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FORM LETTER
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p.o. box 8477 • harrisburg, pa. 17105-8477 • (717)787-4526

Environmental Quality Board

November 25, 2009

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

RECEIVED
2009 NOV 25 PM 1:27
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:

1. Mr. Lyall Smith 6342 Saddle Rd New Tripoli, PA 18066 Lyallsm@aol.com
2. Esther Hrabrick 801 Mt Pleasant Rd Bryn Mawr, PA 19010 hrabrie@wyeth.com
3. Robert Adams, Director of Stewardship Wissahickon Valley Watershed Association bob@wwwa.org
4. Christine Fantini 208 E Garden Rd Brentwood, PA 15227 cmfantini@verizon.net
5. Mrs. Tanya Smith 70 Calabrese Dr. Media, PA 19063 trsjurist@msn.com
6. Wilson Wear 740 Deering Run Rd. Austin, PA 16720-1104 wilsontbear@turbousa.com
7. Mr. Daniel Foulk 1320 Baurkot Dr Easton, PA 18040-1024 dsf124@hotmail.com
8. Mr. William Hance 503 S. Ridley Creek Rd. Media, PA 19063 bill@billhance.com
9. Ms. Carolann Clark 3714 Calumet Street Philadelphia, PA 19129 clark24@gmail.com
10. Mr. John Barbour 1205 James St. Monroeville, PA 15146 JBarbour@verizon.net
11. Mr. John Greeno 149 Inglewood Dr. Pittsburgh, PA 15228 jggreeno@gmail.com
12. Jeffrey Strow 61 Ivy Hill Rd. Levittown, PA 19057 jeff.strow@activant.com
13. Ms. Len Neely 746 Bainbridge St. Philadelphia, PA 19147 len.neely@gmail.com
14. Mr. William Clarke Jr. 400 Farnum Rd. Media, PA 19063-1608 bclarke@thebancorp.com
15. Robert Sidman, CADD Manager 503 Evergreen Ct. North Wales, PA 19454 rmsidman@urbanengineers.com
16. Mr. Luke Zajac 1025 Forest Ave. Pittsburgh, PA 15202 lukezajac@gmail.com
17. Dr. Beth Prairie 1317 Shady Ave. Pittsburgh, PA 15217 beth.prairie@gmail.com
18. Ms. Harriet W. Stone P.O. Box 128 1645 Birchrun Rd PO Box 128 Birchrunville, PA 19421 harriet04@comcast.net
19. Anna Jackson 382 Madison Rd. Springfield, PA 19064 ajackson61@verizon.net
20. Mr. William Gaskill, Jr. 2431 East Firth St Philadelphia, PA 19125-3108 will.gaskill@gmail.com
21. Ms. Robin Anthony 1715 Crafton Blvd. Crafton, PA 15205-3101 rbinanth@aol.com
22. Dr. Gwen Shaffer 1704 Christian St. Philadelphia, PA 19146 gwenlisa@gmail.com
23. Ms. Amy MMP Hurley 116 West Broadway Ave. Clifton Heights, PA 19018 ammph@zenbe.com

