



# LANCASTER COUNTY CONSERVATION DISTRICT

## MONTHLY BOARD MEETING AGENDA

Wednesday January 19, 2022

Zoom Only

Zoom Info: <https://zoom.us/j/91731607863>

Business Meeting 1:00PM

Timer

1:00	<ul style="list-style-type: none"> <li>Invocation – Ken Weaver</li> <li>Call to Order, Chairman, Dan Heller</li> <li>Welcome &amp; Introductions – Dan Heller</li> <li>Additions to the Agenda – Christopher Thompson</li> <li>Public Comment: Survey media/quests: Agenda items of interest? – Dan Heller</li> </ul>	
1:10	<ul style="list-style-type: none"> <li>I. <u>Reorganization of the Board</u> – Election of Officers and Committee Appointment</li> <li style="padding-left: 20px;">Tabled until February/March Meeting</li> </ul>	<u>Page #</u>
1:10	<ul style="list-style-type: none"> <li>II. <u>Agency Reports</u></li> <li style="padding-left: 20px;">1. USDA, NRCS (attachment).....1</li> <li style="padding-left: 20px;">2. PA DEP Field Rep Report (attachment) .....3</li> </ul>	
1:20	<ul style="list-style-type: none"> <li>III. <u>*Consent Agenda</u></li> <li style="padding-left: 20px;">1. Meeting Minutes (attachment).....9</li> <li style="padding-left: 20px;">2. Technical Assistance Requests/Cancellations (attachment) ..... 14</li> <li style="padding-left: 20px;">3. Nutrient Management Plan Approval (attachment) ..... 14</li> <li style="padding-left: 20px;">4. Conservation Plans Acknowledgement (attachment) ..... 14</li> <li style="padding-left: 20px;">5. List of LCCD Memberships (attachment) ..... 15</li> </ul>	
1:30	<ul style="list-style-type: none"> <li>IV. <u>*Additional Business</u></li> <li style="padding-left: 20px;">1. Items Removed from Consent Agenda ..... -</li> <li style="padding-left: 20px;">2. Treasurer’s Report – Heistand (attachment) ..... 16</li> <li style="padding-left: 20px;">*3. Exelon BMP – Bitting/Kofroth/Lutz (attachment)..... 19</li> <li style="padding-left: 20px;">*4. CBAIP/Allen Esh Application – Bitting (attachment)..... 19</li> <li style="padding-left: 20px;">*5. Spring Intern – Gregory/Kofroth (attachment) ..... 20</li> <li style="padding-left: 20px;">*6. E&amp;S Committee Report – Snyder (attachment/day of packet) ..... 20</li> </ul>	
2:00	<ul style="list-style-type: none"> <li>V. <u>Reports &amp; Information</u></li> <li style="padding-left: 20px;">1. Correspondence, News and Updates – Thompson (day of hand-outs) ..... -</li> <li style="padding-left: 20px;">2. Municipal Outreach Mtgs – Thompson/Gregory (day of packet)..... -</li> <li style="padding-left: 20px;">3. E&amp;S/NPDES Monthly Projects Report – Snyder (attachment) ..... 23</li> </ul>	
2:10	<ul style="list-style-type: none"> <li>VI. <u>Additional Public Comment</u></li> </ul>	
2:15	<ul style="list-style-type: none"> <li>VII. <u>Adjourn</u></li> </ul>	

**(Directors, please call the District office if you will not be attending)**

Dates to Remember:

1/17, Office Closed for Martin Luther King Holiday	1/8-28, PACD/SCC Winter Mtg – Virtual
1/19, 9am LCCD Annual Planning Mtg, Zoom	2/9, 3:30pm CFLC Foundation Mtg

NEXT MEETING DATE: Wednesday, February 2, 2022 @ 7:30 p.m.?

At the Lancaster County Farm & Home Center

**\*Action Required**



**Activity Report to LCCD Board of Directors for December 2021**

**Lancaster Field Office Personnel:**

Heather Grove, Supervisory District Conservationist	VACANT, Soil Conservation Technician
Mark Myers, Soil Conservationist	Jared Boger, Civil Engineering Technician
	Lari Jo Walker, Program Assistant, RC&D
Brett Ramer, Soil Conservationist	Jeff Sholly, Engineer, PACD
Mark Long, Soil Conservationist	Ashley Spotts, Restoration Specialist, CBF
Michael Albert, Soil Conservationist	Julia Smith, Biologist, PF (York & Lancaster)
Christine Griesemer, Soil Conservationist	
Ashley Rice, Soil Conservation Technician	

**Conservation Planning Activities\*:**

FY21 Total (#)	FY21 Total (Ac)	FY22 Mo. Total (#)	FY22 Mo. Total (Ac)	FY22 Total (#)	FY22 Total (Ac)
59	3,443.7	1	79.8	1	79.8

\*SEE "ACKNOWLEDGMENT OF CONSERVATION PLANS" REPORT

**Conservation Practice Installation Activities\*:**

Practice Code & Name	FY21 Total	FY22 Mo. Total	FY22 Total
313 – Waste Storage Facility (no)	7	6	8
362 – Diversion (ft)	-	-	1,147
367 – Roofs & Covers (no)	2	5	7
382 – Fence (ft)	29,544	320	1,188
412 – Grassed Waterway (ac)	11	-	4.5
516 – Livestock Pipeline (ft)	5,904	-	390
561 – Heavy Use Area Protection (sq ft)	14,124	7,173	13,093
575 – Trails & Walkways (ft)	2,884	562	655
578 – Stream Crossings (no)	5	-	-
600 – Terraces (ft)	8,036	1,874	3,627
614 – Watering Facility	14	-	2
620 – Underground Outlet (ft)	2,864	1,359	1,539
634 – Waste Transfer System (no)	6	4	5
327 – CREP Conservation Cover (ac)	23.5	12.0	12.0
391 – CREP Riparian Forest Buffer (ac)	68.2	4.7	8.8
390 – CREP Riparian Herbaceous Buffer (ac)	0	-	-

\*REFLECTS COMMON PRACTICES INSTALLED THROUGH NRCS & FSA FINANCIAL ASSISTANCE PROGRAMS; DOES NOT REPRESENT ALL PRACTICES INSTALLED.

**Financial Assistance Conservation Program Activities:**

- Financial Assistance Contract Obligation:

Program	FY21 Total (#)	FY21 Total (\$)	FY22 Total (#)	FY22 Total (\$)
EQIP/AMA	24	\$1,804,294	-	-
CSP	3	\$134,205	1	\$90,505

- Financial Assistance Payments:

Program	FY21 Total (\$)	FY22 Mo. Total (\$)	FY22 Total (\$)
ALL PROGRAMS	\$1,358,691.92	\$644,411.74	\$843,639.95

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- **Environmental Quality Incentive Program (EQIP)**
  - Next Sign-up Deadline: 3/1 (3<sup>rd</sup> Round)
    - 1<sup>st</sup> Round Applications – 44
    - 2<sup>nd</sup> Round Applications – 2
  - FY22 Proposed Allocation - \$2.1 million
  
- **Conservation Stewardship Program (CSP)**
  - CSP Classic Sign-up deadlines TBA
  
- **Regional Conservation Partnership Program (RCPP)**
  - Lancaster's Common Agenda for Clean Water sponsored by the Lancaster Clean Water Foundation
    - Next Sign-up Deadline: 2/28 (2<sup>nd</sup> Round)
    - FY22 Allocation - \$2.59 million
  - Turkey Hill Clean Water Partnership sponsored by the Alliance for the Chesapeake Bay (Multi-County)
    - Next Sign-up Deadline: 1/31 (1<sup>st</sup> Round), 3/31 (2<sup>nd</sup> Round)
    - FY22 Allocation - \$1.4 million

