

# BRADFORD COUNTY CONSERVATION DISTRICT

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

## April Board Meeting

WHEN: Monday, April 8, 2024, at 12:30 PM

WHERE: Zoom Meeting: Meeting ID: 876 6792 3915; Passcode: 470946

CALL IN: 1-929-205-6099; PASS CODE: 470946

LINK: <https://us02web.zoom.us/j/87667923915?pwd=ZC9tUkFvYktCeEJNMml6OGZwSIRPUT09>

### 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 Seedling Order Packing days April 17<sup>th</sup> & 18<sup>th</sup>

### Committees

None

### New Business

- 12:55 - 1:00 NRCS MOU (D)
- 1:00 - 1:05 Stream Crossing Contract (D/A)
- 1:05 - 1:10 Stream Contract (D/A)

### Program Updates

- 1:10 - 1:15 ACAP update (D/A)
- 1:15 - 1: 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, May 6, 2024, at 12:30 PM at Stoll Natural Resource Center  
& Via Zoom

A) Action D) Discussion

## AGENDA BRIEFS

**Old Business:** Just a reminder that the tree packing days for this year's seedling sale will be April 17<sup>th</sup> & April 18<sup>th</sup> and the pick-up days for the sale are Friday the 19<sup>th</sup>, Saturday the 20<sup>th</sup> and Monday the 22<sup>nd</sup>

**Committees:**  
none

**New Business:**

- Stream Crossing Contracts - Discussion and consideration of signing agreements with Columbia Twp. in the amount of \$5,000 for stream crossing design assistance on Besley Road (D/A)
- Stream Contract - Discussion and consideration of signing an agreement with the DEP Stream Improvement Program in the amount of \$50,000 to complete streambank stabilization projects in Bradford County (D/A)

**Program Updates:**

- ACAP update
- DGLVR updates/contracts

**COOPERATIVE WORKING AGREEMENT**  
**Between the**  
**NATURAL RESOURCES CONSERVATION SERVICE**  
**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**and**  
**THE STATE CONSERVATION COMMISSION OF PENNSYLVANIA**  
**and**  
**THE BRADFORD COUNTY CONSERVATION DISTRICT**

**For their Cooperation in the**  
**Conservation of Natural Resources**

THIS AGREEMENT is between the Natural Resources Conservation Service (NRCS), an agency of the United States Department of Agriculture (USDA), the State Conservation Commission of Pennsylvania, and the Bradford County Conservation District, collectively referred to as the parties, to define clearly the roles and responsibilities of the parties.

**AUTHORITIES, STATUTES, LAWS**

NRCS is authorized to cooperate and furnish assistance to the parties in the conservation of natural resources as referenced in the Soil Conservation and Domestic Allotment Act, 16 U.S.C. 590; The Department of Agriculture Reorganization Act of 1994, Public Law 103-354; and Secretary's Memorandum No. 1010-1, Reorganization of the Department of Agriculture, dated October 20, 1994.

The Conservation District's and the State Conservation Commission's authority is defined in Conservation District Law, Act of May 15, 1945, Public Law 217 as Amended and Act 18 of June 1995.

The purpose of this agreement is to supplement the Mutual Agreement between the United States Department of Agriculture and the Commonwealth of Pennsylvania. This cooperative working agreement documents those areas of common interest of the state, federal and local partnership in natural resources conservation.

The customers of the parties to this agreement are individual landowners/land users, Federal and state land management agencies, other individuals, groups, and units of government. The parties mutually agree to provide leadership in resource conservation. To accomplish this we share a commitment to listen, anticipate and respond to our customers' needs; anticipate, identify, and address issues; maintain decision-making at the lowest appropriate level, preferably the District; advocate comprehensive resource management planning, maintain and improve our grass-roots delivery system; build new alliances to expand our partnership; foster economically viable environmental policies; improve the quality of life for future generations; and conserve and enhance our natural resources.

The parties pledge to work together by advancing and practicing teamwork; including input in the decision making process; communicating, coordinating, and cooperating; sharing training opportunities; promoting mutual respect, support, trust, and honesty; and sharing the leadership and ownership, the credit and the responsibility. A mutual goal is to improve our efficiency and effectiveness by putting quality first; empowering people to make decisions; demonstrating professionalism and dedication and striving for continuous improvement.

## CONSERVATION PARTNERSHIP VISION STATEMENT

A dynamic and innovative partnership dedicated to providing quality leadership and service for the stewardship and conservation of Pennsylvania's natural resources.

