



# LANCASTER COUNTY CONSERVATION DISTRICT

## MONTHLY BOARD MEETING DAY OF PACKET

Wednesday August 4, 2021

Lancaster Farm & Home Center

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

Business Meeting 7:30PM

7:40	I. <u>Agency Reports</u>	
	1. USDA, NRCS (Correction).....	1
7:55	III. <u>Additional Business</u>	
	*4. Erosion & Sedimentation Committee Report – Snyder (attachment) .....	1
	<u>Additional Items</u>	
	*6. PennVest/Levi S. & Barbie S. Fisher – Thompson (attachment).....	1
	*7. MEB Grant – Kofroth (attachment) .....	2
	*8. PAFBC Cooperative agreement – Kofroth (attachment).....	2
8:40	IV. <u>Reports &amp; Information</u>	
	1. Correspondence, News and Updates – Thompson (handouts).....	2
	2. E&S/NPDES Monthly Projects Report – Snyder (attachment).....	3

\*Action Required

**Item I.1**  
**Correction – USDA, NRCS**

How-To Instructions for were accidentally included in the Board Meeting packet. Please disregard pages 3 & 4 in the packet that was sent out Thursday, July 29<sup>th</sup>.

**Item III.4.**  
**Jay Stauffer CAP / Enforcement Update**

Following final edits / revisions by PA DEP, LCCD forwarded via Certified Mail both a Consent Assessment of Civil Penalty (CACP) and the proposed civil penalty to the responsible party, Jay Stauffer. Stauffer signed for, and received both documents; whereby, Stauffer was to sign, and return to LCCD three (3) original copies of the CACP and two (2) checks to cover the proposed civil penalty (\$6,941.79) by July 26, 2021. The proposed civil penalty is payable, as follows: \$3,600.00 to the Commonwealth of Pennsylvania and \$3,341.79 to LCCD.

On Thursday, July 22, 2021, LCCD received two (2) voicemails from Stauffer. During the afternoon of Monday, July 26, 2021, LCCD returned a telephone call to Stauffer; whereby, Stauffer indicated that he had several questions regarding the enforcement, the CACP, and the proposed civil penalty. Ultimately, Stauffer requested an In-Person meeting. During the morning of Tuesday, July 27, 2021, LCCD participated in a conference call with PA DEP; whereby, PA DEP denied Stauffer's request for an In-Person meeting. Relative to the denial, PA DEP contacted Stauffer via both voicemail and e-mail.

PA DEP informed Stauffer that he failed to submit to LCCD the signed / executed documents by the COB on July 26, 2021. Furthermore, PA DEP informed Stauffer that both PA DEP and LCCD agreed to extend the deadline to the COB on Friday, August 13, 2021. If Stauffer fails to submit to LCCD the signed / executed documents by the new deadline, then (1) both the CACP and the proposed civil penalty will be withdrawn, and (2) unilateral enforcement will be pursued.

**\*Action Item**

**Item III.6**  
**Transaction and Funding Agreement Resolution**

The District has been authorized by PennVest (PV) to act as the "Funding Recipient" for the Ag BMP project for Levi & Barbie Fisher, 5778 Buena Vista Road, Gap. PV has approved a principal forgiveness loan of approximately \$321,351.00 to fund construction and facilities improvements to improve water quality. Action is required by the Board to except the transaction and authorize Dan Heller as Chair, Robert Shearer as Vice-Chair, Kent Weaver as Secretary/Treasurer and Chris Thompson as Managing Director to sign the funding agreement documents.

**\*Action Item**

**Item III.7  
MEB Grant**

The Lancaster County Conservation District was requested to sponsor a new National Fish & Wildlife Foundation fund called Most Effective Basins Grant (MEB). Penn State Agriculture in the Environment Center (AEC) is working with Kirby Nissley, Brennman Rd, Rapho Twp. on some Ag BMP's on his farm and asked if the District would sponsor the MEB grant for this work. Mr. Nissley and the AEC are working with Team Ag on several BMP's for the farm; such as two grassed waterways, a forested riparian buffer, barnyard runoff controls, and a manure storage structure. The MEB grant if awarded would fund all of these items, plus a portion of the buffer BMP. The grant was for \$223,043.89 of which \$10,621 would be used by the district for admin cost associated with the grant. The AEC staff and Team Ag would be doing most of the leg work on the grant. The grant had to be submitted last Friday, July 31<sup>st</sup> and award announcements are expected this fall.

