

Pennsylvania State Conservation Commission

Dirt, Gravel, and Low Volume Road Maintenance Program

Administrative Manual

November 2014

**Pennsylvania State Conservation Commission
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In cooperation with:

Penn State Center for Dirt and Gravel Road Studies
PA Conservation Districts
PA Department of Agriculture
PA Department of Environmental Protection

Pennsylvania Dirt, Gravel, and Low Volume Road Maintenance Program



Administrative Manual

12/3/2014

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Chapter 1

Introduction

1. INTRODUCTION

This manual is intended to outline policy and provide guidance to participants of the Dirt, Gravel, and Low Volume Road Maintenance Program (Program). The primary audience of this manual is county conservation district (district) personnel who work with the administration of the Dirt, Gravel, and Low Volume Road Maintenance Program. This includes not only conservation district managers and staff but Quality Assurance Board Members and district directors as well. Grant Applicants may find sections of the manual, Chapter 5 in particular, useful when developing projects and preparing grant applications.

1.1 Program Purpose

The purpose of the Program is to create a better public road system with a reduced environmental impact. The Program focuses on “Environmentally Sensitive Road Maintenance Practices” that reduce the impact of road runoff and sediment to local streams, while reducing long term road maintenance costs.

It is the intent and purpose of this Program:

(1) to fund safe, efficient and environmentally sound maintenance of sections of dirt and gravel roads which have been identified as sources of dust and sediment pollution.

(3) to fund safe, efficient and environmentally sound maintenance of sections of low volume roads that are sealed or paved with an average daily traffic count of 500 vehicles or less.

-9106 (A) (1),(3)

1.2 Program Structure

Statewide funding and guidance comes from the State Conservation Commission. Local conservation districts, and their associated Quality Assurance Boards, develop local policies and award grants to public road-owning entities. Public entities such as townships and boroughs apply to the conservation districts for funding and complete the project work.

1.2.1 State Conservation Commission

The State Conservation Commission (Commission), a departmental administrative commission under the concurrent authority of the PA Department of Environmental Protection (DEP) and the PA Department of Agriculture (PDA), administers the Dirt, Gravel, and Low Volume Road Program. The Commission determines statewide Program policies, allocates funds to conservation districts, and implements a quality assurance / quality control effort. The role of the Commission is detailed in Chapter 2 of this manual.

1.2.2 Conservation Districts and Quality Assurance Boards (QABs)

Pennsylvania’s conservation districts administer and implement the Program at the county level. Conservation districts accept applications for funding from potential applicants, and award grants to local road owning entities. District staff is responsible for working with grant applicants to develop projects, project oversight, financial tracking and reporting, and general administration of the Program at the county level. District staff should work closely with the QAB described below. The role of conservation districts is detailed in Chapter 3 of this manual.

Each conservation district is required to form a Quality Assurance Board (QAB) made up of 4 members including district staff, PA Fish and Boat Commission, and Natural Resource Conservation Service. The QAB acts in an advisory capacity to the conservation district board. The QAB, working closely with district staff, is responsible for recommending local Program policies, developing application ranking criteria, and recommending projects for funding. All policies and funding recommendations by the QAB must be adopted by the conservation district board. The role of the Quality Assurance Board is detailed in Chapter 4 of this manual.

1.2.3 Grant Applicants

Any state or local public entity that owns and maintains public roads is eligible to apply for Program Funding. The majority of applicants are townships, but other entities such as boroughs, cities, counties, PA Game Commission, PennDOT, PA Fish and Boat Commission, and others are eligible to apply. Applicants are encouraged to work closely with Conservation districts, starting with a pre application meeting. Successful applicants will enter into contracts with county conservation districts to complete project work. Applicants can complete project work themselves, or by hiring contractors. The role of Grant Applicants is detailed in Chapter 5 of this manual.

1.2.4 Penn State Center for Dirt and Gravel Road Studies (Center)

The Center was formally created in 2001 to address the education, training, and technical assistance needs of the Dirt, Gravel, and Low Volume Road Maintenance Program. The duties of the Center include: development and delivery of a 2-day training course for Program eligibility, holding annual maintenance workshops, providing technical and administrative assistance to Program stakeholders, approval of new products, maintenance of GIS project tracking system, development of technical reference material, and supplying general support to the State Conservation Commission and conservation districts. The role of the Center is detailed in Chapter 6 of this manual.

1.3 Program History

1.3.1 Unpaved Roads and Sediment

Sediment is the largest pollutant by volume to the waters of the Commonwealth of Pennsylvania. Pennsylvania's 20,000 miles of publicly owned unpaved roads are a prime example of non-point source pollution. Unpaved roads not only generate sediment, but also act as collectors for runoff and sediment from adjacent land uses. Traditional practice in road maintenance has been to convey water along roads and deposit it into streams by the quickest means possible. This practice results in increased flood flows in streams and transports sediment and a host of other pollutant into local waterways.

1.3.2 Unpaved Road Inventory

The Pennsylvania Chapter of Trout Unlimited (TU) first brought the problem of unpaved road runoff into the spotlight in 1991. TU sportsmen in Centre and Potter County State Forests were the driving force behind the developing grassroots effort to reduce sediment pollution from dirt and gravel roads.

A Task Force on Dirt and Gravel Roads was created in 1993 to investigate, research and document the significance of sediment and dust, as well as other forms of water pollution resulting from dirt and gravel road maintenance practices. This private-public partnership enlisted members representing nonprofit organizations, businesses and local, state, and federal government agencies.

In the summers of 1996-1998, volunteers from TU went out at their own expense and drove thousands of miles of roads in an effort to identify pollution sites on Pennsylvania's dirt and gravel roads. TU inventory volunteers recorded locations where roads were adversely impacting a stream, concentrating on Pennsylvania's High Quality and Exceptional Value watersheds. The efforts put forth by the volunteers resulted in the identification and assessment of over 900 sites in protected watersheds statewide. These sites became the basis for creating the Dirt and Gravel Road Maintenance Program.

