



**LANCASTER COUNTY CONSERVATION DISTRICT
MONTHLY BOARD MEETING AGENDA**

Wednesday, February 1, 2023
Lancaster Farm & Home Center
Zoom Info: <https://zoom.us/j/91731607863>
Business Meeting 1:00 PM

<u>Timer</u>		<u>Page #</u>
1:10	I. <u>*Reorganization of the Board</u>	
	*3. Associate Director Appointments – Thompson (attachment).....	1
1:30	II. <u>Agency Reports</u>	
	2. PA Dep Field Rep Report (attachment).....	2
1:50	IV. <u>*Additional Business</u>	
	2. Treasurer’s Report – Hertz (attachment)	9
	<u>Addition to Board Packet</u>	
	10. Personnel Committee/Spring Intern Update – Sallie (attachment).....	12
	11. Services Agreement – Gibson (attachment)	12
2:20	V. <u>Reports & Information</u>	
	2. E&S/NPDES Monthly Projects Report – Stern (attachment).....	19

***Action Required**

**Lancaster County Conservation District
Associate Directors
1/31/2023**

ASSOCIATE DIRECTORS (1/1/2023 – 12/31/2024)

ASSOCIATE DIRECTOR	ADDRESS	E-MAIL	PHONE
Frank R. Burkhardt Since 2015	1030 Silver Springs Road Lancaster, PA 17601	fdburkhardt@embarqmail.com	Home Phone 717-285-5344 Cell Phone 717-468-2642
Gregory Strausser Since 2013	Strausser Surveying and Engineering, Inc. 2586 Lititz Pike Lancaster, PA 17601	gstrausser@strausserinc.com	717-569-0528
Jennifer Engle Since 2023	1845 Brubaker Run Road Lancaster, PA 17603	jkengle295@gmail.com	717-203-6685

ASSOCIATE DIRECTORS (1/1/2022 – 12/31/2023)

ASSOCIATE DIRECTOR	ADDRESS	E-MAIL	PHONE1/31/23
Lisa A. Graybeal Since 2010	225 Mason Dixon Rd Peach Bottom, PA 17563	farmgrl1@hotmail.com	717-989-2213
Justin Welk Since 2019	360 Bunker Hill Road Strasburg, PA 17577	justinwelk22@gmail.com	717-951-3939

February 2023 DEP Conservation District
Field Rep Talking Points

Funding Opportunities:

Growing Greener Grants and Mariner East 2/Revolution Pipeline Grants – The 2022 Growing Greener Grants were awarded on December 28, 2022, with a total grant award in the amount of \$17,824,000. There was an additional allocation made in the amount of \$1,845,535.00 from funds received through a Mariner East 2/Revolution Pipeline Corridor (Energy Transfer) settlement, and \$273,046 through abandon mine bond forfeiture. Twenty Two of the 85 grants were awarded to County Conservation Districts, totaling \$3,900,892. The next round of Growing Greener and Section 319 Nonpoint Source Management Grants is expected to open in the spring of 2023.

Nutrient and Manure Management Delegation Agreement Update - The State Conservation Commission (SCC) voted to approve a new joint Nutrient Management and Manure Management Delegation agreement during their July 20, 2022 meeting. The delegation agreement is between the SCC, DEP, and the county conservation district (CCD). All CCDs that have decided to participate in the program have submitted their delegation agreement. Form approval was received from Office of General Counsel and Office of Attorney General on January 13, 2023, and the Grants Center started to send out agreements for digital signature by the CCDs, SCC and DEP executives, fiscal, and comptroller. Once agreements have been finalized, first and second quarter invoices that have been submitted for payment will be processed.

Policies and Procedures

Statement of Financial Interests - All Conservation District Directors are considered Public Officials and most District Employees are considered Public Employees. Any Conservation district employee that meets one or more of the criteria in the definition below **MUST** fill out a Statement of Financial Interest. Completing a statement is not optional. It is required by law. Statements are to be completed and filed with the Conservation District no later than May 1st. The general rule with this form is “when in doubt, fill it out”.

"Public Official" includes any person (*such as a conservation district director*) appointed by a governmental body (such as the board of county commissioners or the county council)

"Public Employee" includes any individual employed by the Commonwealth or a political subdivision (*like a conservation district*) who is responsible for taking or recommending official action of a non-ministerial nature with regard to: Contracting or procurement; Administering or monitoring grants or subsidies; Planning or zoning; Inspecting, licensing, regulating, or auditing any person; or Any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person.

Please refer to the Director Handbook (pp. 4-6) or the Red Ethics Pamphlet (p. 12-15 & 31-36) for additional information. If you require additional forms go to www.ethics.state.pa.us and click on "forms" on the left side of the page.

Conservation District Team Sheets – Conservation Districts are required to update their Team Sheets in Greenport with new Directors and terms by January 31 of each year. If your district has not yet updated the Team Sheets, please do so as soon as possible. In addition, districts should update information in the Team Sheets throughout the year whenever there are other changes including, staff, Directors, district address, phone, fax or email addresses.

Public Comment Period Open for Draft Pennsylvania Post-Construction Stormwater Management (PCSM) Manual: The draft Pennsylvania Post-Construction Stormwater Management (PCSM) Manual is open for a 90-day public comment period (January 28-April 28, 2023), and the associated Pennsylvania Bulletin notice provides an overview of the draft manual and can be viewed at: [Pennsylvania Bulletin \(pacodeandbulletin.gov\)](http://pacodeandbulletin.gov) Anyone is welcome to submit written comments during the public comment period. If you are planning to submit written comments, doing so through DEP's eComment website is the most efficient way to do so.

2023 Virtual Conservation District and PA Agency Ag Meeting: Pennsylvania Partners Making an Impact!

Mark your calendars for the 2023 Virtual Conservation District and PA Agency Ag Meeting!

April 3, 2023, 1:00pm to 4:00pm – Statewide Information

April 6, 2023, 9:00am to Noon – Chesapeake Bay Information

County conservation districts and your partners have a huge impact at the local, state, and federal levels. And all of this PROGRESS is happening because of expanding PARTNERSHIPS and PROJECTS! We invite your district to join this half-day meeting to hear from local, state, and federal partners about how your work is connecting the dots everywhere and inspiring partners at every level.

Staff from PA state agencies, USDA-NRCS, and conservation districts are encouraged to attend.