**\*Action Item**

**Item III.8  
PAFBC Cooperative Agreement**

The Lancaster County Conservation District's Watershed Program is working with the Pennsylvania Fish & Boat Commission on a Cooperative Agreement for the removal of two small dam structures on the Melvin Beiler property, 225 N. Hollander Rd., Gordonville. The PAFBC has funds through the Muddy Run Exelon funding program to remove fish impediments and dam structures in Lancaster and York Counties. After several months working with the PAFBC, it was determined that the structures on the Melvin Beiler farm would qualify as fish obstructions and would be eligible for their Exelon funds. The PAFBC is asking the District to sign a Cooperative Agreement for these funds and the removal of the structures on an unnamed tributary to Muddy Run, Mill Cr. The Agreement agrees to pay the District to hire a contractor for the removal of these dam structures (\$6,000). Once the dams are removed the District has other grant dollars to pay for a livestock crossing, streambank fencing and riparian buffer on the Beiler farm as well.

**\*Action Item**

**Item IV.1  
Correspondence, News & Updates**

The following correspondence, news or update items will be presented at the Board meeting:

- Correspondence – Blakinger/Thomas Law Firm – Act 65 of 2021 Sunshine Law Amendments – July 20, 2021

**Additions:**

- Post Card – Lancaster Farmland Trust – Save the Date – October 19, 2021
- Booklet – Center for Rural Pennsylvania – Rural Perspectives – July/August 2021

Item IV.2

# E&S Report

## 2021 Report for July

### 2021 Report

		Jul 2021	Total
Total Plan Submissions		26	199
Total Plan Acres		687.617	3117.101
Total Disturbed Acres		198.635	771.3354
Fees Collected	NPDES Permit Fees Collected	\$13,500	\$61,000
	Chapter 105 Permit Fees Collected	\$1,200	\$12,700
	DEP Fees Collected	\$9,800	\$74,400
	E&S Plan Review Fees	\$49,700	\$376,590

### Total Complaints for July 2021

Date Received	Municipality	Land Unit Acres
7/13/2021	LITTLE BRITAIN TWP	1.92
7/13/2021	LITTLE BRITAIN TWP	1.06
7/14/2021	PEQUEA TWP	36.59
7/14/2021	WARWICK TWP	0.79
7/15/2021	PROVIDENCE TWP	3.15
7/15/2021	PROVIDENCE TWP	72.28
7/16/2021	STRASBURG TWP	0.08
7/20/2021	WARWICK TWP	0.81
7/21/2021	EAST HEMPFIELD TWP	42.29
7/23/2021	EPHRATA BORO	0.2
7/27/2021	WEST HEMPFIELD TWP	0.37
7/27/2021	MANHEIM TWP	0.53
7/29/2021	MANHEIM TWP	10.31

### 2020 Report

		Jul 2020	Total
Total Plan Submissions		33	205
Total Plan Acres		368.4869	3470.745
Total Disturbed Acres		111.8909	710.832
Fees Collected	NPDES Permit Fees Collected	\$5,500	\$43,500
	Chapter 105 Permit Fees Collected	\$0	\$10,825
	DEP Fees Collected	\$7,700	\$64,400
	E&S Plan Review Fees	\$31,330	\$232,080

