

Pennsylvania Farm Bureau

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October 28, 2019

Patrick McDonnell, Secretary
Pennsylvania Department of Environmental Protection
Rachel Carson Building
400 Market Street
Harrisburg, PA 17101

Dear Secretary McDonnell:

Pennsylvania Farm Bureau (PFB) is pleased to offer its comments on the Department of Environmental Protection's draft PAG-01 permit (Authorization to Discharge Under the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Associated with Construction Activities). PFB is a general farm organization, made up of more than 62,000 members. Since 1950, PFB has provided support, advocacy and informational and professional services for Pennsylvania agriculture and farm families producing a diverse array of food and fiber for American consumers. We offer the following observations on the draft document:

1. An electronic format for completing the application for the PAG-01 permit should be implemented. In conjunction with requiring attendance at pre-application and pre-construction meetings, that would reduce errors and omissions and help reduce approval time needed to issue the permit. An estimate of the number of business days required to complete the DEP approval process for the PAG-01 would also be helpful.
2. Placing the PAG-01 under the constraints of the Department's Permit Decision Guarantee would be advantageous to the permittee who is planning the construction activities.
3. The PAG-01 should be priced below the cost of a PAG-02 and other more detailed NPDES permits due to the reduced need for engineering studies and smaller quantity of disturbed acreage under construction.
4. Future revisions and additions to the PAG-01 should include the introduction of porous asphalt to facilitate storm water management systems by promoting water infiltration and improving water quality.
5. An outreach to the public should be conducted announcing the PAG-01 permit which explains the designated use pertaining to small projects defined as equal to or greater than one acre but less than five acres of earth disturbance. The Department should include information on the required pre-application and pre-construction meeting to improve the accuracy and approval rates of the PAG-01 permit.
6. Before an applicant can qualify for PAG-01 approval, there must be a current E & S Plan which meets the requirements of the DEP E & S Manual (as referenced on p. 1, # 2, p. 8, B Design Requirements, a). It may be helpful to note that a revised version of the E & S Manual will be finalized in late 2019 or early 2020 with updated conservation information applicable to small construction projects.

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7. Under Section D (Denial of Coverage, p. 9, # 3), the draft should mention introducing a third party, such as an agricultural engineering consultant, to determine the underlying cause of failing to comply with the terms of the permit and whether the cause is out of the control of the permittee.

Thank you again for the opportunity to provide comments.

Best regards,



Grant Gulibon
Director, Regulatory Affairs