**Conservation Easement Program Activities (ACEP):**

- Agricultural Land Easement (ALE) Acquisition Activities:

Program/Activity	FY21 Total (#)	FY21 Total (ac)	FY22 Total (#)	FY22 Total (ac)
ALE Easement Requests	3	146.5	-	-
ALE Easement Closings	3	211	-	-

**Conservation Reserve Enhancement Program Activities (CREP):**

- Approved Plans:

	FY21 Total (#)	FY21 Total (Ac)	FY22 Total (#)	FY22 Total (Ac)
New	13	82	-	-
Re-enrollments	18	65.20	-	-

**Administrative:**

- New Soil Conservationist – Audrey Mays will begin on 1/31. Audrey has been working as a Forest Technician for PA DCNR's Bureau of Forestry and prior to that as an Ag Program Specialist with PA USDA-FSA, working specifically with CREP. She is also a member of the PA National Guard and a Penn State graduate.

**Other Notable Meetings:**

- 12/16 – RCPP - Lancaster's Common Agenda for Clean Water Leadership Team Meeting (Grove)

**Trainings:**

- 12/15 – Annual NRCS Certified Planner Training, Lebanon (Grove, Myers, Griesemer, Albert)
- 12/16 – Annual NRCS Engineering Workshop (Boger)

Respectfully Submitted,



Heather L. Grove  
District  
Conservationist

**Item II.2**  
**January 2022 DEP Conservation District**  
**Field Rep Talking Points**

**Grant Programs**

**Chesapeake Bay Countywide Action Plan (CAP) Grants Announced** – On December 16, 2021, Governor Wolf’s office announced this year’s CAP Grants. In total, DEP awarded Chesapeake Bay counties with \$17.4 million to implement CAP projects in 2022. The includes \$15 million from the Pennsylvania Environmental Stewardship Fund, primarily the Growing Greener Program, and \$2.4 million from EPA. Grants support coordination of CAPs, implementation of pollution-reducing best management practices (BMPs), and verification to ensure that BMP projects maintain their pollutant reduction goals, with a time frame of 12-18 months to implement funded projects. The 2021 grant funding is geared toward enabling county teams and partners to build on the record progress Pennsylvania is making in the watershed. The full press release can be found here: <https://www.governor.pa.gov/newsroom/gov-wolf-announces-17-4-million-to-improve-local-water-quality-for-chesapeake-bay-watershed/>

**Policies and Procedures**

**District Director Nomination Process** – As of December 23, 2021, forty-nine counties (74%) have submitted conservation district director nominations for 2022. Staff will continue to review conservation district nominations as they are received. Questions may be directed to your Conservation District Field Rep or Barb Buckingham [bbuckingha@pa.gov](mailto:bbuckingha@pa.gov).

**Nutrient and Odor Management Updates**

**Supplemental On-Site Status Review Report** - On September 14, 2021, the State Conservation Commission approved Version 6 of the Nutrient Management and Manure Management Administrative Manual. Several changes and updates were made to the manual. One notable addition is the Supplemental On-Site Status Review Report. The goal of this Supplemental Report is to better capture Supplemental Nutrient Management Best Management Practices (Supplemental NM BMPs). These Supplemental NM BMPs focus on concepts similar to the “4R” practices when placing nutrients on fields. This Supplemental Report is required to be completed along with the existing Status Review Report and the information is to be entered into the PracticeKeeper database. A webinar training for this Supplemental Report was held on December 10, the recording will also be posted on the Clean Water Academy in the near future. State Conservation Commission sponsored Nutrient Management continuing education credits were offered. For any questions, please contact your SCC Regional Coordinator.

**Chapter 102 Program**

**PAG - 01** - The Final PAG-01 General Permit for Stormwater Discharges from Small Construction Activities was published in the *Pennsylvania Bulletin* on November 13, 2021. PAG-01 will serve as an alternative means for NPDES coverage for earth disturbance activities with less than 5 acres of disturbance. The primary benefit of PAG-01 is that a site-specific stormwater analysis for post-construction stormwater management (PCSM) is not required, which is one of the costliest parts of completing a Chapter 102 permit application. DEP has conducted a general stormwater analysis that will serve as the applicant’s analysis. However, in order to qualify for PAG-01 coverage, applicants will need to, among other things, 1) select from a suite of PCSM BMPs that are prescribed in the general permit; 2) ensure that impervious surface does not exceed 30,000 square feet; and 3) ensure that impervious surface does not exceed 12% of the project site area. DEP has establishing an

effective date for PAG-01 of March 1, 2022 so that DEP can provide training to the regulated community and conservation districts, who will be processing PAG-01 Notices of Intent (NOIs).

### **Chapter 102 ePermitting Updates**

- There was an ePermit system update on December 15, 2021, which improves the enrollment process for applicants and consultants. Refer to [102 ePermitting webpage](#) for the updates, which include short training videos and updated EFA (i.e. applicant) and Operator (e.g. Consultant) User Guides.
- ESCGP-3 release is tentatively planned for February 16, 2022
- Refer to Clean Water Academy for internal trainings.

### **Clean Water Academy**

**Introduction to Chapter 105** This course will provide learners with a 'big picture' view of the Chapter 105 program, and is highly recommended to those unfamiliar with the program. This training will touch on the following: -What Chapter 105 regulates and where it draws its authority -Definitions of common terms such as regulated waters of this Commonwealth, body of water, floodway, watercourse, encroachment, and obstruction -The types of permits and authorizations used for water obstructions and encroachments

**Ag Erosion and Sediment Control Manual** - This course introduces the new Agricultural Erosion and Sediment Control Manual. Ag E&S Plans are required for all Pennsylvania agricultural operations with 5,000 square feet or more of land that is plowed or tilled in any way, including no-till, or is an earthen Animal Heavy Use Area (AHUA). Ag E&S Plans require specific information to meet regulatory requirements. These modules contain information for operators and landowners of agricultural operations and for entry-level planning staff to better understand these requirements. There is also guidance on evaluating an operation and information on choosing Best Management Practices (BMPs), which are required for all operations, regardless of the size, to minimize accelerated erosion and sedimentation.

**Intro to Timber Harvesting E&S** - *(Recording from Chapter 102 Fall Region Meetings)* This course will provide a brief overview of timber harvesting (logging) operations as they relate to erosion and sediment control, specifically:

- Differences between timber harvest sites and construction sites
- Chapter 102 requirements for timber harvesting operations
- Inspections for timber harvest sites
- Timber harvest E&S plan requirements

### **Funding Opportunities**

**Soil Health Education Grants** - The Pennsylvania Department of Agriculture, Bureau of Farmland Preservation will be offering Soil Health Education Grants in the new year. These mini grants were announced in the December 4, 2021 edition of the PA Bulletin, and they will be for the purpose of focusing soil health education and outreach efforts towards preserved farm landowners. They will be reimbursement grants that will award up to \$1,000 to county ag land preservation boards for eligible soil health related projects on a first-come, first-served basis. There is a total of \$10,000 available. Click [here](#) to view the Bulletin Notice. Applications for eligible projects will be accepted from 8:00 am January 3, 2022 through 4:00 pm February 28, 2022. Additional information and applications may be obtained by sending an email to [RA-farmland@pa.gov](mailto:RA-farmland@pa.gov).