1.3.3 Section 9106 of the PA Vehicle Code

The Task Force achieved its goal in 1997 when a law (Section 9106 of the PA Vehicle Code) was enacted establishing the Pennsylvania Dirt and Gravel Road Maintenance Program. The law provided a non-lapsing annual allocation of \$5Million, with \$4Million going to the State Conservation Commission and \$1M going to the Department of Conservation and Natural Resources. The Dirt and Gravel Road Maintenance Program follows a few key concepts including: local control over projects and decision making; education and training to local stakeholders; simplified grant applications; and implementing long term road and environmental improvements

1.3.4 Program Timeline

- 1998:** First funding available. Projects begin on 900 pollution sites, or worksites, identified in protected watersheds statewide.
- 2000:** Conservation districts complete assessment of all watersheds, identifying over 12,000 pollution sites statewide.
- 2001:** Center for Dirt and Gravel Road Studies formally created at Penn State University to handle the training, outreach, and technical assistance aspects of the Program.
- 2003:** Conservation districts complete the 1,000th funded worksite through the Program.
- 2008:** A second statewide assessment of unpaved roads in all watersheds increases the inventory to over 16,500 pollution sites statewide.
- 2009:** Conservation districts complete the 2,000th funded worksite through the Program.
- 2013:** Act 89 of 2013 is enacted, effectively increasing the funding for the Program from \$5Million to \$35Million annually in 2014-15. The Act dedicates \$28Million of this to the Commission, and also mandates that \$8M of that money be used for the maintenance of low-volume paved roads with less than 500 vehicles per day.

1.3.5 Low Volume Roads

Act 89 of 2013 specifies that “A minimum of \$8,000,000 of the total appropriated annually shall be for maintenance and improvement of (paved) low-volume roads.” The act further defined low volume roads as “sealed or paved with an average daily traffic count of 500 vehicles or less.” The low volume road portion of the Program focuses on the same environmental improvements as the Dirt and Gravel Road portion, not just paving and re-paving roads. For more information on the Low-Volume Road specific issues, see Section 7.3.

1.4 Environmentally Sensitive Maintenance Overview

1.4.1 Worksites

A worksite is an identified portion of a road that impacts water quality. The Program has both paved Low Volume Road (LVR) worksites and Dirt and Gravel (D&G) worksites. A worksite has an identified beginning and end that demarks the limits of the section of road impacting the stream and other water bodies. The Program uses worksites to insure project funding is focused only on those sections of road that impact water quality. The areas outside of worksites may be in need of repair or be generating sediment, but do not have a direct connection to a stream or water body (typically on higher ground away from water).

Worksite: A worksite is an identified portion of road that impacts water quality. The Program uses worksites to focus funding to improve water quality.

Conservation districts have identified over 16,000 D&G worksites statewide on unpaved roads. The majority of these D&G worksites were identified in statewide “assessments” completed in 2000 and 2008. These assessments also evaluated each worksite according to the “pollution potential” on the site and provided it with a score. Conservation districts may use this assessment score in their application rankings. Worksites have also been added over time as needed. Conservation districts may add worksites to their inventory at any time. Worksites range in size from a single stream crossing to over a mile in length. The average D&G worksite size funded in the first 17 years of the Program is 0.45 miles in length.

Because the LVR portion of the Program is new, there is no established database of LVR worksites. LVR worksites should be identified by applicants and confirmed by the conservation districts using similar principles as the D&G worksites (identifying limits of water quality impact).

1.4.2 Environmentally Sensitive Maintenance (ESM)

Because this is an “administrative” manual, only a brief overview of ESM practices is given here. For complete information and documentation of ESM practices, attend the Program’s ESM training or see the technical documentation on the Program’s website at www.dirtandgravelroads.org.

ESM: Environmentally Sensitive Maintenance promotes permanent road improvements that reduce concentrated drainage, prevent erosion, and reduce long-term road maintenance costs.

Environmentally Sensitive Maintenance (ESM) is a term used to describe a suite of principles and practices that are designed to create a more environmentally and financially sustainable public road system. They are long term practices designed to reduce erosion and maintenance within the road area.

Long-term environmental benefits are achieved by attempting to “restore natural drainage” to a state similar to how it was before the road existed. In contrast to traditional “stormwater systems” that are designed to collect and convey large volumes of runoff, ESM practices focus on diffusing flow at the source, encouraging infiltration and reducing concentrated flow volumes. Environmental benefits of this approach to waterways include reduced sediment and other pollutant delivery, and reduced flood flows by “disconnecting” the road drainage system.

Long-term financial benefits are achieved because the same forces of erosion that cause environmental damage translate into increased maintenance costs as well. Every time a road, ditch, or bank washes out, it requires a large time and money investment by the local road owning entity. Some ESM practices may have higher than average up-front costs, but they save money over their lifetime by reducing future maintenance needs and costs.

1.4.2.1 ESM Principles

- Avoid concentrating drainage where possible
- Minimize Flow Volumes
- Reduce effects of concentrated drainage
- Reduce surface erosion
- Reduce cost and frequency of road maintenance

1.4.2.2 Example EMS Practices

The following is a very brief summary of some of the Program's most common ESM practices taught in the two-day ESM training course:

- **Road/Stream Interactions:** ESM practices for stream crossings focus on reducing the sediment delivery to the stream, stream stability issues, and the stream crossing itself. Practices such as highwater bypasses, French mattresses, proper stream crossing sizing, better bridge and pipe design, and in-stream flow control structures can be effectively used to stabilize the road/stream interface.
- **Road Surface:** ESM practices for the road surface include drainage control and improved aggregate. Drainage control starts with proper crown and cross-slope, but also includes practices such as grade breaks, berm removal, and broad-based dips. Improved surface aggregate focuses on the Program's Driving Surface Aggregate and includes maintenance concerns such as grading and pothole repair.
- **Road Base:** Practices that improve the base of a road include mechanical base improvements, underdrains, French mattresses, and in some cases full-depth reclamation.
- **Vegetation management practices:** Practices that manage vegetation in a sustainable manner will reduce erosion from the road area and save on future maintenance costs associated with tree trimming and cleanup. Practices include selective thinning, proper pruning, seeding and mulching, and managing vegetation for long term stability.
- **Road Bank management practices:** Practices that stabilize the upslope or downslope road bank include slope reinforcement, filling the road profile, naturalizing bank shape, and natural or mechanical slope reinforcement.
- **Road Ditch and Outlet Stabilization:** ESM practices for ditches include anything that reduces the flow in the ditch. The simplest of these practices is to provide more drainage outlets in the form of new turnouts and crosspipes. Selecting locations to outlet water and choosing the proper outlet stabilization methods is also important. Other practices such as berm removal and filling the road profile attempt to eliminate ditches completely and promote sheet flow. Practices to reduce the effect of subsurface flow such as underdrains are also important.
- **Off right-of way practices:** Practices that start outside the road area in an effort

