



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

Wednesday, May 3, 2023

Lancaster Farm & Home Center

Business Meeting 7:30 PM

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

Timer

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7:40	I. <u>Agency Reports</u>	
	1. PA DEP Field Rep Report (attachment) .....	1
7:55	III. <u>*Additional Business</u>	
	*5. ACAP Project Approvals – Lutz/Bitting (attachment) .....	6
	*8. PACD Legislative Leadership Award Nomination – Thompson (attachment) .....	7
8:25	IV. <u>Reports &amp; Information</u>	
	1. E&S/NPDES Monthly Projects Report – Stern (attachment) .....	10
	4. EPA Conservation Assessment Report – Thompson (attachment).....	14

**\*Action Required**

## Item I.1

### May 2023 DEP Conservation District Field Rep Talking Points

#### **2023 Growing Greener Plus Grant Round opened on April 21, 2023**

Growing Greener grants are designed to improve or protect Pennsylvania's waters from nonpoint source pollution associated with agricultural activities, AMD, stormwater runoff, energy resource extraction, and streambank and shoreline degradation, while Bond Forfeiture grants are designed to address legacy mining impacts.

DEP has identified multiple priority areas for this grant solicitation. Priority areas for Growing Greener grants include projects that reduce nonpoint source pollution – especially nitrogen, phosphorous, and sediment pollution from agricultural and stormwater runoff. DEP is particularly interested in design and construction projects that implement effective Best Management Practices (BMPs) that reduce or eliminate pollutant loadings and lead to local water quality improvements.

One new priority area for Growing Greener grants include Technical Assistance projects featuring public-private partnerships and focus projects on multiple regions or statewide scale with the purpose to expedite on-the-ground, BMP implementation.

Eligible applicants include counties, municipalities, municipal authorities, county conservation districts, watershed organizations, councils of governments, educational institutions, and other authorized organizations involved in water resource restoration and protection. The maximum Growing Greener grant request amount is \$500,000.

New this year, applicants may apply for Stormwater Management Planning (Act 167) grants under the Storm Water Management Act (Act of Oct. 4, 1978, P.L. 864, No. 167). The primary focus of the Act 167 grants is the preparation or revision of Act 167 Plans by counties.

Information on what's new, grant guidance documents, tutorials and resources, and links to apply are available at:

- **Growing Greener Plus:** [Growing Greener \(pa.gov\)](#)
  - GG+ Grant Application Tutorials and Demos are here: [Course: DEP Growing Greener Plus Grants – 2023 \(remote-learner.net\)](#)
    - Information related to Act 167 Stormwater Management grants can be found at the links above.

Grant applications must be submitted online through the Commonwealth's Electronic Single Application web site, eGrants. Applications are being accepted through 11:59 p.m. on Friday, June 23, 2023.

#### **FY2024 Section 319 Nonpoint Source Management Program Grant opened on April 21, 2023**

DEP is accepting applications for Section 319 Nonpoint Source Management watershed planning and restoration grants. Priorities for new WIP development is in Pennsylvania's Environmental Justice (EJ) areas, based upon watershed plan elements for threatened or impaired waters.

Information on what's new, grant guidance documents, tutorials and resources, and links to apply are available at:

- **Section 319 Nonpoint Source Management:** [Nonpoint Source \(pa.gov\)](#)
  - Section 319 Grant Application Tutorials and Demos are here: [Course: DEP Section 319 Nonpoint Source Management Grants - FY2024 \(remote-learner.net\)](#)

Applications must be submitted online through the Commonwealth's Electronic Single Application web site, eGrants. Applications are being accepted through 11:59 p.m. on Friday, June 23, 2023.

**Model My Watershed Virtual Training** - Mark your calendars! DEP's Watershed Support Section and Drexel University will be hosting three, two-part, webinar trainings on Model My Watershed. The training, taught by Dr. Barry Evans of Drexel University, will go over all of the functions of Model My Watershed during the two half-day sessions (approximately 3 hours) to help attendees effectively use watershed modeling for future projects.

This training is mandatory for all Conservation District Watershed Specialists. An official invite will be sent out to districts in the near future.

This training has been broken into three different events in order to allow for a more interactive atmosphere. The training dates for each region are:

- Northwest and Southwest regions: Morning of June 12 and 15
- Northcentral and Southcentral regions: Morning of June 26 and 29
- Northeast and Southeast regions: Morning of July 31 and August 3

DEP asks that you make every attempt to attend your region specific training, however, there will be flexibility to attend a different regional training if calendar conflicts arise. Questions may be directed to Chad Krick at [chkrick@pa.gov](mailto:chkrick@pa.gov) or 717-772-5706.

