

E&S Report

2021 Report for April

2021 Report

		Apr 2021	Total
Total Plan Submissions		25	106
Total Plan Acres		349.853	1369.855
Total Disturbed Acres		49.995	304.7444
Fees Collected	NPDES Permit Fees Collected	\$4,000	\$32,000
	Chapter 105 Permit Fees Collected	\$1,550	\$6,650
	DEP Fees Collected	\$3,900	\$37,000
	E&S Plan Review Fees	\$29,650	\$178,890

Total Complaints for April 2021

<u>Date Received</u>	<u>Municipality</u>	<u>Land Unit Acres</u>
4/5/2021	WARWICK TWP	81.48
4/5/2021	MILLERSVILLE BORO	0.73
4/6/2021	BRECKNOCK TWP	2.77
4/7/2021	BRECKNOCK TWP	0.49
4/7/2021	BRECKNOCK TWP	0.54
4/8/2021	LANCASTER CITY	1.28
4/9/2021	MANHEIM TWP	1.03
4/9/2021	WEST LAMPETER TWP	4.55
4/9/2021	LITTLE BRITAIN TWP	19.99
4/12/2021	MANHEIM TWP	1.03
4/12/2021	WEST HEMPFIELD TWP	0.3
4/14/2021	MANHEIM TWP	42.46
4/19/2021	CONESTOGA TWP	33.04
4/23/2021	SALISBURY TWP	92.58
4/26/2021	SADSBURY TWP	46.35
4/28/2021	BRECKNOCK TWP	18.22
4/29/2021	WEST HEMPFIELD TWP	0.49
4/29/2021	WEST DONEGAL TWP	1.00
4/29/2021	EARL TWP	3.26

2020 Report

		Apr 2020	Total
Total Plan Submissions		17	102
Total Plan Acres		304.816	2015.643
Total Disturbed Acres		119.474	421.129
Fees Collected	NPDES Permit Fees Collected	\$7,000	\$26,500
	Chapter 105 Permit Fees Collected	\$1,350	\$7,500
	DEP Fees Collected	\$12,200	\$41,600
	E&S Plan Review Fees	\$28,450	\$139,050

Total Complaints for April 2020

<u>Date Received</u>	<u>Municipality</u>	<u>Land Unit Acres</u>
4/5/2020	FULTON TWP	2.91
4/14/2020	BRECKNOCK TWP	0.56
4/15/2020	MARTIC TWP	6.67
4/22/2020	EAST COCALICO TWP	0.77
4/23/2020	BRECKNOCK TWP	5.07
4/27/2020	EAST DONEGAL TWP	2.07
4/29/2020	WEST COCALICO TWP	3.69

