

Conservation Committee Report

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Jack Walters—Conservation Chairman

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DEP Enters Agreement with PWSA for Critical Water Infrastructure Upgrades

The Conservation Pledge

I give my pledge as an American to save and faithfully defend from waste, the natural resources of my country; the soil, the water, the air, the minerals, the plant life and the wildlife.

This is my Pledge!

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The Pennsylvania Department of Environmental Protection (DEP) and the Pittsburgh Water and Sewer Authority (PWSA) have entered into a Consent Order and Agreement (COA) that will result in infrastructure upgrades to the PWSA distribution system.

The agreement requires PWSA to rehabilitate or replace two rising mains to the Highland 2 Reservoir, replace the cover and liner of the Highland 2 Reservoir, construct a new rising main from the Aspinwall Pump Station to the Lanpher Reservoir, and rehabilitate or replace the Aspinwall and

Breucken pump stations.

These infrastructure projects are necessary to provide system redundancy in preparation for PWSA to replace its 108-year-old clearwell used to store treated water

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DEP Terminates Some Permit Review and Inspection Authority Delegated to Beaver County Conservation District

The Pennsylvania Department of Environmental Protection (DEP) announced that it is terminating the delegated permitting and inspection authority of the Beaver County Conservation District (BCCD) for the erosion and sediment

control (E&S) program. This decision follows an evaluation of the BCCD program conducted by DEP.

Delegation is an optional process that allows DEP to authorize conservation districts to perform certain permit review and inspection du-

ties The delegation agreement had authorized BCCD to review permit applications, take action on those applications and conduct field inspections for permits under 25 PA Code Chapter 102.

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DEP Enters Agreement with PWSA for Critical Water Infrastructure Upgrades (continued)

before it's introduced into PWSA's distribution system. Replacement of the clearwell is a priority project included under the COA. PWSA's clearwell does not meet current design standards.

PWSA must also investigate, report to DEP, and eliminate valves, blow-offs, and other similar locations within chambers, pits, or manholes in PWSA's distribution system that connect directly or indirectly to a storm drain or sanitary sewer. Such connections create the potential for contamination.

"When DEP began its investigation into PWSA three and a half years ago, it became clear that the system's problems went beyond operational and treatment failures. Perhaps our greatest challenge was triaging the most necessary system upgrades to ensure Pittsburgh's drinking water meets or exceeds all state and federal standards," said DEP Secretary Patrick McDonnell.

In October 2017, DEP issued an administrative order to PWSA directing the authority to undertake several immediate capital improvements to bolster system reliability and to provide DEP with a detailed schedule for longer term capital improvement projects, which included the "Clearwell Emergency Response Project" and "Washout Disconnection Program." Much of the original infrastructure that must be replaced as mandated by this COA predates DEP permitting.

In November 2017, [DEP and PWSA entered into a COA](#) to address PWSA's unauthorized changes to corrosion control treatment, lead level exceedances and failure to notify residents of partial lead service line replacements. The agreement established a schedule for the study, permitting, construction, and implementation of optimal corrosion control treatment for PWSA's water system. PWSA began adding orthophosphate to its system in April 2019.

Once the authority had new corrosion control treatment in place, DEP looked to establish a schedule for the implementation of other priority projects that are part of the larger picture of responsible operation, maintenance and improvement of PWSA's aging water system.

"PWSA came to the table, working with us to prioritize the upgrades most critical to the protection of public health and improvement of infrastructure, to ensure the continuous provision of safe and potable water to its users," said DEP Southwest Regional Director Ron Schwartz.

In contrast to the 2017 COA, DEP did not assess a civil penalty within the current COA, acknowledging the significant investment necessary for PWSA to upgrade multiple aspects of its system. The agreement does include stipulated civil penalties, however, should PWSA fail to meet its obligations.

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DEP Enters Agreement with PWSA for Critical Water Infrastructure Upgrades (continued)

PWSA's system provides drinking water to approximately 520,000 people in the Pittsburgh area, including 250,000 residential customers.