**Agricultural Energy Efficiency Rebate Program** - The Pennsylvania Department of Environmental Protection (DEP) has created a new **agricultural energy efficiency rebate program** to help agricultural producers in the Commonwealth reduce energy consumption on their farms through the use of energy efficient technologies. Commercial ag producers who conduct normal farming operations in Pennsylvania are eligible to apply (i.e. farm on 10 or more contiguous acres of land OR farm less than 10 acres but have an anticipated yearly gross income of at least \$10,000).

Rebates are being offered for:

- LED lighting (including fixtures and controls)
- Variable frequency drives for milk vacuum pumps
- Variable frequency drives for ventilation fans

Rebates will pay 50% of equipment costs, up to \$2,000 per technology category. Applicants may apply for both lighting and variable frequency drive rebates. Applications are being accepted on a first-come, first-served basis as funding remains available or through March 31, 2022. Interested ag producers should apply for a rebate voucher prior to purchasing and installing the equipment. All applications must be submitted online through the Electronic Single Application system. More information can be found on the PA DEP website, including additional details on the program and the process of submitting a rebate application:

[www.dep.pa.gov/agricultureenergy](http://www.dep.pa.gov/agricultureenergy)

### **SRBC announces consumptive use mitigation grants for drought resilience**

The [Susquehanna River Basin Commission](#) (SRBC) announced a new grant program for projects focused on improving water availability and water quality during droughts. The grant program is based on [SRBC's 2020 Consumptive Use Mitigation Policy](#). Consumptive use (CU) refers to water that is used but not returned to the river basin. The program is intended to attract the following projects that will improve the watershed's resiliency or ability to better withstand drought situations:

- Water storage and release projects that can enhance supply reliability or resiliency during drought (e.g., impoundments, inactive quarries, and underground mine pools);
- Projects that modify current operations or implement new practices that increase instream flows or improve flow resilience during drought (e.g., reservoir conservation releases, aquifer storage and recovery, and coordinated use of surface water and groundwater);
- Demand modification projects (e.g. projects that achieve water conservation, reuse and/or recycling); and,
- Environmental and water quality improvement projects that support the resiliency of water resources (both in terms of water quality and quantity) during drought conditions (e.g., groundwater recharge, restoring wetlands/streams/floodplains, improving stormwater management, and treating abandoned mine drainage).

Eligible applicants include SRBC's permit holders; local, state, and federal government agencies; colleges and universities; and non-profit organizations. Grant funds may be used to cover a variety of project costs, including but not limited to the acquisition of land and construction of new or expansion of existing consumptive use mitigation projects. A minimum 10% cash match of the requested funds is required.

Applications will be accepted until January 28, 2022. Funding announcements will be made after April 1, 2022. Awarded projects may begin on July 1, 2022. SRBC will host a webinar on the Consumptive Use Mitigation Grants Program on December 8 at 10:00 a.m. Anyone interested in submitting an application should attend the webinar! [For more information about the grants and to register for the webinar, click here.](#)

### **DCNR 2022 Community Conservation Partnership Program save the date announcement**

The 2022 grant application period for the [Community Conservation Partnerships Program](#) has been announced. Applications will be accepted starting January 18, 2022. The deadline to apply is 4:00 PM on Wednesday, April 6, 2022. All applications should be submitted through the [DCNR Grants Customer Service Portal](#).

Even though the application period is a few months away, it's never too early to [contact your regional advisor](#) to discuss your project idea and ways to make it more competitive for state grants.

Virtual workshops were held in early November for potential applicants. Anyone interested in applying for [Community Conservation Partnerships Program grants](#) in 2022 is strongly encouraged to view the recorded virtual workshops on the website.

### **Chesapeake Bay Watershed**

**The 2020-2021 Agricultural Inspections Annual Summary published** - Another successful year of the expanded agricultural inspection program has shown that most agricultural operations are getting the plans they need, and the CBAIP Phase 2 Pilot has demonstrated that they are implementing the required plans once they have them. For details of the year's progress, please visit the Agricultural Compliance Website:

<https://www.dep.pa.gov/Business/Water/Pennsylvania%E2%80%99s%20Chesapeake%20Bay%20Program%20Office/agriculture/Pages/Agricultural-Compliance.aspx> to download the Summary.

**BMP Verification Update and Funding Webinar** - The CBO held a follow-up session to the initial two BMP Verification sessions on December 1, 2021 as part of the "Webinar Wednesday" sessions. The webinar is now available on the Clean Water Academy. After reviewing the new and existing Countywide Action Plans and identifying needs documented and presented by all counties throughout the watershed to better inventory and assess historic BMP implementation, the CBO has additional funds available to every county that has developed a CAP, to be spent by September 30, 2022.

This webinar discussed opportunities to leverage partners, pool resources for verification strategies like remote sensing, and expand staffing temporarily through internships, student mentorship programs, and existing volunteer networks. The webinar also provided examples of where counties may want to focus, such as narrowing the scope to a group of priority BMPs, as well as the types of training that will be available to ensure that documentation of BMPs follows the required quality assurance protocols.

This funding opportunity is being provided through the EPA Chesapeake Bay Regulatory Accountability Program (CBRAP) grant, and is meant to be a step forward in ensuring that every BMP that has been implemented is being documented and reported for nutrient and sediment reductions in the Chesapeake Bay Watershed Model.

## **Pennsylvania's Phase 3 Watershed Implementation Plan – Monthly e-newsletter**

The Department of Environmental Protection Chesapeake Bay Office (CBO) produces a monthly newsletter to showcase progress and updates on the statewide Phase 3 Watershed Implementation Plan and our local partners' Countywide Action Plans. Our newsletter will highlight activities from the CBO and our partnering counties, agencies, and action team leaders; reporting and data tools; funding and grant opportunities; and major announcements.

<https://www.dep.pa.gov/Business/Water/Pennsylvania%E2%80%99s%20Chesapeake%20Bay%20Program%20Office/WIP3/Pages/Newsletter.aspx>

### **Pilot and Tier 2 Counties**

All progress reports from the Pilot and Tier 2 counties have been published to the [Countywide Action Plans](#) website, along with the Pilot counties updated milestones and CAP documents. CBO will continue to support the Pilot and Tier 2 counties as they implement their CAPs and administer and manage their Community Clean Water Coordinator and CAP Implementation Grants.

### **Tier 3-4 Counties Transition to Implementation**

All CAPs from the Tier 3 and 4 counties have been published to the [Countywide Action Plans](#) website. The CBO hosted the "Transitioning to CAP Implementation Webinar" on December 6, 2021 to equip county coordinators and their partners to successfully transition to implementing their countywide action plans. Over 50 people attended the webinar with representatives from all the counties, as well as DEP Region CAP Support Team members. The webinar discussed the tools and support available to the counties throughout CAP implementation. The revised *Pennsylvania Community Clean Water Implementation Guide* was introduced to the counties as a resource for developing and executing their implementation strategies.

With the assistance of Consulting with a Purpose, the CBO walked through the Implementation Guide and answered questions as they arose. This webinar was the first of several webinars designed to help the counties transition to implementation. Throughout December, there were region specific implementation workshops. Starting in January, monthly county grouping one-on-one meetings will be held to support the Tier 3 and 4 counties as they implement their CAPs and administer and manage their Community Clean Water Coordinator and CAP Implementation Grants. All workshops will be available as a reference course on the Clean Water Academy.