Erosion and Sedimentation Plan Submission

4/1/2021 to 4/30/2021

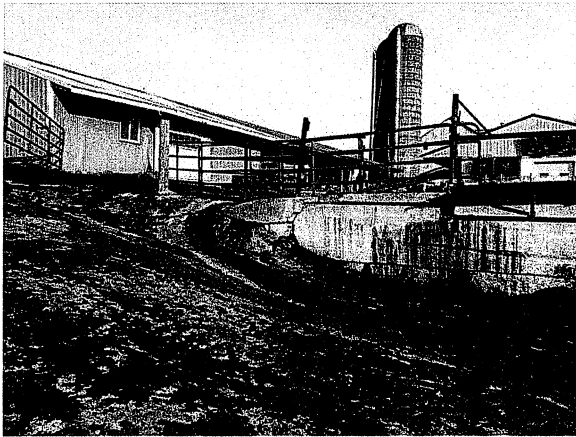
<u>Project Name</u>	<u>Municipality</u>	<u>Disturbed Acres</u>	<u>Fees Amount</u>
Garden Spot Auto Auction	EPHRATA BORO	0.99	\$800.00
2952 Harvest Drive	LEACOCK TWP	0.40	\$500.00
Manor Substation	MANOR TWP	11.27	\$3,200.00
Fishing Creek Hollow Road GP03	DRUMORE TWP	0.10	\$100.00
Elite Paving Inc.	PENN TWP	0.71	\$800.00
Stonehenge Estates Tract 1 Major Mod Renewal	MANHEIM TWP	31.60	\$500.00
Mavis Discount Tire	EAST HEMPFIELD TWP	0.60	\$800.00
Aaron Horning Dairy Expansion	EARL TWP	2.60	\$1,600.00
Middle Creek Mennonite Fellowship Cntr	WEST COCALICO TWP	0.75	\$800.00
1450 Manheim Pike - 7-Eleven	MANHEIM TWP	2.64	\$1,650.00
Steven Nolt	ELIZABETH TWP	0.98	\$500.00
Mars Outfall Replace GP04	ELIZABETH TOWN BORO	0.00	\$100.00
Brim Property GP04	EAST LAMPETER TWP	0.20	\$100.00
WCTA - Wastewater Treatment Plant	WEST COCALICO TWP	7.88	\$100.00
Stevens Sewage Pumping Station	EAST COCALICO TWP	0.38	\$800.00
Dormakaba Expansion	EAST COCALICO TWP	0.87	\$800.00
Circle M Campground	PEQUEA TWP	6.67	\$2,400.00
Ladd Martin Pond Repair GP04	BRECKNOCK TWP	0.00	\$100.00
John Glick	PROVIDENCE TWP	0.90	\$650.00
Susquehanna Ford	PROVIDENCE TWP	4.55	\$2,000.00
Paul Hipple GP03	PROVIDENCE TWP	0.52	\$100.00
180 North Wolf Street	MANHEIM BORO	0.17	\$500.00
WCTA - Wastewater Treatment Plant	WEST COCALICO TWP	7.88	\$2,500.00
Gerberich Payne Shoe Company	MT JOY BORO	0.94	\$5,350.00
McDonalds Drive-Thru Upgrade	LANCASTER CITY	0.19	\$800.00
Zook, Esh, Yoder Phase 2 Lot 5 Minor Mod	EAST LAMPETER TWP	0.63	\$800.00
Foxes Siding Inc.	EAST COCALICO TWP	0.73	\$800.00
Carl Wenger	CLAY TWP	0.34	\$500.00

Levi Glick
52 Haiti Road
Quarryville, PA 17566
717-786-1876

Description of Resource Concerns

Levi owns an 80 acre dairy operation in Bart Township, Lancaster County. The dairy consists of 50 dairy cows, 6 dry cows and 46 heifers and calves. Levi also has 8 mules and 1 driving horse. The farm has approximately 70 acres of tillable ground and 10 acres of pasture. The remainder of the ground is farmstead, woods, and stream corridor. Meetinghouse Creek runs through the pastures and divides the farm. The stream has a designated use of High Quality, Cold Water Fishes (HQ-CWF).

The dairy operation was originally constructed in the 1960's or 1970's. An addition was added to the stanchion barn and a small manure storage was built by Emanuel's father that is still currently in use. As was typical of the time, the concrete barn yard slopes away from the barn and the runoff is not properly collected. It instead is directed to a concrete drainage swale with a surface inlet. All the rain water and manure runoff is carried by an underground outlet from this inlet and discharged to the road culvert that discharges to the stream.



The concrete barn yard is in poor condition, causing seepage through the slab. The liquids have caused the concrete block retaining wall to fail, as can be seen by the brown manure stains flowing down the wall. Solid manure is stacked on the concrete lot.



Other issues include heavily used areas of pasture where the heifers and horses are fed. The sections of pasture are bare earth, making collection of manure difficult and resulting in runoff leaving the site.



Surface water from the crop fields and pasture is collected by a diversion and a separate series of culvert pipes. However this water is discharged to the existing horse lot where the horses are fed and eventually flows into the concrete drainage swale on the west side of the concrete cattle lot. Emmanual plans to extend the crop fields into the pasture above the farmstead.



Proposed Best Management Components

A small circular, concrete manure storage is proposed within the existing concrete cattle lot. Due to the limited space available combined with the steep site and bedrock, this storage will be sized to hold one month's worth of manure from the stanchion barn, the milking center waste water, manure scraped from the re-constructed concrete lot, plus the normal runoff and the 25 yr./24 hr. runoff from the concrete lot. The manure storage will have a perimeter drain with a free draining outlet and concrete unloading pad.

