



## Lehigh Valley Planning Commission

DR. CHRISTOPHER R. AMATO  
Chair

CHRISTINA V. MORGAN  
Vice Chair

ARMANDO MORITZ-CHAPELLIQUEN  
Treasurer

BECKY A. BRADLEY, AICP  
Executive Director

### ENVIRONMENT COMMITTEE MEETING Tuesday, February 25<sup>th</sup>, 2025, 10:30 AM AGENDA

THE MEETING CAN BE ACCESSED AT <http://www.tinyurl.com/LVPC2025> OR VIA PHONE  
610-477-5793 Conf ID: 651 626 091#.

#### Roll Call

#### Courtesy of the Floor

1. Staff Introduction
  - a. Minsoo Park, Economist

#### Committee Business:

1. *ACTION ITEM*: Lower Nazareth Township Agriculture Security Area Addition Review – Lower Nazareth Township, Northampton County (CM)
2. *ACTION ITEM*: Zoning Amendment Well Permitting Ordinance – Upper Mount Bethel Township (CR)
3. *ACTION ITEM*: LVPC Comments on Stormwater General Permit Changes (SM)

#### Next Environment Committee Meeting

March 25<sup>th</sup>, 2025, 10:30 AM



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February XX, 2025

Mr. Gary Neil Asteak, Esq.  
Asteak Law Offices  
726 Walnut Street  
Easton, PA 18042

**RE: Agricultural Security Area Application - Hosford  
Lower Nazareth Township  
Tax Parcel L6-11-6-0418**

Dear Mr. Asteak:

Thank you for the notification regarding the proposal to modify the Lower Nazareth Township agricultural security area by adding tax parcel L6-11-6-0418, owned by James H. and Lucienne V. Hosford and consisting of 31 acres. Within the General Land Use Plan in *FutureLV: The Regional Plan*, this parcel is located within a high priority area for farmland preservation. The Plan defines farmland preservation as areas that are predominantly agricultural and are recommended to remain in agricultural use. The East Branch Monocacy Creek runs through the property, which is designated as a High-Quality stream under the Pennsylvania Department of Environmental Protection's Chapter 93 Water Quality Standards and supports the natural reproduction of trout and other cold water flora and fauna. The Chapter 93 Water Quality Standards detail that outside of stated exceptions, the quality of these waters "shall be maintained and protected." Per *Livable Landscapes An Open Space Plan for Northampton County* Goal 1, where feasible, High-Quality streams should be protected by a 150 ft buffer, and the LVPC recommends maintaining or implementing best management practices, such as riparian buffers, that mitigate effects of agricultural activities on the creek. In January 2025, the LVPC reviewed a group of six contiguous parcels in Lower Nazareth Township to be included in the Township's ASA. The parcel in this review (L6-11-6-0418) borders these six additional parcels, creating a total of approximately 318 acres of contiguous Agricultural Security Area land. This proposal supports the following LVPC plans' goals, policies and actions:

*FutureLV: The Regional Plan*

Goal 1 Efficient and Coordinated Development Pattern

- Policy 1.1: Preserve natural areas and farmland by managing growth and development to enhance and strengthen cities, boroughs, suburbs and rural communities.
  - Action: Preserve agricultural and natural lands.

Goal 4 Competitive, Creative and Sustainable Region

- Policy 4.4: Support agriculture and open space as essential components of the regional economy and identity.
  - Action: Provide for the operational needs of regional farms.
  - Action: Expand municipal agricultural security areas.

*NazPlan: Nazareth Area Multi-Municipal Comprehensive Plan*

Goal 2 Balance Preservation and Development

- Policy 2.2: Preserve farmland and farming.

- Action: Support effective agricultural preservation for priority farmlands, including farmsteads with historic value.
- Action: Review and update, as needed, agricultural security areas, which protect agricultural uses in areas recommended for farming from residential development and non-farm activities that interfere with normal farming practices.

*Livable Landscapes An Open Space Plan for Northampton County.*

Goal 4 Preserve farmland and farming to meet food production, economic and open space needs.