## CONSERVATION PARTNERSHIP QUALITY POLICY

We are dedicated to providing quality service that meets your expectations through mutual respect, trust and a positive attitude.

The parties further agree that the optional operational agreement which is worked out at the field office level is key to the success of the partnership's efforts in natural resources conservation. Although the operational agreement is voluntary, the parties agree to work toward the development of such an agreement.

## ROLES AND RESPONSIBILITIES:

### PERSONNEL

Each party is responsible for the employment of, management, supervision, development, and evaluation of its own personnel. Each party supports the maintenance of an environment conducive to a diverse work force.

#### TRAINING

The parties agree to offer joint training opportunities to the extent that each party's personnel and facilities permit. The parties further agree that training plans are considered important by employees and management and if budget funds are available the parties will provide time for training.

The District, in cooperation with the State Conservation Commission, will train its employees in District philosophy, programs, responsibilities, authorities, and day-to-day operations as outlined in the employee's job description. District managers will be given additional training in management and administration.

The District, in cooperation with the State Conservation Commission, will offer training to NRCS employees in District philosophy, programs, responsibilities, authorities, and day-to-day operations.

NRCS will offer technical training in natural resource management and leadership and management training opportunities to District employees.

#### EMPLOYMENT

The parties agree to work together to coordinate individual staffing plans to provide the necessary expertise for successful program delivery. The parties further agree to establish qualifications for and determine the classification of their own employees. The parties will assign, by the means of job descriptions, the responsibilities to be assumed by their employees.

The parties agree to annually evaluate the performance of each of their employees and privately review such evaluation with each employee individually according to each partner's policy. Employee evaluations will be done independently by the employing organization, but other partners may be requested to provide input.

The State Conservation Commission, where appropriate and upon request, will provide assistance to districts relative to recruitment, development of job descriptions, employment policies, and administration of District employees.

Each party agrees to consult with the other partners in personnel actions that affect their working relationships.

## **TECHNICAL AND ADMINISTRATIVE ASSISTANCE**

The parties will work together to determine the amount of technical and administrative assistance needed and available for program delivery at each level. Such assistance may include contracts, agreements, procurement, personnel, engineering, information resources management, and/or other assistance provided by the parties.

## **PROGRAM DELIVERY**

### **FARM BILL IMPLEMENTATION**

The District agrees to convene a core local work group to partner with the District, NRCS, FSA, the FSA county committee, Extension, and other Federal, State and local government entities; and to provide leadership for the assessment of natural resource conditions and needs, identification of program priorities and resources available, development of proposals for priority areas, and to make program policy recommendations and provide technical and related support within available capability and established priorities.

The District and NRCS agree to accept program applications and to forward them to FSA. The District and NRCS will cooperate on the development and approval of conservation plans and modifications.

The NRCS agrees to provide program management leadership, implement policies and procedures, provide technical leadership for planning and implementation, concur with FSA on contracts and contract modifications, be responsible for technical quality and technical approval of work, analyze performance indicators and reports, and assist in developing cooperative agreements with the Penn State Cooperative Extension Service and other local partners concerning their roles and responsibilities.

### **NATURAL RESOURCE PLANS**

The parties will cooperate with public and private resource groups, other resource agencies, and interested parties to share information and resources in developing comprehensive natural resource plans. These plans should address the concerns identified by the local stakeholder group and conform with the District's long range plan.

### **RESOURCE INVENTORIES**

The District agrees to assume a leadership role in assessing local resource conditions, evaluating the conservation needs, and developing a long range plan of action for accomplishing conservation goals within the District. The assessment of the local resources will be accomplished through the use of public forums and/or input from a broad stakeholder group which includes, but is not limited to, the local work group as described in the Farm Bill Implementation subsection.

Through the broad stakeholder group, the parties agree to identify, define, and coordinate the collection and use of resource inventory data.

The parties will cooperate in monitoring and validating the resource inventory data to assure that the data meets the needs of the resource planning and evaluation process. The method used to monitor and validate the data will be jointly concurred upon.

**INFORMATION/DATA SHARING**

At the local level, the parties will agree to decide who has the responsibility for establishing and maintaining any specific databases and further agree to share all databases.

**PRIORITY SETTING**

Through the local stakeholder groups, the parties will agree on common geographical boundaries to be used for the delivery of priority or targeted services.

