



Stephen Hoffman

From: ecomment@pa.gov
Sent: Thursday, December 10, 2020 10:55 AM
To: Environment-Committee@pasenate.com; IRRC; environmentalcommittee@pahouse.net; regcomments@pa.gov; ntroutman@pasen.gov; timothy.collins@pasenate.com; gking@pahousegop.com
Cc: c-jflanagan@pa.gov
Subject: Comment received - Proposed Rulemaking: Dam Safety and Waterway Management (#7-556)

CAUTION: **EXTERNAL SENDER** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



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:

Scott Martin
 ARM Group LLC (smartin@armgroup.net)
 1129 West Governor Road
 Hershey, PA 17033 US

Comments entered:

Channel should be defined clearly because the 50-foot assumed floodway is dependent on the lateral limits of this feature. Stream depends on the definition of Watercourse and Watercourse is based on the channel having "defined bed and banks".

How defined must the bed and banks be? Banks six inches in height, more, or less, is it evidence of flowing water? Is it the top of bank (TOB)? What about historical TOB where the channel has been eroded deeply into the historical channel? Is a better definition the ordinary high water mark (OHWM) as defined by the Army Corps of Engineers a better definition of the channel?

The proposed definitions includes Aquatic Resources which includes "and their floodways." The limits of the floodway is critical to identify the limits of the regulated water of the commonwealth; again, this based on the presently undefined Channel.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

Jessica Shirley
Director, Office of Policy
PA Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
Office: 717-783-8727
Fax: 717-783-8926
ecomment@pa.gov