

BRADFORD COUNTY CONSERVATION DISTRICT

THE MISSION of the Bradford County Conservation District is to lead, educate, and empower people to manage resources wisely.

March Board Meeting

WHEN: Monday, March 4, 2024, at 12:30 PM

WHERE: Zoom Meeting: Meeting ID: 869 7328 6638; Passcode: 850962

CALL IN: 1-929-205-6099; PASS CODE: 850962

LINK: <https://us02web.zoom.us/j/86973286638?pwd=bjMxYitLUmdGRIZCYzhZTS9FVXhEUT09>

AGENDA:

- 12:30 - 12:35 Call to Order, Pledge of Allegiance
- 12:35 - 12:40 Introduction of Guests & Action on Minutes
- 12:40 - 12:50 Reports from Cooperating Agencies and Guests

Old Business

- 12:50 - 12:55 Protection options on FCCB Bank Accounts (D/A)

Committees

- 12:55 - 1:00 Buildings and Grounds – information on New Education Facility/Grounds

New Business

- 1:00 - 1:05 Stream Crossing Contracts (D/A)
- 1:05 - 1:10 Hire new employee for Farmland Preservation/Nutrient Management (D/A)
- 1:10 - 1:15 Mileage rate increase (D/A)

Program Updates

- 1:15 - 1:20 ACAP update (D/A)
- 1:20 - 1:25 Nutrient Management Plans (D/A)
- 1:25 - 1:30 Dirt and Gravel Contracts (D/A)
- 1:30 - 1:35 Commission Report - Field Representative (D)
- 1:35 - 1:40 Treasurer's Report & Payment of Bills (D/A)
- 1:40 - 1:45 Correspondence (D)

Adjournment

Next Meeting: Monday, April 1, 2024, at 12:30 PM at Stoll Natural Resource Center
& Via Zoom

A) Action D) Discussion

AGENDA BRIEFS

Old Business:

- Protection options on FCCB Bank accounts

Committees:

none

New Business:

- Stream Crossing Contracts - Discussion and consideration of signing agreements with Rome and Pike Townships for stream crossing design assistance.
- Hire of new employee for Farmland Preservation/Nutrient Management - Discussion and consideration of approving the hire of Glenn Bell to start March 25th.
- Mileage rate increase - Discussion and consideration of raising the mileage rate from \$0.655 to \$0.67 per mile based on direction from DEP as of January 1, 2024. This is the amount we can request from DEP for reimbursement.

Program Updates:

- ACAP update
- DGLVR updates/contracts

March 2024 DEP Conservation District Field Rep Talking Points

Trenchless Technology Guidance - The Bureau of Waterways Engineering and Wetlands (BWEW) and the Regional Permit Coordination Office (RPCO) published the final technical guidance: *Trenchless Technology Guidance* in the *Pennsylvania Bulletin* on February 24, 2024. This document is available in DEP's eLibrary at: <https://greenport.pa.gov/elibrary/GetFolder.aspx?FolderID=1039254>. **Please note that the effective date is February 24, 2024.**

This has been a collaborative effort with many stakeholders, internal and external, providing valuable feedback over several years. The Program wants to thank everyone who was involved at some level in the development of this guidance. The following individuals contributed significantly to the completion of this project and would like to be recognized by the Program: **Domenic Rocco, Cristine Vinciguerra and Drew Foley** with RPCO, **Andy McDonald** with BWEW's Division of Wetlands Encroachment & Training, and **High Garst** with the DEP Policy Office.

We ask that you please take some time to review the document. If you have any questions or comments begin compiling them to share at a later date through a single point of contact from each office/district. We plan to schedule a training related to this guidance in the near future.

Lastly, please remember that this technical guidance is what DEP is **recommending** to operators who use or intend to use a trenchless technology construction method. Requirements in technical guidance are only communicated in those instances where the guidance references statutes or regulations. Your technical deficiency letters and correction notices should only cite statutes and regulations, not technical guidance. You can **recommend** that operators consider points of interest from this guidance in the development of their permits and authorizations materials, including their PPC plans during preapplication meetings.

High Tunnel Technical Guidance Document Withdrawal

DEP's recent withdrawal of the technical guidance document (TGD), *Water Management for Agricultural High Tunnels* (383-4200-001) did not alter in any way the provisions of the Commonwealth's Storm Water Management Act (Act 167 of 1978) as amended by Act 15 of 2018. As indicated in the Pennsylvania Bulletin notice about the TGD withdrawal (see [54 Pa.B. 473](#)), DEP withdrew the guidance because it largely mirrored language in Act 15 of 2018 without providing much guidance beyond the statutory language.