DEP regulates more than 10,000 public water systems, including bottled, vended, retail and bulk water hauling systems, and implements both the federal and state Safe Drinking Water Acts and associated regulations by overseeing and enforcing the proper treatment and distribution of drinking water and managing water resources. Following implementation of Act 65 of 2017 in April 2018, the Pennsylvania Public Utility Commission (PUC) assumed additional oversight of PWSA. PUC's oversight primarily deals with ratemaking, tariff approval, compliance plans, infrastructure improvements, consumer protections and other issues related to the implementation of Act 65.

To view the COA on DEP's webpage, click here:

<http://files.dep.state.pa.us/RegionalResources/SWRO/SWROPortalFiles/PWSA/PWSACOA09062019.pdf>. For more information, including past enforcement actions, visit DEP's Southwest Region community page at <http://www.dep.pa.gov/southwest>.

DEP Issues Sunoco \$319,000 in Penalties for Mariner East 2 Pipeline Construction Violations

The Pennsylvania Department of Environmental Protection today announced that it has issued two penalties to Sunoco Pipeline, LP totaling \$319,461 for violations resulting from construction activities on the Mariner East 2 pipeline project.

“DEP is committed to ensuring that Sunoco and other companies are held to the highest standard possible. These actions, which resulted in violations of permits and laws that are meant to protect our waterways, are unacceptable,” said DEP Secretary Patrick McDonnell. “DEP will maintain the stringent oversight that we have consistently exercised by monitoring Sunoco and taking all steps necessary to ensure that the company complies with its permits and the law.”

DEP issued a Consent Assessment of Civil Penalty (CACP) to Sunoco for violations of the Clean Streams Law and Dam Safety and Encroachment Act that occurred in 2018 during construction activities in 10 counties.

Specifically, horizontal drilling activities resulted in unauthorized discharges of drilling fluids consisting of bentonite clay and water, also known as inadvertent returns, to the following surface waters: East Branch Conestoga River in Caernarvon Township in Berks County; two wetlands in Blair and Frankstown townships in Blair County; unnamed tributaries to Stewart Run, Hinckston Run, and two wetlands in Cambria County; a wetland in Middlesex Township in Cumberland County; Chester Creek and a wetland in Middletown Township in Delaware County; a wetland and Aughwick Creek in Shirley Township in Huntingdon County; Snitz Creek in West Cornwall Township in Lebanon County; a wetland in Toboyne Township in Perry County; an unnamed tributary to Peters Creek in Nottingham Township and an unnamed tributary to Little Chartiers Creek in North Strabane Township in Washington County; and an unnamed tributary to Sewickley Creek in Sewickley Township in Westmoreland County.

As part of the agreement, DEP has assessed a civil penalty of \$240,840 for the violations, which Sunoco has agreed to pay to the commonwealth and the county conservation districts.

DEP also issued a CACP to Sunoco for violation of its permits and the Clean Streams Law that occurred in 2017 during construction activities that resulted in accelerated erosion and sedimentation at sites in Lower Frankford, Upper Frankford, Lower Mifflin and North Middleton townships in Cumberland County.

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DEP Issues Sunoco \$319,000 in Penalties for Mariner East 2 Pipeline Construction Violations (continued)

Specifically, Sunoco failed to implement effective best management practices to minimize erosion and sedimentation at the sites; failed to temporarily stabilize all areas of the sites upon completion of earth disturbance activities at the sites; created a potential for sediment pollution to Rock Run; conducted earth disturbance activities at the sites that violated its erosion and sediment control permit; and caused or allowed accelerated erosion that resulted sedimentation from earth disturbance activities to enter unnamed tributaries to Doubling Gap Creek, Conodoquinet Creek and Rock Run.

As part of the agreement, DEP has assessed a civil penalty of \$78,621 for the violations, which Sunoco has agreed to pay to the commonwealth and the Cumberland County Conservation District.

Additional information, including the CACPs and supporting documents, can be found on [DEP's Mariner East 2 webpage](#).

