

**Lancaster County Conservation District
Erosion & Sedimentation Committee Meeting Minutes
Thursday December 18, 2025
1:30 P.M.**

Farm & Home Center Sunroom and virtually via Microsoft Teams

Attendees: Jay Snyder, Greg Strausser, Commissioner Ray D'Agostino (arrival at 1:45 PM), Deryk Shaw (online), Alex Flurry (online), Ava Lang, Kaylyn Silvio, Chelsea McKenzie, Shannon Erdman, Eric Hout, Adam Stern, Chris Thompson

1. Update on Pending Enforcement Cases

Eric Hout provided an update on 2 pending enforcement cases. 5220 Paes Road (Salisbury Township) – Consultation and coordination with PA DEP on final enforcement documents is in process now. 3321 Columbia Avenue (East Hempfield Township) – A recent follow up inspection found violations have been addressed. Staff will begin working on enforcement and penalty documents.

2. E&S Department Plans for 2026

Adam Stern outlined 3 areas of work for the E&S Department in 2026 beyond routine programs and delegated responsibilities. Those areas were implementing a fully digital plan/permit review process option, continuing to increase the frequency of routine site inspections, and developing the PCSM delegation if the board ultimately authorizes it. Additional discussion on goals for 2026 is on the agenda for the LCCD Annual Planning Meeting scheduled for the morning of January 21, 2026.

3. PCSM Delegation Research Report – Discuss what has been found so far and identify next steps

***Action Requested**

Staff reviewed the findings of their research summarized in the attached pages. Committee members had a chance to ask additional questions of staff and weigh the benefits and potential downsides of taking on the PCSM delegation. Following deliberation, the Committee recommends Board authorization of a letter to PA DEP Central Office that outlines Lancaster County Conservation District's intent to pursue and take on the Chapter 102 PCSM Delegation (Motion by Commissioner Ray D'Agostino & seconded by Greg Strausser. Motion passed unanimously)

Next Scheduled Meeting

Thursday January 22, 2026 @ 1:30 PM

Farm & Home Center and virtually via Microsoft Teams

3. PCSM Delegation Research Report Action Requested

1. Initial Document Review
 - a. Chapter 102 Delegation Agreement Template – Focus on the last 3 pages of the document “Conservation District Levels of Program Delegation Responsibilities and Required Output Measures for Post Construction Stormwater Management (PCSM)” – This document outlines all the “options” under the Chapter 102 delegation and is attached.
 - b. PA DEP SOP “Management of Chapter 102 Delegation Agreements” – This document outlines the process for adding or removing a delegation under the Chapter 102 program. It is a process document that would be applicable if the Committee/Board gives us the directive to proceed.
 - c. Several other CCDs Applications/Fee Schedules and Professional Engineer job postings – These were used to give staff a general understanding of other Districts’ current PCSM programs. Staff used this knowledge to generate questions and have productive conversations in section 2 below.
2. Consultation with other CCDs & PA DEP
 - a. CCDs – Input was gathered from other Districts with a focus on the 10 questions listed on the attached sheet.
 - i. 3 CCDs provided a written response (Berks, Cumberland, & York)
 - ii. 5 CCDs participated in a virtual meeting with LCCD staff (Chester, Montgomery, Monroe, Northampton, & Westmoreland)
 - b. PA DEP – A virtual meeting was held with representatives from LCCD, PA DEP Central Office, and PA DEP Southcentral Regional Office.
3. Findings – Staff have elected to organize our findings by reporting what we have categorized into “pros” of taking on the PCSM delegation, “cons” of taking on the PCSM delegation, and important items that need to be addressed if we elect to take on the PCSM delegation.
 - a. Pros
 - i. Potential for more timely reviews to the regulated community and less dependence on DEP. Districts reported their engineering staff can work in tandem with E&S technical staff to provide review letters in a timely manner with less need to coordinate with the DEP during challenging reviews. That said, there is still a need to wait for the DEP regional office to issue technical deficiency letters and permit issuances for Individual Permits, so the PCSM delegation does not entirely eliminate the potential for a bottleneck at DEP.
 - ii. Eliminates the awkward situation of staff identifying PCSM plan deficiencies and not knowing how to navigate the review process. In our current delegation agreement, E&S staff repeatedly notice technical deficiencies pertaining to the PCSM plan during a review and are stuck with making a choice between finding a way of stating their observations during a completeness review or letting go of the deficiency under the guise that we are not PCSM-delegated. Sometimes, staff receive pushback for identifying stormwater deficiencies when we are not delegated to do so. The PCSM delegation would give LCCD a strong backing to identify PCSM-related deficiencies.
 - iii. Assurance that PCSM plans meet the standards of Chapter 102. In our current delegation, we do not always have assurance that PCSM plans in acknowledged permits meet Chapter 102 regulations because DEP/CCD staff are not always completing a PCSM technical review. With the PCSM delegation, LCCD staff would have the discretion to complete a full PCSM technical review of any permit submission. Several Districts reported their sense that being able to complete these reviews ensures that all permitted sites in their counties are meeting the Chapter 102 regulations and ensures a baseline of protection for receiving surface waters.