- Policy: Support effective agricultural zoning, agricultural security areas and purchase of agricultural easements in areas recommended for farmland preservation in the County Comprehensive Plan.
  - Implementation Strategy: Municipalities should participate in the agricultural security program to protect farming from non-farming activities.

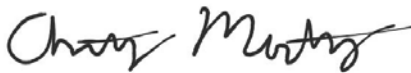
Sincerely,



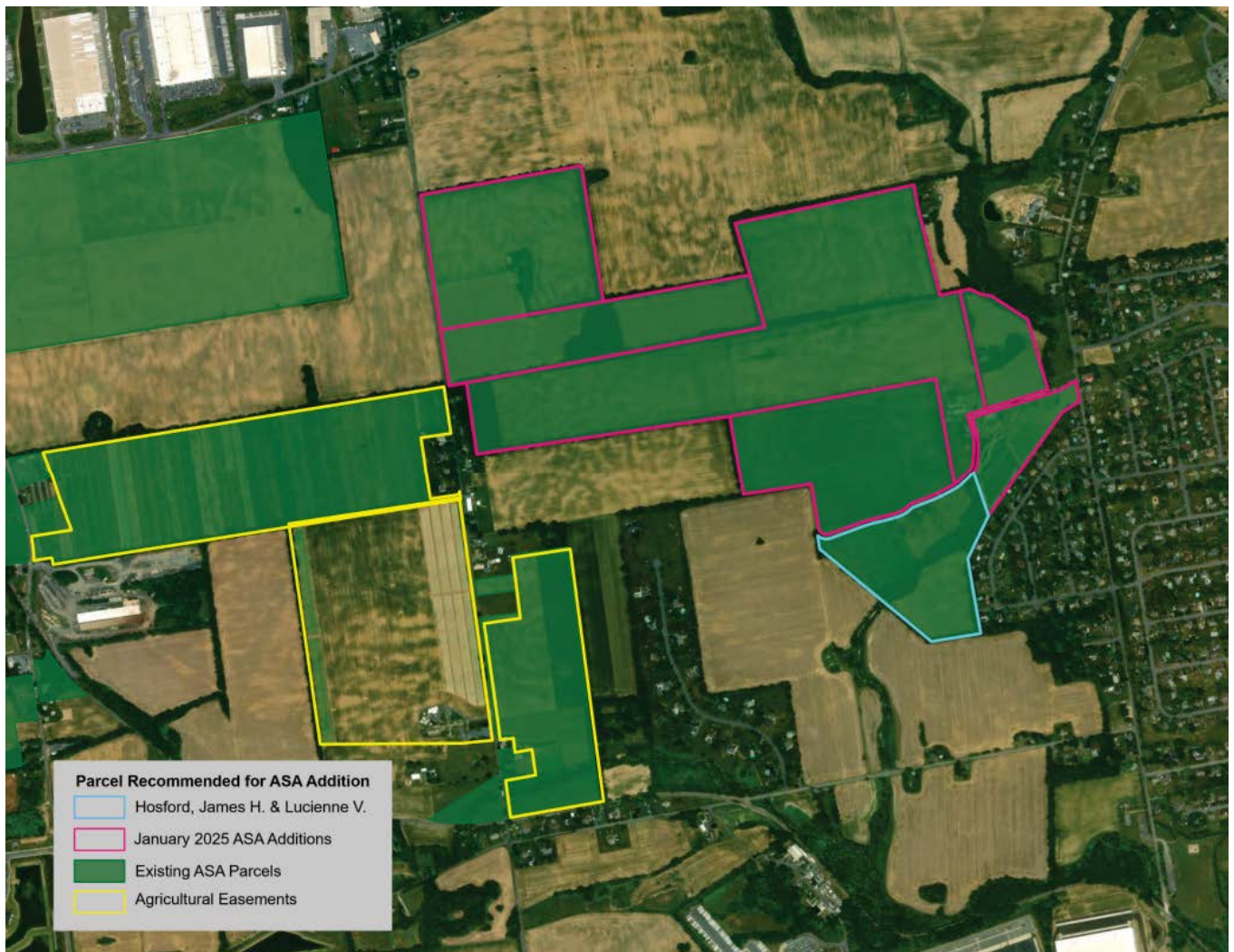
Susan Myerov, AICP  
Director of Environmental Planning