24. Sarah Nelsen 704 Klemont Ave. Pittsburgh, PA 15202 sarahnelsen@gmail.com
25. Benjamin Wachtel 159 Tennis Ave. Ambler, PA 19002 215-628-2598
benwachtel73@gmail.com
26. Holly Costello 13 Circle Dr. Eagleville, PA 19403 stormy8429@hotmail.com
27. Ms. Kristin Hoover 1393 Lenape Road West Chester, PA 19382 bkris@aol.com
28. Dr. Fran Lopiz 346 E. Court St. Doylestown, PA 18901 fcolgan@juno.com
29. Ms. Kathleen Peters 1700 Ben Franklin Pkwy Apt. 1105 Philadelphia, PA 19103
kpeters@astm.org
30. Ms. Felicia Sam 100 5th Avenue, Suite 1108 Pittsburgh, PA 15222
fsam@cleanwater.org
31. Ms. Diana McCarter 440 S. 48th St. Philadelphia, PA 19143
diana.mccarter@verizon.net
32. John Kiser 224 Carson St. Manayunk, PA 19127 john.kiser@gmail.com
33. Mr. Robert Kiefer 233 Surrey Road Southampton, PA 18966 bkief1@comcast.net
34. James Mansmann 301 Bigham Street Pittsburgh, PA 15211
jmansmann@comcast.net
35. Leslie Ward 1239 Monterey St. Pittsburgh, PA 15212 ljward51@yahoo.com
36. Erin Crump 1440 Granary Road Blue Bell, PA 19422 efeehley@yahoo.com
37. Margaret Spinozzi 235 W. 7th Ave. Collegeville, PA 19426 nutripeg@aol.com
38. Dennis Lieb 1208 Chidsey Easton, PA 18042 dennislieb@gmail.com
39. Mr. Matt Snyder 570 N. 23rd St. Apt 1A Philadelphia, PA 19130
mbsst26@yahoo.com
40. Francine Cohen 1028 Steel Rd. Havertown, PA 19083 wales13@aol.com
41. Dr. and Mrs. Carol Fanconi 103 Quaint Rd. Media, PA 19063
cfanconi1@verizon.net
42. Laurel Ramsden 107 Fegley St. Mont Clare, PA 19453 lramsden@comcast.net
43. William Tarbox 1718 West Wood St. Emmaus, PA 18049 wtarbox@ptd.net
44. Bob Childs 5541 Route 6 Ansonia, PA 16901 sandflyx@yahoo.com
45. Johanna Sholder 1038 Locust Ave. Locust Lane Cedarhurst, PA 15243
sholder5@aol.com
46. Tsee Lee 930 Spruce St Apt 5 Philadelphia, PA 19107 TseeNoEvil14@gmail.com
47. Kathy Lawson 1614 Jefferson Ridge Drive Clairton, PA 15025
lawson.k@cleanwater.org
48. Mrs. Rita DiAntonio 111 Weybridge Dr. Malvern, PA 19355
rita.diantonio@villanova.edu
49. Michael Sowycz 34 N. Ambler St. Quakertown, PA 18951 mike13500@verizon.net
50. Harry Frey 17 Irongate Ct. Mechanicsburg, PA 17050 leah331@aol.com
51. Dr. Kathleen Smith-Love 1148 Beverly Rd. Jenkintown, PA 19046
katsmittylove@msn.com
52. George Kutskel 107 Simmons St Du Bois, PA 15801-1619 maksak@comcast.net
53. Tom Vreeland 619 7th Ave. Bethlehem, PA 18018 cosmic07@ptd.net
54. Joe O'Connor 815 Miriam Ave. Willow Grove, PA 19090 joaxe@yahoo.com
55. Corrine Kucirka 1214 Highland Dr. Orefield, PA 18069 ckucirka@yahoo.com
56. Jacki Rock 5124 Lighthouse Ln. Bensalem, PA 19020 jrock01@comcast.net
57. Kevin Gannon 7620 Waverly Street Pittsburgh, PA 15221 kgannon@dggp.com
58. David Curtis 155 W. Salaignac St. Philadelphia, PA 19128
david.curtis47@gmail.com
59. Kari Gilbert 2515 South 18th Philadelphia, PA 19145 kg1009@aol.com
60. John Garzia 4010 Naamans Creek Rd. 513 Coventry Lane Boothwyn, PA 19061
garz12@yahoo.com
61. Adena Potok 609 Zollinger Way Merion Station, PA 19066 adpotok@comcast.net