The District agrees to take the leadership role in evaluating the conservation needs and developing a long range plan of action for accomplishing the conservation goals within the District. The parties further agree to work toward the development of an annual operational agreement which will be compatible with the District's long range plan. Public input in determining the kinds and amount of work to be done in the District could be gained from the local stakeholder group or from a special public meeting. The parties will analyze their workload, set priorities and incorporate those priorities into the annual work plans or operational agreement.

To the extent possible, NRCS will allocate resources to meet the local priorities, except when precluded by Federal mandates.

**MARKETING**

The parties will coordinate their efforts in the communication of program information to their customers. The Districts will assume a leadership role in conducting a public outreach campaign as part of the Farm Bill. The parties should encourage all customers receiving technical assistance to become cooperators with the Conservation District.

**COORDINATION OF EFFORTS IN EMERGENCY PROJECTS**

NRCS will take the leadership in developing state, regional and local protocol for involving the partnership in emergency programs such as Emergency Watershed Program with emphasis on:

- Leadership in coordination of efforts (chain of command)
- Communications
- Specific responsibilities of each party
- Maintenance of standards (Technical Guide, permits, E&S, etc.)

**TECHNICAL STANDARDS**

The parties will adopt the Pennsylvania Technical Guide (Guide) and other science-based technical standards. This applies to all standards outlined in the Guide which includes technical information about the conservation of soil, water, air, plant, animal, and other natural resources as outlined on the introductory page to the Guide. If a standard for the practice does not exist in the Guide or its references, the parties agree to use other science based standards and to pursue their incorporation into the Guide.

**JOB APPROVAL/CERTIFICATION**

For engineering job approval authority, the parties agree to follow the procedure as outlined in the current Pennsylvania supplement to the National Engineering Manual covering engineering job approval authority. (Sec. 501.04)

When assigning non-structural conservation practice or planning authority/certification to its personnel based on employee knowledge, skill and ability levels, within applicable laws and guidelines, each party agrees to do so according to a jointly developed and concurred upon procedure.

**NATURAL RESOURCES PLANNING PROCEDURES**

The parties agree to adopt the planning process as outlined in the latest edition of the NRCS National Planning Procedures Handbook.

**SOILS**

The parties understand that the current base soils information is only contained in 3SD - NANSIS/FOCS (State Soil Survey Database National Soil Information System/Field Office Computer System). The parties agree that NRCS will take the leadership for the development, maintenance, and accessibility of a current and accurate soils database.

**RECORDS, FACILITIES AND EQUIPMENT**

**WORKING SPACE**

The parties will work together to provide office space within funding limits, operating guidelines, and authorities. The parties will develop a policy and strategy to collocate and make the best use of available space, whenever possible. The parties agree that they will have joint discussions when any one of them contemplates vacating a location or building.

**EQUIPMENT/RESOURCE MATERIALS**

The parties, where appropriate, will agree to share equipment for common use and will establish guidelines and procedures, at the local level, for the use of such equipment.

The parties agree to assume responsibility for damage or loss of equipment/resource materials owned by the other parties when such damage or loss is due to willful negligence of their employee.

In non-colocated offices, Federally owned equipment/resource materials will be housed in the USDA-NRCS office space unless NRCS decides, and the District concurs, that it is beneficial to house the resources in District space or other space.

**VEHICLES**

District employees are authorized to use NRCS owned vehicles that are available within the District when such use will increase the effectiveness of the program of the District. However, NRCS vehicles may not be used in any District fund raising activity or regulatory enforcement activities. Vehicles will be used within NRCS policies and guidelines. (120-GM 405.21-.23)

If driving NRCS vehicles on District assignments when they would not be agents of NRCS, the District shall carry a property damage and bodily injury liability insurance policy covering its employees and others under its supervision. In addition, the District must have a fully executed Agreement for Intermittent Use of Transportation Equipment. The amount of insurance should be, as a minimum, that required by Commonwealth law. (Reference Motor Vehicle Financial Responsibility Law, October 1, 1984)

The parties, where appropriate, will establish guidelines and procedures, at the local level, for the use of vehicles.

**RECORDS MANAGEMENT**

Any records filed by a cooperator's name are covered by the Federal Privacy Act and cannot be released without the cooperator's consent. However, records may be disclosed to cooperating Federal, State, and local agencies, as necessary for implementation of conservation programs, as spelled out in General Manual 120, Amendment 46, August 1993, part 408.40 - 408.45.