More information to come! Registration will open in February.

Bureau of Watershed Restoration and Nonpoint Source Management Website Update

DEP's Bureau of Watershed Restoration and Nonpoint Source Management has fully consolidated the programs reporting to the "new" Bureau of Watershed Restoration and Nonpoint Source Management on the DEP website, found here: <https://www.dep.pa.gov/Business/Water/Watershed-Restoration/Pages/default.aspx>.

This website consolidation streamlines and updates existing content and creates new content that will assist partners as they work to improve water quality. The Bureau worked with the marketing consultant Water Words that Work to ensure the content was user friendly and the organizational structure was streamlined.

Some notable changes:

- BWRNSM, Chesapeake Bay Watershed Restoration Division and Nonpoint Source Management Division landing pages describe our mission, what we do and who we are to aid in better public transparency of our programs.
- NEW Conservation District Support Section includes an updated map and list of CDFR contacts as well as a new tab focused on the Chesapeake Bay Technical Assistance and Engineering Program (with the map of engineering coverage)
- Watershed Support Section includes the updated map of CD Watershed Specialist project advisors and additional web resources for Watershed Specialists.
- Transitioned Chesapeake Bay Office pages to the Chesapeake Bay Watershed Restoration Division pages, updated content to current state of affairs.

Leadership Development

Leadership Development Employment Law Seminars - Adam Long of McNees Wallace & Nurick LLC will present a series of seminars on Employment Law for Conservation Districts on February 21 at the Hilton Garden Inn Pittsburgh/Cranberry, February 22 at the Ramada State College, and February 23 at Country Inn & Suites Lehighton-Jim Thorpe. A follow-up webinar is planned for March.

The presentation will provide a comprehensive overview of practice and policy for lawfully and effectively managing conservation district staff. Topics will include hiring considerations and employment policies such as harassment training and policy, employee absences and leave, wage and employee classification, and best management practices for staff communication, confidentiality, conduct, and performance concerns.

All Conservation District Managers, Directors and Associate Directors are encouraged to attend. Networking begins at 9:00am and seminars will be held from 10:00am to 3:00pm. Lunch is provided, and all attendees will receive a bound reference document to supplement the presentation. There is no fee to attend, but registration required.

[Register for Hilton Garden Inn Pittsburgh/Cranberry Tuesday February 21](#)

[Register for Ramada State College Wednesday February 22](#)

[Register for Country Inn & Suites Lehighton-Jim Thorpe Thursday February 23](#)

CliftonStrengths for Conservation District Staff - In 2022, Building for Tomorrow launched a CliftonStrengths initiative with conservation district managers to help identify their strengths and to suggest ways to develop, integrate, and apply these strengths for success in professional and personal life.

We are following up this successful project with CliftonStrengths for Conservation District Staff initiative in 2023. Staff are invited to complete the CliftonStrengths assessment, an online exercise that identifies an individual's unique talent themes and greatest potential for building strengths. Participants will receive a report detailing their five signature themes and access to a wealth of online resources to continue their strengths learning journey, serving as a starting point for the discovery of talents that can be productively applied to achieve success in the workplace and beyond.

After taking the assessment, staff are encouraged to register to attend one of the CliftonStrengths Team-Building Workshops scheduled for February and March. Participants will visit State Parks for a half-day program that includes exploration of the role of talents and strengths, as well as development, integration, and applications of talents and strengths for success. 2023 CliftonStrengths Team-Building Workshops are open to all district staff and there is no fee to attend, but space is limited, and registration is required.

Districts that previously agreed to participate in the 2023 CliftonStrengths initiative have already received access codes and instructions for their staff. If your manager has provided you with a code, please follow the instructions to redeem and complete your CliftonStrengths assessment and then [register for a CliftonStrengths workshop](#). Please contact me directly if you are interested in CliftonStrengths but your manager has not provided you with an access code.

PA Agricultural Conservation Assistance Program (ACAP)

Attention- SCC Conservation Program Specialist 1 -Regional ACAP/CEG Positions will be posted to [PAemployment.gov](https://paemployment.gov) starting January 30, 2023 and will close around February 14th or 15th

On December 21, 2022 Delegation Agreements were sent out to all Conservation Districts for consideration. As of January 27, 2023, 26 districts have signed and sent in their agreements. A few districts have reached out to the SCC to discuss multi-county or multi-agency agreements to administer ACAP in their respective counties.

SCC has developed a webpage on the PDA website where they plan to keep updated ACAP information and webinar recordings. The webpage currently has the ACAP Guidelines, SCC BMP List and a draft ACAP Application. Also posted is the past recorded webinars.

On January 24, 2023, SCC Board approved the Setback Requirements Policy effective January 1, 2024. Any application submitted on or after January 1, 2024 must adhere to the approved policy. This policy is for projects that include Waste Storage Facilities and Heavy Use Area Protections and states that if these BMP are included in the application and a buffer is included in a plan as a BMP, that buffer must be an average of 35 feet. There is also the ability for the applicant to submit a waiver included in the policy.

On January 26, 2023 SCC, Department of Labor and Industry, NRCS and Lancaster County Conservation District hosted a Prevailing Wage Webinar. This webinar was well attended with 131 attendees. This webinar was aimed to answer any lingering questions that districts had about administering projects consistent with prevailing wage laws. This webinar will also be posted on the SCC's ACAP webpage.

SCC staff intend to continue monthly webinars for all District managers for the foreseeable future.

Upcoming Webinars for District Managers:
Wednesday, February 8, 2023 @ 9:00 am
Wednesday, March 8, 2023 @ 9:00 am

ACAP Workgroups Continue

The ACAP Advisory Workgroup reviews draft documents and provides input on new policies in the program. The ACAP Advisory Workgroup was very key in the development of the Setback Policy and will now move forward in discussions about Bidding policies.

The ACAP Center Subcommittee continues to discuss the Center and the expansion of Boot Camp Trainings. Jennifer Fetter of Penn State will be spearheading the development of the Center, which includes laying out the framework and building staff capacity. SCC continues to work with the Budget office to establish a contract with Penn State.

The ACAP Technical Assistance Workgroup advises on the task of Trainings for Technical Assistance as well as technical support across the state. This group has not met for a couple months due to the Center development being a priority at this time. SCC and cooperating agencies felt that it was necessary to get the Center established first before we could prioritize needs statewide. With the development of the Center starting to take shape, SCC anticipates this group to reconvene to discuss the actual needs for districts state-wide.