62. Wes Hemmings 5052 Windriver Dr. McKees Rocks, PA 15136
hemmiwk@comcast.net
63. Dave Lindgren 244 Highland Ave. Wayne, PA 19087 davel_19087@yahoo.com
64. Ann Farnum 106 Governors Cir Downingtown, PA 19335 mabjfar2@verizon.net
65. Johannes Blanker 33 Bridlepath Lane Feasterville Trevose, PA 19053
johannesblanker@yahoo.com
66. Christine Coffee 341 Old Lesnett Rd Pittsburgh, PA 15241
coffeejoyce@comcast.net
67. Shari Werner 25 Good Shepherd Ter. Bryn Mawr, PA 19010 shariawerner@aol.com
68. Anna S. Kamstra 9001 Crefeld St. Philadelphia, PA 19118 akamstra@comcast.net
69. Angie Schwab-Smith 16 Fahnestock Rd. Malvern, PA 19355
ocean81261@hotmail.com
70. Emma Capo Stewart 5420 Bartlett St Pittsburgh, PA 15217
talkingiguana@gmail.com
71. Zachary Dow 742 Rossmore Ave. Pittsburgh, PA 15226 zddow39@gmail.com
72. Douglas Metzler 315 Leax Lane Turtle Creek, PA 15145 metzler.sis@gmail.com
73. Maria Rosen 704 Honey Run Road Ambler, PA 19002 maria.rosen@verizon.net
74. Jill Babore 909 South Darien Street Philadelphia, PA 19147 jilly2pugs@verizon.net
75. Raymond Schwalb 123 S. 31st Street Camp Hill, PA 17011 rschwalb@comcast.net
76. John Ginther 633 Barbara Dr. Norristown, PA 19403 kestrels2@verizon.net
77. Natalie Greene 4425 McCaslin St Pittsburgh, PA 15207 nrgreenex@aol.com
78. Walt Maruschak 3605 Walsh Ln. Huntingdon Valley, PA 19006 twminc@aol.com
79. Meryl Gladstone 910 S. 47th St. Philadelphia, PA 19143 merrylg@gmail.com
80. Ed Dornheim 215 Harrison Ave. Glenside, PA 19038 eddornheim@aol.com
81. Michael Itle 6543 Hollow Drive E. Petersburg, PA 17520 occam03@comcast.net
82. Brian Durand 145 Hunt Dr. Horsham, PA 19044 durand007@hotmail.com
83. Cynthia Brinson 5004 Sundance Ct. Doylestown, PA 18902
cynthiabrinson@comcast.net
84. Lawrence S. 200 Noble St. Souderton, PA 18964 rsnbrgr@verizon.net
85. Delite Hawk 1963 Meadow Ln. Reading, PA 19610 dhawkrd@comcast.net
86. Jordan Romanus 3208 Dawson Street Oakland, PA 15213 jcr35@pitt.edu
87. Andrea Carman 700 Ridge Dr. Douglassville, PA 19518 andreacarman@gmail.com
88. Ms. Signe Hall 1167 Skelp Level Downingtown, PA 19335 hallwater@comcast.net
89. Dana Patsey 1109 Pennsylvania Avenue Oakmont, PA 15139
dana.patsey@comcast.net
90. Kim Magulick 223 Maplewood Dr. McMurray, PA 15317
kim_magulick@hotmail.com
91. Donald McGuirk 400 Hoff Street Carnegie, PA 15106 donedrum@yahoo.com
92. Elizabeth Norris 670 Church St. Royersford, PA 19468 fiascosister@hotmail.com
93. Mr. and Mrs. Joh Karen Alshefski 617 Winfield Way Chester Springs, PA 19425
jalshefski@comcast.net
94. Sister Jeanette Bussen 1020 State St. Baden, PA 15005 jbussen@stjoseph-baden.org
95. John Alexanderson 136 Lafayette St Doylestown, PA 18901 alexjt4@verizon.net
96. Walt Ceglowski 258 Mather Rd. Jenkintown, PA 19046 ceglowskiw@comcast.net
97. Kevin Hughes 1074 Hares Hill Rd. Phoenixville, PA 19460
kmileshughes@hotmail.com
98. Beth Alper 905 Melrose Ave Elkins Park, PA 19027 alper.jeff@gmail.com
99. Beth Appelbaum 3844 Byron Road Huntingdon Valley, PA 19006
speechtoo@hotmail.com
100. Barbara Cicalese 363 W. Salaignac St. Philadelphia, PA 19128
bacicalese@comcast.net