Public information, other than personal information, may be released under and consistent with the Federal Freedom of Information Act, as spelled out in General Manual 120, part 310.19 - 310.20, dated June 1989. Public information (all papers, records, plans, and documents apart from those classified as confidential or protected by law) may also be released under and consistent with the Pennsylvania Right-to-Know Law (65 P.S. Section 66.1).

The parties agree that cooperator files will be kept, as a minimum, for the maximum length of time required by the various programs involved. The parties further agree that all engineering data should be kept for as long as the land remains in agricultural uses.

The local representative of the parties may develop policies for maintenance, retention and disposal of program participant records (cooperator files, RAMP, RC&D, Erosion and Sedimentation Plans, PL-566 etc.) with attention given to the disposition requirements of the various programs.

The parties agree that the District and NRCS will be co-owners of all program participant files. In the event that they are not collocated, and if each party desires their own set of records, they agree to mutually share in the expense and labor of duplication and maintenance of these records.

**FUNDING**

The parties will work together to optimize available resources and actively seek funding to accomplish natural resource priorities and programs.

**FEE FOR SERVICES**

The parties recognize that nonfederal signatories may establish procedures to collect fees, where permissible, for delivery of such services which are not provided through federal financial or technical assistance. The parties recognize that any signatory may enter into reimbursable agreements.



**TORT LIABILITY**

The parties will each assume responsibility for the actions of their officials, directors, or employees acting within the scope of their employment and/or position to the extent provided by federal, state, county, and local laws.

**ACCOUNTABILITY**

The parties will design and implement a benefit based evaluation system(s) to determine if resource and customer needs are being met. The NRCS State Performance Plan, other program plans or locally developed systems may be used to accomplish this goal. Actions to address the needs expressed in the results of the evaluations shall be incorporated into annual and long range plans.

**SCOPE OF AGREEMENT**

The Cooperative Working Agreement is a "memorandum agreement" and is not a legally enforceable or fund obligating agreement. Authority to carry out specific projects or activities, such as transfer of funds, acquisition of services and property, will be established under separate agreement.

**CIVIL RIGHTS**

The parties will be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964 ,as amended. The Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, Americans with Disabilities Act of 1990, and in accordance with regulations of the Secretary of Agriculture (7CFR-15, Subparts A & B) which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Agriculture or any agency thereof.

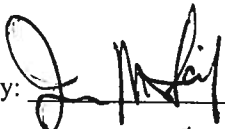
**TERMINATION**

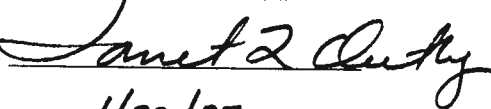
This agreement can be modified or terminated at any time by mutual consent of all parties or can be terminated by any party's giving 60 days written notice to the other parties.

This agreement supersedes the Supplemental Memorandum of Understanding.

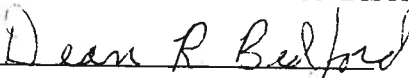
COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

UNITED STATES DEPARTMENT  
OF AGRICULTURE  
NATURAL RESOURCES  
CONSERVATION SERVICE

By:   
Date: 2-11-97

By:   
Date: 1/27/97

BRADFORD COUNTY CONSERVATION DISTRICT

By:   
Date: March 3, 1997

NRCS is required to deliver USDA Civil Rights and Equal Opportunity requirements and information with institutions that participate in or administer USDA federally conducted and/or federally assisted programs. In an effort to fully comply with Federal, Departmental, and Agency governing Civil Rights laws and regulations, this check-list serves as an internal guide to assist with the Civil Rights responsibilities and expectation discussion between NRCS and Partners.

### **Board Membership Responsibilities**

- Annual review of the Memorandum of Understanding (MOU) between NRCS and Board.
- SWCD Board Demographic Information - NRCS Plan of Action for Representation on Boards, Councils, and Committees, requires States to annually review current Board membership data with state conservation agencies and discuss the opportunities and benefits of having minority and female representatives on local boards/councils who are impacted by the board's/council's decisions regarding conservation programs.
- Prohibition disclosure of certain information by the USDA and its Cooperators - Applicants, participants, location, and any and all privacy information is not to be disclosed without a FOIA request. Upon Board membership ending, former Board members have the responsibility to protect any information.
- New and existing partners are invited and should attend NRCS sponsored Civil Rights Training.

