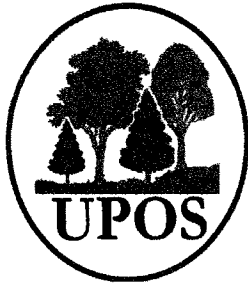


2783



Upper Providence for Open Space
P.O. Box 1379
Media, PA 19063
www.upos19063.org

RECEIVED

November 5, 2009

NOV 12 2009

ENVIRONMENTAL QUALITY BOARD

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

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

Streams are an important resource and we need to protect them. This is why our group Upper Providence for Open Space (UPOS) believes we need a mandatory stream buffers program, not a voluntary one. It is also why DEP should not eliminate technical review of stormwater plans. Without review by the state and without opportunities for public comment, stormwater management will get worse, not better. Pennsylvania's streams cannot afford more pollution and runoff, and we cannot afford increased flooding and drinking water treatment costs.

We applaud DEP for requiring forested buffers on EV streams. UPOS wants to see the State require 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 streams. Buffers will reduce pollution of our streams, limit erosion of stream banks, reduce damage from flooding, improve habitat for fish and keep streams cooler. They will also increase property values for nearby properties, and cut stormwater management and drinking water treatment costs. Many municipalities in Pennsylvania already require at least 100 foot buffers, demonstrating that environmental improvements can be achieved without economic burdens.

DEP should also continue to review stormwater 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 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,

Jane Ferry
UPOS President

INDEPENDENT REGULATORY
REVIEW COMMISSION

2009 NOV 13 PM 2:16

RECEIVED