### Total Complaints for July 2020

Date Received	Municipality	Land Unit Acres
7/7/2020	PARADISE TWP	0.5
7/9/2020	MANHEIM BORO	0.28
7/9/2020	MANHEIM TWP	2.71
7/13/2020	WEST COCALICO TWP	2.25
7/22/2020	MANHEIM TWP	7.19
7/23/2020	EAST DONEGAL TWP	3.52
7/25/2020	EARL TWP	0.91
7/27/2020	EAST LAMPETER TWP	159.2
7/29/2020	MANHEIM TWP	0.79
7/29/2020	MARIETTA BORO	9.25
7/30/2020	MARTIC TWP	1.08
7/31/2020	WARWICK TWP	0.93
7/31/2020	MANOR TWP	4.91
7/31/2020	WEST COCALICO TWP	1.67

**Erosion and Sedimentation Plan Submission**

**7/01/2021 to 7/31/2021**

<b><u>Project Name</u></b>	<b><u>Municipality</u></b>	<b><u>Disturbed Acres</u></b>	<b><u>Fees Amount</u></b>
Brunners Grove Road Lot 3	EAST COCALICO TWP	0.53	\$500.00
Silver Spring Groundbed	DRUMORE TWP	50.77	\$11,200.00
Sensenig Turkey Barn Expansion	LITTLE BRITAIN TWP	3.93	\$1,800.00
Peifer Poultry Op	COLERAIN TWP	8.39	\$2,600.00
Jonas Fisher GP04	PARADISE TWP	0.21	\$100.00
Clark Oberholtzer GP09	FULTON TWP	93.5	\$100.00
Mervin Beiler	LITTLE BRITAIN TWP	0.43	\$500.00
201 West Kendig Road	PEQUEA TWP	0.96	\$800.00
Strickler Run GP03 - E-Permitting	WEST HEMPFIELD TWP	0.32	\$100.00
1724 Lincoln Highway East SWM	EAST LAMPETER TWP	0.36	\$800.00
HVM Headquarters and Campus	AKRON BORO	9.35	\$800.00
Enola Low Grade Trail - EAST	EDEN TWP	0.88	\$3,500.00
Brent L Miller Jewellers	MANHEIM TWP	0.93	\$800.00
John Miller SWM	EAST LAMPETER TWP	0.97	\$800.00
Eshelman SWM	WEST COCALICO TWP	0.575	\$500.00
Turkey Hill Store 325 Major Modification	EAST HEMPFIELD TWP	4.67	\$800.00
Delmar Sensenig Nursery Barn	COLERAIN TWP	3.55	\$1,800.00
3101 Yellow Goose Road Major Mod	EAST HEMPFIELD TWP	2.73	\$800.00
Warren Nolt	WEST EARL TWP	2.81	\$1,600.00
GSV Ranck Road Site	EARL TWP	11.36	\$3,550.00
Lime Spring Square - Phase No. 7	EAST HEMPFIELD TWP	98.16	\$2,800.00
460 Hossler Road	RAPHO TWP	0.45	\$500.00
Neumyer - Millcreek Lot 114	WEST LAMPETER TWP	0.4	\$500.00
Lancaster Self Storage	MANOR TWP	3	\$1,600.00
Wenger Subdivision	ELIZABETH TWP	0.89	\$500.00
L-S Early Childhood Center	WEST LAMPETER TWP	11.94	\$3,400.00
1508 E. Newport Road Lot 2	WARWICK TWP	0.84	\$500.00
Reuben King	STRASBURG TWP	0.99	\$500.00
LCCTC - Major Mod	MOUNT JOY TWP	2.03	\$800.00
Jacob Stoltzfus GP06	COLERAIN TWP	0	\$100.00
Good Residence	BRECKNOCK TWP	2.73	\$650.00
606 Peters Road	LEACOCK TWP	2.13	\$1,400.00
2830 Kissel Hill Road	MANHEIM TWP	0.34	\$500.00
Plain Residence	QUARRYVILLE BORO	0.49	\$500.00
Sherman & Walton SWM	MARTIC TWP	0.53	\$500.00
Grandview Phases I, II, IIA Major Mod	MANHEIM TWP	23	\$500.00
230 Whittier Lane	LANCASTER CITY	0.34	\$500.00
Brunners Grove Road Lot 4	EAST COCALICO TWP	0.44	\$500.00