### **CBO Staff Updates**

In the last few months, CBO has hired on two new staff:

- Danielle Latham joined the Ag Compliance Section in the CBO in October. Prior to joining the CBO, Danielle was an Environmental Protection Compliance Specialist in the Southeast Regional Office in the Radiation Protection Program and a Water Quality Specialist in the Southcentral Regional Office, where she inspected and investigated agricultural operations. Danielle has a degree in Geo-Environmental Science with a minor in Biology.
- Shane Gutsie joined the Bay Accountability Section in the CBO in December. Prior to joining the CBO, Shane was an Environmental Trainee and Sanitarian in the Scranton District Office and Southcentral Regional Office. Shane has a degree in Environmental Resource Management with a minor in Water Resources and is currently pursuing a M.Ed. degree in Environmental Education.

Interviews are currently being scheduled for the four Conservation District Field Representative (CDFR) positions in the Conservation District Support Section; the Water Program Specialist position in the Conservation District Support Section; and the Aquatic Biologist position in the Watershed Support Section.



## Dates to Remember

### **SCC Meetings – 1:00 PM**

Hybrid Meeting	January 18
Hybrid Meeting	March 15

### **SCC Conference Calls – 8:30 – 10:00 AM**

Conference Call	February 15
Conference Call	April 12

### **Leadership Development Staff Conference**

Hybrid – State College and Virtual	February 16-17
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### **PACD Executive Council Meeting**

Virtual	January 27
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### **Leadership Development Regional Director Workshops**

Westmoreland CD	February 24
Clinton CD	March 3
Best Western, Harrisburg	March 9

### **Conservation District & PA Agency All Ag Meeting**

Virtual	February 23-24
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### **102/105 Topic-based Technical Training**

Red Lion Hotel, Harrisburg	March 29-31
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**Also**, check the Conservation District Training/Special Events Calendar at, [www.PACD.org](http://www.PACD.org) Select the "Events" tab and then the "Training Calendar" tab.

**Item III.1**  
**LANCASTER COUNTY CONSERVATION DISTRICT**  
**BOARD MEETING MINUTES**  
**December 1, 2021**

The 836<sup>th</sup> regularly scheduled Board Meeting of the Lancaster County Conservation District (LCCD) was held in person at the Farm and Home Center for Directors and also via Zoom Call-In on Wednesday, December 1, 2021, at 7:30PM.

**The following Directors were present:** Dan Heller, Roger Rohrer, Herb Kreider, Bob Shearer, Jay Snyder, Ken Meck, Kent Weaver and Commissioner Ray D’Agostino.

**The following Associate Directors were present:** None present.

**The following District Staff were present:** Christopher Thompson, Gerald Heistand, Kevin Lutz, Rich Snyder, Kevin Seibert, Matt Kofroth, Sallie Gregory, Maddie Klein, Bryce Workman, Eric Hout, Adam Stern and Suzanne Kopp.

**The following Cooperating Agency representatives were present:** Heather Grove, Natural Resources Conservation Service and Elwood Blake, DEP.

**The following guests were present:** None present.

Dan Heller called the meeting to order at 7:33 p.m. Dan welcomed everyone both in person and on Zoom. Dan expressed his gratitude of thanks to all the employees and the board of directors for their hard work. Adam Stern reminded everyone that the meeting was being recorded.

Ken Meck provided the invocation for the meeting.

Dan Heller recognized Ken Meck on his retirement from the Board of Directors effective January 2022. He served on the Board since 1998. Ken served on all the Board Committees and also served three terms as Chairman of the Board. He was a lifelong farmer. Tonight, is Ken’s last official meeting as a Director on the Board. Chris Thompson presented Ken with a plaque of appreciation for his years of service.

Matt Kofroth introduced Bryce Workman, LCCD’s Watershed Resource Technician.

**Additions to the Agenda:** Chris Thompson stated that under the recently amended Sunshine Act any action item the Director intend to deliberate and vote on must be listed on the agenda 24 hours prior to any actions can be taken. There are a few exceptions to this requirement: 1) Issues involving a clear and present danger, 2) Items that arise within 24 hours of the meeting that are de minimis in nature and not involving funding or entering a contract, 3) Business that is brought to the attention of directors by a guest of the public.

The final exception allowed is when the Board of Directors, by a majority vote, add a matter of business to the agenda. The reason for the addition needs to be communicated prior to any actions taken and then posted the next following business day in the amended agenda on our website and public access to our building/offices.

Two items we are proposing to add to tonight’s agenda are:

1. Cessation of the 105 Program
2. Acceptance of the 2022-2023 CAP allocation

Herb Kreider moved to add these items to the agenda. Roger Rohrer seconded the motion. Motion passed unanimously. The items were added to the agenda under Additional Business (#5 & #6 respectively) for discussion.

**An opportunity was given for public comment:** None were offered

## **I. Agency Reports**

### **1. USDA, NRCS**

Heather Grove reported that the only addition to the report in the agenda, is they are hiring a new conservationist. The plan was originally to hire an intern, however, the plan changed and they will be hiring the person fulltime starting in 2022.

### **2. PA DEP Field Rep Report**

Elwood Blake reported that there is nothing to add to the talking points already presented in the agenda.

Chris Thompson wanted to highlight the new PAG-01 program that will be going into effect in March 2022. It will serve as an alternative means for NPDES coverage for earth disturbance activities less than 5 acres of disturbance. The primary benefit to the PAG-01 is that a site-specific stormwater analysis for PCSM will not be required.

## **II. Consent Agenda**

Dan Heller gave the opportunity for Directors to withdraw any of the items from the Consent Agenda in order to have additional discussion. Hearing none, Ken Meck moved to approve the Consent Agenda which included items numbered one through four. Bob Shearer seconded the motion. The vote was taken and the motion passed unanimously.

The Consent Agenda includes the following approved items.

- #1 – Minutes of November 3, 2021 Board meeting**
- #2 – Technical Assistance Requests/Cancellations**
- #3 – Nutrient Management Plan Approvals**
- #4 – Conservation Plan Acknowledgement**

## **III. Additional Business**

### **1. Treasures Report**

Gerald Heistand reported that the Balance Sheet has another \$700,000 being added under restricted funds. Total for the General Fund is the same as October 2021.

Health 2021 is a new account which has \$25,000 as a result of staff in our self-funded plan not using all the RX funds that were budgeted.

There is a new Chesapeake Bay Action Grant for \$310,000 that is new for this month. It is funding that National Fish and Wildlife Foundation awarded to Penn State for LCCD to help administer the grant and disperse to the farmers to put in BMP's on the ground. Each project can only be \$20,000 towards BMPs on their individual farms.

The question was posed to the cause of why the line item 560 Grant Administration is so much lower than budgeted? The reason given was because we cannot claim the administrative costs until the grant is paid out. As soon as it is paid out to the recipients then we will collect those administrative fees.

### **2. Budget & Finance Committee Report**

#### **• 2022 Budget Presentation**

The County provided \$326,000 for 2022 which is \$50,000 less than requested, so changes in the budget needed reviewed. The changes that were made are as follows:

1. Moving to a local HR support company that will result in a cost savings
2. Cost savings due to personnel status changes such as Dennis Eby's retirement and his position not being refilled, along with a staff member dropping spousal coverage and another staff member joining Medicare.
3. Changes in the grants budget relative to projected pass through expenditures
4. Delaying the bi-annual Ag Mid-Atlantic NMP Training from 2021 to 2022
5. Reducing 105 clean water fund fee income as a result of curtailing the 105 responsibilities.