### **Chapter 102 Program**

**Chapter 102 Basic Technical Training** - The Chapter 102 Program, with help from PACD, is offering a Chapter 102 Basic Technical Training, a valuable training for new Chapter 102 staff to provide guidance on program details. Topics at the training include; Chapter 102 Application and Permits, Reviewing a plan and preparing for a site visit, How to Conduct yourself in the Field, E-Permit Reviews, **Field Exercises** – Site Inspection of Active Earth Disturbance and Final NOT Inspection, Lessons learned from Field Exercises, Panel Discussion – District Challenges. This training is available to new Chapter 102 staff, existing Chapter 102 staff who would like a refresher on program details, and CD managers. The training will take place May 23-26 at the Red Lion Hotel Harrisburg/Hershey. Registration, training agenda, lodging details, etc. can be found on Clean Water Academy, [Course: Chapter 102 Basic Technical Training \(2023\) \(remote-learner.net\)](#). After logging into CWA, click on the PACD Events and Training Calendar. Participants should also review prerequisite work and review items recommended and required for classroom and field work.

**Chapter 102 Listening Sessions** - The Bureau of Clean Water (BCW) has started scheduling Chapter 102 listening sessions with the conservation districts again and intend to hold them as a matter of “routine communication” moving forward. BCW hopes to hear district accomplishments as well as concerns during these sessions. They will be held once a month virtually for approximately 2 hours at a time and will contain a group of 2-3 conservation districts and DEP staff. We intend to schedule these calls 2-3 months in advance, so districts should be on the lookout for that invitation over the next year.

### **Practice Keeper Enhancements Coming in May**

Several updates and enhancements will be coming to PracticeKeeper in May.

- The BMP Expiration Report and Upcoming Status Review Report are two new reports that will be coming available.
- The Attachment-G Report, Level 2 Plan Approval Report, and CBP 23 Report will be receiving updates.

These new and updated reports can be expected in the month of May with more enhancements related to Data Explorer, Spatial Data Export, Copy BMP Tool in the Conservation Planning Module, and others will be complete in May or June. A more detailed announcement will be sent to the PracticeKeeper Admins in each CCD and the Conservation District List Serve once the enhancements have been released to production.

### **Agriculture Compliance Implementation Poll**

The Agriculture Compliance Section is conducting a poll to gain insight on the implementation of Agriculture Compliance across the state. This poll is targeted to 102 Delegated County Conservation District's across the Commonwealth. The main goal is to gain knowledge of County Conservation District's complaint response, inspection procedures, and education and outreach regarding agriculture erosion and sediment control. The information gathered from the poll will assist DEP as the DEP Agriculture Compliance Section as we strive to provide guidance for consistent execution of Agriculture-related activities across the Commonwealth. The program intends to distribute the poll in May.

### **PA Agricultural Conservation Assistance Program (ACAP)**

As of March 31, 2023, 65 districts have signed and sent in their agreements. As the SCC has finalized the signature process for the delegation agreements, initial allocations have been processed. Many district should have already received their first allocation and other should be arriving in the district accounts in the near future.

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. All ACAP information can be found at: [https://www.agriculture.pa.gov/Plants\\_Land\\_Water/StateConservationCommission/Pages/default.aspx](https://www.agriculture.pa.gov/Plants_Land_Water/StateConservationCommission/Pages/default.aspx)

On April 12, 2023, SCC hosted their ACAP update webinar for CD's. SCC staff provided an update on ACAP GIS, staffing and technical assistance. Many policy questions were raised by districts and will be added to the Q&A document. Roughly 80 attended the webinar.

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

### **Upcoming Webinars for District Managers:**

Wednesday, May 10, 2023

### **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 plans to meet with Penn State to discuss the needs of State Engineering as well as other outputs.

The ACAP Technical Assistance Workgroup advises on the task of Trainings for Technical Assistance as well as technical support across the state. This group met on February 22<sup>nd</sup> to discuss engineering, RFPs, Job Approval Authority, Certifications for BMPs and Admin Training. 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 on a more regular basis.

SCC has formed an Engineering Workgroup consisting of District Engineers, District Techs and SCC. This group are in discussions of the building blocks of a state run engineering program that will allow SCC to develop their own Job Approval Authority. This group is meeting every two or so weeks. The group has determined that the state does need their own system with at least one State Engineer housed or working with the new Center. Regional support is going to be key so the group continues to discuss how to regionally support the districts.

**ACAP Current Issues** – the following items are on the radar and currently being looking into by the SCC  
 Center Development  
 Technical Assistance  
 Counties for CD’s not signing the delegation agreement

**ACAP Quick Points –**

- SCC has been able to make offers to the Conservation Program Specialist 1’s in the Northeast and Southeast Regions.
- Met with PSU and NRCS about a state Job Approval Authority system
- Budget and Scope of Work has been submitted by PSU for the Center Contract
- Center is hiring a 3<sup>rd</sup> party engineer to assist with TA
- Working with PACD to hire 5 planners regionally
- SCC plans to staff regional engineers at CD similar to the Bay Engineer design
- Discussions of pre-concurred designs for HUAP and other BMPs are taking place with CD’s

**Spring 2023 Nutrient Management Certification Training Dates: Interested parties may register at [www.PaPlants.pa.gov](http://www.PaPlants.pa.gov)**

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Training	Tentative Date(s)
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 <sup>st</sup> choice)
Certification Exam	June 22 Two sites (PDA and LEC)
Boot Camp (Basic)	May 1-5 (Spillover Dates)
Boot Camp II	May 15-19 (Spillover Dates)

**Vendor Data Management Unit Webinar** - The SCC and DEP worked with the Commonwealth’s Vendor Data Management Unit (VDMU) to discuss questions and concerns raised by conservation districts. To provide guidance directly to conservation districts, the VDMU presented a webinar on Thursday April 13<sup>th</sup>, 2023 for conservation district managers and bookkeepers/financial staff.