Part of DEP's reason for publishing that guidance in the first place was to make clear that, although Act 15 of 2018 exempted certain high tunnels from the provisions of the Storm Water Management Act, that DEP regulations under other statutes (like the Clean Streams Law, the Dam Safety and Encroachments Act, the regulations at 25 Pa. Code Chapter 102 and 25 Pa. Code Chapter 105, for example) can still apply to high tunnels in certain situations. However, nothing in Act 15 of 2018 exempted high tunnels from the provisions of those other statutes and their implementing regulations, so a DEP guidance document saying as much was not really necessary.

To that point, DEP would point out that the statement from the *Lancaster Farming* article that "... *high tunnels are exempt from stormwater regulation in Pennsylvania.*" is an oversimplification. To reiterate, Act 15 of 2018 did exempt certain high tunnels from provisions of the Storm Water Management Act, but not from other statutes and regulations governing stormwater in Pennsylvania (like Chapter 102 regulations for erosion and sediment control (E&S), post-construction stormwater management (PCSM), and Chapter 105 regulations for water obstructions or encroachments). When the amount of earth disturbance associated with construction of a high tunnel triggers the need for Chapter 102 permit coverage (that is, when the total amount of earth disturbance is one acre or more, as required by 25 Pa. Code § 102.5(a)), E&S and PCSM requirements will apply. Similarly, when a structure is being built along or across a waterway, Chapter 105 permitting requirements may also apply.

PAG-02 Authorization Letter Updated - The Bureau of Clean Water has updated the PAG-02 Authorization Letter template to prepare new permittees this year of the upcoming need to submit renewal Notice of Intent (NOIs) by December 7, 2024. All permittees with PAG-02 coverage prior to December 7, 2024, will need to submit the renewal NOI, even if they've only had coverage for a short while. The revised PAG-02 Authorization Letter can be found in the Chapter 102 Resource Center of Clean Water Academy. The Bureau of Clean Water asks everyone to download the latest template ([Letter Templates](#))(Number 28) for immediate use.

Conservation District and Agriculture Agencies – Ag Meeting - Bureau of Watershed Restoration & Nonpoint Source Management is currently planning the virtual “Conservation District and Agriculture Agencies – Ag meeting” for mid to late July. This meeting was previously called the “All Ag Meeting” and held in March. Districts will be notified once a date is selected and an agenda is drafted.

PA Agricultural Conservation Assistance Program (ACAP)

Districts have spent the past few weeks updating the ACAP financial tracking system. The system is working well and can receive quarterly reports and process replenishments. Districts are encouraged to reach out to State Conservation Commission (SCC) Field Staff for any assistance they need with the system.

Penn State Univ. Center for Agriculture Conservation Assistance Training (PSU CACAT) has entered into an agreement with HRG to provide engineering services for ACAP. The focus of this firm's involvement with ACAP will be to provide assistance with an ACAP job certification system (similar to NRCS Job Approval Authority), provide training, and review/comment on project designs. This contract is not able to provide project specific engineering (I&E, drawings, inspections, etc.) for all ACAP projects across the state.

SCC and CACAT staff have begun drafting an ACAP admin manual with the hopes it will be approved by the SCC by the end of the year. The overall plan is for the admin manual to go through ACAP workgroup for review as well as a public comment period. Staff will develop a comment/response document prior to taking the admin manual to the SCC for approval.

All ACAP information can be found

at: https://www.agriculture.pa.gov/Plants_Land_Water/StateConservationCommission/Pages/default.aspx and [The Center for Agricultural Conservation Assistance Training | Penn State Extension \(psu.edu\)](#).

Clean Water Academy (CWA)

102 and 105 Attachment B on the Clean Water Academy – It is essential that Districts update 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 tile in CWA. 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 maintain and enable all the data systems. [Course: Data Portal \(remote-learner.net\)](#)

2024 Dirt, Gravel, Low Volume Road (DGLVR) Program Trainings

The DGLVR Program has many of their 2024 trainings scheduled and registration is open. There is no charge to attend but registration is required. Training dates, locations, and details are available at each of the registration links below.

Environmentally Sensitive Maintenance (ESM) training: ESM trainings are a two-day classroom session focused on providing the knowledge and tools necessary for road owners to maintain roads in a more cost-efficient and environmentally sensitive manner. ESM trainings are open to both new certifications and those seeking a recertification. Upon completion, attendees are provided with a certification to apply for DGLVR funds for 5 years, expiring December 31st of the 5th year.