101. Dr. Elisabeth Hasslacher 117 Clwyd Rd. Bala Cynwyd, PA 19004
elisabethmd@comcast.net
102. Katy Ruckdeschel 309 Valley Road Merion Station, PA 19066
katyruck@verizon.net
103. Harold Denenberg 833 Persimmon Ln. Langhorne, PA 19047 denenber@verizon.net
104. Glenn & Elizabeth Frederick 123 Cornwall Drive Chalfont, PA 18914
gdfred@verizon.net
105. Bruce Kiesel 159 Maple Ave. Southampton, PA 18966 bkiesel@juno.com
106. Ms. Joan Liehe 621 Tennis Ave. Glenside, PA 19038 jaliehe@comcast.net
107. Lyan Godmilow 630 S. Bowman 1520 Spruce Street Narberth, PA 19072
godmilow@yahoo.com
108. Catherine Bottonari 1794 Tilton Dr. Pittsburgh, PA 15241 ketti@verizon.net
109. Claire Bunn 309 Earp St. Philadelphia, PA 19147 clairevitale@yahoo.com
110. Margaret Leventhal 36 Rosedale Rd. Wynnewood, PA 19096
margau27@comcast.net
111. Lisa Seltzer 747 South 19th Street Philadelphia, PA 19146 ls475@drexel.edu
112. Dr. Steve Charnitski 466 Beechnut Dr. Blue Bell, PA 19422 steve@dentallogic.com
113. Brian Evarts 224 Paoli Pike Malvern, PA 19355 evartsb@hotmail.com
114. Marie Callahan 28 Mill Rd. Havertown, PA 19083 murray.callahan@verizon.net
115. Sherry Morse 321 W. Burke St. Easton, PA 18042 sherry_morse@yahoo.com
116. Mark Hageali 3112 Dovecote Dr. Quakertown, PA 18951 martip3@verizon.net
117. Linda Christman 6495 Pohopoco Dr. Lehighton, PA 18235 lachris@ptd.net
118. Simone Vecchio 17 Belvidere St. Pittsburgh, PA 15205 guinness1227@verizon.net
119. Patricia Cimino 175 Bridge St. Morton, PA 19070 patcimino@comcast.net
120. Helena Manzella 515 N. Leh Street Allentown, PA 18104
sweetlemons92@gmail.com
121. Derek Colquhoun 120 Ulmer Ave. Oreland, PA 19075 dmcolquhoun@comcast.net
122. Robert Wellington 656 Somerville Dr. Pittsburgh, PA 15243
rwellington@yahoo.com
123. Sally MacLeod 1655 Rockcress Dr. 1724 Brahma Circle Warrington, PA 18976
sallymacl@verizon.net
124. Herold and Gisela Klein 469 Argyle Rd. Drexel Hill, PA 19026
heroldklein@yahoo.com
125. Dr. Mickey Bannon 18 Mildred St Crafton, PA 15205-2810 mbannon@pitt.edu
126. Registered Archi Joseph Bridy 709 Morris Street Philadelphia, PA 19148
josephbridy@aol.com
127. Jennifer Kalb 927 Winton Street Philadelphia, PA 19148 jennylk@comcast.net
128. Lucy Bisbing-Korn 81 Sutton Pl. Easton, PA 18045 l53biz@msn.com
129. Brian Eisenschmied 2934 4th St. Eagleville, PA 19403 beisensc_shop@verizon.net
130. Bruce D. Stephens 841 Summit Street Bethlehem, PA 18015
stephens.bruce.d@gmail.com
131. Gisela Klein 469 Argyle Road Drexel Hill, PA 19026 giselaklein1@yahoo.com
132. Tom Ciannilli 107 Saddle Drive Exton, PA 19341 tpcbhm@yahoo.com
133. Shelly Kearns 409 Heights Drive Gibsonia, PA 15044 quiethawk@gmail.com
134. Julie Ferris 404 W. Lafayette St. West Chester, PA 19380 julieferris1@comcast.net
135. William Heffner 2016 Fieldview Dr. Nazareth, PA 18064 whheff@verizon.net
136. Theresa Pointer 28 W. Seventh St. Media, PA 19063 tpointer@verizon.net
137. Thomas Beverly 1625 Arrowwood Drive Easton, PA 18040 kbeverly@rcn.com
138. Brian Miller 738 E. 5th St. Bethlehem, PA 18015 brimille@moose-mail.com
139. Maurice Chioda 771 St Johns Place Dallastown, PA 17313 moechi21@gmail.com