VDMU discussed the following topics:

- Classification of Vendor Numbers
- Why Districts are limited to 1 bank account
- PA Supplier Portal
- Self Service Payment Lookup & E-Remittance

The Webinar is now posted on the Clean Water Academy and can be accessed by clicking here: [Vendor Management Webinar](#)

## PA Clean Water Academy

[Course: DEP Growing Greener Plus Grants - 2023 \(remote-learner.net\)](#)

This is a presentation on DEP's Growing Greening Plus Grants Program for 2023. It provides a review of the Growing Greener Grant application process and assists potential grant applicants with developing a competitive application. *This course also contains training on Act 167 Funding requests.*

[Course: DEP Section 319 Nonpoint Source Management Grants - FY2024 \(remote-learner.net\)](#)

This is a presentation on the federal Section 319 Nonpoint Source Management Grants Program for the federal fiscal year 2024. It provides a review of the 319 Grant application process and assists potential grant applicants with developing a competitive application.

**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 \(remote-learner.net\)](#)

### Dates to Remember

#### **SCC Meetings – 1:00 PM**

Hybrid Meeting	May 9
Hybrid Meeting	July 19

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

Conference Call	June 13
Conference Call	Aug 15

#### **Ag Boot Camp**

Advanced	May 15-19 (Spillover Dates)
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#### **Pennsylvania Envirothon Oral Component**

Indiana County	May 17
Snyder County	May 18
Monroe County	May 19

#### **Pennsylvania Envirothon State Testing**

Camp Mt. Luther, Union county	May 24
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#### **319 Annual Training**

Virtual	May 22 & 23
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#### **Chapter 102 Basic Training**

Red Lion Inn, Harrisburg	May 23-26
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#### **Leadership Development Spring Webinar Series**

	Visit <a href="#">Building for Tomorrow</a> to register.
Tech Roundtable	May 31
Act 217: Conservation District Law	June 7
Clifton Strengths Wrap-up for Managers	June 14
SCC and DEP Programs Overview	June 21
Applicable Laws for Conservation Districts	June 28

**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.5**

**Agriculture Conservation Assistance Program Grant Approval**

The Agriculture Conservation Assistance Program (ACAP) currently has three applications that have been reviewed by district staff and are ready for board action. The following table outlines the projects and amounts requested.

<b>Landowner</b>	<b>District/Private Consultant</b>	<b>Municipality</b>	<b>BMPs</b>	<b>Total Project Cost</b>	<b>Total Grant Requested</b>
Andy Ill	AET Consulting	Penn Twp.	Roofed Heavy Use Area, Manure Storage, Access Road, Stacking Shed, Silage Leachate, Roof Runoff Structure, Structure for Water Control, Underground Outlet	\$1,313,524.36	\$500,000.00
John Howard	District	West Lampeter Twp.	2 Grassed Waterways	\$19,876.00	\$16,254.00
Delton & Bridget Good	Mowery Environmental	West Earl Twp.	Manure Storage, Animal Walkway, Access Road, Stream Crossing, Fencing, Diversion, Structure for Water Control, Underground Outlet, Roof Runoff Structure	\$506,194.46	\$297,533.02
<b>Totals</b>				<b>\$1,839,594.82</b>	<b>\$813,787.02</b>

ACAP Funds Requested: \$813,787.02

The Ag Program Manager and Assistant Ag Program Manager recommend positive action for approving \$813,787.02 worth of ACAP funding for the multiple applications.

**\*Action Required**

**PACD Legislator Leadership Award**

Every year, PACD seeks nominations from County Conservation Districts who would like to recognize their local Legislator for his or her outstanding efforts that have furthered the activities and accomplishments of conservation districts or the PACD on a statewide basis. Nominations for this award may be submitted by PACD members and will be selected by PACD Executive Board members.

LCCD's Executive Committee would like to submit a nomination for Senator Scott Martin. Scott has been a "friend" of the conservation district for many years and a prime sponsor of the 2022 Clean Streams Fund legislation to increase funding for the State's Bay and Nutrient Management programs and create the new Agricultural Conservation Assistance Program. Awards will be announced at the July Joint Annual Meeting in Hershey, PA. The nomination is attached.

**\*Action Required**





April 28, 2023

RE: 2023 Legislative Leadership Award Nomination

Attn: PACD Executive Committee  
5925 Stevenson Ave.  
Suite A, Harrisburg, PA 17112.

Senator Scott Martin is a lifelong Lancaster County resident with deep roots in the community. He was elected to his first term representing the 13th Senatorial District in November 2016 and re-elected in 2020. From that day on he has been a “friend” of the Conservation District.

