

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 the present and future generations may have healthy land on which to live and work, and clean water for drinking and recreation."

Date and Time of Meeting - Wednesday, September 27, 2023 at 1:00 p.m.

Location of Meeting - Berks County Agricultural Center, 1238 County Welfare Road, Leesport, PA

The Chair called the meeting to order at 1:03 p.m.

Pledge the Flag

Public Comment

Attendees

Directors

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

Associate Directors

David Beane, Geoff Price

Cooperating Agencies

- ❖ Natural Resources Conservation Service (NRCS) – Nicholas Ramsey
- ❖ Berks County Department of Ag – Kim Fies
- ❖ Penn State, Berks County Extension – Sarah Frame

Berks County Conservation District Staff

Tammy Bartsch, Dean Druckenmiller, Joshua Hanna

Approval of Minutes of Previous Board Meeting

A motion was made to approve the minutes of from the August 30, 2023, Board Meeting by C. Leinbach, seconded by L. Gelsinger, motion carried with no comment.

Approval of the Payment of Bills

A motion was made to approve payment of the bills by J. Rosenbaum, seconded by L. Gelsinger, motion carried with no comment.

Correspondence

Cooperating Agency Reports

BCCD Committee Reports

Admin Tech

Don Hartman Scholarship Program Application

The committee made revisions; and would like Board approval of the application and how the scholarship recipient will be reimbursed.

A motion was made by G. Seidel, seconded by J. Rosenbaum, motion carried with no comment.

Lawn Conversion Program

The committee feels we should work with municipalities, schools, and other organizations that would have ownership for "perpetuity"; the committee would like the Board to approve their recommendation.

A motion was made to move forward with the program limiting program to public properties by L. Kehl, seconded by C. Leinbach, motion carried with no comment.

Ag Complaint Policy – Revision

The policy was reviewed and revisions made; the committee would like the Board to approve the Revisions.



A motion was made to approve the revisions, all potential enforcement actions are to be taken to the Admin Tech committee before submitting for enforcement by C. Leinbach, seconded by J. Rosenbaum, motion carried with no comment.

RMC

Ag Reimbursement Requests (2)

The committee reviewed the submitted requests; per District policy these requests are to go through the Admin Tech committee; the requests were received after their meeting, Dean emailed the Admin Tech committee with the information; RMC determined the District has sufficient funding to cover the requests; the RMC committee would like the Board to approve paying the requests. A motion was made to approve the reimbursement request of Jason Rice in the amount of \$108,275.70 By C. Leinbach, seconded L. Gelsinger, motion carried with no comment. A motion was made to approve the reimbursement request of Keith Hoppes in the amount of \$4,808.44 by J. Rosenbaum, seconded by L. Kehl, motion carried with no comment.

Legislative Committee

- HB 1300 transfer money from Game Fund to CWF for BMPs and continue the program
- Proposed Solar Farm Bill to preserve Class 1 and 2 Farm Land. By Rep. Mastriano. A motion was made to have the BCCD in conjunction with Berks County Dept. of Ag and other key stake Holders, put together a meeting to discuss this matter by C. Leinbach, seconded by J. Rosenbaum, motion carried with no comment.

ACAP Committee

Dean provided an update

Old Business

- SWAG Bus
- New Office Space / Floor Plan

New Business

PACD Update

Signatures Needed

- **Watershed Specialist Grant Annual Renewal**
A motion was made to approve signing the Watershed Specialist Grant electronically By C. Leinbach, seconded by L. Gelsinger, motion carried with no comment.
- **Electronic Signatures authorization**
A motion was made to approve electronic signatures by the Chair and the Secretary by C. Leinbach, seconded by J. Rosenbaum, motion carried with no comment.

