

**PACD Conservation Committee Minutes
Zoom Meeting
July 7, 2020**

Welcome and Roll Call

Chairman Josh Longmore called the meeting to order at 10:04 a.m.

Committee Members in Attendance: Mark Davidson, Lycoming CD; Dan Dunmire, Mifflin CD; Carl Goshorn, Cumberland CD; Josh Longmore, Luzerne CD; Piper Sherburne, Berks CD; Dave Stoner, Franklin CD.

Guests in Attendance: Brenda Shambaugh, PACD; Sandy Thompson, McKean CD; Maddie Stanisch, McKean CD; Tom McClure, Erie CD; Judy Becker, Northumberland CD; Adam McClain, Adams CD; Nancy Corbin, Columbia CD; Sharon Pletchan, Northampton CD; Jon Fox, Northampton CD; Karl Kerchner, Lebanon CD; Neil Imes, Perry CD; Nathan Crawford, DEP; Janet Creegan, Northampton CD; Linda Mackey, DEP; Shannon Wehinger (notetaker, PACD; Molly Burns, PACD.

Minutes of the January 22, 2020 Meeting

The minutes of the January 22, meeting were provided for review.

There was not a quorum present to approve the minutes from the previous meeting.

e-Permitting Update

Nate Crawford, DEP, provided an update on e-Permitting. E-permitting is tentatively slated to go live the evening of September 2, 2020 to be available for use on September 3, 2020.

Requirements gathering group began in June 2018. This group provided help to DEP in developing e-Permitting. The group consisted of several conservation districts and central DEP office staff. The group was created to provide feedback. The system was supposed to collect disturbed acreage fee and the base administrative filing fee which usually gets paid to districts and then disbursed from the electronic account at the end of each month to all of the conservation districts. But partners were very vocal about that and identified that districts could not operate while waiting for fees to arrive at the end of each month. The decision was made that the e-permitting system would only collect the fees paid to the Commonwealth. So any fees paid to the districts are still going to be paid directly to the districts. The district service fees, if the district gets the base administrative filing fee, those will still be paper checks that will be sent to district offices.

User acceptance testing began June 2, 2020 and the same requirements gathering group tested the system for a week. June 8, 2020 was the beginning of testing for the larger group. The larger



group tested for two weeks. After that, it was decided to delay the Chapter 102 e-permitting go-live date due to issues that need to be worked out. Currently, the next go-live window is September 2, 2020. DEP is working on being able to go live in September.

Chapter 102 e-permitting has four phases scheduled for implementation:

1. PAG02 new and amendment applications. Amendments will be for anything through the e-permitting system. If someone got a PAG02 coverage on paper and they need to amend it, they will still need to amend it on paper, they will not be permitted to amend through the e-permitting system.
2. Individual NPDES permit for new and amendment applications and also the PAG02 renewals.
3. Individual NPDES permit renewals and the E&S permits applications for new and amendments submissions. Those E&S permits would be for timber harvesting activities and road maintenance activities with 25 acres or more of earth disturbance.
4. ESEGP3 submissions for new amendment and renewals and the E&S permit renewals.

For the future, they will start working to have any paper applications go into e-permitting. So if someone got a permit on paper, and they want to renew or amend that, DEP is working toward having them do that electronically instead of continuing to do it on paper. DEP is working to have the notice of terminations be included in e-permitting so they can capture that electronically and submit that data electronically to EPA's ISIS system. Also, they want PAG01 to go into e-permitting when DEP comes out with that permit as well. But these are future items and are not on the e-permitting schedule yet.

DEP did user acceptance testing. The user acceptance testing for Chapter 102 e-permitting was challenging. All of DEP and conservation district permitting staff were permitted to participate as testers. The large group included approximately 300 testers. Testing was extended one week and delayed the release schedule by two weeks. The e-permitting release schedule did not just include Chapter 102, it included updates for other programs such as Chapter 105, oil and gas, and air quality improvements.

During the testing, bugs and issues were discovered during testing. Issues included:

- A new numbering scheme needed to be developed to distinguish between a paper application and electronic submissions. If they didn't do this, every time a submission was made on paper, the districts would have to contact DEP to get what the next permit number and DEP would have to go in to the system and strike out that number so that it wouldn't be reused. They determined they need to distinguish between paper and electronic submissions.
- Another issue was those that are exempt from paying Chapter 102 permitting fees were still going to be charged by the system so that had to be changed. DEP, DCNR, EPA, and PENNDOT are the exempt agencies plus a couple others.
- Another issue is that the submissions weren't always routed to the correct office. They need to make sure when someone hits submit, their application gets routed to the proper office.
- Initially the system was not calculating the disturbed acre fee correctly. It was charging \$10/acre instead of \$100/acre. This was fixed by IT.
- The system wasn't generating letters and permits correctly – it was either not assigning it to the correct person who is supposed to sign the letter or the permit in the signature line. That needed to be fixed to make sure the correct individuals were identified on those lines.