Scott currently serves as Chair of the Senate Appropriations Committee, which plays a crucial role in negotiating and developing the state budget and is responsible for reviewing all legislation for its fiscal impact. Scott is also an active member of the Environmental Resource & Energy and Game Fisheries Committees.

As Chairman of the Appropriations Committee, Scott has been a strong advocate for conservation efforts across the state. In 2021-2022, Scott worked with another friend of Conservation Districts, Senator Gene Yaw, and others to sponsor Senate Bill 832. Once enacted, this legislation created the PA Clean Streams Fund which utilized ARPA dollars to increase support for existing State agricultural programs as well as creating the new statewide Agricultural Conservation Assistance Program (ACAP). ACAP represents a statewide investment of \$154 million that will be directed specifically by the State Conservation Commission and county conservation districts to help improve water quality and soil health.

Indicative of Scott’s leadership style, he recently shared that “although Republicans spearheaded these key environmental protection measures, it is noteworthy that they were also supported strongly by Democrats as well”. Scott believes that this approach reinforces a simple basic truth, “we achieve our best results when all parties set aside partisanship and work together for the good of the people we represent”.





Outside of his regular Senate responsibilities, Senator Martin also serves as Chairman of the Chesapeake Bay Commission (CBC). The CBC is a multi-state agency that has made tremendous progress in promoting legislation and funding for restoring our waterways throughout Pennsylvania, Maryland, and Virginia. Scott reinforces that there is no room for political agendas or one-sided talking points for this panel, but he remains a strong advocate for Lancaster County as well as all of Pennsylvania.

In 2022, Senator Martin co-hosted a 3-day meeting/tour in Lancaster County for the full commission highlighting the extensive conservation and watershed restoration work that is happening.

As Chair of the Commission, Martin continues to play an active role in working with state and federal environmental officials, legislators, and business owners within the Chesapeake Bay watershed to support our efforts to meet federal pollution reduction goals.

For these reasons and more, the Lancaster County Conservation District Board of Directors is pleased to nominate Senator Scott Martin for the PACD 2023 Legislative Leadership Award.

Sincerely,

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Christopher M. Thompson.  
District Administrator



# E&S Report

## 2023 Report for April

### 2023 Report

		Apr 2023	Total
Total Plan Submissions		22	99
Total Plan Acres		518.5332	2473.418
Total Disturbed Acres		69.7782	438.8371
<b>Fees Collected</b>	NPDES Permit Fees Collected	\$7,500	\$41,000
	Chapter 105 Permit Fees Collected	\$0	\$0
	DEP Fees Collected	\$6,300	\$61,900
	E&S Plan Review Fees	\$43,800	\$265,350

### Total Complaints for April 2023

<u>Date Received</u>	<u>Municipality</u>	<u>Land Unit Acres</u>
4/5/2023	FULTON TWP	2.84
4/12/2023	PROVIDENCE TWP	9.09
4/18/2023	LANCASTER TWP	1.54
4/19/2023	BART TWP	2.81

## 2022 Report for April

### 2022 Report

		Apr 2022	Total
Total Plan Submissions		26	113
Total Plan Acres		610.436	2292.813
Total Disturbed Acres		38.236	465.691
<b>Fees Collected</b>	NPDES Permit Fees Collected	\$10,500	\$43,520
	Chapter 105 Permit Fees Collected	\$0	\$100
	DEP Fees Collected	\$4,500	\$53,100
	E&S Plan Review Fees	\$30,500	\$284,500

### Total Complaints for April 2022

<u>Date Received</u>	<u>Municipality</u>	<u>Land Unit Acres</u>
4/5/2022	EAST HEMPFIELD TWP	9.33
4/5/2022	RAPHO TWP	3.17
4/6/2022	LITTLE BRITAIN TWP	44.02
4/6/2022	STRASBURG TWP	2.83
4/6/2022	RAPHO TWP	0.10
4/15/2022	EAST COCALICO TWP	4.40
4/21/2022	AKRON BORO	0.38
4/21/2022	EAST HEMPFIELD TWP	26.75

