



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

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, March 29, 2023

Time 1:00 p.m.

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

The meeting was called to order at 1:01

Pledge the Flag

No public comment

Presentation – Kaylee Olivas, Urban Team Administrator

Attendees:

Directors

Larry Gelsinger (IP), Christian Leinbach, (IP), Joseph Rosenbaum (IP), Piper Sherburne (IP)

Associate Directors

David Beane (V)

Cooperating Agencies

Berks County Dept. of Ag & Berks County Ag Land Preservation – Kim Fies (IP), Ashley Rice (IP)

Berks County Farm Bureau – Larry Gelsinger (IP), Joe Rosenbaum (IP)

NRCS – Nicholas Ramsey (IP)

FSA – Jessica Gerhart (V); Victoria Behm

DEP Field Representative – Lauren Shaffer

Berks County Conservation District Staff

Tammy Bartsch (IP), Dean Druckenmiller (IP), Josh Hanna (IP)

Approval of Minutes of Previous Board Meeting

A motion was made to approve the minutes from the February 22, 2023, Board Meeting by Larry Gelsinger seconded by Joe Rosenbaum motion passed.

Financial Statements and E&S Fee Report

Approval of Payment of Bills

A motion was made to approve paying the bills by Joe Rosenbaum seconded by Christian Leinbach, motion passed.

Correspondence

Cooperating Agency Reports

- ❖ Berks County Department of Agriculture & Berks County Agricultural Land Preservation – Kim Fies
- ❖ Berks County Farm Bureau – Larry Gelsinger, Joe Rosenbaum
- ❖ Department of Environmental Protection – Lauren Shaffer
- ❖ Farm Service Agency – Jessica Gerhart and Victoria Behm
- ❖ Natural Resources Conservation Service (NRCS) – Nick Ramsey

Committee Reports

Admin Tech – Glenn Seidel – No actionable items

RMC – Dean Druckenmiller

BCCD Clean Water Fund Request

A motion was made to approve the BCCD Clean Water Fund Request in the amount of \$5,000 for the Wyomissing Creek Education & Outreach Watershed, the requestor will need to add our logo to the signage, by Christian Leinbach, seconded by Joe Rosenbaum, motion passed, motion passed, no comment



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BCCD Clean Water Fund Request

A motion was made to approve the BCCD Clean Water Fund Request in the amount of \$5,000 for the Pine Creek Streambank Stabilization, by Christian Leinbach, seconded by Joe Rosenbaum, motion passed, no comment.

BCCD Clean Water Fund Request

A motion was made to approve the BCCD Clean Water Fund Request in the amount of \$5,000 for the Longacre Farm West Branch Perkiomen Creek by Joe Rosenbaum, seconded by Christian Leinbach, motion passed, no comment.

Workshop Conference Call – Piper Sherburne – no meeting

Dirt, Gravel Low Volume – Piper Sherburne

A motion was made to extend the deadline to accept applications to the end of April, 2023 by Joe Rosenbaum, seconded by Jason Bailey, motion passed, no comment

Legislative Committee – Larry Kehl

ACAP Committee – Dean Druckenmiller

Old Business

SWAG Bus

New Office Space / Floor Plan

Statement of Financial Interest

New Business

PACD Update

Legislative Breakfast

Date: Thursday, April 27, 2023

Time: 7:30 am – 10:30 am

Location: Ag Center Auditorium

June Board Meeting

Board approved holding the meeting at Kauffman's BBQ, mini-golf at 12:00 pm followed by the Board Meeting at 1:00 pm

Upcoming Events, Conferences, Training

- 04/06/2023 Spring Tire Collection for Municipalities and the Public, appointments are required
- 04/14/2023 Cover Crop Workshop, registration is required, the workshop is free
- 04/21/2023 Annual Seedling Sale, 3 pm – 7 pm, drive-through format, pre-order deadline is 02/24/2023
- 04/26/2023 – 04/28/2023 – We Conserve PA Conference
- 04/28/2023 High School Envirothon
- 05/06/2023 2nd Annual Conservation Celebration
- 06/28/2023 – 06/30/2023 Don Hartman Conservation Leadership School
- 07/31/2023 Annual Awards and Scholarship Dinner



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Signatures Needed

- **NFWF Cold Run Habitat Restoration and Agricultural BMP Implementation**

A motion was made to sign the NFWF Cold Run Habitat Restoration and Agricultural BMP Implementation by Christian Leinbach, seconded by Larry Gelsing, motion passed, no comment.