State agencies have provided unprecedented oversight over the Mariner East Project, issuing more than 80 violations and levying more than \$13 million in penalties. DEP has also implemented significant new processes as a result of the experience gained on a project of unprecedented scope and impact including:

- Improved coordination with the PUC and Federal Energy Regulatory Commission (FERC);

- Improved internal coordination and implementation through the establishment of a Regional Pipeline Permitting Coordination Office;

- And the development of new permit conditions and policy guidelines for future pipeline development projects including more than 100 special permit conditions.

DEP Terminates Some Permit Review and Inspection Authority Delegated to Beaver County Conservation District (continued)

As a result of the termination, the DEP's Field Operations team will assume those duties in Beaver County, including the appropriate distribution of the anticipated workload.

"Protecting water resources in Pennsylvania is paramount to the work that DEP is responsible for, and to work that we delegate to partners like Conservation Districts," said DEP Secretary Patrick McDonnell. "We need to ensure that our delegated authority is being administered in a responsible way that meets our legal obligations and the responsibilities we have to the people of Pennsylvania.

"DEP staff identified significant and consistent problems with BCCD's recordkeeping, permit review, and inspections," said McDonnell.

The decision to terminate the delegation is based in part on program evaluation, observations of BCCD implementation practices, and program administration.

An evaluation conducted by DEP staff identified multiple deficiencies in BCCD's reviews of permit applications and inspections of permitted projects, such as the issuance of permits without evidence of full technical review. In addition, the evaluation found that staff had insufficient training, and that BCCD staff were not conducting inspections of permitted projects as they are required to.

DEP will soon be conducting a review of BCCD's delegated Waterways and Wetlands program (25 PA Code Chapter 105) as well.

In a separate letter to BCCD, DEP will outline the steps necessary for DEP to consider entering into a new delegation agreement with BCCD. DEP is designing an updated evaluation program for all delegated Conservation District programs and will work with the State Conservation Commission to improve the evaluation process. More information on this process will be made available before the end of the year.

Read the DEP Audit Report

http://files.dep.state.pa.us/RegionalResources/SWRO/SWROPortalFiles/BCCD/Chapter102ProgramEvaluationReport_BeaverCCD.pdf

Read the letter to BCCD

<http://files.dep.state.pa.us/RegionalResources/SWRO/SWROPortalFiles/BCCD/BCCDTerminationofDistrict's102Program.pdf>

Wolf Administration Announces Funding Availability for Streamside Buffer Planting, ATV Projects

The Department of Conservation and Natural Resources Secretary Cindy Adams Dunn today announced applications will be accepted through September in two department grant programs aiding streamside buffer planting and ATV-related projects.

"Improved water quality in our rivers and streams, by planting trees to limit run-off and sedimentation, is the goal of one round of grants now available," Dunn said. "During the same time period, we are seeking grant applications for projects that will add to the enjoyment of ATV-riding enthusiasts throughout Pennsylvania."

In the application period, which opened August 1 and closes September 30, \$1 million in PENNVEST-funded grants again is being made available to assist landowners in planting trees along stream and riverbanks in the state. Also offered is approximately \$600,000 for projects related to use of ATVs.

Expanding existing streamside buffer options for landowners, DCNR and PENNVEST partnered to offer funding for landowners to implement multi-functional buffers. Such buffers provide greater flexibility in landowner eligibility, buffer designs, widths, plant species and allow planting of some income-producing crops in the buffer zone. For these PENNVEST-funded grants, multi-functional buffers are required.

Individual landowners; businesses; non-profit organizations; local governments; and educational institutions are all eligible for buffer grants but must be prequalified.

Forest buffers along stream banks provide critical barriers between polluting landscapes and receiving waterways. Properly planted and maintained, streamside tree and shrub plantings:

- Filter runoff of sediments and fertilizers applied to lawns and crops;
- Control erosion;
- Improve water quality;
- Reduce flooding;
- Cool stream temperatures;

Improve fish habitat.

Pennsylvania has a goal of planting 95,000 acres of buffers along waterways by 2025. To date, investments totaling almost \$4.4 million have funded plantings on more than 920 acres.