ACAP Current Issues – the following items are on the radar and currently being looking into by the SCC
Bidding Policy
Center Development
Counties for CD's not signing the delegation agreement

Nutrient Management /Manure Management

PAG-12 Administrative Extension Published December 17

The PAG-12 is the NPDES General Permit for Operation of Concentrated Animal Feeding Operations (CAFOs). The Bureau of Watershed Restoration and Nonpoint Source Management and Bureau of Clean Water have consulted with the DEP Agricultural Advisory Board (AAB) on the reissuance of the PAG-12 since the inception of the AAB PAG-12 workgroup in December 2020. The AAB received copies of the pre-Draft and Draft permit in July 2022. EPA received the Draft permit in June 2022 and provided official comments on the Draft permit in September 2022. The AAB did not have comments on the pre-Draft; however, they provided written comments on the Draft Permit in September 2022. Two AAB members also posted comments publicly during the public comment period. Comments received included two specific request to administratively extend the permit. Therefore, the administrative extension of the PAG-12 will be posted the *PA Bulletin* on December 17. All existing permittees will maintain coverage; however, after the current permit expires on March 31, 2023 until the permit is reissued, per EPA policy, new operations cannot obtain coverage under the PAG-12. New operations should apply for coverage under an individual permit. DEP has mapped out a proposed path over the next year to adequately address the remainder of the comments raised as we continue to work to reissue the PAG-12.

Spring 2023 Nutrient Management Certification Training Dates: Interested parties may register at www.PaPlants.pa.gov

Training	Tentative Date(s)
Introduction to Livestock Production Systems	February 23
Nutrient Management Orientation	March 15
Managing Manure Nutrients Workshop	April 4, 5
Stormwater & Soil Loss Workshop	April 25,26 May 2,3 (Split if big class)
P Index Workshop	April 27 May 4 (Alternative Date)
Plan Writing Workshop	May 9, 10, 11
Public NMS Refresher	May 12
ACA & Manure Storage Workshop	May 23 (Virtual) May 24 (In Field Primary Day) May 25, 26(In Field Spillover Day)
Plan Review Workshop	June 14 (1 st choice)
Certification Exam	June 22 Two sites (PDA and LEC)
Boot Camp (Basic)	March 27-31 May 1-5 (Spillover Dates)
Boot Camp II	April 17-21 May 15-19 (Spillover Dates)

PA Clean Water Academy

PracticeKeeper Partner Submission and Approval course on the DEP Clean Water Academy (CWA) Updated

The PracticeKeeper Partner Submission and Approval course on the DEP CWA has been updated to include two resources: a question and answer document regarding the PracticeKeeper Partner Submission and Approval Workflow and a list of current PracticeKeeper Tenants and their associated codes. Both resources will be periodically updated to reflect new questions and new tenants that are added to PracticeKeeper.

To access the course, log in to the CWA and visit <https://pacleanwateracademy.remote-learner.net/course/view.php?id=866>. If you do not have a login to the CWA and are an employee of a Conservation District, contact Jay Brand at Braund at jbraund@pa.gov for a login. If you are a partner completing BMP verification and you need a login to the CWA, contact Kate Beats, kbeats@pa.gov.

102 and 105 Attachment B on the Clean Water Academy – It is essential that Districts update the Attachment B on the Clean Water Academy for the Chapter 102 and 105 Programs anytime there are staff changes at the district. **The 102 and 105 Programs use the Attachment B online forms to enable e-permitting permissions for new staff** and to disable them for former staff. The Attachment B can be found under the Data Portal. To update Attachment B, you need to search for your county and then select the Gear icon to edit. You can then change employment status to Former and choose an Employment End Date. This helps DEP to maintain all the data systems we need to maintain and enable. [Course: Data Portal \(remote-learner.net\)](#)

Chesapeake Bay

Source Water Protection Webinar - On Wednesday, February 1 the Bureau of Watershed Restoration and Nonpoint Source Management (BWRNSM) will host a webinar titled “Source Water Protection Webinar Wednesday”. This webinar will provide an overview of how Source Water Protection can be an integral part of improving water quality within a watershed. Presenters include Jamie Shallenberger *SRBC*, Rupert Rossetti *Octoraro Watershed Association*, Alexandra Neumann *Alliance for the Chesapeake Bay*, Calvin Yahn *EPA Region 3*, and Mike LaSala *LandStudies*. Each presenter will approach the topic from multiple perspectives and give a well-rounded overview of how Source Water Protection can become a successful part of a county’s Countywide Action Plan (CAP) and future watershed protection planning. Partners are encouraged to attend and invite additional interested individuals.

CAP 2022 Annual Progress and Two-Year Milestone Reports will be available on the BWRNSM website on February 3, 2023. Information will be sent out to conservation districts when this information is available.

Dates to Remember

SCC Meetings – 1:00 PM

Hybrid Meeting	Mar 14
Hybrid Meeting	May 9

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

Conference Call	Feb 14
Conference Call	Apr 11

Leadership Development Employment Law Seminars 10:00 am -3:00 pm

Cranberry Twp.	Feb 21
State College	Feb 22
Lehighon	Feb 23

Leadership Development CliftonStrengths for District Staff: 9:00 am – 2:00 pm

Hickory Run State Park, White Haven	Feb 28
French Creek State Park, Elverson	March 2
Bald Eagle State Park, Howard	March 7
Moraine State Park, Portersville	March 8
Keystone State Park, Derry	March 9
Lackawanna State Park, North Abington Twp.	March 14

2023 Virtual Conservation District and PA Agency Ag Meeting

Statewide Information	April 3	1:00pm – 4:00pm
Chesapeake Bay Information	April 6	9:00am – 12:00pm

Ag Boot Camp

Basic	March 27-31 May 1-5 (Spillover Dates)
Advanced	April 17-21 May 15-19 (Spillover Dates)

Also, check the Conservation District Training/Special Events Calendar at, www.PACD.org Select the "Events" tab and then the "Training Calendar" tab.

