



Greene County Conservation District

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**GREENE COUNTY CONSERVATION DISTRICT
MINUTES**

Regular Meeting

November 9, 2010

I. CALL TO ORDER AND INTRODUCTION OF GUESTS

The meeting was called to order by Chairman Bradley Eisiminger at 10:15 a.m. at the Greene County Career and Technology Center, Waynesburg, Pennsylvania. Directors present were Bradley Eisiminger, Chairman; Archie Trader, Vice Chairman; Tom Headlee, Treasurer; Jim Cowell, Secretary; Pam Snyder, Commissioner Representative; Jim Kenney, Director; J. Robert Rice, Director Emeritus; Greg Hopkins, Associate Director; and Bill Wentzel, Associate Director and Program Associate. Guests and District staff present in alphabetical order included Shirley Eisiminger, Guest; Chris Hardie, Planner, Planning and Development; Lindsay Kozlowski, Resource Specialist; Robbie Matesic, Executive Director, Planning and Development; Julie Maxwell, Watershed Specialist; Andy McAllister, Director, Western Pennsylvania Coalition of Abandoned Mine Reclamation (WPCAMR); Suzy Petery, District Conservationist, Natural Resources Conservation Service (NRCS); Laurel Rush, Ag Technician; Becky Salosky, Fiscal Officer; Pansy Six, Guest; and Lisa Snider, District Manager.

Eric Davis, Waterways Conservation Officer, Pennsylvania Fish and Boat Commission, attended a portion of the meeting.

Lisa introduced Andy McAllister, Director of the Western Pennsylvania Coalition of Abandoned Mine Reclamation (WPCAMR) to the group.

II. PUBLIC COMMENTS

There were no public comments.

III. APPROVAL OF MINUTES

Suzy Petery requested clarification regarding the Fee Schedule; specifically, the charge for General Permits. Lisa acknowledged a \$25.00 fee for General Permits; however, she said that there are provisions made for waivers. Regarding visits to the farms of nominees for the Cooperator of the Year Award, Suzy requested that the minutes note that an NRCS Representative was present.

A motion was made by Tom Headlee to approve the minutes of the September 21, 2010 meeting with the above mentioned additions and corrections. Jim Cowell seconded. (Motion Passed)

IV. TREASURER'S REPORTS

A motion was made by Archie Trader to approve the Treasurer's Reports. Jim Kenney seconded. (Motion Passed)

V. CORRESPONDENCE

Lisa noted that information was received regarding the National Association of Conservation Districts (NACD) Annual Meeting scheduled to be held January 30th-February 2nd, 2011 in Nashville, Tennessee. The fee for the "Early Bird Registration" (prior to November 30th) is \$425 per person.

VI. REQUEST FOR ASSISTANCE

James Henry Cole – Washington Township – 198 acres

A motion was made by Archie Trader to accept this Request for Assistance. Tom Headlee seconded. (Motion Passed)

VII. OLD BUSINESS

Lisa gave an update on the Farmland Preservation Program. Work is being done on the property of Jim Willis to place a 53 acre parcel in the Pumpkin Run Watershed under an Agricultural Easement. She noted that Laurel has been working with Appraiser, Scott York, and she believes that he has begun his work on the appraisal. Attorney Greg Hook is finalizing the title work for the Easement.

Laurel said that unfortunately Mrs. Willis has passed away, and while this probably will not prevent the placement of the property under easement, it may complicate the process. Doug Wolfgang of the Pennsylvania Department of Agriculture is aware of the situation and is willing to work with the Farmland Preservation Board to move the easement forward. Laurel noted that despite the complications, we should be on schedule to meet the December 31st deadline to have the property encumbered.

The next meeting of the Farmland Preservation Board is November 17th.

VIII. NEW BUSINESS

- a. The next item discussed was the Willis Nutrient Management Plan. Laurel noted that the plan meets all of the administrative requirements and is currently under technical review. She has completed the required site visit and she will be requesting minor changes. The plan should be ready for Board consideration next month.
- b. At the September meeting, Chairman Eisiminger appointed Mr. Headlee and Mr. Kenney to serve on the Budget and Objectives Committee. Lisa said that she and Becky will work with the Committee to have a proposed Budget and Objectives ready to present to the Board at the December meeting.
- c. The next item discussed under New Business was the Shoestring Road Dirt and Gravel Roads Project in Morris Township. Lisa noted that the final inspection of the project was conducted in two separate visits by the Quality Assurance Board (QAB). Thereafter a few minor items regarding the drainage pipes were brought to the attention of the Township. Lisa explained that the original contract cost was \$8,586.00; however, additional drainage pipes were either repaired or replaced (26 instead of the original contract estimate of 20) increasing the project cost. Cost increases were also associated with the size of the steel culvert, and additional stone and rip rap. Since funds are available, the QAB felt that an additional 10 percent (\$858) could be paid toward the project. **After discussion, a motion was made by Archie Trader to approve payment of an additional \$858 or a 10 percent increase to Morris Township. Jim Kenney seconded. (Motion Passed)**

