



**Stephen Hoffman**

**From:** ecomment@pa.gov  
**Sent:** Tuesday, February 2, 2021 10:38 AM  
**To:** Environment-Committee@pasenate.com; IRRC; environmentalcommittee@pahouse.net; regcomments@pa.gov; Troutman, Nick; 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)

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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:

Julie Foster  
(julier.foster@gmail.com)  
1682 Hilltop Rd  
Spring City, PA 19475 US

Comments entered:

Dear PA Environmental Quality Board,

I am writing to respectfully request the Department of Environmental Protection 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.

As residents of Pennsylvania, we know the resources, the history and the impact of projects in our county. The Department 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. It also deprives the DEP of crucial information about the local community and environment.

Moreover this proposed change will defeat all efforts at environmental justice. Black and brown communities have disproportionately born the brunt of environmental impact, harming the health of adults and children. New industrial infrastructure must account for these social

inequities. This disproportionate impact on people of color is a violate of the Civil Rights Act and opens the DEP up to litigation for entirely failing to require developers to address the impact in each community.

Finally, the Department should revise these regulations to protect our wetlands and waterways and make it harder for industry to negatively impact them. Instead, the Department 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 Pennsylvania bodies of water are so important or threatened, there should be no waivers allowed for activities in these waterways, no matter how small the stream size. The Department 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. These waterways belong to the public, and cannot be harmed solely for the benefit of private interests.

Thank you for your consideration.

Sincerely,

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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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