Lancaster County Conservation District
Balance Sheet
 As of December 31, 2022

Dec 31, 22

ASSETS

Checking/Savings

Dst Accts

District General Fund

1001 · General Fund INVEST 685,375.92
 1015 · General Fund Citizens 180,836.60

Total District General Fund 866,212.52

Raymond James/Fulton Advisors

Investment Unrealized Gain/Loss -40,511.85
 Raymond James/Fulton Advisors - Other 750,000.00

Total Raymond James/Fulton Advisors 709,488.15

E & S

1002 · E & S - A 323,661.17
 1005 · Clean Water - R 288,147.12

Total E & S 611,808.29

1003 · Youth Conservation School - C

949.41

1006 · Separation - A 35,251.13

1007 · Reserve

Reserved-LCCD Health 20-21 - A 1,317.70
 Reserved-LCCD Health 19-20 - A 9,520.61
 Reserved-LCCD Health 18-19 - A 883.00
 Reserved-Capital - A 58,726.87
 Reserved-Communication - A 24,000.00
 Reserved-Computer Hardware - A 26,725.77
 Reserved-NM Program - A 62,863.97
 Reserved-NMP Vehicle - A 43,679.29
 1007 · Reserve - Other 217,716.54

Total 1007 · Reserve 445,433.75

1008 · Scholarship - C

Bond Unrealized Gain/Loss - C 1,022.75
 Scholarship Bonds - C 35,000.00
 1008 · Scholarship - C - Other 5,561.19

Total 1008 · Scholarship - C 41,583.94

1009 · Dirt & Gravel Roads - R

163,913.95

1013 - Exelon - R

749,002.68

1014 - Low Volume Roads - R

192,095.94

1115 · Conservation Excellence - R

1,198,974.86

1116 · CBAIP Phase II - R

418,997.05

1117 · Chesapeake Bay Action Plan - R

1,546,155.57

1118 · American Rescue Plan Act -R

2,127,589.55

1017 · Self-Funded Health Insurance -R

142,929.75

Total Dst Accts

9,250,386.54

Total Checking/Savings

9,250,386.54

Total Current Assets

9,250,386.54

TOTAL ASSETS

9,250,386.54

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Other Current Liabilities

2017 · Fulton Retirement Liability 675.00
 2200 · YCS Liability 25,949.41
 2016 · Health Insurance Liability 142,929.75

Total Other Current Liabilities

169,554.16

Total Current Liabilities

169,554.16

Total Liabilities

169,554.16

Equity

3000 · Opening Bal Equity

893,610.68

\$689,340.65	General Operations - U
\$94,940.38	Grants without bank account - R
\$50,715.53	Activities Account - A
\$31,215.96	Tree Fundraiser Account - U
\$866,212.52	TOTAL

Fulton Advisors	Fulton + INVEST
Funds Invested	Balance
5/2/2022	8/29/2022
350,000	673,661.17
	<u>288,147.12</u>
	961,808.29
25,000	25,949.41
25,000	60,251.13
25,000	26,317.7
50,000	59,520.61
25,000	25,883.00
100,000	162,863.97
125,000	342,716.54
25,000	66,583.94

750,000	Initial Investment
709,488	Current value
-5.4%	ITD Gain/Loss

\$1,212,345.04	A - Assigned Funds
\$92,533.35	C - Committed Funds
\$6,922,746.85	R - Restricted Funds
\$1,022,761.30	U - Unassigned Funds
\$9,250,386.54	TOTAL

Lancaster County Conservation District
Balance Sheet
As of December 31, 2022

	<u>Dec 31, 22</u>
3900 · Retained Earnings	4,564,836.11
Net Income	<u>3,622,385.59</u>
Total Equity	<u>9,080,832.38</u>
TOTAL LIABILITIES & EQUITY	<u>9,250,386.54</u>

Lancaster County Conservation District
Income and Expenses
January through December 2022

	General Operations	E&S	Activities & Tree Sale	Grants	Scholarship	Separation/ Reserve	Jan - Dec 22	Budget	\$ Over Budget
Income									
520 · County Funding	325,000.00						325,000.00	325,000.00	0.00
530 · Program Contracts	1,387,370.65	34,273.95					1,421,644.60	1,888,852.00	-467,207.40
560 · Grant Administration	369,043.57			-21,678.28			347,365.29	530,393.00	-183,027.71
570 · Grant Project Income	88.20		400.00	7,703,081.73			7,703,569.93	4,597,000.00	3,106,569.93
580 · Fee / Reimbursement Income	2,712.50		4,750.00				7,462.50	8,500.00	-1,037.50
581 · E&S102 Review Fees		725,600.00					725,600.00	559,200.00	166,400.00
582 · NPDES Permit Fees		104,520.00					104,520.00	101,900.00	2,620.00
583 · 105 CWF Fees		100.00					100.00	1,500.00	-1,400.00
590 · Interest Income	10,475.99	6,467.42		71,908.12	1,275.21	6,038.89	96,165.63	1,334.00	94,831.63
540 · Activity Income			9,755.46		1,785.00		11,540.46	16,907.00	-5,366.54
585 · Tree Sales Income	4,062.00		37,468.74				41,530.74	46,000.00	-4,469.26
595 · Other Income	71.57		-52.65	3,189.15		-40,511.85	-37,303.78	5,200.00	-42,503.78
599R · Interfund Transfer In	29,417.34	3,705.89	10,000.00			762,573.16	805,696.39	63,225.00	742,471.39
Total Income	2,128,241.82	874,667.26	62,321.55	7,756,500.72	3,060.21	728,100.20	11,552,891.76	8,145,011.00	3,407,880.76
Gross Profit							11,552,891.76	8,145,011.00	3,407,880.76
Expense									
7100 · Staff Salary	1,501,727.86	425,973.29		189,350.53		8,500.00	2,125,551.68	2,285,008.00	-159,456.32
710 · All Emp Benefits	488,798.10	112,652.70		22,616.93		9,000.00	633,067.73	836,246.00	-203,178.27
720 · Vehicle & Travel Expenses	23,850.89	3,615.80	391.63	2,592.89			30,451.21	73,350.00	-42,898.79
722 · Meeting Expenses	10,435.88	463.91		746.25		1,339.62	12,985.66	41,945.00	-28,959.34
730 · Supplies	11,922.51	1,094.76	1,342.37	5,996.33			20,355.97	19,550.00	805.97
735 · IT - Communication	30,753.44	420.00	6,734.97	125.00		5,412.26	43,445.67	27,071.00	16,374.67
740 · Postage	3,384.16	2,858.28	267.49	85.55	36.57		6,632.05	8,075.00	-1,442.95
745 · Office Rent	83,076.98	24,294.38					107,371.36	107,370.00	1.36
750 · Equipment	16,872.73	2,217.23		3,892.94			22,982.90	16,315.00	6,667.90
830 - Administrative	65,658.92	280.40	923.66				66,862.98	75,883.00	-9,020.02
810 · Activity Expenses			48,877.32		2,000.00		50,877.32	50,230.00	647.32
820 · Grant Project Expenses	110.75		-1,671.00	3,998,420.71		2,058.43	3,998,918.89	5,081,375.00	-1,082,456.11
805 · Allocated Cost Transfer	-21,604.63	21,604.63	0.00				0.00	0.00	0.00
890 · Miscellaneous Expenses	2,546.63	20.00	2,639.73		100.00		5,306.36	3,250.00	2,056.36
895 · Contingencies							0.00	16,189.00	-16,189.00
899E · Interfund Transfer Out	12,573.16	16,225.00				776,898.23	805,696.39	63,225.00	742,471.39
Total Expense	2,230,107.38	611,720.38	59,506.17	4,223,827.13	2,136.57	803,208.54	7,930,506.17	8,705,082.00	-774,575.83
Net Income	-101,865.56	262,946.88	2,815.38	3,532,673.59	923.64	-75,108.34	3,622,385.59	-560,071.00	4,182,456.59

