

Comments to DEP on SGI's NPDES renewal for permit # PA 0223239 July 17,2019

My name is Sue deVeer. I live beside a beautiful stretch of Toms Creek here in Fairfield.

The upper portion of the Toms Creek Watershed is listed as a Priority Conservation Watershed by the Pennsylvania Natural Heritage Program, which is a partnership between the Department of Conservation and Natural Resources, the Western Pennsylvania Conservancy, the Pennsylvania Game Commission, and the Pennsylvania Fish and Boat Commission. This designation is a recognition that the watershed is a "significant conservation priority based on its water quality, biological assemblages, and habitat types."

I am a member of the Friends of Toms Creek because the preservation of its water quality matters so much to me. I live beside Toms Creek, downstream from SGI and the permitted stormwater outfalls discussed in this permit renewal. I take my stewardship duty seriously here. I have said before, ALL OUR WATER STARTS HERE IN ADAMS COUNTY. No water flows in, we in this community are the stewards of these headwaters for all communities downstream.

I read with interest on the SGI website their posted responses to comments and questions the community here had expressed about the proposed mining of Pine Hill, which they call their Northern Tract Expansion. The following statement by them makes me seriously wonder about the need to renew the NPDES permit we are discussing here today:

"Another point explained in the SGI First Responses and elsewhere is that the NT (Northern Tract) ponds are not the only feature being used to store stormwater and avoid discharges to Toms Creek. As indicated in the SGI First Responses (pg. 24), although Pitts Quarry is currently operational, SGI can use (and has used) the lower level of that quarry for temporary storage of stormwater. As the Northern Tract Quarry comes on line, the quarry will become available for stormwater storage, providing even greater capacity should the need arise." (sgi-responses-to-public-comments-second-round-7-3-2019.pdf pages 16-17.)

My question is: Why are we even talking about renewal of this NPDES permit? What is the operational need which justifies even the "unlikely" discharge of stormwater to this Priority Conservation Watershed, to HQ or not-yet-classified EV water? If stormwater can be stored in the bottom of the quarry why is this not the plan?

The above paragraph marks the end of my verbal comments at the public hearing, and I thank you all again for coming here and hearing us. I have an additional comment which occurred to me afterwards:

I understand that there have been newly reported recent sightings of Federally Endangered Bog Turtle(s) in the upper reaches of Toms Creek and/or its unnamed tributaries, by inspectors from the Fish and Boat Commission. I BELIEVE THE DESIGNATION OF TOMS CREEK AS HQ RATHER THAN EV WATER IS INCORRECT BECAUSE OF THE EXISTING USE NOT ONLY BY TROUT AND THEIR ASSOCIATED MACROINVERTEBRATE ECOSYSTEM BUT BY THE EXISTING USE BY THE ENDANGERED BOG TURTLE. IF THE BOG TURTLE SIGHTING DOES NOT AUTOMATICALLY PROTECT ITS HABITAT TO BE DESIGNATED AS EV, I URGE THE DEP TO SCHEDULE A NEW REVIEW AND DATA COLLECTION AT THE APPROPRIATE SEASON AND DO THEIR OWN REEVALUATION OF THE DESIGNATION OF TOMS CREEK. The permitting process may need to pause to fully accommodate and incorporate the new Bog Turtle information.

Respectfully submitted,

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