

**Stephen Hoffman**

From: ecomment@pa.gov
Sent: Thursday, January 28, 2021 11:22 AM
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-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:

Marya Bradley
(mabstream@gmail.com)
11 Prices Ln
Rose Valley, PA 19063 US

Comments entered:

Dear Environmental Quality Board,

I write to you because I am greatly concerned that the real and urgent interests of environmental groups and the public from the communities affected by your revisions to Chapter 105 are not being included or given adequate voice in the making of these revisions. I write to call on 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, there has been a wholly inadequate level of true inclusion of a broad enough range of stakeholders or transparency about which interests are actually being considered in the revisions. It is clear that 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 failed to take advantage of 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. I am alarmed by this lack of commitment to democratic process and true concern about the quality of our waters. I ask that this whole process of revision now work to include the people and groups who have grave concerns about our environment and our water’s purity and our health.

Thank you.

Sincerely,

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

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