The manure from the stanchion barn is collected in an under-house storage that gravity flows to the existing storage. A bulkhead wall will be installed in the underhouse storage and a large diameter gravity pipe installed to divert the manure to this proposed storage. The existing storage will no longer be used.

A second, long term manure storage will be installed in the pasture above the bank barn. Combined with the proposed storage in the barn yard, it will hold 6 months' worth of the wastes collected. The location of this storage will provide a direct line of site to the storage in the barn yard. The waste will be transferred through a buried, pressure waste transfer line.

The existing concrete lot and retaining wall will be rebuilt. The lot will be utilized by the dry cows and larger heifers and used by the dairy herd to travel to pasture. The lot will be sloped to direct the runoff into the proposed storage. A pushoff with a tractor guard will be installed to scrape the manure into the storage and a high curb with a safety fence will be installed to prevent the animals from falling into the tank. A concrete walkway will be installed to allow the dry cows to access the pasture below the lot.

A roofed heavy use area with an attached manure stacking structure will be installed above the existing building utilized by the dry cows and horses. The HUA will be used for feeding and exercise of the horses. The pen and pack manure from the horses and heifers will be stacked inside the roofed stacking structure instead of being piled on the concrete lot. This roofed area will be in the paddock currently used by the horses. Roof water controls including gutters, downspouts, underground outlets, and an infiltration trench will be installed to treat the roof storm water per township ordinances.

The younger heifers that are fed in the pasture will be re-located to the section of the building currently used by the horses. Sections of new concrete will be installed to set up a feed alley with curbs and a feed rail. This will allow the liquid manure to be scraped into the manure storage and solid manure to be contained before it is transferred to the stacking area. By locating the heifers to this area, the feeding area will be on the same elevation as the silos and hay storage in the barn.

The existing cattle walkway will be treated with reinforced gravel to improve the surface. Conveyor belt diversions will be installed to divert storm into the pasture. An access road for the manure storage will connect from the existing drive and be routed below the proposed long term storage. It will connect to the horse walkway leading from the roofed HUA to the horse pasture. A second access road will be installed to connect from the existing drive to the western end of the stacking structure.

A diversion will be installed above the access road to collect storm water from the crop fields. Slatted crossings will be installed where the horse walkway and cattle walkway will cross over the diversion. The diversion will outlet to a grass waterway reinforced with permanent matting. The waterway will have a riprap outlet.

Additional storm water controls will include roof gutters, downspouts, and underground outlets on the buildings surrounding the concrete cattle lot. A series of surface intlets and underground pipes will also be installed to collect storm water and convey it away from the concrete cattle lot and horse heavy use area.

Proposed NRCS Practice Codes

PA-313	Waste Storage Facility
PA-342	Critical Area Planting
PA-360	Waste Facility Closure
PA-367	Roofs and Covers
PA-382	Fencing
PA-468	Lined Waterway or Outlet
PA-500	Obstruction Removal
PA-533	Pumping Plant
PA-558	Roof Runoff
PA-560	Access Road
PA-561	Heavy Use Area Protection
PA-575	Trails and Walkways
PA-587	Structure for Water Control
PA-606	Subsurface Drain
PA-620	Underground Outlet
PA-634	Manure Transfer

Itemized Components

A circular, concrete waste storage structure with an 36 ft. diameter and a depth of 12 ft. will be installed at the concrete lot to store the manure from the dairy herd, milking center, plus the manure and runoff generated on the concrete cattle lot. Approximately 124 ft. of 4 inch perimeter drain will be installed to protect the floor and walls of the storage and will outlet with 60 ft. of 4 inch PVC pipe to a stabilized outlet.

A second circular, concrete waste storage structure with an 69 ft. diameter and a depth of 12 ft. will be installed in the pasture lot as the long term storage for the wastes. The combined storage system will provide 180 days of storage. A 12 ft. x 12 ft. concrete unloading pad will be installed at the pump out location. Approximately 230 ft. of 4 inch perimeter drain will be installed to protect the floor and walls of the storage and will outlet with 42 ft. of 4 inch PVC pipe to a stabilized outlet. A 12 ft. by 300 ft. sq. ft. reinforced gravel access road will be installed to connect the unloading pad to the existing gravel drive

A 24 inch diameter gravity waste transfer pipe will convey the manure from the existing underhouse manure storage to the circular tank. This gravity system will require approximately 124 ft. of pipe, a 12 ft. deep by 4 ft. diameter manhole, and an 8 ft. section of 8 ft. high concrete wall to serve as a bulkhead in the underhouse storage. Approximately 350 ft. of 6 inch diameter manure transfer line will transfer wastes from storage at the concrete lot to the to the second proposed circular storage.