Nutrient Management Plans

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU / Acre	Reviewer
Curtis Musser	Bethel Twp.	3,000 Swine; 46,000 Turkey	64.1	CAO/CAFO	637.59	34.1	Overstreet

A motion was made to approve the nutrient management plan amendment of Curtis Musser by Joe Rosenbaum, seconded by Christian Leinbach, motion passed, 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.*

Conservation Plans

Name	Municipality	Acres	Tract#	Planner
Chris Beitler	Penn	15	1233	Savani
Chris Beitler	Penn	5.2	13013	Savani
Chris Beitler	Penn	5.7	13014	Savani
Chris Beitler	Penn	5.4	1196	Savani
Todd Schroeder	Windsor	195	2245	Hanna
Nathaniel Burkholder	Richmond	68	2741	Hanna
Chris Beitler	Penn	5.5	1193	Savani

A motion was made to concur with the Conservation Plans of Chris Beitler (5 plans), Todd Schroeder, Nathaniel Burkholder conservation Plans by Christian Leinbach, seconded by Joe Rosenbaum, motion passed, 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".

SC-1 Requests

Name	OP/OW	Coop	Municipality	Watershed	Acres	Reason
Chris Beitler	OP/OW	Yes	Penn	Tully	39.97	ACAP
Joseph Phillips	OP/OW	Yes	Windsor	Maiden	46	ACAP
Travis LaFaver	OP/OW	Yes	Tilden	Schuylkill	85	ACAP
Jason Rice	Op	Yes	Albany	Maiden	80	ACAP
Lee Gauker	OP/OW	Yes	Richmond	Maiden	80	ACAP
Barry Smith	OP/OW	Yes	Greenwich	Maiden	92	ACAP
John Zuchowski	OW	Yes	Richmond	Maiden	26	ACAP
Todd Schroeder	OP	Yes	Windsor	Maiden	195	ACAP
Brandon Wessner	OP	Yes	Albany	Maiden	180	ACAP
Brandon Weiss	OP/OW	Yes	Bern	Tully	40	ACAP
James Younker	OP/ow	Yes	Maiden Creek	Maiden	80	ACAP
Benjamin Masemore	OP/OW	Yes	Hereford	Perkiomen	119	ACAP
Jason Newswanger	OP/OW	Yes	Bethel	Ches Bay	100	ACAP
John Zerr and Sons	OP/OW	Yes	Geigertown	Hay Creek	58	ACAP

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Nelson Troutman	OP/OW	Yes	Marion	Tully	80	ACAP
Joel Hetrick	OP/OW	Yes	Jefferson	Tully	100	ACAP
John Bicksler	OP/OW	Yes	Tulpehocken	Tully	60	ACAP
Peter Zettlemyer	OP/OW	Yes	Albany	Tully	902	ACAP
Mark Lopez	OP/OW	Yes	Earl		100	ACAP
Vista Grande	OP/OW	Yes	Richmond	Maiden	155	ACAP
Ahern Family Trust	OP/OW	Yes	Upper Tulp	Tully	15.9	ACAP

A motion was made to approve the SC-1 Requests for the above reference parties, with the exception of Brandon Weiss, delete his plan, by Christian Leinbach, seconded by Larry Gelsing, motion passed, no comment.

Ag Team Summary

February

- NM status reviews- 5
- Conservation Plans in progress- 49
- Conservation Plans under review – 4
- Conservation Plans completed- 7 for 350 acres
- Outreach events- Cover crop/Soil health workshop being planned for April
- BCCD Staff are currently responsible for contract management of **26** contracts including overseeing BMP implementation and certification. These **26** contracts total more than **\$3.8 M** in cost share from 5 different funding sources. These contracts are at different stages of Implementation.
- ACAP- A total of 14 ACAP requests have been submitted to date.

