

**Stephen Hoffman**

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**From:** ecomment@pa.gov  
**Sent:** Wednesday, January 6, 2021 8:50 PM  
**To:** Environment-Committee@pasenate.com; IRRC; environmentalcommittee@pahouse.net; regcomments@pa.gov; ntroutman@pasen.gov; timothy.collins@pasenate.com; gking@pahousegop.com; siversen@pahouse.net  
**Cc:** c-jflanaga@pa.gov  
**Subject:** Comment received - Proposed Rulemaking: Dam Safety and Waterway Management (#7-556)

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**Re: eComment System****The Department of Environmental Protection has received the following comments on Proposed Rulemaking: Dam Safety and Waterway Management (#7-556).**

Commenter Information:

chris howsare  
(clhowsare@gmail.com)  
206 old mill rd  
royersford, PA 19468 US

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Comments entered:

Regarding proposed Waiver 18: The proposed language states it applies to "(t)he construction, operation and maintenance of a water obstruction or encroachment associated with low-impact and non-motorized recreational activities that include walking, hiking or biking trails under a plan which has been approved, in writing, by the Department."

Is this stating that the plan for the trail must be approved by PADEP, or only the plan for the water obstruction/encroachment?

Is this waiver available for use for a private property, or only for public use facilities?

The proposed language also states "(t)he single span bridge, culvert or other structure must be 75 feet or less in length and must not result in the inundation of adjacent property not in possession of the owner of the water obstruction or encroachment ..." Is this prohibition meant to apply to a 100 year storm? Also, the proposed waiver plan submission requirements do not explicitly include hydrologic or hydraulic studies. How would this requirement be evaluated?

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No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
Jessica Shirley

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Jessica Shirley  
Director, Office of Policy  
PA Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063  
Office: 717-783-8727  
Fax: 717-783-8926  
ecomment@pa.gov