to reduce the amount of water coming to the public road. Interceptor swales and bank benches reduce the amount of overland flow coming to the road. Driveways and access lanes are often large contributors of water to the public road and can be addressed by re-profiling or with surface control features such as grade breaks, water bars, or conveyor belt diverters.

- **Paved Low Volume Road Specific Practices:** Low volume roads may require an added set of ESM practices, especially those located in urban areas where traditional drainage dispersal and infiltration practices may not be practical. LVR-specific practices will evolve over time, but should focus on making improvements to both the environment and the road.

Chapter 2

State Conservation Commission Role

2. STATE CONSERVATION COMMISSION ROLE

2.1 Commission Structure

The Pennsylvania State Conservation Commission (Commission) is a 14-member commission that has a primary mission to ensure the wise use of Pennsylvania's natural resources and to protect and restore the natural environment through the conservation of its soil, water, and related resources. The commission provides support and oversight to the state's 66 conservation districts for the implementation of conservation programs in an efficient and responsible manner.

The Commission administers several state conservation programs including the Dirt, Gravel, and Low Volume Road Maintenance Program, the Nutrient Management and Odor Management Program, Resource Enhancement and Protection (REAP Tax Credit) Program and the Leadership Development Program. Staff also provides oversight and professional certification for nutrient management specialists, odor management specialists and manure hauler and brokers.

The Commission is a departmental administrative commission under the concurrent authority of the PA Department of Environmental Protection (DEP) and the PA Department of Agriculture (PDA). The Commission is administratively housed with PDA. The Commission accomplishes its mission by working cooperatively with local, state and federal government agencies, numerous industry and professional associations and nonprofit organizations.

2.2 Program Administration

The Commission approves all policies affecting the conservation districts regarding the Dirt, Gravel, and Low Volume Road Maintenance Program. The state-level staff consists of a program coordinator and support staff that provides oversight to the program.

2.2.1 Program Coordinator

The Commission, through the program coordinator, is responsible for the administration of the program. Conservation districts and Center staff are encouraged to contact the Program Coordinator for answers to administrative questions on topics such as: Program policy interpretation; funding advances; replenishment requests; questions on state policies; questions on two year spending requirements; questions about setting local policies; administrative issues regarding local projects; Ombudsman issues – conflict resolution; and other general administrative issues.

2.2.2 Coordination with Other Agencies

The Commission works closely with local conservation districts to implement the Program through a 5-year agreement. The Commission allocates funds to the districts, answers administrative and policy questions, and acts as an ombudsman to resolve any disputes that arise. The Commission will periodically visit each district to perform a quality assurance/quality control (QAQC) evaluation to assure that the Program is administered properly in each individual county.

In addition to QAQC evaluations, the Commission requires an annual audit of all conservation district funds including Dirt, Gravel, and Low Volume Road Maintenance

Program Funds. The Commission may require other reporting to assure that the Program is properly administered.

The Commission also works closely with the Center for Dirt and Gravel Road Studies (Center) through a multi-year agreement, primarily for education, outreach, and technical assistance to Program participants. The Center's role is detailed in Chapter 6 of this manual.

The Commission works with the Department of Environmental Protection (DEP), mainly through DEP's conservation district field representatives (field reps). Field reps attend district board meetings and answer programmatic questions on a local level. Field reps also assist with programmatic activities such as the Annual Workshops. The Commission, DEP, Districts, and the Center work together on other programmatic issues such as permitting, erosion and sediment controls, etc.

The Commission also partners with other state and local agencies and organizations such as: PA Fish and Boat Commission; Natural Resource Conservation Service (NRCS), PA Game Commission; PA State Association of Townships Supervisors (PSATS), PA State Association of Boroughs (PSAB), PA Department of Transportation (PennDOT), Trout Unlimited, and others.

2.2.3 Apportionment of Funds to Conservation Districts

2.2.3.1 Agreements with Conservation Districts

Funding is apportioned by the Commission to conservation districts through a 5-Year Contract that allows the funding transfer without initiating annual contracts or contract amendments (Appendix R).

2.2.3.2 Dirt and Gravel Allocations

Dirt and Gravel road funding is allocated based on a formula developed by staff with input from advisory workgroups and approved by the State Conservation Commission. The formula considers miles of dirt and gravel roads, number and length of identified pollution sites (worksites), local cost of limestone, and the miles of dirt and gravel roads in HQ/EV watersheds. The Commission approves district allocations for dirt and gravel roads maintenance annually. A copy of the formula and an explanation of how the formula works can be found in (Appendix R). The Commission publishes the allocation of funds to the individual counties in the Pennsylvania Bulletin.

2.2.3.3 Low Volume Road Allocations

Like the Dirt and Gravel road allocations, Low Volume road allocations are allocated based on a formula developed by staff with input from advisory workgroups and approved by the State Conservation Commission. The formula currently considers the actual miles of low volume state roads, the potential miles of low volume local roads, the distance of roads to a stream, and whether a road is located in an urban or rural environment. The Commission approves district allocations for low volume roads maintenance annually. A copy of the LVR formula and an explanation of how the formula works can be found in (Appendix R). The Commission publishes the allocation of funds to the individual counties in the Pennsylvania Bulletin.