**Erosion and Sedimentation Plan Submission**

**4/1/2023 to 4/30/2023**

<b><u>Project Name</u></b>	<b><u>Municipality</u></b>	<b><u>Disturbed Acres</u></b>	<b><u>Fees Amount</u></b>
Reuben King E&S Only	SALISBURY TWP	0.22	\$100.00
Dave and Sara Costello	MANHEIM TWP	0.69	\$600.00
229 Osceola Mill Road	LEACOCK TWP	0.62	\$600.00
Mid Atlantic Real Estate Holdings	NEW HOLLAND BORO	0.59	\$800.00
Clark Nature Preserve Trail	MARTIC TWP	3.90	\$2,200.00
Millport Road Realignment	MANHEIM TWP	0.76	\$800.00
Gap Power - Newport Road Tract	SALISBURY TWP	26.22	\$7,750.00
Raymond King	PARADISE TWP	0.75	\$800.00
Enola Low Grade Trail - Bart	BART TWP	0.98	\$1,500.00
Walnut Street Extension Minor Mod	EAST LAMPETER TWP	70.65	\$800.00
Charlotte Street Sewer Replacement	MILLERSVILLE BORO	0.99	\$800.00
John David King Dwelling	SADSBURY TWP	4.96	\$2,500.00
10 S Broad Street	ADAMSTOWN BORO	0.40	\$600.00
Melvin Lapp	PARADISE TWP	0.96	\$600.00
Yarris Residence	EDEN TWP	0.66	\$600.00
Compass Mill Complex	WARWICK TWP	3.35	\$1,900.00
Curvin Zimmerman Ag Op	EARL TWP	6.05	\$2,750.00
The Preserve at Silver Spring	WEST HEMPFIELD TWP	8.35	\$3,500.00
3402 East Lincoln Highway	PARADISE TWP	0.51	\$800.00
Traditions of America- East Hempfield - Major Mod	EAST HEMPFIELD TWP	102.88	\$1,300.00
Millstone Village Subdivision Minor Mod	BRECKNOCK TWP	11.00	\$600.00
Catherine Hershey School	PEQUEA TWP	3.15	\$1,900.00
Eby Road Structures	LEACOCK TWP	3.61	\$2,200.00
Westbrooke IV Minor Mod	MOUNT JOY TWP	24.93	\$800.00
Conestoga Oral Surgery	EAST HEMPFIELD TWP	0.11	\$800.00
Thaddeus Stevens Comm Learning Ctr	LANCASTER CITY	1.77	\$1,600.00
Wickersham Synthetic Turf	LANCASTER CITY	3.31	\$1,900.00
Fritz Avenue Ext Minor Mod	QUARRYVILLE BORO	5.46	\$600.00
675 Nottingham Road - Benuel Stoltzfus Sawmill Op Minor Mod	FULTON TWP	0.36	\$800.00
Lanc Airport Auth. - Transteck Hangar Maj Mod	MANHEIM TWP	1.33	\$1,300.00

### Outstanding NPDES Projects Report - May 21, 2021 through January 31, 2023

<u>Date Received</u>	<u>Project Name</u>	<u>Permit #</u>	<u>Municipality</u>	<u>Technician Status</u>	<u>Date of Last Letter</u>
5/21/2021	Raffensperger Tract	PAD360078	MOUNT JOY TWP	Eng Reply rec'd, pending follow-up Technical Review	4/24/2023
3/7/2022	CVSD HOP/ROW	PAC360743	EAST LAMPETER TWP	Deemed Inadequate	at DEP 4/19/2023
3/17/2022	Bender Mill Road Subdivision	PAC360746	MANOR TWP	Eng Reply rec'd, pending follow-up Technical Review	2/13/2023
3/18/2022	Exelon - Muddy Run Warehouse	PAD360090	DRUMORE TWP	Deemed Inadequate	at DEP 4/25/2023
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 4/4/2023
5/13/2022	Lake in Wood RV Expansion	PAD360093	BRECKNOCK TWP	Deemed Inadequate	at DEP 4/6/2023
5/16/2022	J&E Grill Manufacturing	PAC360763	EARL TWP	Eng Reply rec'd, pending follow-up Technical Review	3/24/2023
5/16/2022	The Villages at Funks Farm	PAC360764	MANOR TWP	Eng Reply rec'd, pending follow-up Technical Review	3/20/2023
6/14/2022	PVC Cultural Center	PAC360769	PENN TWP	Deemed Inadequate	4/18/2023
6/20/2022	1000 Strickler Road Building Expand	PAC360772	RAPHO TWP	Deemed Inadequate	at DEP 3/16/23
7/15/2022	156 West Harrisburg Avenue	PAD360095	WEST DONEGAL TWP	Deemed Inadequate	at DEP 4/10/23
7/29/2022	David Fisher Subdivision	PAD360096	SALISBURY TWP	Eng Reply rec'd, pending follow-up Technical Review	4/24/2023
8/3/2022	Silver Spring Restaurant	PAC360781	WEST HEMPFIELD TWP	Deemed Inadequate	4/26/2023
8/9/2022	Project Pangea	PAC360783	PENN TWP	Eng Reply rec'd, pending follow-up Technical Review	3/17/2023
8/23/2022	Wheatland Presbyterian Church	PAC360788	LANCASTER TWP	Deemed Inadequate	at DEP 4/19/2023
9/9/2022	Garner Subdivision	PAC360791	WEST DONEGAL TWP	Deemed Complete	2/21/2023
9/12/2022	Parkside	PAC360792	WEST LAMPETER TWP	Deemed Inadequate	4/17/2023
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	Eng Reply rec'd, pending follow-up Technical Review	3/7/2023
10/14/2022	Posh Hotel & Self Storage	PAC360802	MANHEIM TWP	Deemed Inadequate	at DEP 3/23/23
10/17/2022	GB&E Beechdale Farms	PAC360804	UPPER LEACOCK TWP	Deemed Complete	4/25/2023
10/26/2022	Glick Structures	PAC360806	SALISBURY TWP	Deemed Complete	4/25/2023
10/27/2022	Christopher Poje	PAC360808	WARWICK TWP	Deemed Complete	4/18/2023
11/3/2022	Willow Valley Tommys Car Wash	PAC360800	WEST LAMPETER TWP	Deemed Complete	3/21/2023
11/8/2022	Core5 @ I-283	PAC360812	RAPHO TWP	Deemed Inadequate	at DEP 4/25/2023
11/14/2022	Meldia LP	PAC360815	EARL TWP	Eng reply rec'd, pending Completeness Review	2/22/2023
11/22/2022	Hiltz Propane Systems	PAC360816	EAST DONEGAL TWP	Deemed Inadequate	at DEP 3/9/2023
11/22/2022	Witmer Tract Subdivision	PAC360818	EAST LAMPETER TWP	Deemed Incomplete	4/27/2023
11/22/2022	Wynfield at Millersville	PAC360817	MILLERSVILLE BORO	Eng Reply rec'd, pending follow-up Technical Review	4/24/2023
12/2/2022	Manheim Central MS Athletic Field Renovation	PAC360820	PENN TWP	Deemed Inadequate	at DEP 4/3/2023
12/2/2022	Doe Run Elem Athletic Field Renovation	PAC360821	PENN TWP	Deemed Inadequate	at DEP 4/4/2023
12/14/2022	U-Haul Moving and Storage of Lancaster	PAC360822	EAST HEMPFIELD TWP	Deemed Complete	3/15/2023
12/14/2022	Manor-Millwood Corten Project	PAD360100	CONESTOGA TWP	Deemed Complete	at DEP 2/27/2023

