

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2982 Session of  
1990

INTRODUCED BY BRANDT, MORRIS, BARLEY, STUBAN, HERSHEY, PESCI,  
GODSHALL, CARLSON, COLAIZZO, FLEAGLE, MELIO, MERRY, FARGO,  
DEMPSEY, D. F. CLARK, JACKSON, SCHULER, NOYE, BILLOW, ALLEN,  
BUSH, LEH, FARMER, SEMMEL, JOHNSON, PITTS, CIVERA, STAIRS,  
CLYMER, MOEHLMANN AND PHILLIPS, NOVEMBER 12, 1990

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
NOVEMBER 12, 1990

AN ACT

1 Amending the act of November 26, 1978 (P.L.1375, No.325),  
2 entitled, as amended, "An act providing for the regulation  
3 and safety of dams and reservoirs, water obstructions and  
4 encroachments; consolidating and clarifying the programs of  
5 the Department of Environmental Resources and Navigation  
6 Commission for the Delaware River; establishing penalties and  
7 repealing certain acts," providing for an exemption from the  
8 act of certain farming activities.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. The act of November 26, 1978 (P.L.1375, No.325),  
12 known as the Dam Safety and Encroachments Act, is amended by  
13 adding a section to read:

14 Section 4.1. Exemption.

15 This act shall not apply to any obstruction, encroachment or  
16 any other activity conducted by or on behalf of a farmer within,  
17 along, across or projecting into any naturally or artificially  
18 created marsh, swamp, wetland or farm pond located within land  
19 owned or operated by the farmer, which is performed in

- 1 preparation of, in furtherance of or pursuant to the production
- 2 of any agricultural commodity by the farmer.
- 3     Section 2. This act shall take effect immediately.