

Email message: June 19, 2017

As follow-up to participation in the June 12, 2017 EPA Waters of the US Briefing Webinar, the Pennsylvania Department of Transportation (PennDOT) provides the following comment regarding the proposed changes to jurisdictional waters as presented:

1. PennDOT expresses concern regarding the shift in approach on the WOTUS definition to one consistent with the opinion of Justice Scalia. Our concern is in respect to the right of the Commonwealth of Pennsylvania to exercise its discretion in requiring more stringent requirements than would be required under the proposed regulatory change, regardless of which specific details are pursued for the definition. If the Commonwealth does maintain a more stringent requirement than the EPA and USACE, our concern is that applicants will be defacto penalized by delays and additional workload required if the result is a rollback of PASPGP-5 and a need to submit separate permit applications to the state and federal agencies.

Thank you for the opportunity to provide input on the approach to redefining WOTUS, consistent with the Executive Order of February 28, 2017.

***Toni Zawisa***

Regional Natural Resource Specialist

Pennsylvania Department of Transportation

Environmental Policy and Development Section

c/o Engineering District 2-0

70 PennDOT Drive

Clearfield, PA 16830

814-765-0588

814-765-0837(fax)

*"Live a lifestyle that promotes the preservation of our natural heritage."*