- d. **A motion was made by Jim Kenney to pay the 2011 Southwestern Pennsylvania Project Grass Chapter dues of \$200.00. Jim Cowell seconded. (Motion Passed)**
- e. **A motion was made by Tom Headlee to pay \$775.00 to the National Association of Conservation Districts (NACD) for the 2011 dues. Jim Cowell seconded. (Motion Passed)**
- f. Due to the late receipt of information regarding the next item, the Penn's Corner Farm Bill Program Agreement did not appear on the Meeting Agenda. Laurel noted that a similar agreement was executed for the Conservation Stewardship Program. The program provides funding to Conservation Districts through Penn's Corner RC&D to assist NRCS with program outreach. This agreement has been expanded to include other Farm Bill Programs such as the Environmental Quality Incentives Program (EQIP), the Agricultural Management Assistance Program (AMA), and the Wildlife Habitat Incentives Program (WHIP). Suzy said that she has concerns and questions regarding the agreement which she had discussed with Sherene Hess, RC&D Coordinator with Penn's Corner. She requested that Sherene delay sending the agreement until those concerns were addressed.

Laurel continued by reviewing the major points of the proposed agreement including the May 31, 2011 deadline for completion of the work, the deadline of June 15th for submission of a written final report, and the compensation not to exceed \$4,000.

Since issues need to be addressed, this matter was tabled until the December meeting. Vice Chairman Trader requested that a copy of the agreement be mailed to all Directors for their review.

IX. DISCUSSION OF STAFF REPORTS

- a. Staff reports were submitted by mail with the meeting packets. At this time, Lisa gave an update regarding matters discussed at the September meeting. Regarding the Marcellus Shale Severance Tax, a letter of support was mailed to legislators as directed. Revisions were made to the Erosion and Sedimentation (E&S) Review Fee Schedule and these

changes were posted in the Observer Reporter and on the County's Web Site. Changes were effective on November 1st.

Interviews for the E&S Technician's position were conducted yesterday with three individuals. Of the seven or eight applications received, about five were viable candidates. Mr. Kenney was unable to attend those interviews and he will need to review the applications.

A letter was mailed to municipalities informing them of an extension of the application period for the Dirt and Gravel Roads Program. As a result, a few applications have been received.

The proposal, prepared by Julie to conduct stream monitoring and assessments in 41 watersheds within Greene County, was approved for funding in the amount of \$17,389.00. This program will allow the Conservation District and possible project partners evaluate local headwater streams that meet a minimum of 75% forested cover. Streams will be evaluated for their existing uses and gathered information and samples will be used by PA DEP, Division of Water Quality to determine whether streams should be upgraded. These funds can be used for salaries, equipment, and Macro Invertebrate studies over a two year period.

In closing, Lisa noted that the Pennsylvania Fish and Boat Commission will be attending our next meeting to report on the Monongahela River Monitoring Project.

- b. Laurel reported that the lime spreader is currently being used and has been in use for most of the fall season. She will be attending a training update on Nutrient Management Plan Review on November 15th. She hoped that the Core 4 Calendars would have been ready for distribution today; however, they are currently being printed. Plans are to have them available for the December meeting.

Chairman Eisiminger requested lime suppliers in the area. Laurel indicated that most of it is supplied by Cool Spring and Greer and a list of haulers is available at the office. Mr. Cowell requested that KAB Trucking be added to the list of haulers.

- c. Lindsay noted that Erosion and Sedimentation Control Plans have been received for a large pipeline project, the Appalachian Gateway Project, affecting more than 400 acres in four counties.
- d. Bill commended Texas Eastern and Dominion for their cooperation while working with him to ensure that proper Best Management Practices were properly installed and working.

Robbie suggested that a letter be sent thanking them for their cooperation and Bill agreed to draft a letter. Mr. Kenney suggested that pictures be displayed of sites that show properly installed practices. Robbie added that they could be displayed in the window of the Planning and Development Office, the lobby of the Fort Jackson Building, and the County Office Building. Robbie also said that work is being done with the Geographic Imaging System (GIS) and should be available to show at next month's meeting.