The existing concrete cattle lot will be re-constructed with 140 ft. of 8 ft. high concrete wall and 70 ft. of 4 ft. high concrete wall. Approximately 7290 sq. ft. of concrete flatwork with curbs will be required to replace the removed concrete. A tractor guard will be installed at the pushoff location into the circular tank. The concrete curbs will have approximately 78 ft. of confinement fence installed and 24 ft. of gates. An additional 26 ft. of 2 ft. high curb with a safety fence will provide protection from animals and equipment from entering the manure storage from the concrete lot. For fall safety, 140 ft. of chain link fence will be installed at the 8 ft. retaining wall.

The fry cows will access the lower pasture with a 856 sq. ft. concrete slab with 40 ft. of 2 ft. curbs and confinement fence that will serve as a walkway for the animals to transition the grade change.

Item IV.4



**Lancaster Clean
Water Partners**

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[Young Farmer Prioritizes Conservation in East Lampeter](#) >
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“This award is a huge step forward and significant for Lancaster County,” says Lisa Riggs, Chair of the Partners’ Steering Committee and President of the Economic Development Company of Lancaster County. “It recognizes the incredible lift this community is focused on to clean up our local waterways. It strengthens our commitment to doing this work collaboratively and it underscores the reality that public-private partnerships are critical.”

The Partners brings together a diverse group of organizations including nonprofits, government agencies, and businesses who have a passion for collaborating with farmers to achieve water quality goals and farm economic sustainability, and a commitment to working to achieve a shared vision of clean and clear local water by 2040. Many partner organizations are engaged in leading this effort, including TeamAg, Inc. (<https://www.teamaginc.com/>), Red Barn Consulting (<http://www.redbarnag.com/>), Lancaster Farmland Trust (<https://lancasterfarmlandtrust.org/>), Alliance for the Chesapeake Bay (<https://www.allianceforthebay.org/>), Stroud Water Research Center (<https://stroudcenter.org/>), Lancaster County Conservation District (<https://lancasterconservation.org/>), Chesapeake Conservancy (<https://www.chesapeakeconservancy.org/>), Chesapeake Bay Foundation (<https://www.cbf.org/index.html>), and Sustainable Chesapeake (<https://susches.org/>).

Through RCPP, conservation partners like the Partners work in collaboration with NRCS to help farmers, ranchers and forest landowners throughout the nation to implement systems that conserve water and soil resources, improve the health of wildlife habitats and increase climate resilience.

These projects offer impactful and measurable outcomes. Throughout its history, RCPP has leveraged partner contributions of more than \$1 for every \$1 invested by USDA, resulting in nearly \$3 billion collectively invested in natural resource conservation on private lands.

Media Contact: Emily Smedley, esmedley@lancastercleanwaterpartners.com

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Related Articles

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 139 Session of
2021

INTRODUCED BY ROTHMAN, SCHMITT, PICKETT, HAMM, JAMES, IRVIN,
METCALFE, MENTZER, OBERLANDER, STAMBAUGH, KEEFER, OWLETT,
R. MACKENZIE, SAYLOR, ZIMMERMAN, MOUL AND M. MACKENZIE,
JANUARY 12, 2021

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JANUARY 12, 2021

AN ACT

Providing for the administration of permits by State agencies,
for a tracking system for permit applications, for the
establishment of permit programs and for annual reports.

The General Assembly of the Commonwealth of Pennsylvania
hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the Permit
Administration Act.

Section 2. Definitions.

The following words and phrases when used in this act shall
have the meanings given to them in this section unless the
context clearly indicates otherwise:

"Applicant." A person, municipality, municipal authority,
political subdivision, State agency or an agency of the Federal
Government which submits an application for a permit to a State
agency.