2.2.3.4 Apportionment Process to Conservation Districts

The Commission advances 50% of a district's allocation as advanced working capital. Districts need to claim the remainder of their funds for replenishment after their advance has

been spent. Districts have 2 years to spend or commit funds from the date of allocation. Details on the apportionment of funds from the Commission to Districts are detailed in Section 0.

2.3 Quality Assurance / Quality Control

2.3.1 QAQC Structure

The Commission will periodically review districts' Dirt, Gravel, and Low Volume Road Maintenance Program to ensure that they are in compliance with the enabling legislation, regulations and policies. The purpose of the evaluation is to assess the district's administration, functionality, and project work within the Dirt, Gravel, and Low Volume Road Maintenance Program. The Commission will select conservation districts for QAB visits and notify them accordingly.

The visit typically consists of one full day at the District office and visiting field sites, followed by an exit interview the following day. The QA/QC team may vary in member composition depending on the district being evaluated. The team is typically composed of personnel from the State Conservation Commission, the Center for Dirt and Gravel Roads Studies and DEP.

DEP Conservation District Fields Representatives (Field Reps) have an important role in the Quality Assurance / Quality Control visits and the subsequent follow-up that may be required. The Field Reps will be involved in administrative review prior to the QAQC visit. Field Reps also play an important role after the QAQC visit by sharing successful strategies with other Districts and insuring any recommendations for improvement are implemented by the District.

The evaluations are conducted based on three components of the Program: Program Administration, Program Functionality and Project(s). The outcome of the QAQC process will be written description commendations, recommendations, and if needed, required actions.

2.3.2 QAQC Visit

As part of the QA/QC visit, the team will interview the conservation district manager, the QAB members, any district staff that is involved in fieldwork or administration of the Program. Members of the team may also conduct interviews with selected grant recipients in the county under QA/QC review. A minimum of two completed sites will be visited by the QA/QC team as part of the formal assessment. At the conclusion of the interviews and site visits, the assessment team will prepare a preliminary report that will describe the results of the team's visit. The team will discuss the preliminary report with the conservation district manager and any conservation district staff or board members, or QAB members who may wish to be present.

2.3.3 QAQC Follow-up

The conservation district will have 30 days to submit written comments to the Program Coordinator. The Dirt, Gravel, and Low Volume Road Maintenance Program Coordinator will have 30 days from the closure of the comment period to collate and consider comments from those interviewed and prepare and distribute the final QA/QC report to the conservation district.

The final report of the evaluation may include a written list of recommendations or requirements that need improvement. In order for a district to remain compliant with Program guidelines and to remain eligible for future allocations, written recommendations and requirements, if any, must be addressed to the satisfaction of the Commission in a timely fashion.

Either the Commission or a conservation district may request a re-evaluation of a District's Dirt, Gravel, and Low Volume Road Maintenance Program after a minimum of six (6) months have passed from the previous evaluation. Commission staff will communicate with Field Reps and districts regarding any required actions needed as a result of a QAQC visit to ensure they are implemented.

Chapter 3

Conservation District Role

3. CONSERVATION DISTRICTS ROLE

3.1 District Structure

In 1945, Pennsylvania state legislators recognized the need to support grass-roots conservation efforts. As a result, the Conservation District Law was passed, and county conservation districts were created. Today there is a conservation district established in every Pennsylvania county except Philadelphia.

Conservation districts implement a variety of programs, and provide assistance for a range of issues unique to their county, such as: Dirt, Gravel, and Low Volume Roads Program; Abandoned Mines; Agricultural Land Preservation; Chesapeake Bay Program; Environmental Education; Erosion & Sedimentation Pollution Control; Floodplain Management; Forest Management; Nutrient Management Program; Storm water Management; Waterway Protection; West Nile Virus Surveillance Program ; Wildlife Management; and more.

Each conservation district is led by a Board of Directors made up of local people from all walks of life. These volunteers study county natural resource issues and make decisions which enhance and protect the local community.

3.2 Overview

Section 9106 of the PA Motor Vehicle Code created a dedicated, non-lapsing fund to provide money and training to local communities for local road maintenance. Annually, \$28 Million is distributed by the State Conservation Commission to conservation districts in Pennsylvania through a 5-Year agreement.

The conservation districts are the entities that administer the Dirt, Gravel, and Low Volume Road Maintenance Program. Each county utilizes a Quality Assurance Board (QAB) that advises the District on local program policies and recommends projects for funding. The role of the QAB is detailed in Chapter 4 of this manual.

District staff plays a very important role in the administration of the Program. Staff performs a wide variety of tasks including education and outreach, project evaluation, technical assistance, project oversight, accounting, and auditing.

3.3 Receiving Funds from Commission

3.3.1 5-Year Agreement

Funding is apportioned by the Commission to conservation districts through a 5-Year Contract that allows the funding transfer without initiating annual contracts or contract amendments (Appendix C). Districts may take advantage of electronic transfer of funds from the Commission. Districts may find it easier to keep “Dirt and Gravel” and “Low Volume Road” funds in separate accounts. However, it is not required to have a separate account for dirt, gravel, and low volume road funds, as long as they can provide for separate accounting of the funds.

3.3.2 Advance Working Capital

Conservation districts will receive 50% of their annual allocation as advanced working capital. Advanced working capital is typically distributed to districts in October for each fiscal year. No district action is required to receive advanced working capital other than to have an active 5-Year agreement with the Commission and to be in compliance with the Commission spending requirements outlined below.

When the working capital advance is disbursed to the District, it will be accompanied by a detailed statement approved and signed by the Commission showing the total amount advanced, the maximum amount that may be used for administration, the maximum amount that may be used for education, the minimum amount that must be used for projects, in addition to identifying the amount available for replenishment in that year's allocation. This form must be retained in the district's files for audit and QAQC purposes.