Mackenzie Geisner  
GIS Planner

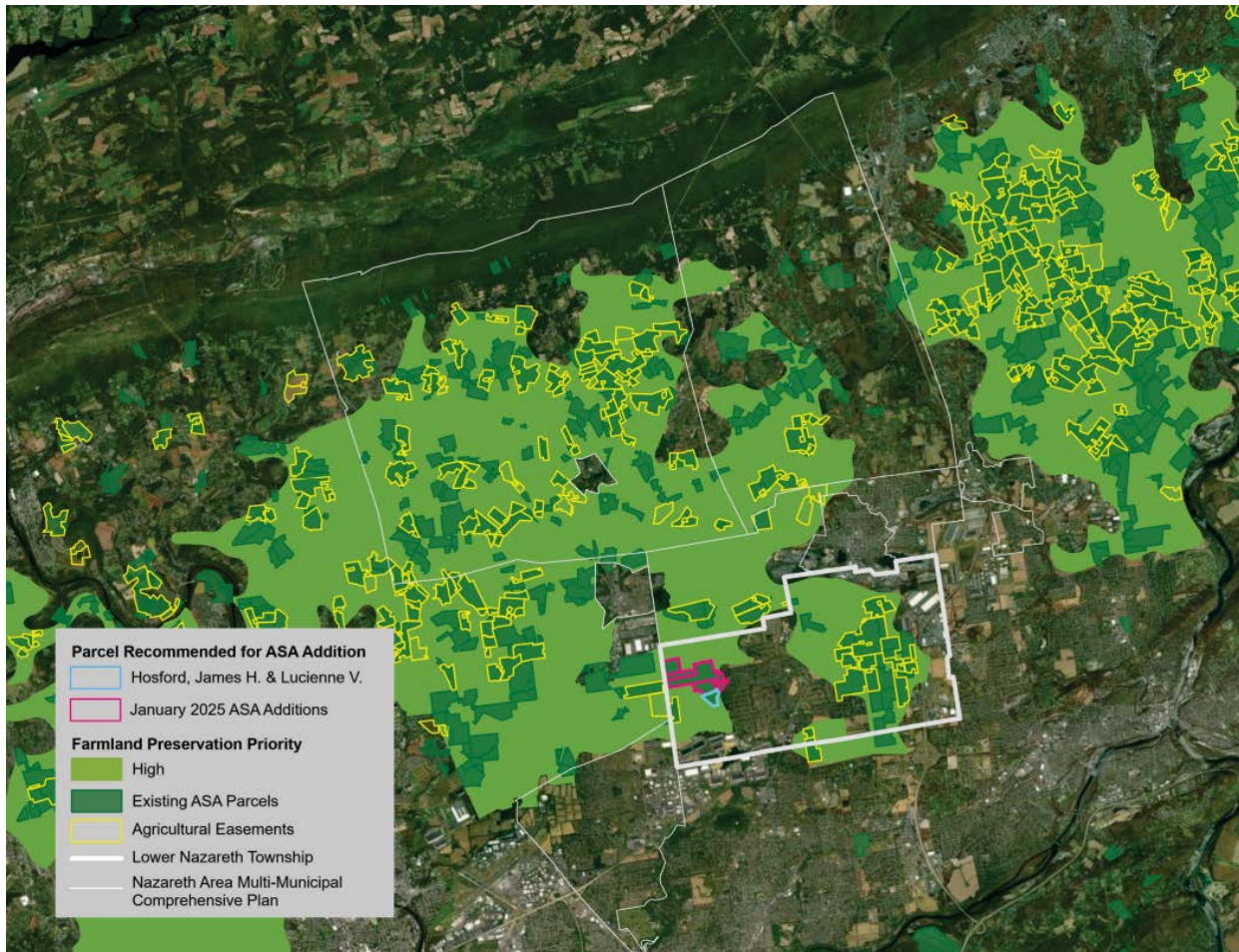


Christian Martinez  
Environmental Planner



*Satellite view of proposed ASA parcel (blue outline) and nearby farmland preservation parcels.*