Item IV. 10

Spring Intern Update

The LCCD Spring Intern position remains open. There have not been any successful candidates and no interviews have taken place. The position will remain open through February 3, 2023.

Item IV.11

The attachment is the Service Agreement that outlines what the leased employee situation will be for Lancaster Clean Water Partners staff within the District.

At the last District board meeting, we discussed the LLC legal document. That will be approved by the Foundation board on Thursday. It does not need to be voted on by the District board. Part of that says Partners staff will be leased to the District, and the Service Agreement has the details of what that means.



LANCASTER COUNTY
CONSERVATION DISTRICT

1/27/2023

SERVICES AGREEMENT

This Services Agreement (the “Agreement”) is made and entered into effective as of _____, 2022 (the “Effective Date”), by and between the Lancaster County Clean Water Partners LLC (“Partners”) and the Lancaster County Conservation District (“District”) (collectively referred to herein as the “Parties” and each a “Party”).

WHEREAS, the District and Partners share a common purpose of seeking to improve the health and viability of local streams in Lancaster County;

WHEREAS, the District has historically furnished certain service and operational support to Partners in furtherance of their common purposes; and

WHEREAS, the Parties desire to enter into this Agreement to set forth the terms and conditions upon which the District will continue to provide such services and operational support to Partners as described herein.

NOW, THEREFORE, and in consideration of the mutual covenants, rights, and obligations set forth in this Agreement, the benefits to be derived therefrom, and other good and valuable consideration, the receipt and the sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. TERM. The term of this Agreement shall commence on the Effective Date and shall continue in effect until terminated by either Party to this Agreement following ninety (90) days advance written notice to the other Party (the “Term”) or such other of days as agreed to by the Parties in writing.

2. SERVICES TO BE PROVIDED. During the Term, the District shall, using commercially reasonable efforts, (i) provide, or cause to be provided, those services and goods to Partners that have historically been provided by the District to Partners, including the use of office space and equipment, and various financial and administrative services, and (ii) make available to Partners those employees of the District from time to time to perform such services to Partners, as reasonably requested by Partners, subject to the terms and conditions set forth in

Paragraph 5, hereof, entitled “Employee Leasing” (the collective services to be provided under this Paragraph 2 by the District to Partners shall be referred to as “District Services”).

3. FEES. In consideration of the provision of the District Services and unless terminated sooner under the terms of this Agreement, Partners shall pay to the District a fee, which shall be calculated in accordance with the fee schedule attached hereto as Exhibit A, entitled “Calculation of Fees for District Services.”

4. BILLING. The District shall submit to Partners from time to time, but no less frequently than quarterly, an invoice in respect of the District Services. Invoices will be in such reasonable detail as to identify the District Services provided and the amounts charged therefor in accordance with the fee schedule in Exhibit A, attached hereto.

5. EMPLOYEE LEASING.

(a) The Partners, in consultation with the District, may from time to time identify certain individuals from whom it wishes to receive services, which shall include full-time and part-time employees, short-term position, and other type of employment categories it determines, and will for any such individual prescribe terms and conditions of employment. The Partners may then request the District to hire such individual under such terms and conditions. Any such individual shall (i) be solely dedicated to providing services exclusively to the Partners; (ii) report solely to the Partners; (iii) be evaluated solely by the Partners; and (iv) discontinue providing services in the discretion of the Partners. Although the Partners have sole responsibility and authority in establishing compensation levels and conducting performance reviews for their positions, the Partner’s employees shall be required to adhere to the policies and procedures as established in the District’s Employee Manual.

(b) As to such individuals hired and employed, the District will pay such employees (the “leased employees”) at compensation rates prescribed by the Partners, pursuant to District’s payroll practices for similarly situated employees. The District will also provide employee benefits to such leased employees comparable to those for similarly situated employees of the District. District shall withhold taxes, pay payroll taxes, and assume all other direct responsibilities of an employer.

(c) The District agrees that any space it supplies for the leased employees will depend on space and equipment availability, will be a safe work environment, and that it will provide appropriate information, training, and equipment. The District agrees to comply with all applicable laws and regulations governing the work performed by the leased employees and treatment of the leased employees, including, but not limited to, laws governing equal opportunity, harassment and discrimination, reasonable accommodation of disabilities,

occupational safety and health and other workplace standards. The District agrees not to change leased employees' job duties without the Partner's express prior written approval.

6. ENTIRE AGREEMENT; WAIVERS AND AMENDMENTS. This Agreement sets forth the entire understanding between the District and the Partners relating to the subject matter hereof, superseding all prior understandings and agreements, whether written or oral. Except as provided herein, this Agreement shall not be modified or amended, and no provision hereof shall be waived, except by an instrument in writing signed by each of the Parties hereto.

7. SUCCESSORS AND ASSIGNS. The provisions of this Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and permitted assigns. No Party may assign, delegate or otherwise transfer any of its rights or obligations under this Agreement without the prior written consent of the other Party. Notwithstanding the foregoing, either Party (or such Party's permitted successive assignees or transferees hereunder) may assign or transfer this Agreement as a whole without consent to one or more of such Party's affiliates or to an entity that succeeds to all or substantially all of the business or assets of such Party.