3.3.3 Replenishment of Working Capital

As districts spend advanced working capital on administration, education, and project work, they can apply to the Commission for all or part of the remaining 50% of their allocation. Only funds that have been spent by the district or advanced to grant recipients, not simply committed to a contract, can be claimed for replenishment. For example, if a district advances \$20,000 on a \$40,000 contract to a grant recipient, they may request a replenishment of \$20,000 (not \$40,000) from the Commission. Districts may choose to submit one replenishment request for the remaining balance of their funds, but multiple replenishment requests are acceptable. Application for replenishment is left to the district's discretion. Requests for replenishment can include "Dirt and Gravel", Low Volume", or both funds on the same form. Unclaimed District funds that remain at the Commission for 2 years or more may be reallocated at the Commission's discretion. Districts may request replenishment of funds on forms provided in Appendix K.

Requests for replenishment should be directed to:
Dirt, Gravel, and Low Volume Road Program Coordinator
311 PA Department of Agriculture
2301 North Cameron Street, 17110
Harrisburg, PA 17110

Requests can also be submitted electronically to:
Roy Richardson: rrichardso@pa.gov

3.3.4 Spending Requirements

Conservation districts are required to spend or commit funds to contract within two years of receipt in order to be eligible for future allocations. Funds are considered "committed" if they are obligated using a signed contract with a successful applicant. If a district does not spend or commit sufficient funding, the Commission may determine that the district is ineligible for future allocations. When that occurs, that district's future allocation(s) may be distributed to other conservation districts using existing allocation formulas. Districts that miss a year(s) allocation will be eligible for future allocations once again after the two year spending requirement is met. The Commission may, at its discretion, extend the two year spending requirement if circumstances warrant.

The Dirt and Gravel Road allocation spending must be tracked separately from Low Volume Road allocation spending. Ineligibility for Dirt and Gravel Road allocations does not necessitate ineligibility for Low Volume Road allocation, or vice-versa.

3.3.5 Program Reduction or Termination

The Dirt, Gravel, and Low Volume Road Program is a voluntary program for conservation districts. Districts may choose to receive a reduced allocation, or temporarily suspend their entire allocation for various reasons. Districts may also choose to withdraw from the Program and return funding to the Conservation Commission. Districts who elect one of these options may return to full Program participation in future years with Commission approval. To discuss any of the options mentioned above, contact the Program Coordinator at the State Conservation Commission.

Pursuant to the five-year agreement between the Commission and conservation districts, when the Commission determines that the terms and conditions of the agreement are not materially being met, the Commission may, after 30 day written notice, suspend the District's authority to proceed with work under this agreement. The suspension will remain in effect until corrective action has been taken to the satisfaction of the Commission, or until the agreement is terminated and all unspent funds are returned to the Commission.

3.4 Accounting of Funds at CD

3.4.1 Separate Accounting

Conservation districts must place all funds received from the Commission in an interest bearing Federal Deposit Insurance Corporation (FDIC) or equivalent insured account. Districts must work with their banking institutions to assure that account balances in excess of \$250,000 are also insured or otherwise collateralized. The Commission may approve other lending,

While it is not required to have separate accounts for Program funds, separate accounting is required for administrative, education, project work, and interest for both the Dirt and Gravel and Low Volume Road allocations.

borrowing and savings institutions for conservation districts to utilize for the Dirt and Gravel and Low Volume Road Maintenance Program funds on a case-by-case basis. Conservation district records relating to the Dirt, Gravel, and Low Volume Road Maintenance Program must be kept for a minimum of three (3) years from the date of final payment on a project.

Dirt and Gravel Roads funds, which include funds for projects, education, and administration, are to be used solely for Dirt and Gravel Road Program expenses, and these funds must be accounted for separate from the Low Volume Roads funds.

Low Volume Roads funds, which include funds for projects, education, and administration, are to be used solely for Low Volume Road Program expenses, and these funds must be accounted for separate from the Dirt and Gravel Road funds.

3.4.2 Administrative Funds

A conservation district may use up to 10% of their total allocation for administering the Dirt, Gravel, and Low Volume Road Maintenance Program. Administrative funds must be tracked separately for the Dirt and Gravel and Low Volume Road allocations.

Administrative expenses are outlined in the Commission Statement of Policy 83.611 (Appendix B).

Examples of administrative expenditures include Program-related expenses for:

- Staff salary and benefits to administer the Program
- Travel expenses related to Program administration
- Office and technology expenses
- Field equipment
- Aggregate testing
- Insurance
- Vehicle expenses
- Traffic Counters, grader blades, or other equipment to loan to applicants
- Other administrative expenses pertinent to the Dirt, Gravel, and Low Volume Road Maintenance Program.
- Demonstration projects

The conservation district is responsible for keeping accurate and detailed records of what was paid for with administrative funds. A conservation district is not required to spend any or all of the 10% of their allocation set aside for administration for that purpose. Each district's allocation for administrative funds may also be spent directly on projects.

3.4.3 Education Funds

A conservation district may use up to 10% of their total allocation for education expenses in the Dirt, Gravel, and Low Volume Road Maintenance Program. Education funds must be tracked separately for the Dirt and Gravel Road allocation and Low Volume Road allocation. Education expenses are outlined in the Commission Statement of Policy 83.611 (Appendix B).

Examples of education expenditures include Program-related expenses for:

- Staff salary and benefits related to trainings, conferences, field days, and workshops (attending or hosting), technical assistance, or other outreach activities.
- Travel expenses related to above activities and for QAB or District Board.
- Expenses of hosting workshops.
- Educational related office and technology expenses.
- Educational materials or advertisements.
- Traffic Counters, grader blades, or other equipment to loan to applicants.
- Expenses for potential grant applicants to attend educational and training.
- Demonstration projects.

The conservation district is responsible for keeping accurate and detailed records of what was paid for with education funds. A conservation district is not required to spend any or all of the 10% of their allocation set aside for education for that purpose. Each district's allocation for education funds may also be spent directly on projects.

3.4.4 Project Funds

A minimum of 80% of a conservation district's allocation must be dedicated for project work for both Dirt and Gravel and Low Volume Roads. Project funds must be tracked separately for the Dirt and Gravel and Low Volume Road allocations. The details of project funding, including eligible projects and expenses, are detailed in Section 3.7.