### **Federally Assisted and Federally Conducted Program Delivery Responsibilities**

- 1964 Civil Rights Act - Title VI is a federal law that prohibits discrimination on the basis of race, color or national origin in programs and activities that receive federal financial assistance. Unlawful/prohibited discrimination is unfair or unequal treatment based on a prohibited bases.
- NRCS employees and partners who work with USDA programs are required to guarantee fairness and equal treatment to all customers eligible to receive USDA/NRCS programs and services regardless of any of the cited prohibited bases enforced by USDA:  
race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, familial/parental status, income derived from a public assistance program, political beliefs, reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

### **Program Outreach**

- NRCS State and Field offices are required to establish and maintain outreach programs at the local level to ensure that all persons know about the availability of USDA/NRCS program services effectively and are encouraged to participate:  
Board membership includes willingness to reach out to others, to reach out farther than others, to exceed normal communication expectation, or to go beyond existing limits to communicate with the under-served or under-resourced (women, minorities, persons with disabilities, historically underserved, limited resource, etc.)

### **Public Notification Responsibilities**

- Governing documents relative to required equal opportunity public notification requirements that conservation partners must review:

• Secretary of Agriculture Civil Rights Policy Statement	• USDA Equal Employment Opportunity is the Law poster
• USDA Alternative Dispute Resolution Policy Statement	• NRCS Chief's Civil Rights Policy Statement
• USDA Anti-Harassment Policy Statement	• NRCS EEO Counseling poster
• USDA Nondiscrimination Statement	• NRCS LEP Policy Statement
• *"And Justice for All" poster	• NRCS LEP Services poster
• USDA "Sexual Harassment is Illegal" poster	• [RESERVED]

- The public notification requirements must be prominently and visibly displayed in all offices where there is a USDA presence and where viewing is accessible for employees and customers.
- Compliance with Section 504<sup>1</sup> and Section 508<sup>2</sup> of the Rehabilitation Act of 1973.
- Access public notification required documents at the following link:  
[http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/about/civilrights/?cid=nrcs143\\_022466](http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/about/civilrights/?cid=nrcs143_022466)
- Public notification documents attached: (Review description for partners)

1. Secretary of Agriculture Civil Rights Policy Statement – affirms USDA’s commitment to equality and civil rights for program delivery and employment with emphasize on USDA’s zero tolerance for any form of discrimination or reprisal.
2. USDA Alternative Dispute Resolution (ADR) Policy Statement – affirms USDA’s commitment to conflict prevention to increase customer satisfaction and employee morale.
3. USDA Anti-Harassment Policy Statement – affirms USDA’s commitment to maintaining an environment free from unlawful harassment (sexual and non-sexual).
4. USDA Nondiscrimination Statement – must be posted in all USDA offices and included on all materials produced by USDA for public information, public education, or public distribution. In addition to Section 504 and Section 508 requirements, the statement shall be made available in other languages appropriate to the local population served or directly affected by USDA program or activity.
5. “And Justice for All” poster – primary method utilized to inform customers or their civil rights. Institutions participating or administering USDA programs are required to display the appropriate poster in respective facilities where poster can be viewed by customers. (NRCS applicable versions: Form AD-475-A, relevant to assisted programs; and Form AD-475-C, relevant to conducted programs.)
6. USDA “Sexual Harassment is Illegal” poster – general preventive tips and guidance on filing sexual harassment claims.
7. USDA “EEO Is The Law” poster – employee information and guidance on filing an EEO complaint.
8. NRCS Chief’s Civil Rights Policy Statement – reaffirms Secretary of Agriculture’s Civil Rights policy and emphasizes that reprisal of any kind against customers or employees will not be tolerated.
9. NRCS “EEO Counseling” poster – contact information for employees filing an EEO complaint. (does not apply to customers)

<sup>1</sup> Federal facilities and locations must be accessible for the public to guarantee access to persons with a disability.

<sup>2</sup> Public and employee notices regarding events and activities sponsored, co-sponsored, hosted, and or co-hosted by USDA, NRCS contain NRCS POC information including name, telephone number, email address, and a respond by date for persons to request accommodations (for example – an interpreter, translator, seating arrangements, etc.) materials in an alternative format (for example – braille, large prints, audiotape – captioning, etc.)

10. NRCS Limited English Proficiency (LEP) Policy Statement – reaffirms USDA’s commitment and provides support to the provisions of federally conducted and federally assisted prohibited discrimination based on national origin. LEP applies to individuals who do not speak English as their primary language, and who have a limited ability to read, speak, write, or understand English.

