

Rebecca Canright

Greetings! I am a young person who cares a lot about protecting our environment. Respectfully and expressing concern about The proposed change in the rulemaking process, because it's important that all Members of the public have a chance for their voices to be heard. I worry that this change will put that at risk, and that folks will not have their voices sufficiently heard. The Proposed Rulemaking will shut down public disclosure and participation into many decisions the DRBC makes regarding the Delaware River, the Delaware River Watershed and our communities.

I am concerned that the following bad impacts would happen as a result of this change:

Intimidate the public so they won't litigate a project. They are allowing the sponsors of a project to claim that litigation by opposing parties is an excuse that can be used to explain why they haven't built or spent sufficient funds on a project that they want extended.

Loophole Word – "Material". The subjective and value-loaded term "Material Change" and "Materially" are used throughout the proposed rulemaking – yet no clear definition is available, only a bureaucratic explanation. This terminology is not easily understandable and clouds objectivity in decisionmaking. It allows for varying interpretations for different projects, which is unfair, including unjust for the public who must live every day with the decisions that are made.

The Public Requires Freedom to Information! DRBC is removing all references to the federal Freedom of Information Act from its rules and is setting up an alternative DRBC-centric system that leaves many aspects unaddressed or in the hands of the Executive Director, such as forms, reason for denial, and how costs will be assessed fairly, including if a waiver of fees can be requested like other agencies allow. The DRBC must provide a prescribed public access system that is clear, user-friendly, and affordable to assure public access to public records. The public needs something concrete to rely on. And it's proposed that the Executive Director determines whether or not to disclose requested information, deciding unilaterally if a disclosure is in the public interest! This invests unfair control over the information in an administrator who may not even be qualified to make such legally important decisions. The public needs to take part in DRBC decisions but without access to information, we can't do that effectively. Information is power and we have a right to it! Thank you for your time.