140. Dave Schwartz 906 Concord Ave. Drexel Hill, PA 19026
davidpschwartz@yahoo.com
141. Jon Bogle 201 E. 3rd St. Williamsport, PA 17701-6624 boglejon@comcast.net
142. Donna Lucas 205 Stump Rd. North Wales, PA 19454 donnal39@verizon.net
143. Kristie Hodzik 68 Howard St. West Lawn, PA 19609 zeppmom@msn.com
144. Josh Zorich 301 Orin Street Pittsburgh, PA 15235 joshzorich@gmail.com
145. Liz Tymkiw 1301 Montgomery Ave Bryn Mawr, PA 19010-1603
liztymkiw@hotmail.com
146. David Soast Gerhart 1315 Wharton St. Philadelphia, PA 19147
dsgerhart@gmail.com
147. James Wurster 953 Rocklynn Road Springfield, PA 19064 jwurster@comcast.net
148. Elizabeth Ragan 1828 W. Pennsylvania St. Allentown, PA 18104
ecragan@verizon.net
149. Howard Berg 662 Parkvale Ave. Langhorne, PA 19047 ragtime39@comcast.net
150. Kathleen Dilonardo 213 Monroe St. Philadelphia, PA 19147 kathydilon@aol.com
151. Mr. Cari Moskala 251 Glemore Dr. Moon Township, PA 15108
moskalacme@verizon.net
152. Frances Troup 844 Paxinosa Avenue Easton, PA 18042 fk_t@verizon.net
153. Peter Van Derlyke RR 2 Box 2188 Montrose, PA 18801 panda2003@epix.net
154. Suzanne Lehman 462 Woodcrest Ln. Media, PA 19063 lehman_fam@yahoo.com
155. Andrea Luckring 705 Wickersham Lane Kennet Sq, PA 19348
ajluckring@comcast.net
156. Cameron McMillan 588 Hermitage St. Philadelphia, PA 19128
mcmillan@bucks.edu
157. Ellen Smith 1310 Delmont Ave. Havertown, PA 19083 elwsmith@hotmail.com
158. Sister Kathleen Mackerer 110 W. Wissahickon Ave. Flourtown, PA 19031
kmackerer46@yahoo.com
159. Polly DiBella 4 Old Forge Crossing Devon, PA 19333 dibellayoga@verizon.net
160. Beverly Bock 20 Elm Lane Glenmoore, PA 19343 bevbock@comcast.net
161. Melissa Vanasek 470 James St. King Of Prussia, PA 19406 mvanasek@hotmail.com
162. Kenneth Prusso 306 Church Rd. Jenkintown, PA 19046 kprusso@comcast.net
163. Diane Melino 7112 Rutland Street Philadelphia, PA 19149 Gifts3@comcast.net
164. Ty Bernhard 1621 Woodmere Way Havertown, PA 19083 tybernhard@yahoo.com
165. Diane Saddler 1919 Pulaski Dr. Blue Bell, PA 19422 dsaddler4@comcast.net
166. Eric Boesler 514 Reginald Ln. Collegeville, PA 19426 eboesler@verizon.net
167. Jed Reiff 2400 W. Chew Street Box #1917 Allentown, PA 18104
jedreiff@gmail.com
168. Jason Berteotti 245 Grace Ave. Canonsburg, PA 15317 jester18@comcast.net
169. Christine Waanders 117 Simpson Rd. Ardmore, PA 19003 waandersc@yahoo.com
170. Lucille Nurkse RR5 Bx 5140 Towanda, PA 18848 lunur@mac.com
171. Andrea Groppe 661 Denis Ln. Wayne, PA 19087 andreagroppe@gmail.com
172. Elaine Phipps 181 Windham Ct. Newtown, PA 18940 ehipps123@comcast.net
173. Carl A. Slegel 11 School Ln. Stevens, PA 17578 caslegel@hotmail.com
174. Lisa O'Donnell 589 Barn Drive Yardley, PA 19067 lodonne1@csc.com
175. Em Crone 19 S. Church St. West Chester, PA 19382 embabe@hotmail.com
176. Andrew Wadsworth 3810 Lynn Avenue 125 W 33rd Street Reading, PA 19606
andywadsworth23@hotmail.com
177. Monty Harris 784 Holly Rd. Wayne, PA 19087 mh1776@hotmail.com
178. Natalie Hursky 17 Lawnside Rd. Cheltenham, PA 19012 nhursky@yahoo.com
179. Troy High 850 Carsonia Ave. Apt. E108 Five Points, PA 19606
troy.high@alvernia.edu