<u>Date Received</u>	<u>Project Name</u>	<u>Permit #</u>	<u>Municipality</u>	<u>Technician Status</u>	<u>Date of Last Letter</u>
12/15/2022	The Yards	PAD360101	LANCASTER CITY	Deemed Inadequate	at DEP 3/30/2023
12/16/2022	Landis Valley Museum	PAC360823	MANHEIM TWP	Deemed Incomplete	2/21/2023
12/16/2022	Enterprise Way - Dual Brand Hotel	PAC360824	MANHEIM TWP	Deemed Inadequate	4/25/2023
12/19/2022	Owl Hill Road Subdivision	PAC360826	WARWICK TWP	Eng reply rec'd, pending Completeness Review	3/20/2023
12/20/2022	1061 Manheim Pike/1111 McKinley Ave	PAD360102	MANHEIM TWP	Deemed Complete	4/20/2023
12/27/2022	Amos Herr Park SWM	PAC360828	EAST HEMPFIELD TWP	Deemed Complete	4/26/2023
12/28/2022	John Stoltzfus	PAC360829	CAERNARVON TWP	Deemed Complete	3/27/2023
12/28/2022	1319 Bear Creek Road	PAC360830	MOUNT JOY TWP	Deemed Incomplete	4/18/2023
12/30/2022	SMAN-LAVI Seg 4	PAD360103	ELIZABETH TWP	Deemed Complete	at DEP 3/9/23
12/30/2022	Dayspring School	PAC360827	MOUNTVILLE BORO	Deemed Complete	4/19/2023
1/5/2023	John Esh	PAC360832	STRASBURG TWP	Deemed Complete	4/20/2023
1/6/2023	283 Commerce Center Bldg. #1	PAC360831	MOUNT JOY TWP	Deemed Complete	at DEP 4/24/2023
1/9/2023	Emerald Power Solutions	PAC360833	EARL TWP	Eng reply rec'd, pending Completeness Review	4/14/2023
1/17/2023	Stoner Farm Expansion	PAD360104	EAST DRUMORE TWP	Deemed Inadequate	at DEP 3/9/2023
1/18/2023	Roehling Medical Lancaster Expansion	PAC360834	EAST COCALICO TWP	Waiting 1st Review	1/18/2023
1/20/2023	Riptide Car Wash	PAC360835	MANHEIM TWP	Deemed Inadequate	4/21/2023
1/20/2023	Fred Ranck	PAC360836	STRASBURG TWP	Deemed Complete	4/18/2023
1/24/2023	General RV Center	PAD360105	MOUNT JOY TWP	Deemed Complete	at DEP 3/8/2023
1/24/2023	Star Rock Farms	PAC360837	MANOR TWP	Waiting 1st Review	1/24/2023
1/24/2023	Double Run Carriers	PAC360838	BRECKNOCK TWP	Eng reply rec'd, pending Completeness Review	4/18/2023
1/26/2023	Wabank Road Self Storage	PAC360839	LANCASTER TWP	Waiting 1st Review	1/26/2023

KEY:

**TOTAL E&S and NPDES PLANS IN REVIEW:**

125 Plans

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

**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.

**11 TOTAL PERMITS ISSUED IN APRIL INCLUDE:**  
1376 Campus Road, Penn Station Townhomes, Levi Zook, Raul & Hetal Patel, WCTA - Wastewater Treatment Major Mod, 283 Commerce Hub, Leon Hoover, Lighthouse Assembly of God New Holland Major Mod, Stone Gate Renewal, Conestoga Christian, Christian King

## **Item IV.4**

### **EPA Assessment Update**

LCCD Ag staff participated as landowner advocates in EPA's Conservation Assessments Initiative (PACAI) last week. The attached PACAI Summary and FAQ Sheet are resources provided to answer questions about EPA inspecting farms in the county. Additional assessments will be conducted during the second week of May.