3.4.5 Interest Funds

All interest accrued from Program funds, (administrative, education, and projects) must be used only for project work. Interest accrued from low volume roads funds must go to low volume road projects and interest accrued from dirt and gravel funds must go to dirt and gravel projects.

3.4.6 Demonstration Projects

A typical Program project is one that is submitted by an applicant, reviewed and ranked by a Quality Assurance Board, and approved for funding by the conservation district board. Typical projects can be used for educational purposes. Education events on typical projects usually entail inviting other potential applicants out to the site for an educational session before, during, or after project implementation. They are especially effective to highlight practices that are new to a particular county or region. These "typical projects" are funded with project funds, while education/administrative funds can be used to cover the costs of the training or educational event.

Only administration and education funds can be used to fund "Demonstration Projects" that do not follow the typical application submittal and ranking process.

A "Demonstration Project" is a project that is funded by the conservation districts that does not follow the lifecycle of the "typical project" above. Demonstration Projects can be implemented by the conservation district to showcase a particular practice or project without the typical application submittal and ranking process. Certain conditions must be met before a Demonstration Project can be funded without the typical application submittal and ranking process:

- Only education or administrative funds can be used.
- Must follow existing Program policies: be on an eligible public road; focus on environmental improvements; meet LVR traffic counts; etc.
- Must have QAB and district board Approval.
- Must have a contract, MOU, or other agreement with the road-owning entity.

Demonstration projects are not intended to be used to circumvent training requirements or typical project agreements with eligible applicants. If project funds are to be used, the project becomes a "typical project" and must go through the standard application submittal and ranking process. When a conservation district funds a demonstration project, the district can either contract with the road owning entity, or purchase material and contract directly with the contractors performing the work. If the District enters into a contact with the road owning entity to complete a demonstration project, standard Program contracts and procedures apply. The district must assure that all permits are obtained prior to construction, and must comply with all federal, state, and local requirements including prevailing wage. A District may fund a demonstration project by paying for materials and subcontractors

directly. A separate agreement must be made with the road-owning entity that identifies the following:

- The size and scope of the project (including location map, a project sketch, and an itemized cost estimate).
- The District's responsibilities for the project
- The road owning entity's responsibilities for the project.
- The responsible entity for any future maintenance that may be required.

These additional requirements are needed since a standard Program contract between the District and the applicant may not be used.

3.5 Dispersing Funds to Grant Recipients

It is acceptable to advance some funds at the beginning of the project, pay for portions of the project as work is completed after bills and receipts are submitted, or wait until the project is entirely completed to pay the entire amount at one time. Conservation districts should develop their own individual policies regarding payment to project grantees (Statement of Policy §83.614.c(1)). A written schedule of payments in conformance with local policies and the Commission Statement of Policy should be included in the contract (Appendix I).

3.5.1 Advancing Funds to Grant Recipients

Up to 50% of the contact amount may be advanced to grant recipients once a contract is signed. More restrictive policies can be set by the local QAB.

In addition to advancing up to 50% of funds in advance of project work, it is also acceptable to provide additional funding (up to 70% of the project funds) after the project is underway. Subsequent payments are only to be made on a cash expended basis.

3.5.2 Remainder of Funding to Grant Recipients

In accordance with the Commission Statement of Policy, the district shall withhold payment of at least 30% of the approved project expenses until the satisfactory completion of the project. Final payment for the project expenses shall be made only after a final inspection by the district determines that the work was performed consistent with the project application and the work plan, and to the satisfaction of the district.

3.5.3 Contract Amendments

In some cases, applicants may request additional time or addition funding above the contracted amount to complete a project. The approval of additional time or funding to a contract is at the discretion of the conservation district board, based either on a case by case basis or by county policy. Conservation districts may develop their own policies for handling cost overruns and time extensions, provided they are consistent with Commission policy. There is no additional funding from the Commission to pay for cost overruns.

For cost overruns totaling 20% or less of the initial contract amount, a Contract Amendment must be completed and signed by both entities (Appendix H). Multiple amendments may be granted, provided the total of all amendments is not more than 20% of the initial contract amount. Amendments must be approved by the conservation district board according to policies they establish. For cost overruns totaling more than 20% of the initial

contract amount, a second separate contract must be made for the additional funds. For extensions of the completion date of the project, the same “Amendment form” described above can be used. Keep in mind that if a contract is between \$20,000 and \$25,000 (approaching the prevailing wage threshold), an amendment may increase the total value of the project so that prevailing wage would apply to contractor costs. More on prevailing wage in section 3.7.4.2

3.6 CD Educational Requirements and Opportunities

3.6.1 Environmentally Sensitive Maintenance (ESM) Training

The ESM training is a two-day course that covers the road maintenance practices employed by the Program. ESM training is made available to all district board members, QAB members, and district staff. It is highly recommended that all persons representing the district who have a significant role in the Program attend an ESM training.

ESM training is mandatory for at least one district representative on the QAB, and for the district staff person(s) most involved with the Program. ESM training must be taken once every 5 years to maintain certification. For more information on the ESM principles covered in the training, see Section 1.4.

3.6.2 Administrative Training

Administrative training is available for district staff, QAB members, and others. This training will cover the administrative policies and guidance provided in this manual. Administrative training is required for staff person(s) most directly responsible for administering the Program. Identified district personnel responsible for administering the Program must attend the Administrative Training at least once every 3 years.

3.6.3 Annual Maintenance Workshop

ESM training provides training on the fundamentals of environmentally sensitive road maintenance. The annual workshops give the opportunity for more in depth training on a wide variety of subjects such as diagnostics, stream crossings, low volume roads, demonstration projects. The workshop is held at a different location in Pennsylvania each year. Many workshop sessions include bus trips to actual project locations. Individuals that have completed ESM training may attend an annual workshop once every 5 years in lieu of re-taking ESM training.

3.6.4 Quality Assurance/Quality Control (QAQC)

QAQC visits are described in Section 2.3. The focus of the QAQC visits is to insure Program policies and standards are being met, and to provide an education and training opportunity to district personnel.