180. Harold Finigan 1121 Main St. Darby, PA 19023 88bismarck88@gmail.com
181. John Feyko 509 Stevens Rd. Morrisville, PA 19067 jeep1tahoe2@aol.com
182. Chis Patterson 36 Island Rd. Levittown, PA 19057 cpatterson1@gmail.com
183. Sheryl Chernoff 235 Crosshill Road Wynnewood, PA 19096 schernoff@comcast.net
184. David Snyder 1012 Arbor Way Newtown Square, PA 19073
cobaltapple@gmail.com
185. Jarol Weinett 743 Center St. Apt 3 Bethlehem, PA 18018 jacksjaw@yahoo.com
186. Laura Aulito #1405 Hideout Lake Ariel, PA 18436 sequinsglitter@hotmail.com
187. Michael Recine 3874 Post Drive Bethlehem, PA 18017 mrecine@aol.com
188. Barbara Schechter 2245 Liberty Allentown, PA 18104 bs234972@muhlenberg.edu
189. Jon Brams 514 Summercroft Dr. Exton, PA 19341 jbrams@alumni.upenn.edu
190. Stephanie Tunstall 3203 Albemarle Ave. Drexel Hill, PA 19026 dott073@aol.com
191. Richard Metz 910 Bent Ln. Erdenheim, PA 19038 thembones2@hotmail.com
192. Joe Yaticilla 1602 Harbour Ridge Lane Downingtown, PA 19335 joeyat@gmail.com
193. Lori Kaplan 1208 Reading Blvd. Reading, PA 19610 lskaplan@comcast.net
194. Lori Abrams 6634 Darlington Rd. Pittsburgh, PA 15217 loriabrams@aol.com
195. Brevoort Conover 1922 Sycamore St. Bethlehem, PA 18017
vmbconover54@verizon.net
196. Sarah Boucas Neto 319 Winding Way Merion Station, PA 19066 sarahbn@aol.com
197. Chris Lewandowski 16 Meadowood Rd. Bryn Mawr, PA 19010
ajl1214@yahoo.com
198. Brian Joho 517 Oak Tree Lane Nazareth, PA 18064 b_joho@hotmail.com
199. Thomas J. Dougherty 235 Academy Ave. Mt. Lebanon, PA 15228
tdougherty@ppg.com
200. Kevin Langlois 302 Tangelo Dr. Jefferson Hills, PA 15025
kevinlanglois@comcast.net
201. Alice Robbins 32 Treaty Dr. Wayne, PA 19087 robbinse@earthlink.net
202. Scott Spencer 558 Hermitage St. Philadelphia, PA 19128 sspencer@pcaphl.org
203. Susan Dunham 2045 Parkdale Ave. Glenside, PA 19038 suedunham52@verizon.net
204. Julie Trainer 720 Federal Street Philadelphia, PA 19147 jtrainer-720@comcast.net
205. Robert Johnson 705 Weygadt Dr. Easton, PA 18042 pj.j@live.com
206. Margaret E. Emerson 901 North Penn St. Regatta #R205 Philadelphia, PA 19123
margaret.emerson@comcast.net
207. Ben Burrows 406 Shoemaker Road Elkins Park, PA 190272420
burrowsx@bellatlantic.net
208. Florence Gaskill 13 Earlswood Avenue Mount Lebanon, PA 15228-2509
flogaskill@verizon.net
209. Robert Havrilla 1501 Monterey Street Pittsburgh, PA 15212 rjhtest@aol.com
210. Gerard Hart 610 Penfield Ave. Havertown, PA 19083 thepenfield5@comcast.net
211. Cory Richard 606 Wall St. Glassport, PA 15045 cory223@aol.com
212. Karen Adair 195 Roboda Blvd. Royersford, PA 19468 kla519@comcast.net
213. Dr. Karen Keim 1136 Main St. Bethlehem, PA 18018 krkeim@ptd.net
214. Beth Rose 445 Osceola Ave. Elkins Park, PA 19027 bethrose07@comcast.net
215. Mr. Joe Ramsey 696 N. Tyson Ave. Glenside, PA 19038 rambler@voicenet.com
216. Joan S. Fabrega 257 Kenforest Pittsburgh, PA 15216 jfrabbie@verizon.net
217. Steven Gewirtzman 925 Tannerie Run Rd. Tannerie Run Rd. Ambler, PA 19002
amyslp@aol.com
218. Lionel Ruberg 1382 Newtown-Langhorne Rd. Apt. D-113 George School, PA
18940 lionellcr@verizon.net
219. Leigh-Anne Yacovelli 506 South Hanover Street Pottstown, PA 19465
goldieyock@verizon.net

