



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, March 20, 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

There will be an Executive Session to discuss financial issues and how they may affect the District

Public Comment

Presentation – Matthew Kern, Resource Conservation Technician

Approval of Minutes of Previous Board Meeting on February 27, 2024

Action Item

Financial Statements and E&S Fee Report

Approval of Payment of Bills

Action Item

Correspondence

BCCD Staff Monthly Team Reports

- ❖ Ag Team
- ❖ Resource Conservation Team
- ❖ Education and Outreach
- ❖ Watershed
- ❖ MDC / Invasives Team

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 – Meeting Cancelled

RMC – Jim McCarthy

- Lutz CWF Request
- Hay Creek Stream Bank Restoration CWF Request
- Furnishing Quotes for New Office

Action Item
Action Item
Action Item

Workshop Conference Call – Piper Sherburne

Dirt, Gravel Low Volume Road – Piper Sherburne

Legislative Committee – Larry Kehl

- Legislative Breakfast - June 14, 2024, at the Phillips Farm, Lenhartsville, PA

ACAP Committee – Dean Druckenmiller

Old Business

- Swag Bus** - update
- New Office Space/Floor Plan** – update
 - Presentation of office layout and design
- Lyons Solar** - update

New Business

PACD – update

Summary of Strategic Board Development & Director Nominations Workshop – David Beane

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Glenn Seidel's term expires at the end of 2024 – the position needs to be filled.

- Commissioners can either select a current Associate Director **or**
- Select someone who was previously nominated for the Farmer Director position

Act 37 and Chapter 91 Delegation Agreement

- Receiving \$240,000 again in 2025

Signatures Needed

- Clauser Environmental Service Agreement **Action Item**
The Clauser Environmental Service Agreement to complete the Assessment, Planning, and Permitting of the Cacoosing Creek Floodplain Assessment Growing Greener project that was approved for electronic signature at the January 31, 2024, Board Meeting
- Mosquito-borne Disease Control Grant **Action Item**
The Mosquito-borne Disease Control Grant in the amount of \$90,088.00 for the term of January 1, 2024 through December 31, 2024, needs to be signed electronically.

Statement of Financial Interests Forms - Due on or before May 1, 2024

Upcoming Events, Conferences, Workshops

- ❖ Poster Contest – submissions can be dropped off between April 1st and April 12th at the Conservation District office; for details contact Jennifer Brooks at jennifer.brooks@berkscd.com
- ❖ Middle School Envirothon - for details contact Jennifer Brooks at jennifer.brooks@berkscd.com
- ❖ High School Envirothon - for details contact Jennifer Brooks at jennifer.brooks@berkscd.com
- ❖ 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 jennifer.brooks@berkscd.com
- ❖ 03/28/2024 PACD South East Region Meeting – Hennings Market – Harleysville, PA
- ❖ **05/04/2023 Annual Seedling Sale and Conservation Celebration 11:00 am – 3:00 pm**
- ❖ 06/14/2024 – Legislative Event – Phillips Farm
- ❖ 07/29/2024 Annual Scholarship and Awards Dinner, Oley Fairgrounds

Nutrient Management Plans - New

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
							Action Item

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
							Action Item

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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
						Action Item

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Conservation Plans

Name	Municipality	Acres	Tract#	Planner
				Action Item

"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

NAME	Municipality	Type of Operation	# of Houses	Reviewer
				Action Item

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

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
102 Projects Disturbed Acres		
	Project Acres	Disturbed Acres
Total Disturbances	85.27	13.86

102/105 Enforcement and Potential Enforcement Actions

- 401 Madison St., Shillington Borough (CM-06-00303): Arthur Turaj. Floodway Encroachment. As of February 29, 2024, Mr. Turaj submitted the restoration plan to DEP and DEP had returned it with comments. DEP is now waiting on the restoration plan revisions.
- Longview Rd., Earl Twp (CM-06-00386): James Smith (Farmer). Stream, Floodway, Wetland Encroachments. The restoration plan has been implemented and the compliance case has been closed.
- 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 on 1/31/2024, the site was observed to be lacking routine maintenance required by their NPDES Permit. Pictures of completed maintenance items were received on 2/26/2024 by the Permittee. The District is currently working with the permittee to fix continuing maintenance issues and will continue to monitor the sites compliance.



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- 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 has now retained different counsel, who has committed to respond shortly.
- 313 Bowers Road/Burkholder-Sauder Earthen Dike Removal, Maxatawny Township (ESP-06-03219) (CM-06-00394): The restoration plan has been implemented. An inspection occurred showing the site is back in compliance. This case has now been resolved.
- 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.
- Lyons Solar (PAD060068): The solar panels and PCSM BMPs have been installed; however, the site is not permanently stabilized. The amended soils and permanent seeding are going to commence this spring. Due to the continued issues that have occurred and continue to arise with this project, the District is preparing to send this to DEP as an enforcement case.

Reports

Comments

Move into Executive Session

Action Item

Return from Executive Session

Adjournment

Action Item