3.6.5 Technical Assistance Visits (Tech assists)

Technical assistance visits are conducted primarily by Center staff, but Commission staff may attend as well. Technical Assistance visits are usually initiated by district staff to request help with a difficult worksite. Technical Assistance visits provide excellent training opportunities not only for district staff, but for municipalities as well.

3.7 Program Eligibility

3.7.1 Eligible Applicants

Public entities that own public roads in Pennsylvania that are open to public vehicle travel are eligible to apply to conservation districts for Program funding. Municipalities, townships in particular, are the primary applicants for Program funding. Municipalities and other eligible and ineligible entities are described below.

The person in charge of work plan development and project implementation from the entity that has applied for funds from the Program must have attended environmentally sensitive maintenance (ESM) training within the past five (5) calendar years to become “ESM Certified” to apply for funding. A re-certification can also be obtained by attendance at the Program’s Annual Maintenance workshop.

In determining applicant eligibility, it is important to focus on the entity that owns the road itself, not necessarily the land the road traverses. Often one entity owns the road through the property of another entity, for example a township-owned road through State Forest land. The entity that owns the road corridor is the entity that is eligible to apply for funding.

The “ESM Certified” person for the applicant must be an employee or elected official of the entity. The ESM certified individual must be the person in charge of work plan development and project implementation for the applying entity. Attendance by individuals not directly involved with the project design and implementation (interns, secretaries, etc.) do not qualify an applicant to be eligible for funding. Engineers on retainer or others who serve multiple municipalities are welcome to attend the ESM training, but their attendance does not count as “ESM Certification” for the municipalities they represent. Alternatively, if an engineer is on staff at a particular eligible entity, it would count as ESM certification for that municipality. Empowering and educating local municipalities is one of the primary benefits of the Program. In the case of other entities, the person who has direct oversight responsibilities for the project must be the one to attend the ESM training.

3.7.1.1 Municipalities

Eligible municipalities in Pennsylvania include 1,400+ townships, 800+ boroughs, and 50+ cities. Conservation districts should become acquainted with the various municipal officials and employees in their counties. Boroughs and cities will likely play a larger role in the low volume road portion of the Program.

To date, Townships are the most frequent Program applicant, accounting for over 90% of the projects completed from 1997-2014. Township size, composition, and structure vary widely across the state. The two township positions most likely to be involved in Program projects are the “Supervisor” and the “Roadmaster”. Supervisors are elected officials who handle a great variety of tasks for a township. Roadmasters can be elected supervisors or hired employees, and are the person(s) in charge of road maintenance for the township. Depending on size, population, and funding, a township may have multiple roadmasters and supervisors, or may have one person serving in both capacities. Pennsylvania’s 1,400+ townships are governed by the Township Code. A complete copy of the Township Code may be found at: http://www.psats.org/townshipcode/#_top.

Boroughs are small to large towns that have incorporated boundaries. Borough involvement in the Program has been limited in the past since they own fewer unpaved

roads than townships, but their involvement is expected to increase with the addition of paved low volume roads to the Program in 2014. Boroughs, like townships, vary widely in their size and structure. Borough staff usually consists of a Borough Manager and may include engineers or in some cases an entire “road maintenance department”. Pennsylvania’s 800+ boroughs are governed by the Borough Code. A complete copy of the Borough Code may be found at: <http://boroughs.org/subpage.php?link=Borough%20Code>

Cities, like boroughs, will likely play a larger role in the low volume road portion of the Program. Their size and structure vary considerably across the state.

3.7.1.2 Other Potential Applicants

Other local, county, or state public entities that own and maintain public roads that are open to public vehicle travel are eligible to apply to the conservation district for project funding. The most common of these entities are listed below, although the list is not all-inclusive:

PA Department of Transportation (PennDOT): PennDOT owns ~500 miles of unpaved roads and thousands of miles of paved low volume roads. PennDOT projects are typically designed at the regional level by regional engineers. Project oversight, however, is typically done at the county level by County Maintenance Managers. Both the project designer and the person in charge of project oversight must be ESM certified. Signatory authority for applications resides in the PennDOT District Offices.

PA Game Commission (PGC): The PGC owns approximately 1,000 miles of public use roads and 400+ miles of seasonal roads Statewide. The Regional Land Manager will identify the personnel to attend ESM training in order for the PGC to be eligible to receive funds. Signatory authority for applications resides in the PGC Regional or Central offices.

PA Fish and Boat Commission (PFBC): PFBC ownership of roads is minor except for access roads and boat launch ramps. Boat launch ramps that are open to public use are eligible for funding. The PFBC personnel responsible for the project area must attend ESM training. Signatory authority for projects resides in the PAFBC Regional or Central offices.

County and other Government Entities: In many cases other local government agencies such as parks departments or municipal authorities own land and roads that are open to public travel. As long as the roads meet the requirements for worksite eligibility and the person in charge of maintaining those roads has ESM certification, they are eligible for funding.

Department of Conservation and Natural Resources (DCNR): DCNR (through State Parks and the Bureau of Forestry) administers more than 3,000 miles of dirt, gravel, and paved low volume roads. DCNR directly receives \$7,000,000 per year under the Dirt, Gravel, and Low Volume Road Maintenance Program, separate from the State Conservation Commission allocation. DCNR officials are also required to be ESM certified in order to participate in the Program. The DCNR portion of the Program is administered separately from the Commission portion.

3.7.1.3 Ineligible Entities

Federal Government: The Federal Government owns and maintains roads in various capacities from national parks and monuments, US Army Corps of Engineers lands, and the Allegheny National Forest. The Commonwealth of Pennsylvania cannot pay or provide funding to maintain roads owned by the federal government.

Private Road Owners (individuals and entities): Privately owned roads, even those open to public use, are not eligible to apply for funds. This applies to roads owned by private individuals, but also includes roads owned by associations, private conservancies, non-profit companies, and other non-public entities.

3.7.2 Eligible Roads

Only public roads owned by one of the eligible applicants described above may be considered for funding. A road must also be open to public motor vehicle travel for a minimum of 2 consecutive weeks annually in order to be eligible for funding.