*Map of ASA parcel proposed for inclusion (blue outline) and its location within the Nazareth area.*



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February XX, 2025

Ms. Cindy Beck, Township Secretary  
Upper Mount Bethel Township  
387 Ye Olde Highway  
PO Box 520  
Mount Bethel, PA 18343

**Re: Zoning Ordinance Amendment – Well Permitting Ordinance – Response to LVPC Comments  
Upper Mount Bethel Township  
Northampton County**

Dear Ms. Beck:

Per your request the Lehigh Valley Planning Commission (LVPC) will consider the changes made to the Township's proposed well ordinance amendment at its Environment Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). We appreciate the opportunity to review the changes made based on our original comment letter dated September 17, 2024. The meetings are being held on:

- LVPC Environment Committee Meeting
  - February 25, 2025 at 10:30 AM
  - <https://lvpc.org/lvpc-meetings>
- LVPC Full Commission Meeting
  - February 27, 2025 at 7:00 PM
  - <https://lvpc.org/lvpc-meetings>

The Township's Well Permitting Ordinance is intended to include provisions that protect the quality and quantity of the water resources of Upper Mount Bethel Township by requiring the permitting and implementing construction standards of new wells and modifications to existing wells, along with water quantity and water quality provisions and administrative provisions to enforce the ordinance. Adopting local level ordinance standards for well construction, alteration, and abandonment is a water quality regulation recommendation of LVPC's 2002 *Water Supply Assessment Report*.

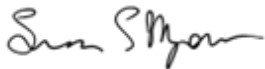
The township modified provisions of its current well permitting regulations (Code of the Township of Upper Mount Bethel – Chapter 341-Wells) to create a stand-alone ordinance, clarifying requirements for different classes of applicants proposing to drill a well or withdraw groundwater within the Township, including those whose projected water use is in excess of 2000 gallons of flow per day, and adding provisions for a new Well Enforcement Officer (WEO).

In its September 2024 review letter, the LVPC recommended that Upper Mount Bethel Township include the term "Production Well" in its definition section and add a more detailed description of the Well Enforcement Officer's duties. We noted that both suggested revisions were incorporated into the updated version.

As indicated in our earlier review letter, the Well Permitting Ordinance amendment helps promote sustainable stewardship of water resources (Policy 3.1) of *FutureLV: The Regional Plan* and helps protect the quality and quantity of surface and groundwater of Policy 3.2.

Thank you for sharing the changes with us and please let us know if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Myerov".

Susan Myerov, AICP  
Director of Environmental Planning

cc: Nick Graziano, Upper Mount Bethel Township Manager



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February XX, 2025

Pennsylvania Department of Environmental Protection  
Policy Office  
Rachel Carson State Office Building  
PO Box 2063  
Harrisburg, PA 17105-2063

**RE: Draft–National Pollutant Discharge Elimination System (NPDES) – General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) – Lehigh Valley Planning Commission Comments**

The Pennsylvania Department of Environmental Protection (Department) published the above referenced draft permit for public comment on January 18, 2025. The Department proposes significant changes compared to the current general permit, known as the PAG-13 General Permit, that became effective in 2018. The changes impact the 493 municipalities with General Permits in Pennsylvania, 18 of which are in the Lehigh Valley.

The Lehigh Valley Planning Commission at its regularly scheduled meeting on February 27, 2025 reviewed the above-mentioned draft permit and offers the following comments.

The LVPC understands that the Department is proposing a new approach for restoring surface waters that are impaired for reasons that may be related to urban stormwater. More specifically, the Department states, “In recognition of the anticipated increase in runoff in Pennsylvania as a result of climate change and that the impact of excessive runoff through flooding is more easily understood by local officials and residents, the Department is proposing to focus on the reduction or management of runoff *volume* for the reissued PAG-13 General Permit. Managing volume also results in decreases in pollutant loads”.