Proposed ATV-related projects eligible for DCNR grants include planning; land acquisition; development; rehabilitation; maintenance; purchase of equipment for maintenance and construction; and development of educational programs related to ATV trails and facilities. No match is required for this funding, however, applications providing matching funding will be given additional consideration.

With a few limited exceptions, all ATVs in Pennsylvania must have a registration issued by DCNR. Pennsylvania has around 178,000 active registered ATVs statewide. Grants are administered by DCNR with funding provided from registrations.

To apply for buffer or ATV grants, visit [DCNR's grants portal](#).

Wolf Administration Announces Funding Available to Help Farmers and Communities Improve Water Quality in Chesapeake Bay Watershed

The Wolf Administration announced the availability of funding to help Chesapeake Bay Watershed communities reduce pollutants in local streams and rivers. The Department of Environmental Protection's (DEP) Agricultural Plan Reimbursement Program will provide \$1.3 million in reimbursement grants to help farmers with the cost of preparing agricultural plans that will help reduce flooding, protect public health and water supplies, and promote the long-term viability of farming.

"With 33,000 farms in Pennsylvania's part of the watershed, development and implementation of agricultural plans go a long way toward improving the health of local waterways," said DEP Secretary Patrick McDonnell. "But we know that developing these plans can be costly, especially for small farmers. Helping with these planning costs is one more way that DEP is assisting farmers in their efforts to clean up our local waters."

"Farmers know that feeding a growing population here and around the world depends on clean water and healthy soil," said Department of Agriculture Secretary Russell Redding. "This reimbursement program offers another measure of support for on-farm conservation efforts, in addition to new and continuing programs in the PA Farm Bill."

The [PA Farm Bill](#) provides support for conservation practices along with farm business development, agricultural workforce development, new markets, and other areas.

State regulations require all farmers to implement manure management, nutrient management, or agriculture erosion and sediment control plans and, in some cases, more than one plan. The regulations are a key component of Pennsylvania's effort to meet federally mandated water pollution reduction targets for the Chesapeake Bay.

Reimbursement funds are available to farmers for plans developed on or since January 1, 2019, and a farmer may be reimbursed for more than one plan. Small farmers are especially encouraged to register. The deadline to register is April 1, 2020. Information may be found at the [Agricultural Plan Reimbursement Program](#) website.

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Wolf Administration Announces Funding Available to Help Farmers and Communities Improve Water Quality in Chesapeake Bay Watershed (continued)

This is the third year of the Agricultural Plan Reimbursement Program. In the first two years, farmers received almost \$1.4 million in reimbursement for more than 1,700 plans, covering approximately 315,000 acres.

Mosquito Samples Tests Positive for West Nile Virus

The following is a list of the new mosquito/bird positives:

Allegheny-DuquesneCity
Beaver-MonacaBoro
Berks-ReadingCity(2)
Bucks-LowerSouthamptonTwp
Bucks-MorrisvilleBoro
Chester-WestWhitelandTwp
Delaware-SpringfieldTwp
Delaware-ThornburyTwp
Delaware-UpperProvidenceTwp
Delaware-HaverfordTwp
Delaware-MarpleTwp
Fayette-UniontownCity
Lancaster-LancasterCity(2)
Lancaster-WestHempfieldTwp
Lancaster-ConoyTwp
Lebanon-LebanonCity
Lebanon-SouthLebanonTwp
Lebanon-SouthLondonderryTwp
Montgomery-CollegevilleBoro
Montgomery-LowerMerionTwp
Montgomery-MontgomeryTwp(2)
Montgomery-UpperDublinTwp
Montgomery-WhitemarshTwp(2)
Montgomery-UpperGwyneddTwp
Montgomery-WestPottsgroveTwp
Northampton-BethlehemCity
Northumberland-LewisTwp
Philadelphia-PhiladelphiaCity(5)
Westmoreland-PennTwp
York-FairviewTwp
York-HanoverBoro
York-ManchesterTwp(2)
York-YorkCity
York-ManchesterTwp

Wolf Administration Provides Update on Pool Doctor Site, Highlights Need for Restore PA for Brownfield Cleanups

The Pennsylvania Department of Environmental Protection (DEP) Secretary Patrick McDonnell and DEP regional officials provided an update on the department's response to the Pool Doctor/Beaver Alkali Products site and highlighted the need for Restore Pennsylvania to remediate and redevelop similar blighted properties before they pose a threat to the public or environment.