Roger Rohrer moved to approve the 2022 budget as presented. Kent Weaver seconded the motion. Motion passed unanimously.

- **Policy Update**

Chris reported that last month the Board voted to allow the Financial Committee to make investment decisions for our reserve funds, pending a review of S.C.C. policy/approval. The changes are in red on the policy statement in the agenda that was distributed. Guidance provided by the S.C.C. and DEP is that the District should have an established policy that ensures investments are low risk and short term.

Ken Meck moved to approve the changes to the investment policy statement. Herb Kreider seconded the motion. Motion passed unanimously.

### **3. Personnel Committee Report**

- **Human Resource Contract Update**

Chris Thompson reported that a new Human Resources service is being recommended. Kimberly Patrick at Frameworks Consulting was recommended by a Board Director. The contract for Framework Consulting is in the agenda packet.

Roger Rohrer moved to approve as presented. Bob Shearer seconded the motion. Motion passed unanimously.

- **Summer Intern**

Matt Kofroth reported that a Summer Internship position is being requested for approval. The funding for the intern is in the 2022 budget and the request is to advertise for the position.

Roger Rohrer moved to approve as presented. Herb Kreider seconded the motion. Motion passed unanimously.

### **4. E&S Committee Report/Compliance Update**

Rich Snyder reported on the Minutes from the E&S Committee Meeting as stated in the agenda that was distributed. The Committee recommends the applicable fee for a multi-story apartment building/complex shall be in accordance with the current E&S control plan review fee schedule. The Committee continues to exhaust all efforts in cessation the Chapter 105 program. The Committee denied the request to waive the current E&S Control Plan review fees for Schreiber Pediatric project. Jay Snyder moved to approve the E&S Committee report as stated. Bob Shearer seconded the motion. Motion passed unanimously.

### **5. Cessation of the 105 Program**

DEP has reviewed our minutes from last month and the agenda for tonight and felt that they don't adequately express the Boards plans to terminate the 105 Program. They have requested that directors take a final action to terminate the delegation agreement without any qualifications and that the motion also include plans to notify the Department of the termination which will take affect after 60 calendar days of the notification.

Jay Snyder moved to approve the cessation of the 105 Program as presented. Roger Rohrer seconded the motion.

Elwood Blake commented that the DEP asked that eight points be read before a vote is taken. (A copy of the eight points is attached at the end of the minutes). Elwood read the eight points out loud. Chris stated that dropping the 105 Program has more to do with staff capacity to administer the 102 Program, but it could be the first of other programs that get returned to DEP and SCC if the staff funding issues are not addressed. The funds to run the programs has not been increased for several years and is out of line with what it actually costs to run the programs. DEP cannot continue to ask the District to do more with less

Motion passed unanimously

### **6. Acceptance of the 2022-2023 CAP allocation**

This afternoon LCCD received advanced notice of being awarded additional funding from the Department of Environmental Protection for the CCWAPC/CAP Implementation Grant. The total to be received is \$3,583,216 which is divided among several different projects/programs, each with a different deadline. Some as early as Sept. 30, 2022 and as late as June 30, 2023. A vote to receive these funds tonight will allow staff to process the remaining paperwork and begin working with the various partners to begin planning and promoting implementation for early in 2022.

Roger Rohrer moved to accept the 2022 2023 Cap Allocation. Jay Snyder second ed the motion. Motion passed unanimously.

## **IV. Reports/Information**

### **1. Correspondence, News and Updates**

7. Flyer – Lancaster County Conservation District – Manure Injection Outreach Meeting – December 6, 2021

8. Post Card Mailing – Lancaster Chamber – 2021 Ag Industry Summit – November 11, 2021

## **2. E&S/NPDES Monthly Projects Report:**

Rich Snyder reported 18 total projects were received in November as compared to 25 projects in November of 2020. We had to close the books early for November due to the holiday.

## **3. Extraordinary Give Update:**

Sallie Gregory thanked everyone who donated to the Conservation Foundation. The LCCD received \$7,135.00 to go towards the Youth Conservation School and the Lancaster County Envirothons.

## **4. PACD/SCC Report and Winter Mtg. Registration:**

Chris Thompson reported that all the PACD Winter Meetings will be held virtually this year from January 5, 2022 thru January 27, 2022. Registration is free but required to attend.

### **Additional Public Comment:**

The next Board of Directors/Annual Planning meeting will be held at the Farm Credit Office in Mount Joy on January 19, 2022 at 9:00am.

Roger Rohrer shared that his son shot a 10-point white tailed deer.

### **Meeting Adjourned:**

Dan Heller adjourn the meeting at 9:20pm.

Respectfully submitted,

Suzanne Kopp  
Recording Secretary

## **Lancaster 105 Delegation Discussion Points**

1. The Department is disappointed that the district did not include it in the discussion of the 105 delegation concerns earlier in the process, before a decision was made. We certainly would have appreciated being included in the discussion about this significant program early on to fully understand the LCCDs concerns, discuss ways to streamline certain aspects or address the concerns, and to ensure all options were vetted before the program is turned back to DEP.

2. In an effort to ensure all options were evaluated related to fees, did the District thoroughly evaluate the fee structure for 105 permitting? The district may charge the following fees associated with the Chapter 105 Program to assist with recouping program costs: - Hourly rate for pre-application meetings

- Fees associated with ePermitting terminal use
- Assistance in application preparation
- E&S plan review fee

3. In addition, the DEP Regional Office will still coordinate with the district to review E&S Plans associated with 105 Permits and the LCCD will still review E&S Plans for Ch. 105 GPs (except GP-11) as part of the 102 delegation.

4. So that the Board recognizes the impact of discontinuing the local Ch. 105 permitting services, the following is the projected impact on DEP Regional Office workload: Ch. 105 GP Permit Registrations submitted to the DEP Regional Office will be processed under the Permit Review Policy and Program SOP and may take up to **43 business days** (60 calendar days) to acknowledge for the non-Permit Decision Guarantee

GPs and **50 business days** for GP-5's when the registrations are complete and technically adequate upon their initial submittal. Deficient registrations may take longer to process.

5. Termination of the 105 delegation in Lancaster County will increase the both the complaint handling and permitting workload in the DEP Regional Office by 10-15% each. This may cause additional delays in permit processing and complaint investigation in not only Lancaster, but other counties in the Region.

6. While DEP fully appreciates the fiscal impact of LCCD carrying the Ch. 105 delegation, we hope the Board weighs the full impact that termination of the agreement will have on services to Lancaster County and the greater DEP Southcentral Region.

7. With respect to the action taken by the Board during the Nov. 3, 2021 Board meeting, it appears that if the LCCD Board of Directors does intend to terminate the Ch. 105 delegation with DEP, unqualified action by the Board is necessary. The Nov. 3, 2021 action by the Board to cease Ch. 105 was qualified on the premise of further evaluation by staff, phrased as, "...after exhausting all efforts." After all efforts are exhausted in the Boards view, the Board will need to take a final action to terminate the delegation agreement without any qualification.

8. Finally, should the Board decide to terminate the 105 delegation agreement, we offer a reminder that termination of the 105 delegation agreement requires 60 calendar days written notice to the department. The letter of termination should be addressed to **Pamela Kania, Acting Director, Bureau of Waterways Engineering and Wetlands, Division of Wetland Encroachments and Training, Department of Environmental Protection, PO Box 8460, Harrisburg, PA 17705-8460.**

**Item II.2  
Requests for Technical Assistance**

<b>APPLICANT</b>	<b>TITLE</b>	<b>TOWNSHIP</b>	<b>SIZE</b>	<b>ASSISTANCE</b>
None				

**Item II.3  
Requests for Nutrient Management Plan Approval (Lutz)  
December 2021 Activity  
January 19, 2022 Board Meeting**

To: The Lancaster County Conservation Board of Directors Nutrient Management Plan Review Committee:  
I respectfully submit these Nutrient Management Plans and/or Plan Amendments to the Nutrient Management Plan Review Committee.

