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Senate of Pennsylvania

February 3, 2021

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

I am writing to urge the Department of Environmental Protection (DEP) to fully and carefully consider the potential impacts of proposed revisions to Chapter 105, governing dams, water obstructions, and encroachments into aquatic resources.

While some of the proposed revisions may help to provide additional review of activities impacting water resources, others will make it easier for polluting industries to harm our waters.

First, the DEP should reject any weakening of the Chapter 105 regulations, especially when it comes to allowing waivers of the permitting process for some of our most critical streams. We should be enacting stronger protections for our wetlands and waterways (regardless of size), not weakening the ones in place. Please consider reducing, not expanding, the number of waivers granted, and prohibiting any waivers for activities impacting EV, HQ, Class A, wild trout, or already impaired streams.

I also respectfully urge the DEP to reconsider its proposal to require a company seeking a permit for an industry activity that crosses multiple counties – like a pipeline – to submit only one application, rather than needing to go to each county the activity impacts. My district in Chester County and many communities across the Commonwealth have been significantly impacted by pipeline construction on wildlife, natural resources, and the public health of residents. Allowing corporations to get one Chapter 105 permit approval for huge pipeline projects that cross multiple counties, would essentially erase what little say community members have in weighing in on projects impacting water quality in their own backyards.

Finally, I also strongly encourage DEP to consider garnering detailed input from organizations committed to protecting our water in proposing or advancing such revisions. As Democratic Chair of the Senate Environmental Resources and Energy Committee, I value stakeholder input from environmental advocacy organizations, as well as industry representatives and partners. I respectfully request that the views of our statewide environmental organizations be given careful consideration and deliberation in this process.

Thank you for your consideration.

Carolyn T. Comitta

Carolyn Comitta - 19th District
State Senator