11. NRCS LEP Services poster – provides notice to customers that LEP oral interpreting and written translation services are available at no cost to customer relative to NRCS federally assisted and federally conducted programs.

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**Affirmation of Review:**

Field Office/State \_\_\_\_\_

SWCD Board \_\_\_\_\_

Board Member(s)- Printed Name:

Signature and Date:

1. \_\_\_\_\_

\_\_\_\_\_

2. \_\_\_\_\_

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3. \_\_\_\_\_

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4. \_\_\_\_\_

\_\_\_\_\_

5. \_\_\_\_\_

\_\_\_\_\_

6. \_\_\_\_\_

\_\_\_\_\_

NRCS Rep - Printed Name and Title:

Signature and Date:

1. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## April 2024 DEP Conservation District Field Rep Talking Points

**105 Quarterly Permit Data Submission Reports** – EFFECTIVE IMMEDIATELY: 105 Quarterly Permit Data Submission Reports Will No Longer Be Provided as Excel Spreadsheets via e-mail. All Permitting Data Submitted via Paper or PDF Submissions Will Now be Submitted Using Online Forms! DEP Division of Wetlands Encroachment and Training has been working to update the process by which the data for all CCD 105 permit work is conveyed. The method we have been using of e-mailing excel spreadsheets is not something that DEP can sustain any longer. It is excessive in its work to merge and track all the data. Further, we have issues with old forms and methods, and sometimes incomplete forms. Therefore we have created a new method of data entry.

### **Some Details on the New Method:**

This new method will enable streamlined data collection electronically, and to adequately capture the data, and track when each CCD's quarterly data entry is completed. We have been working with a handful of Conservation districts over the past year on testing a few possible methods. They tested the methodologies and provided feedback. Everyone felt that this was a big improvement over current methods. Thank you to Jefferson, Centre, Allegheny, Columbia, & Erie CCD's for your help and time in testing and providing feedback. We really appreciate it!

- AS A REMINDER: PERMITS RECEIVED THROUGH E-PERMITTING ARE NOT ENTERED IN THESE DATA SUBMISSIONS BECAUSE IT ALREADY ENTERED IN DEP'S EFACTS DATABASE
- All of the entry forms will be available via a new Page on Clean Water Academy, which will maintain the links, and have completion instructions. This page is still being finished, but you can find it in the 105 Resources Page here: [Course: Chap. 105 - Resource Center, Topic: Quarterly Permit Data Entry \(remote-learner.net\)](#)
- This is just one of the methods we looked into. There are others which we also liked but had some sharing limitations. We are still investigating some options on sharing limitations with that one, as it has added benefits (like an online Table you can see for entry and maintain so you don't have to have a separate excel form). We will continue to investigate this.
- If we find errors or issues, we can tweak how these forms work as we go, and fix errors.
- The Forms:
  - There is 1 primary form for entry of permit data, that also tracks if all permit data is entered for the quarter. This form is completed for each paper or PDF submission of a general permit received.
  - If there are more impacts than can fit on this primary form, there is a separate form for just impact data entry. You can complete it as many times as needed.
  - There is an additional form for the entry of a permit transfers received.

The 105 Program held a kick-off webinar on March 25 for all delegated districts. There will be another webinar on April 8 from 8:30 – 9:30 for those that missed the first webinar. The Program plans to create short videos the explain how to complete the form and post them on CWA in the near future.

**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.

### **Agricultural Activities Clarified in Erosion and Sediment Control Frequently Asked Questions (FAQ)**

The revised Erosion and Sediment Control FAQ was uploaded to the PA DEP Clean Water Academy on March 20, 2024, and can be found here:

[https://files.dep.state.pa.us/Water/BPNPSM/StormwaterManagement/ConstructionStormwater/E%26S\\_FAQ.pdf](https://files.dep.state.pa.us/Water/BPNPSM/StormwaterManagement/ConstructionStormwater/E%26S_FAQ.pdf). The updated document includes clarification regarding agricultural activities under FAQ #5, clearly indicating when earth disturbance on agricultural operations should be considered as part of an NPDES Permit.

