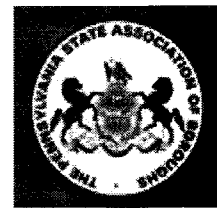
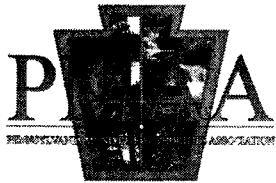


EMBARGOED MATERIAL



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Silvan B. Lutkewitte, III
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17120
irrc@irrc.state.pa.us

December 12, 2012

2012 DEC 12 PM 4: 28

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IRRC

RE: Final Form Rulemaking - Dam Safety and Waterways Management Fees (#7-466)

Dear Mr. Lutkewitte, III:

We the undersigned Local Government Associations in Pennsylvania **support** the proposed regulatory changes by DEP to the Dam Safety and Waterway Management Fees section in Chapter 105 of the PA Code. Our associations collectively represent all Pennsylvania citizens. Many of our members own and manage reservoirs and lakes for water supply and recreational purposes impounded by dams that fall under this chapter.

State, county and municipal governments, as well as their respective authorities play a large and important role in infrastructure management and provision of services to citizens of the Commonwealth. In many cases, these services are provided in areas that often struggle to meet environmental and infrastructure needs due to small populations or lack of financial resources. These governing bodies and municipal authorities operate on budgets that are balanced, that need only to break even to provide sound management of their environmental infrastructure projects.

This is particularly true for those government units and authorities that manage dams. We recognize that DEP's management of the Dam Safety program entails costs, and that 65% of those costs are covered by the general fund of the Commonwealth. Our citizens are taxpayers and contribute to that general fund. There has been a deliberate decision to exempt state, county and local government units from fees associated with this program. This is due to the fact that these bodies have historically delivered a service and maintained a facility when no other prior option existed for the financing and operation of unique water infrastructure facilities.

We endorse the current DEP regulation before you which continues this exemption.

Sincerely,

John W. Brosious
PMAA Deputy Director

Amy Sturges
Director of Governmental Affairs
PA Municipal League

Elam M. Herr
Assistant Executive Director
PA State Association of Township Supervisors

Ed Troxell
Director of Government Affairs
PA State Association of Boroughs