



## 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, February 28, 2024

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

**Location** Berks County Agricultural Center, 1238 County Welfare Road, Leesport, PA with a virtual option

**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 – Samantha Paisley, Ag Resource Conservationist**

**2<sup>nd</sup> Presentation – Staff Semi-Annual Recognition for Jack Anton, Tammy Bartsch, Briana Johanson**

**Approval of Minutes of Previous Board Meeting**

**Action Item**

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

**Approval of Payment of Bills**

**Action Item**

**Correspondence**

**Swearing in of Director David Beane**

**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 – Joe Rosenbaum**

Flex Time Policy

**Action item**

The Committee reviewed the policy and would like approval to implement the policy.

Appoint the Chair for the Admin Tech Committee

### RMC

EWP Projects

**Action item**

The Committee recommends approving the funding request for \$55,000 using Clean Water Funds. Nick Ramsey will contact the homeowners to ask if they would be willing or able to contribute towards the project costs. The Committee suggests approving the funding request even if the homeowners do not contribute.

DGLVR Fund Balances

**Action item**

The Committee would like approval to move funds from PA Invest back to Tompkins to balance the accounts. The amount of the transfer needed is \$170,755.40.

Appoint the Chair for the RMC Committee

**Workshop Conference Call – Piper Sherburne**

**Dirt, Gravel Low Volume Road – Piper Sherburne**

**Legislative Committee – Larry Kehl**

**ACAP Committee – Dean Druckenmiller**



## Monthly Board Meeting Agenda

<b>Old Business</b>	
	<b>Swag Bus update</b>
	<b>New Office Space/Floor Plan update – approximate furnishing cost</b>
	<b>Lyons Solar update</b>
<b>New Business</b>	
	<b>PACD Update</b>
	<p><b>NACD Invasive Species Week Video</b></p> <p><b>Glenn Seidel</b> <span style="float: right;"><b>Action Item</b></span>          Memorial Endowment Scholarship contribution?          Dedicating the new conference room and training center, plaque too?</p> <p><b>Mark Wolfskill</b>          What should the new name be for the seedling sale?</p>
	<p><b>Signatures Needed</b> <span style="float: right;"><b>Action Item</b></span></p> <ul style="list-style-type: none"> <li>❖ Signature is needed for a MOU between District Township and Berks County Conservation District regarding the Beech Leaf Disease Program.</li> <li>❖ EWP Project DEP Funding agreements - \$80,000 – 3 sites – DEP and NRCS are fully funding these sites:             <ul style="list-style-type: none"> <li>○ Kline Property, 1137 Mt. Laurel Rd, \$42,800</li> <li>○ Gomez Property, Frush Valley Rd, \$101,600</li> <li>○ Beck Property, 1812 Mt. Laurel Rd</li> </ul> </li> </ul>
<b>Statement of Financial Interests Forms - Due on or before June 30, 2024</b>	
	<p><b>Upcoming Events, Conferences, Workshops</b></p> <ul style="list-style-type: none"> <li>❖ Poster Contest – submissions can be dropped off between April 1st and April 12th at the Conservation District office; for details contact Jennifer Brooks at <a href="mailto:jennifer.brooks@berkscd.com">jennifer.brooks@berkscd.com</a></li> <li>❖ Middle School Envirothon - for details contact Jennifer Brooks at <a href="mailto:jennifer.brooks@berkscd.com">jennifer.brooks@berkscd.com</a></li> <li>❖ High School Envirothon - for details contact Jennifer Brooks at <a href="mailto:jennifer.brooks@berkscd.com">jennifer.brooks@berkscd.com</a></li> <li>❖ 03/05/2024 PACD Regional Directors Meeting, Berks County Ag Center, Leesport</li> <li>❖ 03/23/2024 Barrels and Beer Stormwater Workshop at Saucony Creek Brewery, Kutztown, 11:00 am, pre-registration required, \$40 - for details contact Jennifer Brooks at <a href="mailto:jennifer.brooks@berkscd.com">jennifer.brooks@berkscd.com</a></li> <li>❖ 03/28/2024 PACD South East Region Meeting – Hennings Market – Harleysville, PA</li> <li>❖ <b>05/04/2023 Annual Seedling Sale and Conservation Celebration 11:00 am – 3:00 pm</b></li> <li>❖ June – Legislative Event – at the Joe Phillips Farm - details to follow</li> <li>❖ 07/29/2024 Annual Scholarship and Awards Dinner, Oley Fairgrounds</li> </ul>

### Nutrient Management Plans - New

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Shawn Martin	Tulpehocken	136,000 Broilers, 33 Sheep	129.8	CAO/CAFO	321.38	2.44	Paisley
							<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

### Nutrient Management Plans – Requesting Removal

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Jesse Weber	Bethel	80 Milking Cows, 20 Dry Cows	129.6	VAO	201.8	1.56	Johanson
							<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.

