



Monthly Board Meeting Minutes

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, July 26, 2023

Time 1:00 p.m.

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

The meeting was called to order at 1:06 p.m.

Pledge the Flag

Public Comment

Presentation – Joshua Mengel, Agricultural Resource Conservationist

Attendees:

Directors

Larry Gelsinger, Christian Leinbach, Joseph Rosenbaum, Glenn Seidel, Piper Sherburne

Associate Directors

David Beane

Cooperating Agencies

- ❖ Farm Service Agency – Victoria Behm
- ❖ Berks County Farm Bureau – Larry Gelsinger
- ❖ Berks County Department of Ag – Kim Fies
- ❖ DEP – Lauren Shaffer

Berks County Conservation District Staff

Tammy Bartsch, Dean Druckenmiller, Joshua Mengel

Guests

Chris Beitler, Kyle Lundeen – Giorgi, Craig Lutz – Representative Chris Gebhards office

Approval of Minutes of Previous Board Meeting

A motion was made to approve the minutes from June 28, 2023, Board Meeting by J. Rosenbaum, seconded by L. Gelsinger, motion carried, with no comment

Approval of Payment of Bills

A motion to pay the bills was made by C. Leinbach and seconded by L. Gelsinger, motion carried, with no comment

Correspondence

Cooperating Agency Reports

Committee Reports

Admin Tech - No meeting

RMC – No meeting

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Workshop Conference Call

A motion was made to approve the minutes from July 12, 2023, meeting by L. Gelsinger seconded by C. Leinbach, motion carried, with no comment

Dirt, Gravel Low Volume - No meeting

Legislative Committee

ACAP Committee – Dean Druckenmiller

A motion was made to postpone vote on Weinstein until the Special Meeting on July 31, 2023 by C. Leinbach, seconded by J. Rosenbaum, motion carried, with no comment

A motion was made that all 12 be added to the Special Meeting to be held on Monday, July 31, 2023 at 5:00 p.m. before the Annual Scholarship and Awards dinner by C. Leinbach, seconded by J. Rosenbaum, motion carried, with no comment

Old Business

SWAG Bus

New Office Space / Floor Plan

Affiliate Memberships

New Business

PACD Update

Upcoming Events, Conferences, and Training:

- August 8 through August 10, 2023 - Ag Progress Days, Pennsylvania Furnace, PA
- September 17 through September 20, 2023 – NACD Northeast Regional Conference, Portland, ME
- October 6, 2023 – Envirothon Clay Shoot,
- October 17, 2023 – PACD South East Region Meeting, Harleysville, PA

Signatures Needed

- **Affiliate Memberships**
- **SRRF Grant – Watt Farm – Cold Run Habitat Restoration Project**
Purpose: To implement habitat and streambank protection structures on 1,400' of Cold Run, a tributary to Hay Creek; livestock will be excluded from the stream and ~5 acres of marginal pasture converted to riparian forest buffer.
A motion was made to sign the grant by J. Rosenbaum, seconded by C. Leinbach, motion carried, with no comment
- **Chesapeake Bay Technician 5-year Agreement**
A motion was made to sign the 5-year agreement by C. Leinbach, seconded by L. Gelsinger, motion carried, with no comment.
- **Cold run Habitat Restoration Bid Award**
Seeking approval to award the bid to Davidheiser Construction Services in the amount of \$94,500 to complete fish habitat and streambank protection on Cold Run a tributary to Hay Creek
A motion was made to approve awarding the bid to Davidheiser Construction Services by C. Leinbach, seconded by J. Rosenbaum, motion carried with no comment.

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Nutrient Management Plan Amendments

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Neil Martin	Upper Tulpehocken Twp.	139,200 Broilers, 12 Beef Finishers	109.7	CAO/CAFO	387.441	A5.02	Johanson
Leonard Hoover	Upper Tulpehocken Twp.	127,200 Broilers, 6 Beef	195.3	VAO/CAFO	3697	1.89	Hanna
Elvin martin	Bethel Twp.	1,870 Swine, 43 Beef	129.44	CAO/CAFO	343.74	2.66	Overstreet
Glendon Nolt	Greenwich Twp.	16,000 Ducks, 30 Ewes, 1 Ram	15.3	CAO/CAFO	115.08	32.8	Johanson

A motion was made to approve the Nutrient Management Plan Amendments of Neil Martin, Leonard Hoover, Elvin Martin and Glendon Nolt by L. Gelsinger, seconded by J. Rosenbaum, motion carried, with no comment.

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.*

Nutrient Management Plans Requesting Removal

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Bowman Trust	Bethel Twp.	65,000 Pullets	1	CO	55.05	55.05	Overstreet

A motion was made to approve the Nutrient Management Plan Requesting Removal for Bowman Trust by J. Rosenbaum, seconded by C. Leinbach, motion carried, with no comment

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.*

Urban Team Summary June 2023

# Of Projects this Month	Item	+ / - Compared to Last Month
27	102 Applications Received	-1
2	105 Applications Received	-1
30	Plan Reviews	+2
21	Inspections (11 NOT)	0
11	New Complaints	-6
19	E&S Plan Approvals Issued	+5
10	102 Permits Issued	+4
6	105 Permits Issued	+4
7	PCSM Reviews	+1
102 Projects Disturbed Acres		
	Project Acres	Disturbed Acres
Total Disturbances	44.54	44.52
PennDOT 102 Projects	0	0

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 May 11, 2023, DEP and BCCD met with Mr. Turaj's attorney. DEP is now drafting a consent Order against Mr. Turaj.
- Longview Rd., Earl Twp (CM-06-00386): James Smith (Farmer). Stream, Floodway, Wetland Encroachments. As of April 14, 2023, the BCCD received a payment of \$1,427.00 worth of

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administrative costs generated from working on the Chapter 105 compliance and enforcement case from Mr. Smith. 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. 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 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, property owner, reported that Marion and Jackson Townships were discharging fill along the Tulpehocken Creek without his permission. The BCCD has reviewed and commented on the draft site assessment plan. The restoration plan submitted is due next.
- 313 Bowers Road/Burkholder-Sauder Earthen Dike Removal, Maxatawny Township, (ESP-06-03219) (CM-06-00394): The restoration plan has been submitted and is being commented on at this time.

Reports

Comments

A motion was made to adjourn at 2:11 pm by C. Leinbach, seconded by J. Rosenbaum, motion carried, with no comment

Respectfully submitted,

Tammy L. Bartsch

Secretary to the Board of Directors