I recommend these plans to be approved by the Board. The plans are for the following operations:

<b>OWNER</b>	<b>TOWNSHIP</b>	<b>Operation</b>	<b>DESIGNATION</b>	<b>AEU's/ ACRE</b>	<b>REVIEWER</b>	<b>PLAN #</b>
John K. Lapp Jr.	Clay	Broiler	CAO	11.63	Klein	1098
Jay Zimmerman	Clay	Broiler	CAO	5.58	Klein	486
Steven Glick	Bart	Horse	CAO	5.86	Adams	506
Eli M. Stoltzfus	Colerain	Dairy	CAO	9.30	Adams	108
Wayne Powell	Rapho	Swine/Steers	CAO	10.87	Klein	253
Amos K. Stoltzfus	Elizabeth	Layer	CAO	4.28	Klein	278
Lester & Andrew Weaver	Rapho	Dairy/Swine	CAFO/VAO	1.99	Klein	30
Joel Hurst	Clay	Swine/Steers	CAFO/CAO	18.09	Klein	322
Aaron Zook Jr.	Strasburg	Dairy	CAO	2.55	Reiter	1045

**Item II.4  
Acknowledgement of Conservation Plans (Lutz)  
The Lancaster NRCS Field Office recommends the following plans for the  
January 19, 2022 Board Meeting:  
NATURAL RESOURCES CONSERVATION SERVICE**

<b>Conservation Plans</b>	<b>Number of Plans</b>	<b>Planner</b>	<b>Township</b>
Gary J. Burkholder	1	Greg Heigel	West Earl

**LCCD AG EROSION & SEDIMENTATION PLANS**

<b>Conservation Plans</b>	<b>Number of Plans</b>	<b>Planner</b>	<b>Township</b>
Delbert Martin	1	Britton Hartzok	Brecknock
Lamar Gockley	1	Samantha Adams	Brecknock
Fred Hess	1	Britton Hartzok	Manheim

**Item III.5**  
**LCCD 2022 Memberships**

Below is a list of organizations proposed for membership for this year with their corresponding dues.  
An affirmative vote approves LCCD participation and payment of the fees.

NACD - \$1,776

PACD - \$2,600

Lancaster Chamber - \$500

PennAg Industries - \$165

Capital RC&D Area Council - \$300

BIA \$600



**Lancaster County Conservation District**  
**Income and Expenses**  
 January through December 2021

	General Operations	E&S	Activities & Tree Sale	Grants	Scholarship	Separation/ Reserve	2021 Actual	2021 Budget	\$ Over Budget
<b>Income</b>									
520 · County Funding	302,500.00					35,000.00	337,500.00	275,000.00	62,500.00
530 · Program Contracts	1,661,142.93						1,661,142.93	1,583,954.00	77,188.93
560 · Grant Administration	303,361.56		11,340.78				314,702.34	575,299.00	-260,596.66
570 · Grant Project Income			3,645,561.54				3,645,561.54	4,083,000.00	-437,438.46
580 · Fee / Reimbursement Income	9,837.25	3,341.79	7,000.00				20,179.04	12,550.00	7,629.04
581 · E&S102 Review Fees	569,660.00						569,660.00	513,884.00	55,776.00
582 · NPDES Permit Fees	102,000.00						102,000.00	88,000.00	14,000.00
583 · 105 CWF Fees	16,725.00						16,725.00	16,830.00	-105.00
590 · Interest Income	127.66	143.63		369.43	1,026.77	186.70	1,854.19	4,803.00	-2,948.81
540 · Activity Income	25.00		3,733.34		1,207.00		4,965.34	17,983.00	-13,017.66
585 · Tree Sales Income	4,214.46		28,769.92				32,984.38	45,000.00	-12,015.62
595 · Other Income	2,388.41			4,055.08	533.33	26,317.70	33,294.52	200.00	33,094.52
599R · Interfund Transfer In	41,176.15	2,542.78				32,741.91	76,460.84	31,225.00	45,235.84
<b>Total Income</b>	<b>2,324,773.42</b>	<b>694,413.20</b>	<b>39,503.26</b>	<b>3,661,326.83</b>	<b>2,767.10</b>	<b>94,246.31</b>	<b>6,817,030.12</b>	<b>7,247,728.00</b>	<b>-430,697.88</b>
<b>Expense</b>									
7100 · Staff Salary	1,381,040.41	410,964.20		114,982.27			1,906,986.88	2,064,825.00	-157,838.12
710 · All Emp Benefits	468,719.44	122,681.15		8,551.54			599,952.13	711,407.00	-111,454.87
720 · Vehicle & Travel Expenses	25,875.33	3,983.97	59.36	241.60			30,160.26	42,300.00	-12,139.74
722 · Meeting Expenses	9,363.26	186.39		110.00		1,083.73	10,743.38	48,090.00	-37,346.62
730 · Supplies	8,701.65	1,268.51	1,373.35	6,283.41		1,422.63	19,049.55	23,375.00	-4,325.45
735 · IT - Communication	20,889.22	680.29	210.00	6,414.20		12,636.54	40,830.25	18,286.00	22,544.25
740 · Postage	3,188.33	2,125.91	3.75	70.88	58.47		5,447.34	10,450.00	-5,002.66
745 · Office Rent	82,337.64	22,337.06					104,674.70	104,674.00	0.70
750 · Equipment	4,001.43	10,341.92	69.99	527.98			14,941.32	25,600.00	-10,658.68
830 - Administrative	77,180.11	994.12		45.00		5,975.00	84,194.23	84,141.00	53.23
810 · Activity Expenses			29,910.30		5,000.00		34,910.30	54,790.00	-19,879.70
820 · Grant Project Expenses	823.77			2,087,390.15			2,088,213.92	4,669,000.00	-2,580,786.08
805 · Allocated Cost Transfer	-19,606.29	19,606.29					0.00	0.00	0.00
890 · Miscellaneous Expenses	287.02	734.50					1,021.52	3,550.00	-2,528.48
895 · Contingencies							0.00	30,750.00	-30,750.00
899E · Interfund Transfer Out	32,741.91	16,225.00				27,493.93	76,460.84	31,225.00	45,235.84
<b>Total Expense</b>	<b>2,095,543.23</b>	<b>612,129.31</b>	<b>31,626.75</b>	<b>2,224,617.03</b>	<b>5,058.47</b>	<b>48,611.83</b>	<b>5,017,586.62</b>	<b>7,922,463.00</b>	<b>-2,904,876.38</b>
<b>Net Income</b>	<b>229,230.19</b>	<b>82,283.89</b>	<b>7,876.51</b>	<b>1,436,709.80</b>	<b>-2,291.37</b>	<b>45,634.48</b>	<b>1,799,443.50</b>	<b>-674,735.00</b>	<b>2,474,178.50</b>