The draft permit proposes that municipalities prepare a Volume Management Plan. The objective of the Volume Management Plan is to achieve no more than 12% of all municipal impervious cover untreated such that surface water quality standards can be attained. Treatment means removing at least the first 1-inch of runoff volume (and accompanying pollutants). The difference between the amount of existing impervious cover treated and the treatment goal is translated to an Annualized Volume Management Objective or VMO, using a 50-year implementation time frame. The Department has developed a Maximum Extent Practicable (MEP) calculator spreadsheet tool to be used to create the Volume Management Plan and determine the Volume Management Objective.



The Annualized Volume Management Objective may be modified based on socioeconomic and land use factors unique for each municipality to define feasibility. Collaboration credits to the Annualized Volume Management Objective are also available if working with other MS4s. Credits are also available for future street sweeping and stream restoration. Further incentives are available for projects located in Environmental Justice areas and to alleviate known flooding problems. A streamlined Volume Management Plan review process will be available for municipalities that complete a training course offered by the Department.

The proposed PAG-13 General Permit represents a significant shift in the philosophy and procedures for the regulated municipality to comply with meeting the Federal and state water quality requirements for stormwater discharges. Essentially, stormwater quality treatment requirements are proposed to be replaced with stormwater runoff volume capture requirements. There is significant commonality to these requirements in terms of stormwater control measures employed but not the same management objectives or measurement. There are 18 Lehigh Valley municipalities with General Permit coverage as part of the Municipal Separate Storm Sewer Systems (MS4) program affected by these changes. It is important that all efforts and expenditures of these MS4 municipalities under the current general permit requirements be credited for these efforts in the updated procedures. The Department should clarify how General Permittees fully receive credit for stormwater control measures that were implemented to comply with its Pollutant Reduction Plan requirements under the current PAG-13 permit.

We support the ability for municipalities to reduce their Volume Management Objective via the feasibility index calculation and by collaborating with other municipalities. This recognizes individual municipal capacity to meet permit requirements and encourages more innovative and cost-effective approaches to managing stormwater runoff through collaborative efforts. Further incentives are available for projects located in Environmental Justice areas and to alleviate known flooding problems.

We support revisions that aim to make the administrative process more clear including the requirement that a separate Notice of Intent to discharge (NOI) will be required to renew coverage only at the end of the 5-year permit term and the requirement that municipalities enter into a memorandum of understanding or other written agreement with county conservation districts who are delegated any responsibilities to satisfy the requirements of 40 CFR § 122.34 (b)(4) through the Departments Chapter 102 program.

Lehigh Valley municipalities with adopted Act 167 ordinances that were created in 2004 or later have had standards in place that encouraged or required stormwater volume controls as part of a subdivision or land development plan. Any impervious cover created for these projects may be eligible to be counted as “treated” under the proposed General Permit and limit the future obligations and costs associated with compliance.

Further, MS4s that have an ordinance requiring treatment for less than 1-acre of disturbed area for a development/redevelopment site can obtain a benefit under the

proposed permit. All the Lehigh Valley's adopted Pennsylvania Act 167 ordinances require a stormwater management plan for 10,000 or more square feet of new impervious cover such that small projects may also result in credit as "treated" impervious under the proposed permit.

The proposed draft permit's goals and objectives align with several goals and policies of FutureLV: The Regional Plan by protecting the quality and quantity of surface water and groundwater and managing the rate, volume, and quality of storm runoff (of Policy 3.2), and advocating for use of native, climate-adaptive and carbon sequestering landscaping (of Policy 3.4). The draft permit's credits and incentives reflect consistency with FutureLV: The Regional Plan by promoting the use of cost-benefit analysis in planning, development and infrastructure decisions and expanding collaboration on planning and development between neighboring communities (of Policy 4.6).

The draft permit's volume management strategy also aligns with similar standards included in the Lehigh Valley's adopted Act 167 water quality ordinances.

We appreciate the opportunity to provide comments on the draft PAG-13 permit. Please let us know if you have any questions.

Sincerely,

Denjam Khadka,  
Sr. Civil/Environmental Engineer

Susan Myerov, AICP  
Director of Environmental Planning

Geoffrey Reese, PE  
Master Planner/Engineer