"Application." A submission to a State agency by an

applicant which seeks any of the following:

- (1) A new permit.
- (2) A permit renewal.
- (3) A permit amendment.
- (4) A permit modification.
- (5) A permit transfer.
- (6) A change of ownership of a permit.

"Completeness review." The process by which a State agency's staff reviews an application to determine if the application satisfies all of the applicable statutory and regulatory requirements.

"Incomplete application." An application which does not include all required documents and information necessary to perform a completeness review.

"Permit." An authorization issued by a State agency which approves the performance of a regulated activity. The term includes authorization permits, plan approvals and registrations under a general permit. The term does not include the following:

- (1) A certification, license or permit issued to an individual for personal use.
- (2) A certification, license or permit issued by the Pennsylvania Game Commission.

"Permit decision." The issuance or denial of a permit.

"Permit decision delay." The failure of a State agency to issue a permit decision within:

- (1) the time period specified by statute or regulation, including the time period specified under 4 Pa. Code Ch. 7a Subch. H (relating to permit decision guarantee for the Department of Environmental Protection); or

(2) thirty days after the submission of the permit application if there is no time period specified by statute or regulation, including 4 Pa. Code Ch. 7a Subch. H.

"Permit program." A program designed for the operation and management of permits which are subject to permit decision delays.

"Processing time." Beginning when the permit satisfies the completeness review, the total number of business days allowed by statute, regulation or State agency policy before a State agency must take final action on a permit decision.

"State agency." Any office, department, authority, board or commission of the executive branch which issues permits.

"Technical review." A review of the technical aspects of an application to determine if the application satisfies all of the applicable statutory and regulatory requirements for permit issuance.

"Technically deficient application." An application that does not include all necessary documents and information in sufficient detail to perform a technical review.

"Third-party professional." An individual in this Commonwealth who possesses all of the requisite certifications and qualifications of an occupation relating to a permit administered by a State agency.

Section 3. Initial review of permits by State agencies.

Within 60 days after the effective date of this act, a State agency shall review the State agency's permit decisions and permit decision delays during the immediately preceding calendar year and submit a report of findings to the General Assembly.

Section 4. Compilation of permits.

(a) List of permits.--A State agency shall compile, maintain and make available a complete list of all types of permits issued by the State agency. The list, including any revisions to the list, shall be transmitted to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin and shall be posted on the State agency's publicly accessible Internet website. The list shall include, but not be limited to, the following information:

- (1) The program under which each permit is issued.
- (2) The statutory and regulatory authority for each permit.
- (3) The time frame when the State agency must issue each permit.
- (4) The average time frame within which a permit is actually issued.

(b) Time limit.--A State agency shall have 90 days from the effective date of this act to complete the initial list required under subsection (a).

Section 5. Tracking system for permit application.

(a) Establishment.--A State agency shall establish, maintain and make available a secure tracking system for applicants to track the status of applications on the State agency's publicly accessible Internet website within 180 days of the effective date of this section.

(b) Notice.--Within five business days after receiving an application, a State agency shall notify an applicant in writing or by electronic means of the receipt and provide information instructing the applicant in the utilization of the tracking system established under subsection (a).

(c) System contents.--The tracking system shall include all of the following:

(1) The processing time for each permit and the statutory and regulatory authority and State agency policy establishing the processing time.

(2) The dates associated with the receipt of each permit, completeness review, technical review, elevated review if necessary, and the final permit decision.

(3) The estimated time remaining for each incomplete phase of the permit approval process.

(4) The identity and contact information for the State agency employee assigned to answer questions about the application process.

Section 6. Notice of incomplete and technically deficient applications.

(a) Notice.--If a State agency finds an incomplete application or technically deficient application, the State agency shall notify the applicant in writing or by electronic means of all the following:

(1) The statute or regulation which requires a correction or additional information within the application.

(2) The reasons why the application is not in conformance with the statute or regulation specified under paragraph (1) in clear language that is readily understandable by a layperson.

(3) The correction or additional information needed for the State agency to issue the permit.

(b) Time limit.--The following apply:

(1) If an application is determined to be incomplete,

the State agency shall notify the applicant of the determination within 10 business days of receipt of the application.

(2) If an application is determined to be technically deficient, the State agency shall notify the applicant of the determination within 20 business days after the conclusion of a completeness review.

Section 7. Notice of permit changes and expiration.

