



1238 County Welfare Road | Leesport, PA 19533 | 610/372-4657 | www.berkscd.com

## Monthly Board Meeting Agenda

**Mission Statement:** "Dedicated to the encouragement and instruction of the wise stewardship of the soil and waters of Berks County, so that the present and future generations may have healthy land on which to live and work, and clean water for drinking and recreation."

**Date** Wednesday, November 29, 2023

**Time** 1:00 p.m.

**Location** Berks County Agricultural Center, 1238 County Welfare Road, Leesport, PA

### Call the Meeting to Order

### Pledge the Flag

**NOTE – There will be an executive Session immediately following the Board Meeting to discuss personnel issues**

### Public Comment

**Presentation – Jolie Coates, MDC Program Coordinator**

**Approval of Minutes of Previous Board Meeting**

**Action Item**

**Financial Statements and E&S Fee Report**

**Approval of Payment of Bills**

**Action Item**

### Correspondence

### BCCD Staff Monthly Team Reports

### Cooperating Agency Reports

- ❖ Natural Resources Conservation Service (NRCS)
- ❖ Berks County Department of Agriculture & Berks County Agricultural Land Preservation
- ❖ Berks County Farm Bureau
- ❖ Department of Conservation and Natural Resources (DCNR)
- ❖ Department of Environmental Protection (DEP)
- ❖ Farm Service Agency (FSA)
- ❖ Penn State Extension – Berks County
- ❖ Pennsylvania Fish & Boat Commission
- ❖ Pennsylvania Game Commission
- ❖ Township Officials

### Committee Reports

**Admin Tech – Meeting Cancelled**

#### RMC

- Transfer \$400,000 from #1010 at Tompkins Bank to #1093 at PA Invest
- Approve the 2024 Budget
- Approve \$30,000 to be used for staff discretionary bonuses in 2023
- Approve the 2022 audit
- Approve the 2024 RMC committee meeting dates and times

**Action Item**  
**Action Item**  
**Action Item**  
**Action Item**  
**Action Item**

#### Legislative Committee



## Monthly Board Meeting Agenda

### ACAP Committee

#### Old Business

- A **SWAG Bus**
- B **New Office Space / Floor Plan**

#### New Business

##### PACD Update

- See the handout “2023 Fall PACD Region Meetings Summary”

##### 2024 Board Meeting and Committee Dates

**Action Item**

A motion is needed to approve the meeting dates, advertisement is needed 30 days prior to the first meeting.

##### Urban Ag Garden Space MOU

**Action Item**

(Briana will provide information/details)

##### State Water Plan: Committee Vacancies

- Statewide
  - Delaware River
  - Lower Susquehanna
- See handout for details

##### Upcoming Events, Conferences, Training

- 11/29/2023 PACD 2023 Fall Leadership Webinar Series: Tech Roundtable: Website Accessibility 12:00 pm – 1:00 pm
- 12/13/2023 PACD 2023 Fall Leadership Webinar Series: Identifying Gaps in Insurance Coverage 12:00 pm – 1:00 pm
- 03/28/2024 PACD South East Region Meeting 9:30 am – 12:00 pm, Henning’s Market, Harleysville, PA

##### Beech Leaf Disease Presentation and Funding Needs

#### SC-1 Requests

Name	OP/OW	Coop	Municipality	Watershed	Acres	Reason
Steve Mohn	Operator / Owner		Perry	Schuylkill	64	Looking for help with driveway gully
Larry Grumbine	Operator / Owner		Bethel	Ches Bay	135	ACAP
Glenn Gingrich	Operator / Owner		Caernarvon	Ches Bay	110	Cons Plan
						<b>Action Item</b>

#### Nutrient Management Plans - Amendments

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Kim Schlappich	Tilden Twp.	39,200 Ducks	9.2	CAO / CAFO	89.19	89.19	Mengel
Jeff Rohrer	Mohrsville	6,842 Swine, 85,000 Poultry, 9 Beef	16.4	CAO / CAFO	1,396.07	85.13	Mengel
						<b>Action Item</b>	

The delegated conservation district shall approve, modify or disapprove any NMP within 90 days of receipt of the complete plan.

