



2783

Country View Family Farms  
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Harrisburg, PA 17112 – 2766  
Office 717 635 – 2833

Submitted electronically to RegComments@state.pa.us

November 25, 2009

Environmental Quality Board  
P. O. Box 8477  
400 Market Street,, 16<sup>th</sup> Floor  
Harrisburg, PA 17105-8477

**RECEIVED**  
**DEC - 7 REC'D**  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

Re: Chapter 102 Erosion and Sediment Control and Stormwater Management

On Behalf of Country View Family Farms, thank you for the opportunity to comment on the Erosion and Sediment Control and Stormwater Management Regulations. Country View Family Farms works with a large segment of Pennsylvania's swine industry. The Erosion and Sediment Control and Stormwater Management regulations are sure to have a great impact on family farms that are integral to swine production in Pennsylvania. After a review of the proposed Erosion and Sediment Control and Stormwater Management Regulations, the following comments are offered on the proposed regulations.

1. Section 102.1 (Definitions) – The “Agricultural plowing or tilling activity” definition includes “no-till cropping methods”; what is the definition of a no-till cropping method? A large amount of cropland in Pennsylvania is maintained in permanent hay production or pasture. The grass crop grown on this land is limed, fertilized (with both chemical and manure nutrients) and harvested (either mechanically or by grazing) with no tillage ever taking place. Would this be a no-till cropping method? If this is a no-till cropping method then all residential lawns and other land use in Pennsylvania that are maintained in grass need to be included in the regulations.

The regulations should include a definition of no-till cropping methods. A suggested definition = No-till cropping methods are the practices of planting crops with the minimum mechanical tillage needed to properly plant seeds.

2. Section 102.4 (Erosion and sediment control requirements) – 102.4 (a)(4) “cost effective and reasonable BMP” language should be changed to include the same qualifying language as prescribed in Chapter 83 (Nutrient Management) definitions. The language should read “effective and practicable (given

technological, economic and institutional considerations). Paragraph (4) would read: "The E&S plan shall include effective and practicable (given technological, economic and institutional considerations) BMPs designed to minimize the potential for accelerated erosion and sedimentation from agricultural plowing and tilling activities and animal heavy use areas."

3. Section 102.4(a)(4)(ii) requiring additional BMPs within 100ft of a stream when there is less than 25% cover negates the standard of T established in 102.4(a)(4)(i). The regulations should establish one standard for soil loss. Where an E&S Plan demonstrates that plowing and tilling activities performed on a field will be at or below T over the planned crop rotation cycle, no further measures for controlling soil loss near streams should be required.

Thank you for the opportunity of comment on these regulations.

Sincerely,

William C. Fink  
Environmental Management Specialist

2783

RECEIVED

Chambers, Laura M.

DEC 7 10 00 AM

**From:** Fink, William C. [wfink@cvff.com]  
**Sent:** Friday, November 27, 2009 7:58 AM  
**To:** EP, RegComments  
**Cc:** Fink, William C.; bi663@hotmail.com  
**Subject:** Chapter 102 Erosion and Sediment Control and Stormwater Management

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REVIEW COMMISSION

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12/4/2009

William C. Fink  
Environmental Management Specialist