8. TERMINATION. This Agreement may be terminated at any time by the written agreement of the Parties as provided in Section 1 hereof.

9. CONFIDENTIALITY. Except as otherwise required by law, the Parties shall treat this Agreement as strictly confidential and will not disclose it or its terms to any person other than attorneys and financial advisor(s) who have a need to know and who acknowledge that they will maintain this Agreement as strictly confidential.

10. GOVERNING LAW. This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Pennsylvania, without regard to the conflict of laws principles thereof.

11. NOTICES. All written notices, demands and other communications given to or made by either Party to the other in connection with this Agreement shall be either personally served on an officer or other authorized representative of the Party to which it is given or mailed by registered first class mail, postage prepaid, to the office of such Party to the attention of its chief financial officer, or to such other address and to the attention of such persons as the Party in question may from time to time specify to the other by notice hereunder. All notices shall be deemed delivered and effective (a) if hand-delivered, upon delivery, or (b) if mailed, three (3) business days after mailing.

12. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all such counterparts shall together constitute one and the same Agreement. Transmission by telecopy, electronic mail or other

transmission method of an executed counterpart of this Agreement shall be deemed an original and will constitute due and sufficient delivery of such counterpart.

IN WITNESS WHEREOF, and intending to be legally bound, the Parties hereto have caused this Agreement to be duly executed by their duly authorized representatives as of the date first written above.

**LANCASTER COUNTRY CLEAN
WATER PARTERS, LLC**

**LANCASTER COUNTY
CONSERVATION DISTRICT**

By: _____

By: _____

—

—

Name: _____

Name: _____

Title: _____

Title: _____

Exhibit A: District Services

- Employee Leasing Function Details:
 - The District will provide payroll services and the cost of this service is included in “allocated costs” of the budget.
 - The Partners will send at least 1 representative to District staff meetings to ensure communication, but all Partners staff are not required to attend.
 - Hiring and annual review procedures are outlined in the Services Agreement but will be done by Partners staff and will not take time away from District leadership or staff. The Partners will often have an open invitation to partner organizations to include a representative in the hiring process to support staff.
 - Partners and District staff who have a specific grant to cover time needed for expertise or time in meetings should clearly establish how to charge time for that work before a request or meeting. Otherwise, specific District staff are paid in the quarterly invoicing procedure outlined below in Financial Management and Administrative Services.

- Office Space:
 - Each employee will have a single workspace/cubicle in the office with a desk and equipment. Office equipment such as desktop computer, monitor, necessary cords or cables, and a landline telephone will be purchased by District staff and invoiced to the Partners for payment.
 - Rent for the space will be calculated on an annual basis and communicated to the Director to be included in the Partners’s operating budget as such
 - Each employee will also be provided equipment, software, and a login to allow a hybrid work option (laptop, camera, etc)

- Use of Equipment:
 - Partners staff will have access to shared equipment such as the copier, mail machine, mailboxes, shared kitchen, internet access, and presentation equipment such as projectors, laptops, power chords, and tablecloths owned by the District. Staff need to follow District procedures for using that equipment and shared space.
 - Partners staff will have access to meeting rooms at the Farm and Home Center at the same rates available to all Conservation District staff, and they need to follow established reservation procedures.

- Financial Management and Administrative Services:
 - The Partners will contract District staff for financial management and administrative services. Percentage of time will be budgeted annually for the

Finance Manager and the Business Manager, and approved by the Director and the Partners Finance Committee. Duties likely to include:

- accounting and banking (Quickbooks, grant financial reports, cutting checks for contracts with third parties managed by the District, etc),
- serving as point of contact for the annual audit,
- employee benefits (health insurance, retirement, etc)
- new employee on-boarding procedures and exiting employees termination procedures
- o Other services are considered “allocated costs” and budgeted as such
 - Liability insurance
 - IT support
 - HR consultant
- To remain clear about roles and responsibilities for specific projects, a separate MOU or contract can be created with a scope of services and budget provided for both the District and the Partners. There will be a distinct difference when dollars or project leads are required to be a government entity vs a non-profit. Both parties should create and agree upon the required MOU as far in advance as possible before applying or accepting dollars or a leadership role for a project. Examples include:
 - o American Rescue Plan Act dollars from the county or state acquired in a collaborative fashion for projects outside of the District
 - o Countywide Action Plan responsibilities and grant management
- Consistent Communication:
 - o The Partners will be a regular agenda item at Conservation Foundation board meetings. Both parties will share programmatic updates as well as opportunities for future collaborations, grant applications they are considering, and needs for current projects.
 - If conflict arises, the parties will work to address it internally first, use resources such as HR services contracted by the District; and if needed, will engage outside facilitators to come to a solution (a cost split by the parties). Partners and District leadership will be the decision makers of when it’s necessary to engage outside service providers.
 - o The Partners will present every 6 months at the Conservation District board meeting to give similar updates and share needs.

E&S Report

2023 Report for January

2023 Report

		Jan 2023	Total
Fees Collected	Total Plan Submissions	21	21
	Total Plan Acres	680.856	680.856
	Total Disturbed Acres	161.79	161.79
	NPDES Permit Fees Collected	\$14,500	\$14,500
	Chapter 105 Permit Fees Collected	\$0	\$0
	DEP Fees Collected	\$37,400	\$37,400
	E&S Plan Review Fees	\$110,460	\$110,460

Total Complaints for January 2023

<u>Date Received</u>	<u>Municipality</u>	<u>Land Unit Acres</u>
1/5/2023	EAST HEMPFIELD TWP	0.07
1/13/2023	PEQUEA TWP	6.13
1/18/2023	EDEN TWP	1.56
1/18/2023	EAST LAMPETER TWP	1.06
1/23/2023	EAST HEMPFIELD TWP	0.20
1/24/2023	LITTLE BRITAIN TWP	35.83

2022 Report for January

2022 Report

		Jan 2022	Total
Fees Collected	Total Plan Submissions	27	27
	Total Plan Acres	361.951	361.951
	Total Disturbed Acres	61.25	61.25
	NPDES Permit Fees Collected	\$13,500	\$13,500
	Chapter 105 Permit Fees Collected	\$0	\$0
	DEP Fees Collected	\$10,500	\$10,500
	E&S Plan Review Fees	\$121,450	\$121,450