The attached letter/email was sent to all elected officials to explain our local perspective of the PACAI.



## Pennsylvania Conservation Assessment Initiative Frequently Asked Questions

### Why is the EPA doing this PA Conservation Assessment Initiative?

The goal of these assessments is to identify, assess, and address significant pollution discharges to help PA meet its water quality goals for local streams and the Chesapeake Bay.

### What Is EPA looking for during the assessments?

EPA is assessing farms that have the potential to contribute significant amounts of nutrients and sediment to local streams and the Chesapeake Bay.

### What is EPA's regulatory authority to conduct these assessments?

The Clean Water Act Section 402 and its implementing regulations provide the authority for EPA to conduct these assessments to determine whether an animal feeding operation is discharging pollutants to regulated surface waters.

### How many assessments will be conducted in Lancaster County?

EPA plans to conduct approximately five assessments in April and May.

### How were farms selected?

EPA is following available data to select farms for assessment. Criteria include location, proximity to impaired waters, potential downstream impacts, and potential impacts on drinking water. These farms will be small or medium operations that currently are not covered under the federal CAFO permitting program.

### Will farmers be notified in advance of the visits?

Yes, EPA will give the farmers advanced notice of the assessments. EPA is coordinating with the Pennsylvania Department of Environmental Protection, Pennsylvania Department of Agriculture, the State Conservation Commission, and the Lancaster County Conservation District.

### What will happen if the operation is contributing to water quality issues? Will EPA designate small farms as CAFOs?

If EPA finds water quality issues, we will work with the state and local partners to connect them with funding opportunities and technical assistance to address the water quality issues. If the operation is a significant contributor of pollutants to the local stream and impacts downstream waters and does not take steps to mitigate its discharge, EPA has the authority to designate the farm as a Concentrated Animal Feeding Operation (CAFO) and require them to get a National Pollutant Discharge Elimination System (NPDES) permit.

### How will the assessment data results be shared and used?

EPA Region 3 will share reports of our findings with the farmer and state agencies and will post a non-confidential summary of our activities on our [website](#).

### Will a local representative be available as a landowner advocate?

Yes, an agricultural technician from the Lancaster County Conservation District will be on site to answer questions during the assessment.

### What resources will be available if any corrective actions are required?

Depending on the issue, a variety of technical services and financial resources may be available to the landowner such as Pennsylvania's Agriculture Conservation Assistance Program and Conservation Excellence Grant program.



### What happens if a farmer does not correct the water quality issues?

If the operation is a significant contributor of pollutants to the local stream and impacts downstream waters and does not take steps to mitigate its discharge, EPA has the authority to designate the farm as a CAFO and require them to get a NPDES permit.

### How much time will be available to the landowner to correct any issues?

There is no specific timeframe required as we realize making significant changes can take time. The expectation however is that issues should be corrected as quickly as possible. The Lancaster County Conservation District and other State and local partners can prioritize the farm for the necessary technical and financial resources to address the issues.

### What is the long-term benefit for the landowner and community as a result of the assessments?

Many farm families are doing what is right to help protect the environment and their neighbors downstream. This initiative will help identify those operations with water quality issues and connect them with funding opportunities and technical assistance to address the issues. Everyone benefits when our local waters are cleaner. Farmers' conservation actions not only improve the quality of local streams, but also the quality of waters downstream like the Chesapeake Bay. Operations that are well-managed and compliant with environmental regulations are more sustainable.



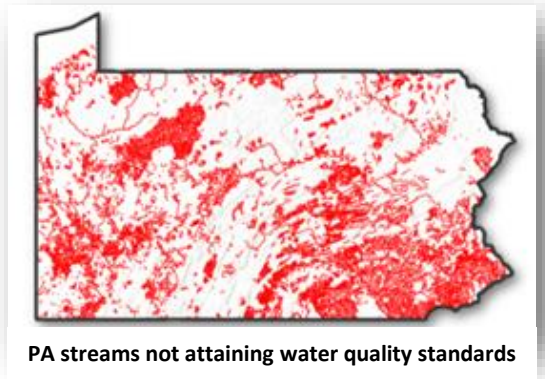
## Pennsylvania Conservation Assessment Initiative

### What is the Pennsylvania Conservation Assessment Initiative?

Beginning in April 2023, Environmental Protection Agency (EPA) Region 3 will assess animal feeding operations on certain small or medium-sized farms in Lancaster County, Pennsylvania to identify and address water quality issues impacting Pennsylvania streams.