- The district’s action on the plan requires a formal action of the board.
- If a NMP operation plan is disapproved, the NMP operation submitting the plan for the first time shall have 90 days after receipt of a written notice explaining specific reasons for the disapproval to resubmit a revised plan.

## Monthly Board Meeting Agenda

### Urban Team Summary October 2023

# Of Projects this Month	Item	+ / - Compared to Last Month
25	102 Applications Received	+3
2	105 Applications Received	-2
26	Plan Reviews	+5
22	Inspections (5 NOT)	-8
23	New Complaints	+12
11	E&S Plan Approvals Issued	+1
9	102 Permits Issued	+3
0	105 Permits Issued	-4
13	PCSM Reviews	+5
<b>102 Projects Disturbed Acres</b>		
	<b>Project Acres</b>	<b>Disturbed Acres</b>
Total Disturbances	124.68	79.76
PennDOT 102 Projects	0.00	0.00

### Enforcement and Potential Enforcement Actions

#### 102/105 Enforcement and Potential Enforcement Actions

- 401 Madison St., Shillington Borough (CM-06-00303): Arthur Turaj. Floodway Encroachment. As of July 20, 2023, DEP will now be issuing a consent order with penalties and require a full restoration plan be submitted.
- Longview Rd., Earl Twp (CM-06-00386): James Smith (Farmer). Stream, Floodway, Wetland Encroachments. As of September 14, 2023, DEP has approved a minor modification to the restoration plans to permit a revised log vane for fish habitat structure. The restoration plan is moving forward now to implementation.
- Green Hills Estates, Robeson Township (PAI030616004). The homeowner downstream at 465 Green Hills Rd pond is constantly stained and sediment will not settle out. There is not a constant sediment discharge from the site but the soil types do not promote settling. DEP and PFBC are aware of the pond situation and have been in touch with the developer and homeowner. 2/13/23: Received a copy of a 60 Day Notice Letter from the property owner's attorney to the developer and contractor. DEP is working on a Consent Assessment of Civil Penalty (CACP) for non-compliance items on 4/12/22, 6/2/22 and 10/6/22. On 4/4/23 notice was provided by the developer, 2000 Perkiomen Ave, LLC, that a resolution has been agreed to with the downstream pond owner. The agreement is unknown at this time. On 4/10/23, DEP proposed a Consent Assessment of Civil Penalty ("CACP") in the amount of \$10,968.00. An agreement between the Pennsylvania Department of Environmental Protection ("DEP"), Nick & Les, Inc. ("Nick & Les"), Lyons and Hohl, Inc. ("Lyons and Hohl"), and 2000 Perkiomen Ave., LLC ("2000 Perkiomen"), for non-compliance items on 4/12/22, 6/2/22 and 10/6/22. The District requested \$967.77 in cost recovery. CACP was executed on 5/17/23 and the cost recovery check was received on 5/22/23
- Bollinger Road/341 Hickory Road, Marion Twp (CM-06-00600) (Preserved Farm): Paul Sonnen, has retained counsel and contests that all of the fill must be removed. Marion Township is attempting to resolve the conflict with Mr. Sonnen regarding restoration versus obtaining an permit to conduct streambank stabilization in the area. The restoration plan or an after-the-fact Chapter 105 permit for streambank stabilization is due next.
- 313 Bowers Road/Burkholder-Sauder Earthen Dike Removal, Maxatawny Township, (ESP-06-03219) (CM-06-00394): The restoration plan has been approved, and is now being implemented.
- Ballpark Plaza LLC, Womelsdorf Borough (ESP-06-03241)(PAC060467): Walter Greth of Greth Homes was denied an NPDES permit by DEP because the BCCD notified them of a pending application by Greth Homes, when Greth Homes has several sites that remain out of compliance despite repeated attempts to attain voluntary compliance.



BERKS COUNTY  
CONSERVATION DISTRICT

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## Monthly Board Meeting Agenda

**Reports**

**Comments**

**Motion to move into an Executive Session**

***Action Item***

**Return to Board Meeting**

**Motion to Adjourn**

***Action Item***