

April 7, 2020

Sterman Masser Potato Farms
Attn: Michael Pechart
2 Fearnot Road
Sacramento, PA 17968

Dear Mr. Pechart:

I am writing in response to the submission of your “COVID-19 Emergency Request to Temporarily Suspend Regulatory Requirements and/or Permit Conditions” form, received on April 3, 2020.

The Governor has approved the temporary suspension of those erosion and sediment control regulatory requirements, as found in 25 Pa. Code § 102.4(a), that would preclude your agricultural operation from planting a potato crop on the fields you identified. This temporary suspension will end as soon as your operation is able to come into full compliance with the requirements of 25 Pa. Code § 102.4(a), but in no event ending later than the harvest date for that crop. Although you may plant a potato crop this year, contrary to your current plans, you must still ensure that your agricultural operation is minimizing the potential for accelerated erosion and sedimentation on those four farms.

Your request indicates that a consultant may not be available to update your plans to reflect this change in your operations. The Department of Environmental Protection (DEP) is, however, aware that many agricultural consultants and consultant planners are working remotely and have the capabilities of providing the services needed for the following documentation. Please submit the documentation identified below to my office via email or mail within 60-days of the date of this letter. In recognition of the fact that planting season is limited, and that immediate action is needed, you are not required to submit this documentation prior to planting.

Please provide:

- RUSLE2 or equivalent soil loss calculation worksheets that document the two-year rotation on the respective farms, as well as the Best Management Practices (BMPs) associated with those farms that have been or will be implemented (e.g. cover crop, contour farming, etc.), and;
- Plan maps that indicate where you intend to plant and/or have planted the potato crop on the two-year rotation. These maps must show the location of features including surface waters, drainage patterns, field and property boundaries, buildings and farm structures, animal heavy use areas, roads and crossroads, and BMPs.

Please submit the requested documentation at the mailing address below. Upon review of this documentation, DEP may provide further instruction and guidance. You may also reach me by e-mail at jiwhitcomb@pa.gov or by telephone at 717.783.5205.

Department of Environmental Protection
Rachael Carson State Office Building
Chesapeake Bay Office
Attn: Jill Whitcomb
400 Market Street, 10th Floor
Harrisburg, PA 17101

Contact the Pennsylvania Department of Agriculture separately regarding any requested suspension of requirements within their jurisdiction, such as those related to agricultural land preservation.

Sincerely,

A handwritten signature in cursive script that reads "Jill K. Whitcomb".

Jill K. Whitcomb
Director