



## 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, April 24, 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**

**Please note there will be an Executive Session to discuss personnel issues**

**Public Comment**

**Approval of Minutes of Previous Board Meeting on March 20, 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

PACD SCC Joint Conference Sponsorship

**Action Item**

- Committee reviewed request and recommended not to sponsor, instead use the funds to sponsor a second student in the Schuylkill Acts and Impacts program

Schuylkill Acts and Impacts Sponsorship

**Action Item**

- Committee reviewed request and would like to recommend sponsoring two students for a total of \$2,000.00.

Scholarships for Mark Wolfskill and Glenn Seidel

**Action Item**

- Committee recommends awarding two scholarships in 2025 in honor or memory of Mark and Glenn. Each scholarship should be a minimum of \$2,000.00.

**Workshop Conference Call** – No meeting

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

**Action Item**

- Committee is requesting Grant / Project Approval

**Legislative Committee** – Larry Kehl

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



### Monthly Board Meeting Agenda

#### ACAP Committee – Dean Druckenmiller

**Action Item**

- Committee is requesting approval for the following:

Name	Amount
Ben Maesmore	\$200,000.00

#### Old Business

- Swag Bus - update
- New Office Space/Floor Plan – update
- Lyons Solar - update
- PACD – update

#### New Business

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

#### Don Hartman Scholarship Approval

**Action Item**

- This should go to the Admin Tech committee for approval, due to time constraints, would the Board please review and approve the request?

#### Upcoming Events, Conferences, Workshops

- ❖ 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
- ❖ **05/04/2023 Conservation Celebration, Annual Seedling Sale, SWAG Bus Unveiling and Seedling Sale Dedication, 11:00 am – 3:00 pm**
- ❖ 06/14/2024 Legislative Breakfast at the Phillips Farm in Lenhartsville
- ❖ 07/29/2024 Annual Scholarship and Awards Dinner, Oley Fairgrounds

#### Signature Needed

#### Act 38 / Chapter 91 / Nutrient Management Funding Agreement

**Action Item**

A motion is needed to sign the Nutrient Management Funding Agreement for the FYI 23-24 in the amount of \$240,000.00

#### Nutrient Management Plans – Requesting Removal

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Clair Martin	Richmond Twp	60,000 Broilers, 75 Sheep, 1 Steer, 1 Horse	67.5	VAO	130.98	1.94	Paisley

**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 – Amendments

Name	Municipality	Animal Type & Numbers	Acres	Plan Type	AEU	AEU/Acre	Reviewer
Michael Beiler	Bethel Twp	102,000 broilers	9	CAO	156.49	156.49	Harig

**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.

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### SC-1 Requests

Name	OP/OW	Coop	Municipality	Watershed	Acres	Reason
Carl Hurts	OP/OW	Yes	Heidelberg	Tulpehocken	100	Cons Plan Update
Carri Sola	OP/OW	Yes	Earl	Manatawny	18	Cons Plan / REAP
Zahncroft Dairy	OP/OW	Yes	Marion	Tulpehocken	140	ACAP
						<b>Action Item</b>

### Conservation Plans

Name	Municipality	Acres	Tract#	Planner
George Brittenburg	Maidencreek Twp	144.5	2127	Seidel
Brandon Weiss	Ontelaunee	30	1489	Hanna
Shaynah Kee (Arian Hoppe)	Maxatawny, Topton, Longswamp, Rockland, Richmond	420.52	12925, 12355, 3090, 3091, 3092, 3093, 9504, 12541, 3110, 2898, 13090, 10699, 13024	Seidel
				<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."*

### Urban Team Update – March 2024

# of Projects	Item	+ / - Compared to Last Month
23	Chapter 102 Applications Received	-1
2	Chapter 105 Applications Received	-3
84	Plan Reviews 102 and 105	+36
39	Non-Complaint Inspections (4 NOT)	+18
3	New Complaints Received	-8
11	E&S Plans Approvals Issued	-3
5	Chapter 102 Permits Issued	+3
3	Chapter 105 Permits Issued	+1
5	PCSM Reviews (Total)	+1
<b>102 Projects + PennDOT 102 Projects = Disturbed Acres</b>		
	Project Acres	Disturbed Acres
Total Disturbances	346.26+2.3=348.56	159.37+.80=160.17

### 102/105 Enforcement and Potential Enforcement Actions

401 Madison St., Shillington Borough (CM-06-00303): Arthur Turaj. Floodway Encroachment. Mr. Turaj submitted the restoration plan to DEP, and DEP returned it with comments. On 4/5/24, the Township complained that additional fill was added along the floodway. BCCD refers the complaint to DEP as the site's enforcement is now in DEP's hands.

170 N. Bingaman Street Exeter Twp/St. Lawrence Borough (CM-06-00399): Un-permitted Stream Obstruction/Bridge Installation. 4/12/2024: The DEP, District, and responsible parties (Mr. Coulter and Mr. Lerch) are scheduling a conference call to discuss the current site situation. Additionally, DEP and the District will outline the proper steps that the responsible parties need to take for the site to comply and obtain proper permitting for the activity.

Green Hills Estates, Robeson Township (PAI030616004). 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, and the site was observed to lack the routine maintenance required by their NPDES Permit. Pictures of completed maintenance items were received on 2/26/2024 by the Permittee. A follow-up inspection was performed on 3/10/2024, a majority of the requested corrective actions were completed, but there are still significant erosion and sedimentation issues with the BMPs on site. The District is currently working with the Permittee to fix continuing maintenance issues and will continue to monitor the site's compliance.



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Bollinger Road/341 Hickory Road, Marion Twp (CM-06-00600) (Preserved Farm): Mr. Sonnen has now retained different counsel, who has committed to respond shortly. A submission was made to Marion Township with a revised cost estimate and agreement to conduct the restoration work.

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 has decided not to pursue enforcement against Mr. Greth.

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 currently being installed. Due to the continued issues that have occurred, the District has sent an enforcement referral to DEP.

### Reports

### Comments

**Move into Executive Session**

*Action Item*

**Return from Executive Session**

**Adjournment**

*Action Item*