



## Stephen Hoffman

**From:** ecomment@pa.gov  
**Sent:** Tuesday, February 2, 2021 9:53 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:

Theron Bisko  
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Comments entered:

Dear Environmental Quality Board,

I submit the following comments and questions, as referenced to specific proposed regulations:

In reference to § 105.1 and § 105.12(a)(16), the waiver of permit requirements for restoration activities does not clearly identify the types of actions that are considered a restoration activity, or whether other associated temporary impacts would be eligible for a permit waiver. For instance, many restoration projects commonly require temporary direct aquatic resource impacts in order to facilitate access and manage water (e.g., stream and wetland crossings, placement of cofferdam, dewatering, flow bypass structures, etc). I suggest including typical activities in § 105.12(a)(16) to provide clarity as to the applicability and extent of this waiver. Doing so would aid applicants and practitioners of restoration projects in understanding the regulations proposed.

In reference to § 105.13(k), while evidently beneficial to applicants of restoration projects, I fear that this waiver process will lead to an unequal application of the regulations between the Department's districts and Conservation districts with delegated authority. How does the Department propose to apply the waiver of specific information requirements as to not create

inconsistencies in the permitting process across the districts? I suggest including in § 105.13(k) the specific types of information that may be waived for restoration projects and under what circumstances they may be waived.

Thank you for taking the time to consider my comments and concerns.

Kind Regards,

Theron D. Bisko, PE  
Water Resources Engineer

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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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