"DEP took immediate action when it became clear that the deterioration of the buildings and quantity of hazardous chemicals within and around them posed a significant threat to the surrounding community and nearby Ohio River," explained McDonnell.

Following a partial collapse of one of the buildings on site during the week of June 24, DEP determined the threat to human health, safety, and the environment warranted a prompt interim response under the Hazardous Sites Cleanup Act (HSCA), which it initiated on July 1. On July 12, a chemical reaction occurred in the collapsed building, causing a fire that released low levels of chlorine and bromine vapors, creating a plume that hovered at ground level, prompting temporary shelter-in-place orders to the surrounding community. DEP is currently in the process of investigating, removing, transporting and disposing the chemicals on site.

"It's hazardous sites like these that underscore the need for Restore Pennsylvania," added McDonnell. "When the commonwealth is forced to act in these situations, costs can be significant because of the unknown hazards. We need to fund the last line of defense provided by HSCA not only to protect the environment, but to prevent the deterioration of our communities."

Restore Pennsylvania is an aggressive plan to address the commonwealth's vital infrastructure needs, including vacant and deteriorating properties/buildings that often contaminate soil and groundwater, like the Pool Doctor/Beaver Alkali Products site.

In addition to emphasizing the important role that Restore Pennsylvania could play in remediating hazardous sites, McDonnell also committed to keeping the community updated on the site.

Individuals who wish to register to provide testimony or are in need of an accommodation as provided for in the Americans with Disabilities Act of 1990 should contact Lauren Fraley at 412-442-4203 or lfraley@pa.gov before noon on September 4.

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Wolf Administration Provides Update on Pool Doctor Site, Highlights Need for Restore PA for Brownfield Cleanups (continued)

Restore Pennsylvania would invest \$4.5 billion over the next four years for significant high-impact projects throughout the commonwealth by implementing a commonsense severance tax. The plan would rebuild Pennsylvania's infrastructure and increase resources for blighted properties, storm preparedness, and disaster recovery while helping Pennsylvania become a leader in the 21st century.

TRAIL HEROES: THE CRITICAL ROLE OF VOLUNTEERS

Pennsylvania is home to thousands of miles of trails. Every year, hikers, bikers, paddlers, and more flock to parks, forests, and rivers to enjoy the great outdoors.

With so many miles of trails for so many activities, it would be a lifelong adventure to see them all.

However, with the abundance of trails across the commonwealth, things like maintenance and upkeep can become challenging. Keeping Pennsylvania's trails open and accessible is a difficult task, and it couldn't be done without the help of volunteers.

Behind many parks, forests, and trail systems is an army of volunteers who work tirelessly to help keep our trails in good shape and for all to enjoy.

Pennsylvania Trails are as Diverse as its Landscape

As Pennsylvanians, we are fortunate to have access to an amazing trail system. From riding your bike on a rail trail, to exploring ATV trail systems, or through-hiking a long-distance trail, Pennsylvania's trails offer many different types of experiences.

Hiking in both state parks and forests can lead to beautiful vistas and waterfalls, with a wide range of trails covering all types of terrain at various difficulty levels.

There are more than 100 rail trails in Pennsylvania, each offering unique opportunities to explore small towns or discover a part of history. The bikeable trails found in state parks also feature a variety of sizes, terrain, and scenic views.

Pennsylvania also has more than 2,000 miles for paddling, and many different water trail systems to help you navigate creeks and rivers at different skill levels.

In addition, Pennsylvania has 908 miles for ATV riding enthusiasts to enjoy -- many of which can be found within state forests.

