



Stephen Hoffman

From: ecomment@pa.gov
Sent: Thursday, February 4, 2021 9:59 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:

B Arrindell
 (director@damascuscitizens.org)
 P.O. Box 147
 Milanville, PA 18443 US

Comments entered:

Dear DEP Regulatory Comments,

The Environmental Quality Board (EQB) must consider the requirements of the Environmental Rights Amendment (ERA) of the Pennsylvania Constitution in its proposed revisions to Chapter 105.

"The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."

Note it says SHALL conserve and maintain - this means required - no giving our environment away to the highest bidder.

That the EQB consulted with industry groups early in the revision process, specifically by presenting proposed revisions and seeking additional input from the Pennsylvania Chamber of Business and Industry, without giving such an opportunity to public interest and environmental groups means the EQB did not do its job. The EQB needs to equally consider feedback from

public interest groups who speak up for the health and safety of the public and the environment. The EQB should now give comments from environmental and public interests groups significant consideration and their comments should be treated as an opportunity for further dialogue and contribution with the output of a second draft.

The EQB should revise these regulations to better protect Pennsylvania's wetlands and waterways and make it harder for various industries to negatively impact them. Certain proposed revisions could make it easier for project applicants to get permits or avoid the permitting process altogether by expanding the number of activities eligible for a waiver from the permitting process. The EQB cannot afford to loosen its regulations by allowing waivers and must protect the state's waterways regardless of their size as required by the ERA. The EQB should vastly reduce the number of waivers granted and should not allow any waivers for activities impacting Exceptional Value (EV), High Quality (HQ), Class A, Wild Trout, or already impaired streams.

The EQB should reconsider its revision that would require project applicants to only submit one application instead of submitting applications in each county a proposed activity touches, as is currently required for large-scale projects like pipelines. By only requiring a project applicant to submit one application, EQB's proposed regulations could make it harder for counties and their residents to learn about proposed industrial activities that might affect their water bodies. This revision could make it more difficult for adequate review to take place at the local level and hinder the county's role in reviewing the county-specific impacts from all projects including pipelines. Environmental Justice, public health, and environmental costs are real and cannot be disregarded.

We urge a second draft with proper public input.
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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