Upcoming Events, Conferences, Training

- October 6, 2023 – Envirothon Clay Shoot
- October 19, 2023 – Township Officials Annual Dinner
- October 26, 2023 – PACD South East Region Meeting, Harleysville, PA

Nutrient Management Plans - New

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Larry Dean Martin	Tulpehocken Twp	144,000 Broilers	14.9	CAO/CAFO	236.74	15.89	Overstreet
A motion was made to approve the New Nutrient Management Plan of Larry Dean Martin by J. Rosenbaum, seconded by L. Gelsinger, 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 - Amendments

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Gerry Noecker	Centre Twp	16,000 Ducks, 20 Cow Calf Pairs, and 2 Bulls	65.1	CAO/CAFO	146.6	2.25	Johanson
Jimmy Reppert	Tilden Twp	38,000 Ducks, 25 Cow/Calf Pairs, 20 Steers	73.4	CAO/CAFO	146.82	2.23	Mengel
Curtis Lehman	Upper Tulpehocken Twp	175,400 Broilers	260.3	CAO/CAFO	487.9	2.43	Mengel
Curtis Nolt	Tulpehocken	102,000 Broilers	85.24	CAO	251.68	30.32	Mengel
Daryl Martin	Bethel Twp	75,000 Broilers	1	CAO	211.44	211.44	Overstreet
Hetrickdale	Jefferson Twp	1430 Cows, 1556 Young Stock	1937.9	VAO/CAFO	2968.61	1.53	Seidel
David Weaver	Maxatawny Twp	70,000 Broilers	88	CAO	194.73	2.49	Hanna
Eugene Martin	Tulpehocken Twp.	98,000 Broilers	1	CAO	137.14	137.14	Overstreet
A&L Farms	Upper Bern Twp.	155,000 Layers, 10 Cow/Calf Pairs, 100 Mature Sheep, 5 Rams, 80 Lambs	35	CAO/CAFO	509.18	14.55	Johnson

A motion was made to approve the Nutrient Management Plans Amendments of Gerry Noecker, Jimmy Reppert, Curtis Lehman, Curtis Nolt, Daryl Martin, Hetrickdale, David Weaver, Eugene Martin and A&L Farms by L. Gelsing, seconded by J. Rosenbaum, motion carried with no comment.

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➤ *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.*

SC-1 Requests

Name	OP/OW	Coop	Municipality	Watershed	Acres	Reason
Samuel Lapp	Same	Same	Tulpehocken Twp	Swatara	45	BCALP

A motion was made to approve the SC-1 Request of Samuel Lapp by C. Leinbach, seconded by L. Gelsing, motion carried with no comment.

Conservation Plans

Name	Municipality	Acres	Tract#	Planner
Adam Light	Bethel Twp	176	10621	Overstreet
Adam Light	Bethel Twp	128	10620	Overstreet
Richard Geisinger	Greenwich Twp	43.7	1980	Seidel

A motion was made to approve the Conservation Plans of Adam Light (2) and Richard Geisinger by C. Leinbach, seconded by J. Rosenbaum, motion carried with no comment.

"The Berks County Conservation District concurs with these plans, based on NRCS certification that the plans meet the standards and specifications of the Pennsylvania Field Office Technical Guide for NRCS-" OR AS APPROPRIATE".

Urban Team Summary August 2023

# Of Projects this Month	Item	+ / - Compared to Last Month
22	102 Applications Received	+9
4	105 Applications Received	+2
21	Plan Reviews	-9
30	Inspections (5 NOT)	+9
11	New Complaints	0
10	E&S Plan Approvals Issued	-9
6	102 Permits Issued	-4
4	105 Permits Issued	-2
8	PCSM Reviews	+1
102 Projects Disturbed Acres		
	Project Acres	Disturbed Acres
Total Disturbances	234.75	7.12
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 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 a 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

Reports

Comments

A motion was made to adjourn at 2:34 p.m. by J. Rosenbaum, seconded by C. Leinbach, motion carried with no comment.

Respectfully submitted,

Tammy L. Bartsch

Secretary to the Board of Directors