X. REPORTS FROM COOPERATING AGENCIES AND GUESTS

- a. Chris Hardie – Chris noted that the Planning Commission has been very busy with projects and are working with 10 pending land development projects. Four or five of these active projects are compressor stations. Other projects include the construction of a social hall and a museum, construction of a storage building, and a commercial building addition. To date, 380 public notices and 60 lot splits have been received. In closing, Chris noted that EQT's Sunrise Project has been downsized; however, Greene County's portion will probably remain the same.
- b. Andy McAllister – Andy informed the group that the Western Pennsylvania Coalition for Abandoned Mine Reclamation (WCAMP) administers the "Quick Response" Program, which provides funding for the repair of Growing Greener eligible water quality projects (passive treatments, Ag Best Management Practices, etc.). Anyone interested in receiving money to repair projects damaged by a storm, etc. should contact their local RC&D office. Application has been made for additional funding, approximately \$130,000, through the last round of the Growing Greener Program. He noted that the future of the Growing Greener Program is uncertain at this time.

Andy also informed the group of a recent ruling of the Northern West Virginia Circuit Court of Appeals that could affect Conservation Districts and Watershed Groups who operate passive or active treatment systems for acid mine drainage. The case involved bond forfeiture sites. The Northern Highlands Conservancy has brought suit against the state of West Virginia for failing to have a National Pollution Discharge Elimination Systems (NPDES) permits on the sites. The Conservancy won the case, forcing the state to obtain NPDES permits for all of their bond forfeiture sites. Although he has not reviewed the entire ruling, it appears that it will include all abandoned mine discharges. This is unfortunate for Conservation Districts and Watershed Groups who will have to obtain NPDES permits and adhere to the standards of a waste water treatment plant (providing discharge monitoring reports, being subject to fines, etc.)

Currently, the Clean Water Act does not have a provision for Conservation Districts and Watershed Groups completing their mission of preventing pollution of the streams. Currently the courts are going by "the letter of the law" regarding the Clean Water Act which requires that anyone who discharges any pollutant into any stream to have a NPDES permit. His organization is watching this matter very closely and is working with other organizations, included some in the Western States, to create a Nationwide Federal Good Samaritan Act. He feels that following the standards of the Clean Water Act to "the letter of the law," which is apparently an impossible standard to meet in the treatment of Abandoned Mine Drainage will result in diminishing interest in treating AMD and then streams reverting to the way they were and will defeat its purpose.

The Environmental Protection Agency (EPA) recently issued a bench mark for discharge conductivity, following a study of "Mountain Top Removal" and "Valley Fill". Consequently, he wrote to the EPA cautioning them on using the data from the Southern West Virginia Coalfields in our area citing the geographic differences, etc. If the change occurs, the standard electrical conductivity level would be 300-500 micro siemens per centimeter. Micro siemens is used as an indicator of Total Dissolved Solids (TDS). Even after treatment, most discharges from Southwestern Pennsylvania are about 400 to 1500.

The WPCAMR continues contact with Brenda Shambaugh of PACD regarding the Marcellus Shale Severance Tax.

Robbie added that with all of our abandoned mine sites, Greene County would see consequences regarding this matter. She also said that we have a continuous dialog with the Department of Environmental Protection (DEP) and the offices of Senator Casey and Congressman Critz where it was learned that a pilot project was attempted to meet these discharges. The project was done in West Virginia with technology developed by General Electric. It failed. Reverse Osmosis, requires considerable maintenance and difficulty in disposing of the solids.

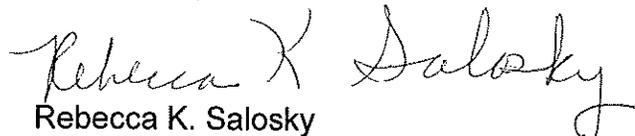
- c. Suzy Petery – Suzy noted that work is nearly complete on the dam removal on Dunkard Creek with funds from the American Recovery and Reinvestment Act. Field evaluations for applications received for 2010 Farm Bill Programs will be completed when the ranking forms are received. Applications for Farm Bill Programs are accepted on a “rolling” basis with applications received by September 30, 2010 to be included in the next ranking/evaluation. The deadline for rankings for the Conservation Security Program has been changed and is now January 7, 2011. As in the past, our area will be eligible for funding for air quality projects. In closing, Suzy noted that this has been a great construction year, with many conservation practices installed. In the future, she hopes to provide a report on these activities.

- d. Greg Hopkins – Greg noted that most of the food to be served at today's luncheon was grown in Greene County. Laurel referred to the list of producers appearing on the back of the Award Luncheon Program. She commended Dan Wagner of the Career and Technology Center for his fine work. Chairman Eisiminger thanked everyone for their work on the luncheon.

XI. ADJOURNMENT

With no further business to discuss, a motion was made by Archie Trader to adjourn the meeting at 11:15 a.m. Pam Snyder seconded. (Motion Passed)

Respectfully submitted,


Rebecca K. Salosky
Fiscal Officer