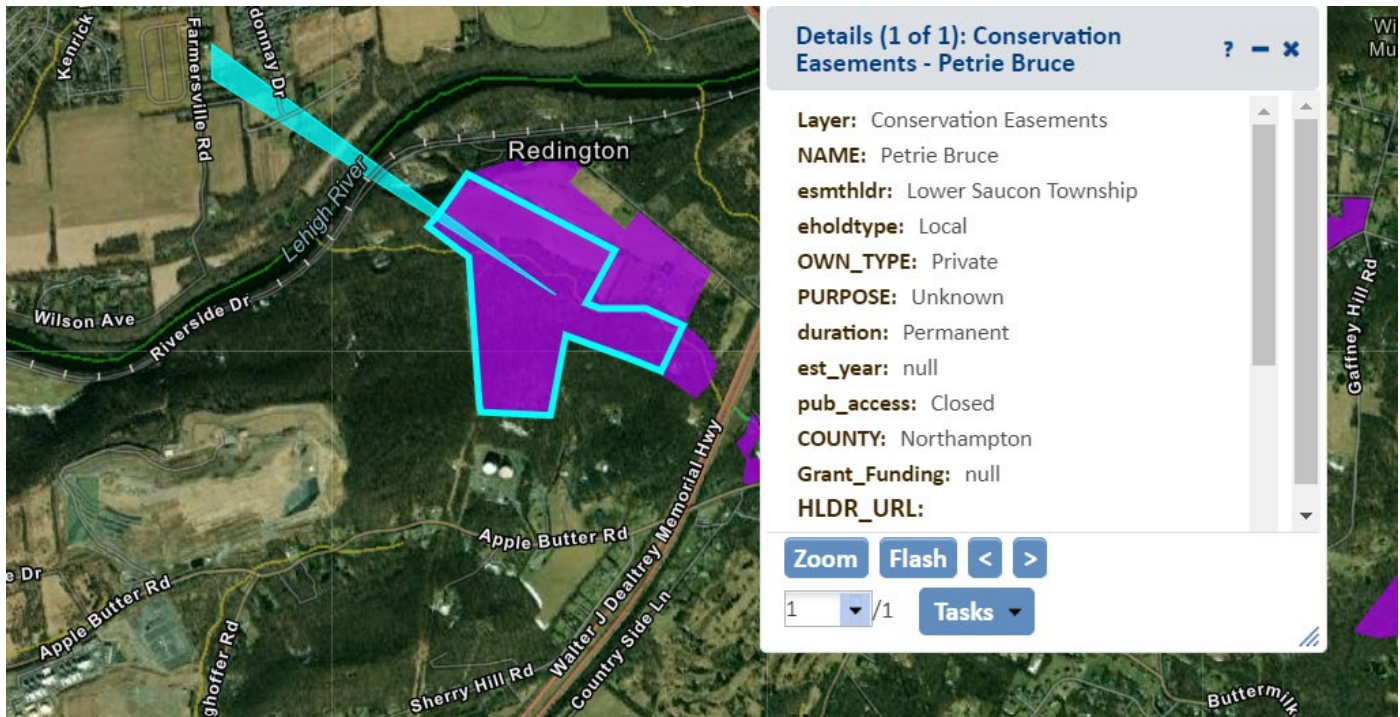


Fig. 2. Petrie Bruce conservation easement adjacent to the property

By protecting our streams and forests that still remain – in this case 275.70 acres, we also protect the long-term stewardship and health of the region that benefits the environment and the social and economic amenities of the communities for which these clean streams still flow. A July 2022 Key-Log Economics benefits report prepared for Our Pocono Waters found that high water quality equates to higher property values.² The proposed area to be rezoned currently generates \$448,367.90 in economic value to the Lehigh Valley and there are many other economic benefits to preserving this core forest area. According to the LVPC³, air quality services provided by trees removing pollutants are estimated at \$48.2 million annually and provide health and other benefits of about \$3.6 million per year. Tree-covered open space stores 5,496,069 tons of carbon over the life of the current forest in the Lehigh Valley. Without carbon storage by trees, damage due to increased carbon emissions would cost \$111.2 million to mitigate in the Lehigh Valley, which, if divided by an assumed average tree life of 50 years, represents a value of about \$2.2 million annually. The forested area also provides an important buffer between the landfill and the Lehigh River and Bull Run. Vegetated and forested buffers not only provide wildlife habitat, but filter pollutants and reduce flooding and erosion as well. If this forest is cleared, the runoff from the landfill would wash directly into both waterways. On a project of this size, a 100-foot buffer is not sufficient.

The wildlife habitat would be destroyed as the land would become a barren landscape directly exposed to the sun. Buffers also provide economic benefits. According to a study by ECONorthwest in 2018⁴, one acre

² Economic Effects of Special Protection Stream Designations in the Pocono Mountains Region, July 2022. Our Pocono Waters, https://www.google.com/url?q=https://www.pennfuture.org/Files/Admin/OurPoconoWaters_Report_FINAL_WEB-PDF_8.8.22-%2528reduced%2529.pdf&sa=D&source=docs&ust=1671554879600107&usg=AOvVaw0wB0colrFkyqR5fauUK8WQ

³ LVPC 2014 Return on Environment.

⁴ The Economic Value of Riparian Buffers in the Delaware River Basin, August 2018. ECONorthwest, <https://delawariverkeeper.org/sites/default/files/Riparian%20Benefits%20ECONW%200818.pdf>

of riparian buffer provides monetized benefits of over \$10,000 per acre per year. However, the benefits of preserving this forest go beyond economics. Pennsylvania's constitution contains the strongest environmental rights amendment in the country. Article 1, Section 27 states that, "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment." It is important that these rights are upheld and the protection of the natural resources of the Commonwealth are prioritized. The expansion of the Bethlehem Landfill is not an appropriate land use for the site and would cause irreparable harm to the climate and natural resources and pose a serious health risk to the residents of the township. Finally, holding a public hearing during the busiest time of year right before the holidays excludes many people who would otherwise attend or participate in the process. The public hearing should have been scheduled at a more appropriate time of year in order to facilitate a fair and accommodating process that is more representative of the views of the public. The current timing of the hearing is a barrier to the public that only benefits the developer, and this should be taken into consideration. For all of the aforementioned reasons, DRN urges you to deny the rezoning proposal and focus on preserving the critical open space that is becoming increasingly rare in the Lehigh Valley. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Maya K. van Rossum". The signature is fluid and cursive, with a long horizontal line extending to the right.

Maya K. van Rossum
the Delaware Riverkeeper