Many of the trails in Pennsylvania are 'multi-use' meaning they can be utilized by hikers, bikers, and horseback riders.

DCNR's goal is to have a trail within 15 minutes of every Pennsylvanian. Today, Pennsylvania has more than 12,000 miles of trails, and each year our trail system continues to grow.

Volunteers are an Integral Part of Keeping Trails Open

Often, general upkeep of facilities, like bathrooms and sewer lines, take time and resources away from trail maintenance. Most places, like Michaux State Forest, depend on volunteers to ensure trail systems can operate.

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TRAIL HEROES: THE CRITICAL ROLE OF VOLUNTEERS (CONTINUED)

“On the Michaux (State Forest), our trail system is made up of a network of both formally designated and informal trails. Coordinated trail volunteer efforts are critical to developing and sustaining a high-quality trail system that meets stakeholder expectations, while minimizing conflicts with other forest management objectives and ecological habitat concerns,” said Roy Brubaker, District Forester, Michaux State Forest.

Many people who volunteer are trail users themselves, and often want to give back to the community resources they have benefited from. To others, simply being outside and working collectively for the benefit of the greater good is an attraction.

Difficult Tasks, Rewarding Experiences

Manual labor is definitely a part of trail volunteering. Trail maintenance can be a demanding, albeit rewarding, experience. However, the variety and location of the work often makes for a great day outdoors.

No matter what an individual’s physical capabilities are, there is always something for everyone to accomplish. Sign and blaze painting are relatively easy tasks that always need done. Cutting branches with scissor-like loppers or spreading mulch and gravel on the trail are other demanding jobs.

Other tasks, like placing stone steps and even building bridges over scenic creeks are out there for those who would like more of a challenge.

“Volunteers are always needed to help maintain the hundreds of miles of Pennsylvania’s extensive system of hiking trails,” explains Mid State Trail Association President Ed Lawrence.

“Clearing a trail corridor with loppers, repainting a blaze, digging sidehill to rebench the treadway; all of these ‘hands-on’ activities give the maintainer a deeper sense of connection and partnership with the trail, along with a feeling of quiet satisfaction that they are contributing to the quality of the outdoor experience of future hikers. This is the path all hikers should follow.”

How to Get Involved in Trail Maintenance

There are many ways to [get involved with DCNR](#) and others to help support, maintain, and care for Pennsylvania’s natural resources. By volunteering at Pennsylvania state parks and forests, you can help with conservation projects and efforts, including:

- Trails/wildlife habitat
- Maintenance

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TRAIL HEROES: THE CRITICAL ROLE OF VOLUNTEERS (CONTINUED)

- Campground assistance
- Interpretation/environmental education
- Technical and engineering
- Forest fire prevention and protection
- Research

To get involved in DCNR conservation work, you can look for volunteer opportunities at state parks and forests near you. You also can contact your local state park or state forest directly to ask about opportunities to support their work.

Keystone Trails Association

The Keystone Trails Association (KTA) is a volunteer organization dedicated to providing, preserving, protecting, and promoting hiking trails and hiking opportunities in Pennsylvania. The KTA supports more than [40 local trail clubs](#) Opens In A New Window across Pennsylvania, and organizes guided hikes, events, trainings, and volunteer efforts.

Pennsylvania Parks and Forests Foundation

The Pennsylvania [Parks and Forests Foundation](#) Opens In A New Window (PPFF) is a DCNR partner and statewide nonprofit organization that provides a voice for state parks and forests across the commonwealth.

PPFF provides citizens the opportunity to become active and involved volunteers in the park and forest system.

Join a Friends Group

[Friends groups](#) Opens In A New Window are made of people who enjoy volunteering their time, services, and support to Pennsylvania state parks and forests. Chapters form for a variety of reasons, but all understand the value of their state park or forest, and share a common goal to make that park or forest the best in the commonwealth.

Friends groups connect people to the natural places of Pennsylvania while enhancing the role of public lands in local communities.

Check [PPFF's map of friends groups](#) Opens In A New Window to find out if one already exists at your state park or forest.