- iv. Legal support from DEP. As with our current delegations, DEP will continue to provide support in the event of a permit appeal or other litigation. Any legal action related to LCCD staff's work under the Chapter 102 delegation (including the PCSM delegation) would continue to be covered by the work and assistance of the Department's Counsel's office. If staff (including a professional engineer) are working within the bounds of the Chapter 102 program and review responsibilities, they would be "covered."
 - v. Potential for simplified workload for other E&S staff. Taking on the PCSM delegation and adding engineering support to the team allows other team members to focus on the many other aspects of the Chapter 102 program. These include E&S Plan/Permit review, routine site inspections, complaint response, and compliance/enforcement efforts.
- b. Cons
- i. Upfront workload and effort. Other Districts and the Department reported the process to get started takes much time and effort, including a Chapter 102 program evaluation, revising delegation agreements with DEP, and hiring for an engineer. Multiple districts shared some of the difficulties they faced in hiring qualified engineers for the program.
 - ii. Lack of programmatic support and timely responses from DEP. Multiple districts outside of the DEP Southcentral Region reported that training for the engineers from DEP is non-existent. However, the DEP SCRO staff shared that they regularly review technical deficiency comments from engineers and provide support and training as needed. All PCSM-delegated Districts shared that their offices don't have authority to issue technical deficiency letters and permit approvals for Individual Permits, which can still result in extended timelines for those permits.
 - iii. The delegation does not necessarily lead to higher quality submissions. One CCD reported that despite having a staff with 3 engineers, they do not believe that submissions to them are of any higher quality. Another CCD reported that a significant frustration of the PCSM-delegation is that design consultants don't always want to do what is required.
- c. Items to Address (if LCCD proceeds with the PCSM delegation)
- i. Size of Engineering Team. Multiple CCDs reported they have more than 1 engineer (Chester, Lehigh, Montgomery, Monroe) or are seeking an additional engineer (York, Berks, Northampton). Retaining more than one PE on staff allows the delegated activities to continue in the event of a resignation or other staff departure. Additionally, many CCDs stated that 1 PE was not enough for them to effectively implement the PCSM program in alignment with their goals and objectives. The current submission numbers in Lancaster County would likely require *at least 2* PEs/engineering staff once fully up and running.
 - ii. Compensation and fee schedule updates. All CCDs shared that retaining adequate engineering staff requires significant financial investment. This includes working to provide compensation that takes into consideration the current market rate for qualified PEs in the field. Taking on the PCSM delegation would require an overhaul of LCCD's fee schedule that would have to include significant increases in our fees for service. Some Districts specifically encouraged LCCD to ensure that adequate salaries can be offered for PEs and not to "low-ball" them with non-competitive salary offers.
 - iii. Which permits will be reviewed?. CCDs have some level of discretion when it comes to which permit submissions will require a PCSM technical review. The delegation agreement outlines permits that must receive a PCSM technical review. Beyond this, CCDs can coordinate with their regional office to determine which other permits will be reviewed. Some of the CCDs we talked to have elected to review all permit submissions as it simplifies the review process and provides consistent resource protection across their counties.

- iv. E&S Department/LCCD management and structure. CCDs shared the various organizational structures they have that include the PCSM delegation and engineering staff. Currently at LCCD, all E&S staff report to the E&S co-managers. The E&S technical manager currently provides input on both E&S and PCSM-related questions to internal E&S staff and to the external regulated community. Knowing that engineering staff would take on some technical oversight (could include questions on PCSM plans, complex E&S BMPs that require engineering, or site observations of PCSM SCMs), the responsibilities of the E&S technical manager may need to be revised. It could be an ideal time to revisit the entire E&S Department organizational structure while adding the PCSM delegation. This could include shifting current team members to more specialized responsibilities amongst a whole host of other possibilities.
 - v. Office space. We are currently working to add an additional cubicle and team member in the first quarter of 2026. The E&S Office will be at capacity at that point (without a major overhaul or moving of storage.) LCCD will need to determine how to physically seat the additional engineering staff or provide them with alternate work arrangements.
4. Staff are looking to the E&S Committee for input on their findings and a recommendation on how to proceed at this point. Staff will be available during the meeting and discussion to answer questions, elaborate on anything in this write-up, and provide their professional opinion on the PCSM delegation at the request of the Committee.