Identifying, and addressing significant pollutant discharges from these farms will:

- help Pennsylvania meet its water quality goals for local streams and the Chesapeake Bay
- improve water quality for downstream users
- help farmers keep nutrients and sediment on the farm where they can do the most good



### How did EPA choose the farms to assess?

EPA Region 3 analyzed data and identified farms that have the potential to significantly pollute local streams and the Chesapeake Bay. The criteria used to identify farms for assessment included proximity to impaired waters, likelihood of downstream impacts, and potential impacts on drinking water. The farms to be assessed are currently not covered under the federal Concentrated Animal Feeding Operations (CAFO) permitting program.

### What will happen if we find water quality issues?

If we find water quality issues, EPA Region 3 will work with state and local partners to help connect farmers with funding opportunities and technical assistance to improve conservation practices. If the farm does not address the water quality issues, we may determine the farm needs a permit to protect water quality.

### What resources are available for farmers if opportunities for improvement are identified?

EPA Region 3 is committed to help improve water quality on farms that need it by connecting farmers with state and local funding resources. For example, the Clean Streams Fund's Agriculture Conservation Assistance Program provides \$154 million statewide for farm conservation practices that reduce nutrient and sediment pollution in Pennsylvania's local streams.

### More information questions regarding funding resources:

Please visit the Agriculture Conservation Assistance Program [page](http://www.agriculture.pa.gov): [www.agriculture.pa.gov](http://www.agriculture.pa.gov)> Plants, Land & Water>State Conservation Commission . Ag Conservation Assistance Program

For media: Terri White, Chief of Communications Branch, EPA Office of Public Affairs, [white.terri-a@epa.gov](mailto:white.terri-a@epa.gov), (215) 814-5523

#### This effort is coordinated with:

PA Department of Environmental Protection • PA Department of Agriculture  
PA State Conservation Commission • PA Farm Bureau • Lancaster County Conservation District

## Christopher Thompson

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**From:** Christopher Thompson  
**Sent:** Friday, April 28, 2023 11:43 AM  
**To:** Scott Martin -; raument@pasen.gov; cgebhard@pasen.gov  
**Cc:** Daniel Heller  
**Subject:** EPA Settlement and Conservation Assessments  
**Attachments:** Chesapeake Bay Proposed\_Settlement Agreement 4-21-23[1][2].pdf; Pennsylvania Conservation Assessment Initiative Factsheet.pdf; Pennsylvania Conservation Assessment Initiatives QA.pdf; EPA Backstop Measures.docx

Good afternoon Senator,

I am sure you have heard that EPA about the Chesapeake Bay Foundations Settlement Agreement with EPA (see attached), but I wanted to also make sure you also knew that EPA has been in the County conducting Conservation Assessments in the Southern end of the County. EPA has been quick to say the assessments and the settlement are separate issues, but I think the attached Factsheet and Q&A are good resources for answering many questions about what to expect from the settlement.

As a follow up about the Assessments, EPA conducted 2 farm inspections last week and have planned to do 3 more in May. District staff have been on site and acted as a landowner advocate to help interpret questions and answers between EPA and the farmers. This has been a much more collaborative exercise than what was conducted in Watson Run back in 2010 and EPA has discussed preliminary "observations" they found during the assessment regarding farm and manure management. The analysis of the water samples taken from adjoining streams is still pending and will likely determine further action.

As for the settlement, my gut reaction, this is a shot across the bow. A warning that we (Pennsylvania) are not on pace to meet the goal. Based on conversations with EPA, DEP and PDA the settlement is more than an empty threat and it will push the Federal and state agencies to do more, but with that will come more funding to help our farmers comply with regulations. I actually view the EPA Assessments and Settlement as a needed wake up call. We have been discussing the Backstop Options (see attached, 2<sup>nd</sup> page) that EPA could impose to force PA to do more to reduce pollutants getting to the Susquehanna River since 2015-16...it is what led to the formation of our Lancaster Clean Water Partners. I believe EPA has been slow to enact these consequences in PA because there are a lot of good things happening ...especially in Lancaster County. We have many new valued partners working toward a common agenda for clean water, 3,800 farmers out of 5,100 who we know have taken first steps forward to helping clean up Lancaster's waters, there are strategic initiatives to address whole watersheds, etc....but there is still a lot of work to do and a lot of landowners and businesses that are still resisting doing their part. Without the added push by the regulators they will keep waiting.

To date, EPA and DEP have actually been very supportive partners with the Lancaster effort. Over the last 3-4 years, we have been in near constant contact with both agencies. We don't always agree with what they want us to do and we push back, but then are able to collaborate to find a way forward.... and they both have responded with significant funding increases for BMP implementation of approx. \$2-\$3million each year. The new ACAP program (thank you very much) is giving Lancaster another \$15 million over the next 4 years. We already have \$1.4 allocated, but at this point, we need to be doing more at every level. As we get closer to 2025 (deadline for some of the Bay clean up goals), the pressure will only increase and if we can't document progress because of landowner and business inaction it will result in significant and what I believe to be detrimental impacts of EPA's backstop options.

We will keep you posted as this develops and glad to discuss further if you have any other questions.  
Chris