- 220. Erin Lytusak 424 Bartola St. Pittsburgh, PA 15243 spcqwak@verizon.net
- 221. Mr. A. Bernard Kelly 880 Pickering Ln. Media, PA 19063 guskelly@verizon.net
- 222. Ron Ranieri 1647 Aidenn Lair Rd. Dresher, PA 19025 peacebeach@verizon.net

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

Sincerely,

A handwritten signature in black ink that reads "Michele M. Chambers for". The signature is written in a cursive, flowing style.

Michele Tate
Regulatory Coordinator

Enclosures

2783

Rec'd
4/25/09

Chambers, Laura M.

From: Lyall Smith [Lyallsm@aol.com]
Sent: Monday, November 16, 2009 9:06 PM
To: EP, RegComments
Subject: Comments on 25 Pennsylvania. CODE CH. 102

1:27

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

Pennsylvania has over 83,000 miles of streams. This is an important resource and we need to protect it! This is why the regulations for erosion and sediment control and stormwater management need to include a mandatory stream buffers program, not a voluntary one. Pennsylvania's streams cannot afford more pollution and runoff, and we cannot afford increased flooding and drinking water treatment costs.

Pennsylvania should 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.

Forested Buffers are good for the environment and the economy. 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 \$ 6 billion a year. Many municipalities in Pennsylvania already require at least 100 foot buffers, making development better for our communities and the environment.

Please make stream buffers a mandatory requirement on all streams in Pennsylvania!

Sincerely,

Mr Lyall Smith
6342 Saddle Rd
New Tripoli, PA 18066