[ESM Training Registration - Center for Dirt and Gravel Road Studies \(psu.edu\)](#)

DGLVR Administrative training: 1-day course. Using the administrative manual as a guide, this class will outline the role of Conservation Districts in the Dirt, Gravel, and Low Volume Road Maintenance Program.

[Admin Training Registration - Center for Dirt and Gravel Road Studies \(psu.edu\)](#)

DGLVR Financial training: NEW 1-day course, scheduled back to back with Admin trainings. Any district staff involved in the DGLVR Program are welcome to attend, although district staff who manage program funding are especially encouraged to attend. This training covers topics including DGLVR financial policy, tracking funds, GIS financial tools, reconciling the GIS and conservation district DGLVR accounts, budgeting and spending requirements, and the financial portion of Quality Assurance / Quality Control (QAQC) visits.

[Financial Training Registration - Center for Dirt and Gravel Road Studies \(psu.edu\)](#)

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.

Chesapeake Bay Program

Phase 3 Watershed Implementation Plan (WIP) Numeric Reporting for 2023 Progress Year

Completed- The Chesapeake Bay Partnership Section (CBPS) concluded the 2023 progress reporting year on February 6. For 2023, more than 40 local, state, and federal partners reported 14,535 Best Management Practices (BMPs) into the National Environmental Information Exchange Network (NEIEN) and Chesapeake Assessment Scenario Tool (CAST) Model. The success of data reporting is in large part due to the state and county level partnerships that we have made and continued to build on.

This progress year, the CBPS have added a newly approved methodology from Larson Design Group (LDG) to use for reporting specific BMPs in Pennsylvania. The methodology consists of a non-intrusive approach to BMP verification through current and detailed satellite imagery. After months of LDG working on this methodology, this method was approved at the August 2023 Chesapeake Bay Water Quality Goal Implementation Team meeting.

2023 Countywide Action Plan (CAP) Annual Reports, Milestone Updates, and Progress Snapshots

available on the website- In 2023, 30 of the 34 counties completed a 2-year milestone update on their Countywide Action Plans (CAPs) where county partners updated their goals and initiative for the next two years. Additionally, all 34 counties completed an annual progress report on their CAP efforts over the past year. Counties who completed a 2-year milestone update also updated their numeric goals on what the county intends to address the nutrient and sediment reductions identified in the Phase 3 Watershed Implementation Plan (WIP). These numeric goals and the progress the counties have made for them are captured in Snapshots that are created by the Chesapeake Bay Watershed Restoration Division in conjunction with the Susquehanna River Basin Commission. All of these finalized documents have been added to the CAP website and are available to the public: [Countywide Action Plans \(pa.gov\)](https://pa.gov).

Dates to Remember

SCC Meetings – 1:00 PM

Hybrid Meeting
Hybrid Meeting

March 12
May 14

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

Conference Call
Conference Call

Apr 9
June 11

Chapter 102 Small Group Training Series (Virtual)

Sediment Traps and Basins

- April 2, 2024: 9 AM - 12 PM
- July 9, 2024: 9 AM - 12 PM
- September 24, 2024: 9 AM - 12 PM

Channels

- June 11, 2024: 9 AM - 12 PM
- August 27, 2024: 9 AM - 12 PM
- December 10, 2024: 9 AM - 12 PM

Fall Virtual Basic Training

Two days: November 13-14, 2024: 9 AM – 12 PM both days

To register, log into Clean Water Academy and visit:

<https://pacleanwateracademy.remote-learner.net/course/view.php?id=922>

Leadership Development Strategic Board Development Sessions in-person 10:00 – 2:00

Southeast	Mar 5	Berks CD
Southcentral	Mar 13	Cumberland
Northeast	Mar 19	Monroe
Northwest	Mar 26	Warren

State Water Plan Committee Meetings

Conservation Districts are *very* welcome to attend State Water Plan committee meetings. There are always times available for public comment and the committee members are always excited for lively discussion. Here is the website which the program keeps up to do date with upcoming meetings and committee vacancies: [State Water Plan \(pa.gov\)](https://www.pacleanwateracademy.com/state-water-plan) or contact James Horton at jahorton@pa.gov .

Upcoming State Water Plan Committee Meeting dates:

Delaware	04/09/2024	9:00 am	Click here to join the meeting
Lower Susquehanna	04/10/2024	9:00 am	Click here to join the meeting
Potomac	04/11/2024	1:00 pm	Click here to join the meeting
Statewide	04/16/2024	9:00 am	Click here to join the meeting
Ohio	04/23/2024	1:00 pm	Click here to join the meeting
Great Lakes	04/24/2024	9:00 am	Click here to join the meeting
Upper/Middle Susquehanna	04/25/2024	9:00 am	Click here to join the meeting

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