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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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November 4, 2009

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Environmental Quality Board  
P. O. Box 8477  
Harrisburg, PA 17105

ENVIRONMENTAL QUALITY BOARD

RE: PROPOSED RULEMAKING on 25 PA. CODE CH. 102: Erosion and Sediment Control and Storm Water Management

As a former environmental educator and owner of a water conditioning business for 28 years, I know how critical forested buffers are to preserving Pennsylvania's waterways. Having grown up wading in the Valley Creek, which crossed my family's property in Chester County, and teaching stream study to children at our local conservation district, I understand how important watershed management is to the health of our communities. I am writing to support the requirement of FUNCTIONAL FORESTED BUFFERS of at least 100 feet on both sides of every stream in our state, with 150 feet on small headwater streams and 300 feet on Exceptional Value and High Quality because of the important benefits they offer:

- Forested buffers will reduce pollution of our streams and rivers, filtering pollutants like nitrogen and phosphorus from runoff and improving in-stream water quality;
- Forested buffers minimize erosion of stream banks, holding soil in place;
- Forested buffers improve habitat for fish, and also cool the streams they shade, combating the effects of global warming;
- Forested buffers minimize damage from flooding, reducing the volume of floodwaters;
- Forested buffers reduce the costs of storm water management, helping saving communities money on storm water infrastructure;
- Forested buffers help protect the sources of our drinking water, saving on treatment costs;
- Forested buffers enhance property values in our communities.

Pennsylvania has over 83,000 miles of streams. This is an important resource and we need to protect it. Even though Pennsylvania already has several voluntary programs in place to promote buffers, the programs have not been successful in making significant improvements in water quality and flood control. This is why we need a mandatory stream buffers program, not a voluntary one. It is also why DEP should not eliminate technical review of storm water plans. Without review by the state and without opportunities for public comment, storm water

management will get worse, not better. Pennsylvania's streams cannot afford more pollution and runoff, and we cannot afford increased flooding and costs of treating our drinking water.

I encourage you to direct DEP to continue to review storm water plans to insure that they meet the standards of the Clean Water Act and do not degrade the quality of the streams of the Commonwealth. An expedited permit review process, like the new "permit-by-rule" (PBR) program, puts rivers and streams at risk, is poor policy, and violates core requirements of the Clean Water Act. Of particular concern is the fact that the PBR would apply only in High Quality and Impaired watersheds. These watersheds require special protections to ensure that water quality is protected and maintained. Those special protections cannot be ensured through an expedited permit review process.

Please make minimum 100 foot forested stream buffers a mandatory requirement on all streams in Pennsylvania.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara McIlvaine Smith".

Barbara McIlvaine Smith  
State Representative  
Legislative District 156