Total Complaints for January 2022

<u>Date Received</u>	<u>Municipality</u>	<u>Land Unit Acres</u>
1/3/2022	MARTIC TWP	5.66
1/10/2022	COLERAIN TWP	53.17
1/13/2022	EAST HEMPFIELD TWP	1.03
1/14/2022	MANHEIM TWP	1.15
1/14/2022	MANHEIM TWP	0.26
1/18/2022	MANOR TWP	64.77
1/18/2022	MANOR TWP	46.94
1/18/2022	PROVIDENCE TWP	8.02
1/26/2022	WEST HEMPFIELD TWP	25.61
1/26/2022	WEST HEMPFIELD TWP	28.12
1/31/2022	PROVIDENCE TWP	103.13
1/31/2022	ELIZABETH TWP	2.83

Erosion and Sedimentation Plan Submission

1/1/2023 to 1/31/2023

<u>Project Name</u>	<u>Municipality</u>	<u>Disturbed Acres</u>	<u>Fees Amount</u>
Star Rock Farms	MANOR TWP	3.57	\$400.00
854 Valley Road SWM	MANHEIM TWP	0.19	\$100.00
Christ Beiler	WARWICK TWP	0.92	\$800.00
Calvin Greiner	RAPHO TWP	0.99	\$800.00
Wabank Road Self Storage	LANCASTER TWP	6.26	\$2,750.00
Elmer Stoltzfus SWM	DRUMORE TWP	0.51	\$800.00
854 Valley Road SWM	MANHEIM TWP	0.19	\$500.00
Devon Creek - Phase 2	EAST LAMPETER TWP	11.15	\$600.00
Star Rock Farms	MANOR TWP	3.57	\$1,800.00
Penn Dutch Farm Driveway	EPHRATA TWP	0.33	\$600.00
Double Run Carriers	BRECKNOCK TWP	2.62	\$1,900.00
General RV Center	MOUNT JOY TWP	26.00	\$1,550.00
Fred Ranck	STRASBURG TWP	3.33	\$600.00
Fred Ranck	STRASBURG TWP	3.33	\$1,300.00
Riptide Car Wash	MANHEIM TWP	5.09	\$2,500.00
New Holland Apartments	NEW HOLLAND BORO	0.95	\$800.00
General RV Center	MOUNT JOY TWP	26.00	\$6,200.00
Roechling Medical Lancaster LLC	EAST COCALICO TWP	4.56	\$2,500.00
Stoner Farm Expansion	EAST DRUMORE TWP	3.40	\$300.00
HACC Streambank Restoration	EAST LAMPETER TWP	1.79	\$1,400.00
Stoner Farm Expansion	EAST DRUMORE TWP	3.40	\$1,600.00
Daniel Evans SWM	PEQUEA TWP	0.76	\$600.00
Gideon Esh	BART TWP	0.96	\$100.00
114 Hurst Road	EARL TWP	0.48	\$800.00
Emerald Power Solutions	EARL TWP	3.28	\$1,900.00
Rock Lititz - Phase 1C	WARWICK TWP	15.80	\$5,250.00
283 Commerce Center Bldg #1	MOUNT JOY TWP	94.00	\$24,750.00
Gideon Esh	BART TWP	0.96	\$500.00
John Esh	STRASBURG TWP	1.80	\$1,360.00
SMAN-LAVI Seg 4	ELIZABETH TWP	135.40	\$28,000.00
Dayspring School	MOUNTVILLE BORO	34.00	\$7,800.00
51 Iva Road	PARADISE TWP	0.56	\$500.00
John Stoltzfus	CAERNARVON TWP	1.86	\$650.00
1319 Bear Creek Road	MOUNT JOY TWP	23.88	\$5,650.00
Amos Herr Park SWM	EAST HEMPFIELD TWP	9.38	\$2,800.00
Buckwalter Tract Subdivision	WARWICK TWP	47.50	\$500.00