### SC-1 Requests

Name	OP/OW	Coop	Municipality	Watershed	Acres	Reason
Daniel and Karen Rudenbach	OW	Yes	Richmond	Maiden	29.5	Cons Plan
Allen Schaeffer	OW / OP	Yes	Perry	Pigeon	130	Cons Plan
Erik and Jessica Weyer	OW	Yes	Perry	Maiden	139	Cons Plan
Charles Lafferty	OW/OP	Yes	Upper Bern	Tully	12	ACAP
Bruce Wessner	OP	Yes	Maxatawny	Sacony	132	Cons Plan
<b>Action Item</b>						

### Conservation Plans

Name	Municipality	Acres	Tract#	Planner
Scattered Acres	Penn	97.3	1191	Hanna
Scattered Acres	Oley	97.3	1191	Hanna
Scattered Acres	Lower Heidelberg	97.3	1191	Hanna
Scattered Acres	Lower Heidelberg	97.3	1191	Hanna
Scattered Acres	Bern	97.3	1191	Hanna
Scattered Acres	Greenwich	97.3	1191	Hanna
Scattered Acres	West Cocalico	97.3	1191	Hanna
Scattered Acres	Oley	97.3	1191	Hanna
Kris Hoffman	Ruscombmanor	65	9700	Hanna
Kris Hoffman	Ruscombmanor	23	9699	Hanna
Kris Hoffman	Ruscombmanor	42	12604	Hanna
Brandon Schroeder	Greenwich	93	2243	Hanna
Steve Miller (2 Tracts)	Oley	167	3161,12931	Seidel
Jimmy Younker (3 Tracts)	Richmond	280	2442, 2443, 2450	Seidel
Jason Rice (12 Tracts)	Albany	360	1806, 1809, 1911, 1813, 11116, 2068, 2069, 2072, 2207, 11053, 3916, 2009	Seidel
Kurtland Farms	Caernarvon	194	12671, 12672, 12693	Overstreet
<b>Action Item</b>				

"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."

### Mushroom Farm Environmental Plans - None

NAME	Municipality	Type of Operation	# of Houses	Reviewer
Giorgi Farm 3	Tulphocken, Muhlenberg, Ruscombmanor, Maiden creek	Mushroom Production	10	Seidel
				<b>Action Item</b>

The Berks County Conservation District acknowledges the above Mushroom Farm Environmental Plan.

## Monthly Board Meeting Agenda

### Urban Team Update – January 2024

# of Projects	Item	+ / - Compared to Last Month
27	Chapter 102 Applications Received	+9
8	Chapter 105 Applications Received	+4
51	Plan Reviews 102 and 105	+14
28	Non-Complaint Inspections (4 NOT)	+8
16	New Complaints Received	+11
17	E&S Plans Approvals Issued	+8
6	Chapter 102 Permits Issued	-1
2	Chapter 105 Permits Issued	0
7	PCSM Reviews (Total)	+4
<b>102 Projects Disturbed Acres</b>		
	Project Acres	Disturbed Acres
Total Disturbances	0	0

### 102/105 Enforcement and Potential Enforcement Actions

- 401 Madison St., Shillington Borough (CM-06-00303): Arthur Turaj. Floodway Encroachment. As of December 1, 2023, Mr. Turaj paid \$3,700 in BCCD expenses associated with the Chapter 105 violations. The restoration plan was due by November 30, 2023.
- 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. A routine inspection occurred in January 2024. The site was found to be lacking BMP maintenance as multiple filter socks were overtopped with sediment, large erosion rills had formed on the site and all exposed soils were left unprotected although the site has been inactive waiting on the developer. Inspection report was sent with all required maintenance items and the District has been notified of their completion as of 2/15/2024.
- Bollinger Road/341 Hickory Road, Marion Twp (CM-06-00600) (Preserved Farm): Paul Sonnen has refrained from working in good faith with Marion Township. The BCCD has notified Mr. Sonnen that if voluntary compliance is not achieved, Mr. Sonnen will be referred to DEP for enforcement directly along with Marion Township.
- 313 Bowers Road/Burkholder-Sauder Earthen Dike Removal, Maxatawny Township (ESP-06-03219) (CM-06-00394): The restoration plan has been implemented. A follow-up inspection has been scheduled for March 2024.
- Briarwood Subdivision, South Heidelberg Twp, Walter Greth, Greth Homes: Mr. Greth has two permits that were not terminated and PCSM BMPs that require repair. DEP is working with the District to prepare an enforcement case against Mr. Greth. Mr. Greth has retained counsel and is conducting a right-to-know with the BCCD.

### Reports

### Comments

### Adjourn into Executive Session

*Action Item*

### Return from Executive Session

### Adjournment

*Action Item*