**Land Application Technical Guidance Document Revisions** – The revisions the Department of Environmental Protection’s (DEP) *Land Application of Manure: A Supplement to Manure Management for Environmental Protection* will be published on April 27<sup>th</sup>, 2024. The published document will be available on DEP’s eLibrary for download. Printed copies will begin to be available in the fall. Tools and resources to support the revised document including Clean Water Academy trainings, printed and downloadable handouts, and the PAOneStop Manure Management Plan Module will be available this summer and fall. The revisions bring the first changes to *Land Application of Manure* in over a decade. The revisions to the document are applicable to all agricultural operations that land apply manure or agricultural process wastewater that are not CAFOs or CAOs. DEP’s *Land Application of Manure* sets the standards for the land application of manure and agricultural process wastewater in the Commonwealth. It also sets the standards for the development of Manure Management Plans.

**FY 2024 - 2025 Act 38 and Chapter 91 Delegation Agreement Packet** - On March 12, 2024, the State Conservation Commission approved funding levels for FY24-25 of the Act 38 / Chapter 91 delegation agreement. These funding levels, which have not changed from FY 23-24 to FY 24-25, were approved early due to an impending deadline to make sure all Federal COVID funds are fully encumbered before a state-imposed deadline of June 30, 2024.

The third year of this 5-year delegation agreement continues the combination of Clean Stream Law, Chapter 91 Manure Management Program activities, and Act 38 Nutrient Management Program duties. Please note that funding levels did not change between FY 23-24 and FY 24-25.

Conservation District packets containing all required forms were emailed to district managers on Monday, March 18<sup>th</sup>. Completed forms and the budget worksheet should be returned to Brady Seeley at [braseeley@pa.gov](mailto:braseeley@pa.gov) by May 1<sup>st</sup>, 2024.

**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.

**Commonwealth PAYback Program** - Under [Executive Order 2023-07 – Building Efficiency in the Commonwealth’s Permitting, Licensing, and Certification Processes](#), the PAYback initiative went into effect on November 1<sup>st</sup>, 2023. This policy indicates that if permit review timeframes are not met, applicants may request a refund of permit fees. Where the Permit Decision Guarantee (PDG) and PAYback conflict, PAYback policies should be followed, though BCW anticipates more guidance on this in the future. In general, staff should continue to follow permit review SOP timeframes and stay aware of deadlines. It is important to note that PAYback refund policies impact DEP only; Conservation Districts are not subject to the PAYback refund policy. PAYback applies to the following 102 permit application fees:

- Administrative filing fee and disturbed acreage fees collected and deposited by DEP (e.g., PAG-01 and PAG-02 NOIs in Forest and Philadelphia Counties); and
- Disturbed acreage fees collected by districts and deposited by DEP for individual permits where the district is not PCSM-delegated.

**Budget & Actual Staff Salary/Benefits Spreadsheet update:** We are happy to announce the startup of the new online system using and enhancing the Budget & Actual Staff Salary/Benefits Spreadsheet (see March 4 email from CD Resource Email Account). This spreadsheet uses a Budget tab and Actual tab to track and display each individual staff position's salary and benefits and corresponding funds to support it. A few details about the system:

- It is housed on the DGLVR website.
  - We will add an access button (titled Staffing Application) when you schedule a date and time for a live training.
- Your current FY 22/23 Budget Spreadsheet (Actuals tab) will be used to populate your data into the system.
- There are additional staff details you will enter into the system; i.e. work responsibilities, certifications, education, total years of experience in conservation work, years of experience in current position.
  - Most info is entered via dropdown menus.
- You will also enter details related to health, retirement, and leave benefits.
- The additional staff details only need to be entered once, unless there are changes/updates.

The purpose of the system is to have a baseline of data regarding position salary/benefits and how they relate to years of experience, education, county class, etc. In years past, inquiries were received regarding staff salary/benefits so that CD's could consider providing a more competitive pay rate and benefits package to improve staff retention. Our goal is to answer future inquiries by providing a range of data, as it relates to the request, to help CD managers and board of directors make informed decisions regarding staff salaries and benefits. As spreadsheet data is submitted annually, we will maintain current and consistent salary/benefits information for your use.

Each CD will participate in a live training to upload their data and learn how to use the system; please contact Jaci Kerstetter at [jackerstet@pa.gov](mailto:jackerstet@pa.gov) to make those arrangements. You may also contact Jaci if you have questions or need further clarifications.