A State agency shall notify a permit holder in writing or by electronic means of the following:

(1) The expiration date of a permit 60 days before the permit's expiration date.

(2) A change to a statute or regulation which may affect the permit.

(3) A change in permit fees which may affect the renewal of the permit.

Section 8. Validity of permits.

A permit issued prior to the effective date of a statute or regulation altering the requirements for the permit shall remain valid under the provisions by which the permit was granted unless otherwise agreed to by all parties.

Section 9. Third-party review of permit decision delays.

(a) Establishment.--Within 180 days of the effective date of this section, a State agency shall establish a permit program to review permit decision delays and resolve issues causing permit decision delays.

(b) Third-party.--A State agency shall contract with a third-party professional to administer a permit program established under subsection (a) in accordance with 62 Pa.C.S.

Pt. I (relating to Commonwealth procurement code). Payments to a third-party professional under this subsection shall consist of the remittance of any fees collected by a State agency from applicants whose applications are subject to a permit decision delay.

(c) Review.--A State agency shall, immediately after establishing a permit program under subsection (a), refer applications that have been submitted to the State agency and are subject to permit decision delay to a third-party professional for review and resolution. A permit application that becomes subject to permit decision delay after the establishment of a permit program under subsection (a) shall be submitted by the State agency to a third-party professional for review and resolution no later than three business days after the application becomes subject to permit decision delay.

(d) Issuance.--After a third-party professional's review of an application which is subject to a permit decision delay and the resolution of all issues causing the delay, the third-party professional shall transmit the application to the State agency for issuance of the permit.

Section 10. Annual reports.

No later than January 31 of each year, a State agency shall submit a report to the General Assembly that, at a minimum, shall contain the following information from the immediately preceding calendar year:

- (1) The number of applications received.
- (2) The number of applications reviewed by the State agency that received a decision without being referred to a third-party professional.

(3) The average time frame for permit decisions from the State agency on applications that received a decision without being referred to a third-party professional.

(4) The number of applications reviewed by third-party professionals.

(5) The average time frame for contracted third-party professionals to complete an application review.

(6) The number of State agency employees reviewing permit applications as organized by each regional office of the State agency, if applicable, and the number of applications each State employee reviewed.

Section 11. Construction.

Nothing in this act shall be construed to limit or otherwise alter a State agency's authority to revoke a permit for failure to comply with the laws of this Commonwealth.

Section 12. Effective date.

This act shall take effect in 60 days.



RE: HB 139, Third Party Permit Reviewer

Dear Representative _____,

We appreciate your interest in helping Pennsylvania, and specifically Lancaster County, grow to meet market demands, but we hope you will stand with the Lancaster Conservation District and oppose or amend HB 139.

Smart and sustainable growth necessitates planning and because we have different interests and perspectives of what is required for smart growth and the common good, we have a review and permitting process that ensures the minimum standard of compliance with the established principles of protection is achieved. We understand that when any one of the steps in the process is delayed it builds resentment and costs our residents time and money. HB 139 is an improvement over its earlier version, HB 509, but relative to the Chapter 102 Program, it still doesn't adequately address the major causes for permit review and issuance delays... planners adequately addressing the complexity of site-specific regulations and understaffed reviewer organizations.

Additionally, we oppose this proposed legislation for the following reasons:

- HB 139 will add layers of bureaucratic responsibilities to the reviewing agencies who are already understaffed and struggling to adequately process the permits.
- The legislation will set a standard 30-day window for agency review of permit applications which eliminates the ability to post the permit application on PA Bulletin for public review and comment as required by other state and federal laws.
- The Bill does not include any "conflict of interest" provisions that would prohibit a third-party permit reviewer from reviewing their own permit applications.
- This new program will require the review of "delayed" permit applications by private contractors, but it doesn't eliminate agency review of permit applications on behalf of the public.
- The proposed legislation does not stipulate accountability measure should the third-party reviewer be found negligent to their licensed and certified duties.
- Most importantly, the bill would create the potential for permits to be issued for plans that are below state standards. This may expedite the start of the project, but it will cause significant and costly delays once the site is inspected and the practices found to be inadequate and needing to be redesigned.

For these stated reasons and more, please oppose or work to amend the HB 139

