

**Stephen Hoffman**

From: msembeck@comcast.net
Sent: Monday, April 19, 2021 10:41 AM
To: ra-epregcomments@pa.gov; IRRC; environmentalcommittee@pahouse.net;
Environment-Committee@pasenate.com
Subject: Proposed Environmental Quality Board {EQB} Regulation #7-556 (IRRC # 32781
Attachments: 179 Botts Road.pdf

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I write concerning the above proposed changes to 25 Pa. Code Chapter 105, and more specifically, §105.12(a) relating to permit waivers. I know that the comment periods have ended; however, an egregious abuse of the waiver provision has only recently come to my attention. At least one DEP region uses the waiver provision in enforcement cases to one individual to fill a headwater water stream. I have attached correspondence regarding the matter, which I wish to incorporate into these comments by reference. At the very least, the proposed regulation should require written landowner permission prior to DEP granting a waiver.

As part of the proposed regulatory process, the EHB should conduct a full audit of the current waiver process to determine the environmental impacts associated with encroachment and water obstructions in headwater streams with less than 100-acre catchment areas. The audit should list and describe every waiver granted over at least the last 5 years and quantify the associated and cumulative environmental impacts.

Thank you for allowing me an opportunity to comment. Should you need additional detail, feel free to contact me.

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