Urban Team Summary

February 2023

# Of Projects this Month	Item	+ / - Compared to Last Month
16	102 Applications Received	-1
1	105 Applications Received	+0
25	Plan Reviews	+7
43	Inspections (9 NOT)	+11
4	New Complaints	-4
9	E&S Plan Approvals Issued	-3
4	102 Permits Issued	-5
1	105 Permits Issued	-1
4	PCSM Reviews	NA
102 Projects Disturbed Acres		
	Project Acres	Disturbed Acres
Total Disturbances	132.59	49.32
PennDOT 102 Projects	0.00	0.00

Enforcement and Potential Enforcement Actions

- 60 Cherry Dr., District Twp (CM-06-00259): Glenn Mehlman. Wetland and Stream Encroachments. The responsible party is now implementing the restoration plan with DEP.
- Timberlake Subdivision, L. Heidelberg Twp (ESP-06-00071) PAG-0006-04-068R: Ch 102 PCSM & Permitting issues. The current permittee, Walter T. Greth, Greth Development Group, has closed his business. The site has remaining non-compliance activities that are not being resolved. The case may be subject to DEP referral later this year with continued inactivity.
- 242 Pilgert St., Longswamp Twp (CM-06-00244): Mr. Gallina. Wetland and Stream Encroachments. The compliance case was closed on September 13, 2022, once the requested corrective actions had been identified as completed.

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- 313 Bowers Rd., Maxatawny Twp (CM-06-00394): Ethan & Anita Burkholder (Plain Sect Farmers). Floodway Encroachment. As of August 10, 2022, the case has been referred to DEP for enforcement.
- 102 Conrad Rd., Ruscombmanor Twp (CM-06-00469): Justin Xander. As of July 19th, the BCCD has contacted the local township to discuss cooperative compliance with the RP.
- 401 Madison St., Shillington Borough (CM-06-00303): Arthur Turaj. Floodway Encroachment. As of 8/10/2022, the case was referred to DEP for enforcement.
- Stone Rd., Tulpehocken Twp (CM-06-00239): Robert & Lester Moyer (Former Farmer). Wetland and Stream Encroachments. The site was officially referred to DEP on 12/29/2020. DEP is resolving the appropriate permit as of 12/15/2022.
- 437B Hoch Rd., Oley Twp (CM-06-00314): John and Kathleen Christie. Stream, Floodway, Pond Encroachments. The site wasn't officially referred to DEP. However, the RP is supposed to be working towards compliance with Todd Gipe, DEP. A second follow-up was made by BCCD to DEP on March 14th.
- 51 Berger Rd., Greenwich Twp, (CM-06-00327): Isaac Burkholder (Plain Sect Farmer). Stream, Wetland, Pond Encroachments. The site was officially referred to DEP on 12/29/2020. DEP waived the requested corrective action plan on 8/11/2022, and placed the site back into compliance.
- 84 Fisher Mill Road, Oley Twp CM-06-00460: Amanda O'Driscoll & Ross Allen Striver. Manatawny Creek Obstruction. Case referred to Dam Safety Division on 9/13/2021. The BCCD followed up with DEP, Dam Safety Division, for an update on July 19th. Amanda O'Driscoll requested interaction by DEP on 1/3/2023.
- Longview Rd., Earl Twp (CM-06-00386): James Smith (Farmer). Stream, Floodway, Wetland Encroachments. An administrative order hearing occurred in 2021. The case is pursuing a full Consent Order by DEP. On 3/6/2023, DEP stated that they received a restoration plan and the Consent Order Agreement "may be signed soon."
- 225 Ammon Rd., Caernarvon Twp (CM-06-00390): Paul & Jean M. Dovin. Stream and Wetland Encroachments. On 3/8/2023, the BCCD reminded the Dovin's that the restoration plan was due to be completed by April 1, 2023. A site inspection will follow.
- 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.

Reports

Comments

Adjournment

A motion to adjourn at 2:38 was made by Christian Leinbach, seconded by Joe Rosenbaum, motion passed, no comment

Respectfully submitted,

Tammy L. Bartsch

Secretary to the Board of Directors