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Form Letter A 506-548

Stephen Hoffman

From: EP, RegComments <ra-epregcomments@pa.gov>
Sent: Thursday, February 4, 2021 10:33 AM
To: IRRC
Cc: EP, RegComments; Michelle Elliott
Subject: Final Count - Form Letter A - Proposed Rulemaking: Dam Safety and Waterway Management (#7-556)
Attachments: Form Letter A_Public Health & Env't (7-556).pdf

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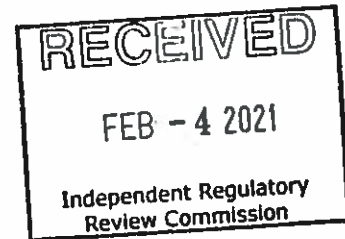
Good morning,

Attached is a form letter DEP received regarding Proposed Rulemaking: Dam Safety and Waterway Management (#7-556), labeled "Form Letter A: Consider Public Health and the Environment."

We received a total of **548** copies of this letter via email.

Thank you,
Laura

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In order to prevent the further spread of COVID-19, all DEP offices will remain closed until restrictions are lifted. In the meantime, I will be working remotely to continue the mission of the Pennsylvania Department of Environmental Protection and frequently retrieving emails. Thank you for your patience.

FORM LETTER A: “Consider Public Health and the Environment”

Proposed Rulemaking: Dam Safety and Waterway Management (#7-556)

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.

Thank you.

Sincerely,