



Joseph J. Buczynski, P.E., Regional Director
Amy Bellanca, P.E., Clean Water Program Manager
Pennsylvania Department of Environmental Protection
Northeast Regional Office
2 Public Square
Wilkes-Barre, PA 18701

Dear Mr. Buczynski and Ms. Bellanca,

RE: NBMA Hower Farm, Nazareth Borough Municipal Authority, Draft NPDES Permit NO: PAD480199

The Delaware Riverkeeper Network (DRN) is submitting this letter to ask that the Pennsylvania Department of Environmental Protection (PADEP) extend the public comment period regarding the NPDES permit application submitted by the Nazareth Borough Municipal Authority for application PAD480199. We request that PADEP use its discretion to extend the required 30-day public comment period by an additional 15 days, as is provided for in the applicable regulations. In the Pennsylvania Bulletin, it is stated:

“Section III identifies individual NPDES permit applications received and draft permits indicating DEP's tentative determination relating to stormwater discharges associated with construction activities. A 30-day public comment period applies to these applications and draft permits. The period for comment may be extended at the discretion of the Department for one additional 15-day period.”

This permit application is located under Section “III. Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity” in Volume 53, Issue 44 of the Pennsylvania Bulletin published on November 4, 2023.¹

DRN makes this request as there is a high level of public interest in this project. DRN's mission is to protect the Delaware River, its tributaries and watershed including its protected high quality streams (HQ, CWF, WF) and their associated wetlands, headwaters and subwatersheds, We have substantial concerns regarding the NPDES permit provisions, the plans for proposed changes to the land and land uses on this acreage, and the environmental impacts of the proposed construction and stormwater systems; we plan to submit technical comment.

¹ <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol53/53-44/1517.html&search=1&searchunitkeywords=pad480199>

The local and regional community, including DRN, has repeatedly and publicly expressed concerns because of the potential adverse impacts to water quality of the Little Bushkill Creek and its springs, headwaters, and unnamed tributary (ies). These waters flow to the Little Bushkill and Bushkill Creek, and eventually to the Delaware River. Pollution and runoff from the proposed project will directly impact aquatic species and their wetland habitats associated with this subwatershed and the fish, aquatic life, and ecosystems of the waterways. The proposed project is located adjacent to these important natural features, making a high potential for impacts from the proposed activities at this site. There is also great concern for the protection of the groundwater that supplies the only drinking water source for the area and other potential adverse impacts on this active farming region and residential region.

Given the potential for adverse impacts and the high level of community interest, Delaware Riverkeeper Network, the local community, residents of the region and the general public want to be fully informed in order to provide meaningful and fully informed comments to the PADEP. An extension of public comment by 15 days would serve the public greatly toward that goal and would serve PADEP in receiving even more robust comments for their consideration. We ask that you extend the 30-day public comment period for application PAD480199 by an additional 15 days, as is within your discretion.

We ask that you please send us your response to this request to Tracy Carluccio tracy@delawareriverkeeper.org, copied to anneke@delawareriverkeeper.org.

Thank you for your consideration,



Tracy Carluccio
Deputy Director
Delaware Riverkeeper Network