Lancaster County Conservation District  
**Balance Sheet**

Cash Basis

As of December 31, 2021

**ASSETS**

Checking/Savings

District General Fund

1001 · General Fund INVEST 586,180.25

1015 · General Fund Checking 81,168.96

Total District General Fund 667,349.21

E & S

1002 · E & S - A

Reserved-E&S Vehicle - A -1,492.32

1002 · E & S - A - Other 426,782.73

Total 1002 · E & S - A 425,290.41

1005 · Clean Water - R 273,571.00

Total E & S 698,861.41

1003 · Youth Conservation School - C 25,930.50

1006 · Separation - A 59,818.47

1007 · Reserve

Reserved-LCCD Health 20-21 - A 26,317.70

Reserved-LCCD Health 19-20 - A 61,322.00

Reserved-LCCD Health 18-19 - A 25,883.00

Reserved-LCCD Health 17-18 - A 42,788.23

Reserved-Capital - A 58,726.87

Reserved-Communication - A 24,000.00

Reserved-Computer Hardware - A 21,725.77

Reserved-Software Maintenance-A 5,412.26

Reserved-NM Program - A 164,012.20

Reserved-NMP Vehicle - A 36,106.13

1007 · Reserve - Other 339,168.74

Total 1007 · Reserve 805,462.90

1008 · Scholarship - C

Bond Unrealized Gain/Loss - C 1,457.50

Scholarship Bonds - C 35,000.00

1008 · Scholarship - C - Other 29,637.55

Total 1008 · Scholarship - C 66,095.05

1009 · Dirt & Gravel Roads - R 117,331.79

1013 - Exelon - R 595,670.15

1014 - Low Volume Roads - R 218,183.12

1115 · Conservation Excellence - R 1,273,109.86 1116  
· CBAIP Phase II - R 429,404.39

1117 · Chesapeake Bay Action Plan 527,595.19

1017 · Self-Funded Health Insurance -R 95,518.09

5,580,330.13

\$624,540.35	General Operations - U
\$12,698.56	DGR/LVR Admin & Edu - A
(\$49,005.81)	Grants without bank account - R
\$45,713.83	Activities Account - A
\$33,402.28	Tree Fundraiser Account - U
<b>\$667,349.21</b>	<b>TOTAL</b>

\$1,009,815.43	A - Assigned Funds
\$92,025.55	C - Committed Funds
\$3,481,377.78	R - Restricted Funds
\$997,111.37	U - Unassigned Funds
<b>\$5,580,330.13</b>	<b>TOTAL</b>

10:22 AM  
01/07/22  
Cash Basis

**Lancaster County Conservation District**  
**Balance Sheet**  
As of December 31, 2021

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**LIABILITIES & EQUITY**

**Liabilities**

**Current Liabilities**

**Other Current Liabilities**

2200 · YCS Liability 25,930.50

2016 · Health Insurance Liability 95,518.09

**Total Other Current Liabilities** 121,448.59

**Total Current Liabilities** 121,448.59

**Total Liabilities** 121,448.59

**Equity**

3000 · Opening Bal Equity 893,610.68

1,799,443.50

5,458,881.54

3900 · Retained Earnings 2,765,827.36

**Net Income**

**Total Equity**

**TOTAL LIABILITIES & EQUITY** 5,580,330.13

**Item IV.3**

**Exelon Habitat Improvement Project – Muddy Run Pumped Storage Funds (Kofroth/Bitting)**

The District received nine (9) applications for grant funding through the Agriculture and Watershed Programs. On December 15<sup>th</sup>, a ranking meeting was held which included Nutrient/Management Cost Share Committee members Herb Kreider and Bob Shearer along with District staff. Each application was assigned a ranking following a brief presentation from the responsible Ag Technician or Watershed Specialist. Seven (7) projects are being presented for board approval: David Fisher, J. Clifford Sensenig, Joseph Zook, John Hess, Forrest Steffy, Peters Creek/Exelon, and Jerry Lehman. We do not expect to receive approval from PA DEP prior to the Board meeting, but we are expecting approval in late January/early February. Once the District receives approval from PA DEP, the contingent approval will allow the projects to move forward with executing the agreements and completing the designs without waiting for the next District Board Meeting.

<b>Landowner</b>	<b>Technician</b>	<b>2022 Incentive Payment</b>	<b>Administration Cost (5% of Incentive Payment)</b>	<b>Total Grant Requested</b>
David Fisher	Greg Heigel	\$ 6,966.40	\$ 348.32	\$ 7,314.72
J. Clifford Sensenig	Adam Hartz	\$ 6,200.00	\$ 310.00	\$ 6,510.00
Joseph Zook	Steve Reiff	\$ 15,842.16	\$ 792.11	\$ 16,634.27
John Hess	Steve Reiff	\$ 6,647.40	\$ 332.37	\$ 6,979.77
Forrest Sheffy	Nate Straw	\$ 71,250.00	\$ 3,750.00	\$ 75,000.00
Peters Creek/Exelon	Matt Kofroth	\$ 50,000.00	\$ 2,600.00	\$ 52,600.00
Jerry Lehman	Nate Straw	\$ 53,200.00	\$ 2,660.00	\$ 55,860.00
<b>Totals</b>				<b>\$220,898.76</b>

The Ag and Watershed Programs request approval for the 7 projects using Exelon funds totaling \$220,898.76 contingent upon DEP approval.

**\*Action Requested**

**Item IV.4**

**Chesapeake Bay Agriculture Inspection Program Phase II Grant Approval  
Lutz/Bitting**

The Chesapeake Bay Agriculture Inspection Program Phase II Grant (CBAIP) currently has one application that has been reviewed by district staff and is ready for board action. Allen Esh is requesting funding for heavy use area protection, several roof runoff structures and lined outlets. Kevin Seibert has performed the Phase II inspection. Mr. Esh had several items identified in his Ag E&S plan which were not completed.

The total CBAIP grant funds requested for Mr. Esh’s project is \$16,518.31.

The Ag Program Manager and Assistant Ag Program Manager recommend positive action for approving \$16,518.31 worth of CBAIP funding for Allen Esh.

**\*Action Item**

## **Item IV.5 Spring Internship**

Currently applications for the District’s Spring internship position have been gathered and sorted by staff. Sallie Gregory and Matt Kofroth will be interviewing potential candidates for this position the week of January 24<sup>th</sup>. The personnel committee is requesting permission to hire the individual staff select for this position so that they may start in early February.

The spring intern will be assisting the District’s Education and Watershed Programs with a host of spring activities such as: annual tree seedling sale, spring tree planting, water quality monitoring, annual reports, buffer brochure grant project, Envirothon prep, and a host of early spring activities.

The intern would be paid \$11.00/hr. and work from February through early May (depending on availability of the candidate selected). Funds to pay for the intern will come from a line item in the 2022 District budget for interns. Once staff select a candidate for this position, a resume for this individual would be circulated to the Board for review.

**\*Action Item**

## **Item IV.6 E&S committee Report**



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ONE TOWER BRIDGE  
100 FRONT STREET, SUITE 560  
WEST CONSHOHOCKEN, PA 19428  
OFFICE: (610) 825-1653

January 10, 2022

**VIA EMAIL**

Lancaster County Conservation District  
Board of Directors and E&S Committee Members  
Attn: Richard L. Snyder, E&S Control Department Manager  
richardsnyder@lancasterconservation.org

**Re: Review Fee for Campus Road Project**

Dear Board and Committee Members:

Catalyst Commercial Development (“Catalyst”) has submitted plans for the proposed development of a 128-acre tract of land in Mount Joy Township (the “Campus Road Project”) to the Lancaster County Conservation District (“LCCD”) for review. The Plans contemplate the development of the property with 209 single family homes and 280 apartments for a total of 489 residential units. Per the schedule adopted by LCCD, the review fee for residential developments is

calculated using the following formula:  $\$4250 + [(\# \text{ of dwelling units} - 25) \times 10]$ . Applying this formula, the review fee for the Campus Road Project is \$50,650.<sup>1</sup> In contrast, review fees for all other types of development, including commercial and industrial projects, are calculated based on the number of acres disturbed. For projects which will disturb more than 5 acres of land, the following formula is used:  $\$2000 + [(\# \text{ of disturbed acres} - 5) \times 200]$ . If this formula were applied to the Campus Road Project, the review fee would be \$26,600, which is approximately half of the current fee.