### **Clean Water Academy (CWA)**

**Here are links to some new and updated CWA content:**

[Course: Chapter 102 ICIS Data Management \(remote-learner.net\)](#)

[Course: Harmful Algal Blooms \(remote-learner.net\)](#)

[Course: 2021 - E&S Plan Technical Review \(remote-learner.net\)](#)

[Course: PA4R Alliance "Field Trial" Webinar Series - 2024 \(remote-learner.net\)](#)

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

**Chapter 102 Basic Technical Training** - Registration is now open for Chapter 102 Basic Technical Training, which will take place May 20-24, 2024, at the Red Lion Harrisburg Hershey in Harrisburg, PA. Attendance is open only to conservation district and DEP employees working with Chapter 102.

The training is appropriate for individuals who are new or relatively new to their position, have never taken a similar training, would like a refresher, or would like guidance and skill enhancement for field inspections. The course curriculum assumes all participants have completed the prerequisite coursework on the Clean Water Academy.

Click here <https://pacleanwateracademy.remote-learner.net/course/view.php?id=1166> for additional information and to register. You will need to log into the Clean Water Academy (CWA) to access this link. Please contact Christopher Grimsley at [cgrimsley@pacd.org](mailto:cgrimsley@pacd.org) if you need assistance accessing the CWA. All other questions may be directed to Molly Burns at [mburns@pacd.org](mailto:mburns@pacd.org).

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

**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](http://www.ethics.state.pa.us) and click on "forms" on the left side of the page.



## **Chesapeake Bay Program**

### **Larson Design Group, Inc. (LDG) Retained as Engineering and Technical Assistance Service Provider for IIJA-MEB Technical Assistance Contracts (North and South)**

The Countywide Action Plans Technical Assistance Program has been established by DEP to address the increased need for technical assistance. The need for increased resources is paramount to initiating projects to help meet CAP implementation goals throughout the Chesapeake Bay watershed.

This program will provide engineering and technical services to a North and South region of the Chesapeake Bay Watershed that have historically lacked resources to implement needed projects. Counties that have access to the Technical Assistance Program include:

- North Region: Berks, Cameron, Clearfield, Columbia, Elk, Indiana, Jefferson, Lycoming, McKean, Montour, Northumberland, and Potter
- South Region: Bedford, Blair, Cambria, Centre, Clinton, Fulton, Huntingdon, Mifflin, Snyder, Somerset, and Union

Larson Design Group, Inc. has been retained by DEP to provide technical assistance services to increase project implementation capacity within the North and South regions and will be accepting project proposals for funding technical assistance needs. Examples of services that can be provided through this program include site survey, inventory and evaluation, project design, construction inspection, and project coordination. Projects must be in the Chesapeake Bay Watershed.

Please be on the lookout for additional information regarding this program and application window in the coming weeks.

## Dates to Remember

### SCC Meetings – 1:00 PM

Hybrid Meeting May 14  
Hybrid Meeting July 17

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

Conference Call Apr 9  
Conference Call 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>

### 102/105 Basic Technical Training

Red Lion Harrisburg Hershey in Harrisburg, PA

May 20-24

### 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 \(pa.gov\)](#) or contact James Horton at [jahorton@pa.gov](mailto:jahorton@pa.gov).

### **Upcoming State Water Plan Committee Meeting dates:**

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

**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.

MARCH  
CORRESPONDENCE

- #1 FARMSHINE
- #2 BAY JOURNAL
- #3 DEP, Environmental Cleanup and Brownfields Program
  - Copy of Receipt of Notice of Intent to Remediate and Final Report to Creston Environmental, LLC for the following:
    - o Kingsley Unit Pad B, Monroe Township
    - o Shumhurst BRA Well Pad, Tuscarora Township
    - o Stoorza 2H on the Stoorza BRA Well Pad
  - Copy of Receipt of Final Report to Creston Environmental, LLC for the Indian Foot Well Pad Lease Road, Monroe Township
  - Copy of Statewide Health Standard Final Report Approval to Chesapeake Appalachia, LLC for the Shumburst Produced Water Release Cleanup, Tuscarora Township.
  - Copy of Clean Streams Law Violation, SWMA Violation to Flynn Energy Transport INC for the 242 Wheeler Rd. HHO Release, South Creek Township
- #4 DEP, Northcentral Regional Office
  - Copy of E41-9999 Authorization Notifications to PennDOT for Structure 080000605401134, North Towanda Township.
- #5 *River Talk* – Carantouan Greenway Newsletter
- #6 Chemung County Soil & Water Conservation District Annual Report
- #7 *Tomorrow Newsletter* – Washington County Conservation District Newsletter