



Stephen Hoffman

From: ecomment@pa.gov
Sent: Thursday, January 28, 2021 4:08 PM
To: Environment-Committee@pasenate.com; IRRC; environmentalcommittee@pahouse.net; regcomments@pa.gov; ntroutman@pasen.gov; timothy.collins@pasenate.com; gking@pahousegop.com; lversen, Sarah A.
Cc: c-jflanagan@pa.gov
Subject: Comment received - Proposed Rulemaking: Dam Safety and Waterway Management (#7-556)

CAUTION: **EXTERNAL SENDER** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



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:

Albert Barney
 (abarney@ptd.net)
 469 Rodeo Drive
 Kunkletown, PA 18058 US

Comments entered:

Dear Environmental Quality Board,

I urge the EQB to fully consider its mission to public health and the environment before finalizing its proposed revisions to Chapter 105, governing dams, water obstructions, and encroachments into aquatic resources.

First, the Board unfairly consulted with industry groups early in the revision process, without giving public interest groups this same early access or even communicating that a revision of these regulations was happening. The Board should seek the same early feedback from public interest groups who speak up for the safety of the public and the environment. At a minimum, the Board should give comments from environmental and public interests groups significant consideration now, and their comments should be treated as an opportunity for further dialogue and contribution.

Second, the Board missed an opportunity to revise those parts of the permitting process that have become contorted to serve industry. The Board should be revising these regulations to protect our wetlands and waterways and make it harder for industry to negatively impact them. Instead, the Board is making it easier for industry to get permits or evade the permitting

process altogether by expanding the number of activities eligible for a waiver out of the permitting process. Because some of our waterbodies in Pennsylvania are so important or threatened, there should be no waivers allowed for activities in these waterbodies, no matter how small the stream size. The Board should reduce, not expand, the number of waivers granted, and should not allow any waivers for activities impacting EV, HQ, Class A, wild trout, or already impaired streams.

Third, the Board should 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 touches. This will make it harder for the counties and their residents to learn about proposed industrial activities that might affect their waters and therefore make it harder for citizens to participate and have a voice in the process.

Finally as a member of a watershed group we should all be contacted for input on condition of stream and any chapter 105 re designation currently appliedfor!

Thank you.

Sincerely,

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

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