Outstanding NPDES Projects Report - March 9, 2021 through October 31, 2022

<u>Date Received</u>	<u>Project Name</u>	<u>Permit #</u>	<u>Municipality</u>	<u>Technician Status</u>	<u>Date of Last Letter</u>
3/9/2021	MM Weaver	PAC360627	WEST EARL TWP	Deemed Adequate but waiting on DEP to finish review	at DEP 11/22
5/21/2021	Raffensperger Tract	PAD360078	MOUNT JOY TWP	Deemed Inadequate	at DEP 6/22
2/16/2022	Amos Fisher	PAD360088	DRUMORE TWP	Deemed Inadequate	at DEP 9/22
2/24/2022	1376 Campus Road	PAC360735	MOUNT JOY TWP	Deemed Inadequate	at DEP 11/22
3/7/2022	CVSD HOP/ROW	PAC360743	EAST LAMPETER TWP	Deemed Inadequate	at DEP 7/22
3/17/2022	Bender Mill Road Subdivision	PAC360746	MANOR TWP	Deemed Inadequate	at DEP 1/23
3/18/2022	Exelon - Muddy Run Warehouse	PAD360090	DRUMORE TWP	Deemed Inadequate	at DEP 9/22
4/14/2022	John Blank	PAD360092	SALISBURY TWP	Eng Reply rec'd, pending follow-up Technical Review	1/25/2023
4/20/2022	Marlin Martin	PAC360756	CLAY TWP	Deemed Inadequate	at DEP 10/22
5/3/2022	Blackhorse Warehouse	PAC360760	EAST COCALICO TWP	Deemed Inadequate	at DEP 11/22
5/10/2022	Homestead Village	PAC360761	EAST HEMPFIELD TWP	Deemed Inadequate	1/18/2023
5/13/2022	Lake in Wood RV Expansion	PAD360093	BRECKNOCK TWP	Deemed Inadequate	at DEP 10/22
5/16/2022	J&E Grill Manufacturing	PAC360763	EARL TWP	Deemed Complete	11/14/2022
5/16/2022	Villages at Funks Farm	PAC360764	MANOR TWP	Deemed Inadequate	at DEP 11/22
5/20/2022	250 College Avenue	PAD360094	LANCASTER CITY	Deemed Inadequate	at DEP 8/22
5/26/2022	2821 Old Tree Drive	PAC360765	EAST HEMPFIELD TWP	Deemed Inadequate	at DEP 10/22
6/3/2022	Moove In Storage 741 Phase 3	PAC360767	MANHEIM TWP	Deemed Complete	12/13/2022
6/10/2022	Christian King	PAC360768	STRASBURG TWP	Deemed Inadequate	1/4/2023
6/14/2022	PVC Cultural Center	PAC360769	PENN TWP	Deemed Complete	11/18/2022
6/16/2022	130 River Corner Road	PAC360770	CONESTOGA TWP	Deemed Complete	9/27/2022
6/20/2022	1000 Strickler Road Building Expand	PAC360772	RAPHO TWP	Deemed Inadequate	at DEP 8/22
7/11/2022	South Smith Drive Subdivision	PAC360776	QUARRYVILLE BORO	Eng Reply rec'd, pending follow-up Technical Review	11/23/2022
7/15/2022	156 West Harrisburg Avenue	PAD360095	WEST DONEGAL TWP	Eng Reply rec'd, pending follow-up Technical Review	at DEP 8/22
7/26/2022	Esh Residence	PAC360778	SADSBURY TWP	Eng Reply rec'd, pending follow-up Technical Review	12/27/2022
7/26/2022	Sauder Hardscape	PAC360779	EAST EARL TWP	Deemed Inadequate	1/24/2023
7/29/2022	David Fisher Subdivision	PAD360096	SALISBURY TWP	Deemed Complete	at DEP 12/22
8/3/2022	Silver Spring Restaurant	PAC360781	WEST HEMPFIELD TWP	Deemed Complete	12/13/2022
8/9/2022	Project Pangea	PAC360783	PENN TWP	Deemed Inadequate	at DEP 11/22
8/9/2022	Yogi Bear Jellystone Park Camp	PAD360097	EAST DRUMORE TWP	Deemed Inadequate	at DEP 1/23
8/11/2022	Earl Shirk Farm	PAC360784	WEST EARL TWP	Eng Reply rec'd, pending follow-up Technical Review	11/28/2022
8/12/2022	Paradise Energy Solutions	PAC360785	EAST LAMPETER TWP	Eng Reply rec'd, pending follow-up Technical Review	1/20/2023
8/18/2022	327 White Oak Road	PAC360786	PENN TWP	Eng Reply rec'd, pending follow-up Technical Review	1/9/2023
8/22/2022	283 Commerce Hub	PAC360787	EAST HEMPFIELD TWP	Deemed Complete	12/1/2022
8/23/2022	Wheatland Presbyterian Church	PAC360788	LANCASTER TWP	Deemed Complete	11/17/2022
8/25/2022	Jacob & Suzanne Stoltzfus	PAC360789	PENN TWP	Eng Reply rec'd, pending follow-up Technical Review	1/9/2023
8/26/2022	Westcorp/Clark Transport	PAD360098	EAST DRUMORE TWP	Deemed Inadequate	at DEP 10/22
9/9/2022	Garner Subdivision	PAC360791	WEST DONEGAL TWP	Eng reply rec'd, pending Completeness Review	12/5/2022
9/12/2022	Parkside	PAC360792	WEST LAMPETER TWP	Eng reply rec'd, pending Completeness Review	12/19/2022

<u>Date Received</u>	<u>Project Name</u>	<u>Permit #</u>	<u>Municipality</u>	<u>Technician Status</u>	<u>Date of Last Letter</u>
9/13/2022	Penn Station Townhomes	PAC360793	PENN TWP	Eng reply rec'd, pending Completeness Review	12/9/2022
9/27/2022	Weaverland Auction	PAC360794	EAST EARL TWP	Eng reply rec'd, pending Completeness Review	11/23/2022
9/30/2022	Leola Produce	PAC360797	WEST EARL TWP	Deemed Inadequate	1/9/2023
10/4/2022	TH Retail Motor Fuel Outlet	PAC360798	EAST EARL TWP	Eng reply rec'd, pending Completeness Review	1/25/2023
10/5/2022	Mahlon Beiler	PAC360799	SALISBURY TWP	Deemed Complete	11/29/2022
10/11/2022	Gables at Richard Avenue	PAC360801	EPHRATA BORO	Deemed Incomplete	11/28/2022
10/14/2022	Posh Hotel & Self Storage	PAC360802	MANHEIM TWP	Deemed Complete	12/1/2022
10/17/2022	GB&E Beechdale Farms	PAC360804	UPPER LEACOCK TWP	Deemed Incomplete	12/19/2022
10/21/2022	17 Second St & 37 Charlestown Rd Subdivision	PAC360805	MANOR TWP	Deemed Inadequate	1/25/2023
10/26/2022	Glick Structures	PAC360806	SALISBURY TWP	Eng reply rec'd, pending Completeness Review	1/18/2023
10/27/2022	David Petersheim SWM	PAC360809	EAST DRUMORE TWP	Deemed Complete	1/18/2023
10/27/2022	Christopher Poje	PAC360808	WARWICK TWP	Deemed Incomplete	1/4/2023
10/27/2022	Conestoga Christian	PAC360807	CAERNARVON TWP	Deemed Incomplete	1/9/2023
10/28/2022	1311 Hilltop Road	PAC360810	BRECKNOCK TWP	Waiting 1st Review	Plan rec'd 10/28/22

KEY:

TOTAL E&S and NPDES PLANS IN REVIEW:

Waiting 1st Review = project received in office and awaiting technician to perform first review

130 Plans

Deemed Incomplete = an incompleteness letter was sent but no response from engineer has been rec'd to date

Eng reply rec'd, pending Completeness Review = An Incompleteness letter was sent and we rec'd comments back from engineer - currently waiting a Completeness review by the technician of engineers response

Deemed Complete = a letter was sent stating the submission was complete and project is waiting for technical review by LCCD to be done

Deemed Inadequate = a letter was sent detailing technical issues and we are waiting for a reply from Engineer to technical comments

Eng reply rec'd, pending follow-up Technical Review = A technical inadequate letter was sent and we rec'd comments back from engineer - currently waiting a technicians review of engineers response

Pending action from DEP = Tech sent a "Recommendation for permit action" to DEP and we are waiting for DEP to issue permit

Deemed Adequate but waiting on DEP to finish review = LCCD Technician deemed adequate but waiting on DEP to finish review.