



**Stephen Hoffman**

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**From:** ecomment@pa.gov  
**Sent:** Wednesday, February 3, 2021 9:12 AM  
**To:** Environment-Committee@pasenate.com; IRRC; environmentalcommittee@pahouse.net; regcomments@pa.gov; Troutman, Nick; timothy.collins@pasenate.com; gking@pahousegop.com; Iversen, 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:

Eric Konzelmann  
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Douglassville, PA 19518 US

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Comments entered:

Waiver 2 - this waiver of permit requirement for drainage areas less than 100 acres creates a vulnerability to the most pristine headwaters that should be afforded protection much like HQ or EV watersheds. The permit waiver seems to allow headwater streams to be placed in pipes or filled in since no state permit is needed. Waiver 2 should be eliminated or revised so that only certain activities are allowed without a permit. Allowable uses should not include stream enclosure without a permit.

Wetland taking - the 105 regulations allow taking of wetland areas that are considered "de minimis" (less than 0.05 ac). This cumulative taking of wetlands across the state and over years adds up to a considerable amount of legal wetland elimination. Wetland taking should be replaced with a 2:1 mitigation effort in the immediate watershed area, especially since PA has already lost nearly 50% of historic wetlands.

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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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