There are still items to be completed before they go live for Chapter 102 e-permitting and those include an instruction guide for applicants and consultants, a reviewer's guide for DEP and conservation district staff, new SOPs for e-permitting, a webpage for the construction stormwater group, and a user's guide for everyone to walk through how to create an account and how to do the basic functions of accessing e-permitting. They also want to create internal and external training for everyone.

September 2, 2020 is the next go-live date. They are making updates to be able to release on that date. There are only certain windows they have to work with. If it gets pushed again the next window is December. They are trying their best to make the September 2 window.

In the future, small critical updates could be done more frequently without having to be in a window like they would need to push an entire new system out. Before they go live, they will likely do another round of user acceptance testing with 30 users. It hasn't been decided yet. They are working on a transition plan for Chapter 102 e-permitting. There will be a period where they will accept paper and electronic submissions then after the transition period they would move to accept electronic submissions only.

DEP will have a press release to announce the external training to let everyone know this is coming. It was asked when the training would take place. The training is planned to take place prior to the September 2 go-live date. It will likely be that training will be held on August 31 and September 1 for internal training. The training for the external community would be September 2. The system would be pushed the evening of September 2 so the morning of September 3 people could start to use the system. The training is called "just in time" training right before it goes live so people don't forget the training before they are able to use the system.

How long will the transition period be for accepting both paper and electronic submission? A decision has not been made.

PA Invasive Species Council Report

Piper Sherburne reported that Kristopher Abell gave a presentation at the region meetings and each region passed a motion to create a delegated agreement to provide funding and authority to battle invasive species.

- An economic impact study is being conducted to provide info to the legislators so they understand the importance of the issues. With the currently financial situation at the state-level we don't know how successful it will be. The intention and interest will be beneficial regardless.
- Piper urged the committee to contact legislators instead of waiting for another study to be done. There is money out there and we can work with other partners to get ahead of it.
- Cumberland is in quarantine for spotted lanternfly. They got sticky bands from APHIS. They haven't distributed them yet since they haven't had any calls yet. They do plan to include it in a future newsletter. Carl will send the contact information out to the Committee.
- Dan in Mifflin said he would like to know where they are showing up in the county. He wasn't informed about it until he heard about being in the quarantine area.
- Berks County has information on their website and videos on banding trees. Penn State also has videos available.
- Sandy said this is why a Partnership for Regional Invasive Species Management (PRISM) is very important. They have a group and a management area with partners. For the counties just entering the quarantine, start forming a group to work together and talk about what is working and what is not and how to find funding. Work collaboratively to have a better

outcome. McKean's is a watershed-based area for invasive plant management. They have steering committees, a strategic plan, and they were able to get funding. They targeted a couple of different plants. A PRISM would cover all species, not just plants.

Training topics for CWA and DEP webinars

There was a discussion on future Chapter 102 and Chapter 105 Clean Water Academy (CWA) training topics including channel calculations, updated how to use CWA course on how to use modules, beginning development of three lessons on channels, and timber harvest training. Any district that would like one-on-one hands-on training on how to use the system, contact Nick Yeagy at nyeagy@pacd.org to set it up. Nick is also collecting ideas for future topics from the conservation districts.

Is CWA opening up for the public up for discussion? That is DEP's decision. Nick is working on Chapter 102 only right now.

E&S technical training update – basic training will be virtual. The dates are not set. Topic-based training is also being discussed and will be combined with the fall regional sessions that were held in the past.

State Funding for Conservation Work

A briefing on the PA State Budget was provided including how the state may proceed after passing a 5-month budget which will end on November 30, 2020. An interim budget was created. Both line items were level funded. After the November election, the legislature will know what the state's income level is., however a \$4 billion deficit is anticipated. The budget process will be tough. We need to have a strategy to show the importance of districts in economic recovery that includes the state level from PACD and the district level.

PACD will provide templates. The legislature probably won't be in until the end of September. Brian Cutler is new speaker of the house. They are going to looking at restricted and special funds which CDFAP is under. Brenda sent the info to SCC so they can get funding out as quickly as possible. Possibilities may include budget cuts on a line by line basis or a bond issue to cover the Unemployment Compensation. We won't know until closer to the fall. We need to make sure legislators know that money is paid on a reimbursement basis for projects. It can take 5 months to get the reimbursement.

Should the policy be re-written by SCC so some funds can be given up front? This would solve the problem of it looking like money is just sitting there.

Adjournment

The meeting was adjourned at 11:05 a.m.