Catalyst agrees that it is reasonable to assess a per unit fee for single-family residential dwellings. However, in the case of multi-family units, the same rationale does not apply. In terms of the work to be performed by LCCD in reviewing plans, there is no distinction between an apartment building and a warehouse of equal square footage. As a result, Catalyst believes that the review fee for its proposed apartment buildings should be based on acres of disturbance rather than number of units. Applying this rationale, the review fee for the project would be calculated as follows:

$$\begin{aligned} \text{Single Family dwellings} &- \$4,250 + [(209-25) \times \$100] = \$22,650 \\ \text{Apartments (30 acres disturbed area)} &- \$2,000 + [(30 \text{ ac.} - 5) \times \$200] = \$7,000 \text{ Total} = \\ &\$29,650 \end{aligned}$$

The approach Catalyst is asking LCCD to take with respect to this project is already used in neighboring counties. The conservation district offices for Berks, Chester, Dauphin and York counties all base their review fees on disturbed acreage. The following table shows the estimated review fee that would be imposed for the Campus Road Project by each of these conservation districts:



County	Formula	Fee
Berks	- \$7,250 (25 acre base fee) + \$150/acre over 25 acres	\$7,250 + (103 x \$150) = <b>\$22,700</b>

ONE TOWER BRIDGE  
100 FRONT STREET, SUITE 560  
WEST CONSHOHOCKEN, PA 19428  
OFFICE: (610) 825-1653

Chester	\$5,000 (for 15-20 acres) + \$250/acre over 20 acres	\$5,000 + (108 x \$250) = <b>\$32,000</b>
Dauphin	\$16,420 (101 acre base fee) + \$85/acre over 101 acres	\$16,420 + (27 x \$85) = <b>\$18,715</b>

<sup>1</sup>  $\$4250 + [(489 - 25) \times 10] = \$50,650$

York	\$12,600 (101 acre base fee) + \$65/acre over 101 acres	\$12,600 + (27 x \$65) = <b>\$14,355</b>
------	--	--

The chart above demonstrates that LCCD’s review fees for the Campus Road Project exceed the fees that would be assessed in neighboring municipalities by as much as \$36,315.

As you are aware, housing availability and affordability continue to be significant issues in Lancaster County. This is particularly true in the context of multi-family units. By assessing a disproportionately high review fee for multi-family projects, LCCD is increasing the cost of this type of development. These permitting costs ultimately factor into the rent that is charged for the units.

Catalyst understands that LCCD is currently reviewing its fee schedule to determine whether adjustments are appropriate. Catalyst, however, cannot wait for this process to occur and needs to move forward with its project which will help to address the critical need for housing in the County. As a result of the foregoing, Catalyst respectfully requests that its review fee for the Campus Road Project be reduced to \$29,650 as set forth above. Representatives from Catalyst will attend the E&S Committee’s upcoming meeting on January 13 and the Board of Directors’ meeting on January 19 to discuss this request.

Sincerely,

**Andrew J. Miller CATALYST COMMERCIAL DEVELOPMENT**

Item V.3

# E&S Report

## 2021 Report for December

### 2021 Report

		Dec 2021	Total
Total Plan Submissions		17	321
Total Plan Acres		549.02	5332.638
Total Disturbed Acres		68.96	1177.906
<b>Fees Collected</b>	NPDES Permit Fees Collected	\$7,000	\$102,000
	Chapter 105 Permit Fees Collected	\$500	\$16,725
	DEP Fees Collected	\$2,500	\$106,300
	E&S Plan Review Fees	\$34,600	\$569,660

### Total Complaints for December 2021

<u>Date Received</u>	<u>Municipality</u>	<u>Land Unit Acres</u>
12/15/2021	SALISBURY TWP	20.09
12/17/2021	CONESTOGA TWP	95.23

### 2020 Report

		Dec 2020	Total
Total Plan Submissions		29	343
Total Plan Acres		323.485	5527.758
Total Disturbed Acres		150.183	1438.372
<b>Fees Collected</b>	NPDES Permit Fees Collected	\$8,500	\$82,500
	Chapter 105 Permit Fees Collected	\$500	\$18,025
	DEP Fees Collected	\$9,000	\$139,400
	E&S Plan Review Fees	\$47,485	\$470,613

### Total Complaints for December 2020

<u>Date Received</u>	<u>Municipality</u>	<u>Land Unit Acres</u>
12/3/2020	SADSBURY TWP	0.99
12/7/2020	COLERAIN TWP	60.7
12/16/2020	EDEN TWP	9.41
12/22/2020	WEST DONEGAL TWP	8.08
12/23/2020	FULTON TWP	2.9
12/23/2020	FULTON TWP	1.41
12/29/2020	EAST HEMPFIELD TWP	3.53



**Erosion and Sedimentation Plan Submission**

**12/01/2021 to 12/31/2021**

<b><u>Project Name</u></b>	<b><u>Municipality</u></b>	<b><u>Disturbed</u></b>	<b><u>Fees</u></b>
		<b><u>Acres</u></b>	<b><u>Amount</u></b>
230 Eshelman Road	MANHEIM TWP	0.97	\$500.00
DLT Farms LLC	RAPHO TWP	0.80	\$800.00
Henry King	PEQUEA TWP	41.46	\$9,200.00
1300 West Main LLC	EPHRATA BORO	0.92	\$4,750.00
PVSD Sewer & Water GP05	LEACOCK TWP	0.00	\$100.00
Paul Huyard SWM	EAST EARL TWP	0.83	\$500.00
House Rock Preserve Trail	MARTIC TWP	4.13	\$1,800.00
Keystone Gun-Krete	WEST EARL TWP	1.32	\$1,200.00
North Lane Rain Garden GP04	LITITZ BORO	0.13	\$100.00
Kopp Borrow/Fill Site	MOUNT JOY TWP	5.40	\$2,000.00
Vintage Business Park Major Mod	PARADISE TWP	29.70	\$2,600.00
Sindall Leasing	NEW HOLLAND BORO	1.29	\$1,200.00
Horse Hollow Road GP03	MARTIC TWP	0.00	\$100.00
800 S. Queen Street	LANCASTER CITY	1.60	\$1,400.00
159 Long Lane Site A&B	PEQUEA TWP	3.60	\$800.00
Ben Stoltzfus Major Mod Renewal	FULTON TWP	6.00	\$1,600.00
Spring Meadow Dairy Farm SWM	FULTON TWP	5.14	\$2,200.00
Lime Valley Mulch Op	STRASBURG TWP	0.93	\$800.00
ZimmCo Enterprises	CLAY TWP	0.90	\$800.00
Schreiber Center for Pediatrics	EAST HEMPFIELD TWP	1.24	\$1,200.00
15, 19, 23 Tennyson Drive	LANCASTER CITY	0.86	\$800.00
Lot 3 Red School Road Minor Mod	CAERNARVON TWP	3.00	\$150.00