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FORM LETTER
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Environmental Quality Board

November 20, 2009

Mr. Kim Kaufman
Executive Director
Independent Regulatory Review Commission
14th Floor, 333 Market Street
Harrisburg, PA 17101

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Re: Proposed Rulemaking – Erosion and Sediment Control and Stormwater Management
(25 Pa Code, Chapter 102) (#7-440)

Dear Mr. Kaufman:

The Environmental Quality Board (EQB) has received the following comment regarding the above referenced proposed rulemaking:

“Dear Environmental Quality Board,

Pennsylvania has over 83,000 miles of streams. This is an important resource and we need to protect it! 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 exceptional value streams, but we need to require forested buffers of at least 100 feet on both sides of every stream in our state. We also need 150 foot buffers on small headwater streams and 300 foot buffers on Exceptional Value and High Quality streams. Forested Buffers are good for the environment and the economy. These buffers will reduce pollution of our streams, limit erosion of stream banks, improve habitat for fish and keep streams cooler. They will also increase property values for nearby properties, and cut stormwater management costs and drinking water treatment costs. And they will reduce damage from flooding, which costs taxpayers at least \$6 billion a year.

Many municipalities in Pennsylvania already require at least a 100 foot buffer, demonstrating that environmental improvements can be achieved without economic burdens.



DEP should also continue to actively 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 being proposed, 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 ensure the safety and quality of our streams and drinking water in Pennsylvania by creating a 100 foot forested buffer for streams and eliminating the proposed PBR program.

The streams and waterways impacted by these policies are important to me, my family, and my friends and neighbors. Please do the right thing by implementing these changes to the proposed stormwater management regulations."

The above comment was received from the following:

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Please contact me if you have any questions concerning this proposed rulemaking or the enclosed comments.

Sincerely,



Michele Tate
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Enclosures