“Eligible Sites”

- *Stream Impact*
- *Publicly owned*
- *Open to public travel*
- *ESM certified*
- *<500ADT (if paved)*

3.7.2.1 Dirt and Gravel Roads

The “Dirt and Gravel” portion of the Program is designed to fund work on public roads with unbound road surfaces. These are surfaces of natural material or crushed aggregate that have not been incorporated into a bound layer using asphalt, oil, or other such binder.

3.7.2.2 Paved Low Volume Roads

The “Paved Low Volume Road” portion of the Program is designed to fund work on public roads where the surface has been bound with asphalt, oil, or other such binder. “Tar and Chip”, or “Chip-sealed” roads are considered paved and fall under the Low Volume Roads portion of the Program for funding. Only paved roads with 500 vehicles per day or less are eligible for Low Volume Road funding. See Section 7.4 for traffic count guidance.

3.7.3 Eligible Projects

Both LVR and D&G projects must focus on both environmental and road improvements. Projects should focus on worksites (identified pollution sites) and Environmentally Sensitive Maintenance (ESM) practices to reduce pollution while providing a more stable road. Only projects that provide some form of environmental benefit, typically by reducing sediment and concentrated drainage to waterways, should be considered for funding. Worksites and ESM practices are described in detail in Section 1.4.

3.7.4 Eligible Project Expenses

There are no special Program-specific requirements for paying for material, equipment, or labor costs for Dirt, Gravel, and Low Volume Road Maintenance Program projects. Municipalities should use the Township Code as guidance. Other applicants should follow normal purchasing procedures and normal contract procedures using advertising and bidding as warranted. Those expenditures must be tracked following normal bookkeeping and audit procedures, and records must be retained for 3 years from project completion.

3.7.4.1 Typical Expenses

Applicants may apply for the full costs of all materials, equipment, and labor required for implementation of the project.

3.7.4.1.1 Materials

Typical material expenses on a project include but are not limited to items such as pipe, stone, fill, fabric, aggregate, etc. Products with the potential ability to leach off the road (such as dust suppressants) must meet Commission requirements for non-pollution. The

Center maintains a list of Approved Products that are eligible for use on Program projects. For more information on Approved Product see Section 6.2.12.

3.7.4.1.2 Equipment

Program projects are often completed with applicant-owned equipment. Reimbursement of applicant-owned equipment costs is an eligible expense under the Program. Applicant-owned equipment can be reimbursed up to accepted Federal Emergency Management Agency (FEMA) rates. FEMA rates should also be used to calculate in-kind contributions on applicant-owned equipment. FEMA rates do not include operator costs. FEMA equipment rate website: <http://www.fema.gov/schedule-equipment-rates>

Some Program projects may require equipment that the applicant does not own. It is an eligible expense for an applicant to rent or lease equipment necessary to complete a project with Program funds. Equipment rented or leased with Program funds can only be used on the project for which it was rented.

Grants to local entities from the Dirt, Gravel, and Low Volume Road Maintenance Program cannot be used to purchase or maintain equipment. A district may purchase equipment with administrative and educational funding as outlined in Section 3.4.2.

3.7.4.1.3 Labor

Program projects are often completed with labor and equipment operators supplied by the applicant. Reimbursement of labor and equipment operators supplied by the applicant is an eligible expense under the Program. Prevailing wage is not required on labor provided by the grant recipient. Grant recipients must determine if prevailing wage is applicable when using their own labor force.

3.7.4.2 Contractor Costs

Projects may be completed entirely by subcontractor where no road work is performed by the applicant. Applicant should follow standard procedures regarding project bidding and working with sub-contractors. Districts must make payments to the grant recipient, not directly to the grant recipient's sub-contractors.

Projects funded by Dirt, Gravel, and Low Volume Road funds that are bid out to contractors in which the estimated cost of the total project (materials, equipment and labor), exceeds prevailing wage limits (currently \$25,000) are subject to provisions of Pennsylvania's Prevailing Wage Act (1961, August 15, P. L. 987, No. 442), 43 P. S. Section 165-1 et seq.

It is the responsibility of the grant recipient to obtain the Prevailing Wage Act scale for the area and include it in any proposal to solicit bids for the contract. The Prevailing Wage scale can be obtained from the Prevailing Wage Division of the Pennsylvania Department of Labor and Industry. If the Prevailing Wage Act applies, the advertisement shall also note this fact.

3.7.4.3 Consultants, Engineering, and Permitting Costs

Some Program projects will require permits and/or engineering or consultant work to design and complete. Program funds can be used to cover engineering, permitting, or similar consultant costs, but such costs are limited to a maximum of 10% of the total contract between

Engineering, permitting, or similar consultant costs are limited to a maximum of 10% of the total contract between the District and the grant recipient.

the District and the grant recipient. Note this limit is defined as up to 10% of the contract amount (Program contracted funds), not 10% of the total project value (which could include in-kind or other funds).

3.7.4.4 Working off the Right-of-way

Public roads have a right-of-way that extends out from the centerline of the road. The size of the right-of-way varies based on road owner and road classification.

Often factors from outside the right-of-way such as farm fields, access lanes, and driveways affect the public road. Working outside the road right-of-way is an allowable Program expense, but only when it is directly necessary to the successful completion of the project on the public road. Off right-of-way work must be limited in scope to cost-effective practices that directly reduce road impacts.

Before working outside the right-of-way, the applicant must obtain written permission from the landowner. A sample landowner agreement is provided in Appendix O. Districts and grant recipients can use their own landowner agreements as long as they are in a form and manner similar to the example in Appendix O .

Funds can be spent on activities outside the right-of-way only when:

- The issue on the public road cannot be effectively resolved within the right-of-way with traditional ESM practices.
- The district determines it is directly necessary to the successful completion of the project on the public road.
- It is limited in scope to cost-effective ESM practices that directly reduce impacts to the public road.
- It is limited in size to only address the area necessary to reduce impacts to the public road.
- The grant recipient has obtained written permission from the landowner. Off right-of-way consent form in Appendix O.

Districts must keep a copy of the signed landowner consent form with the project file for any work performed off the right of way.

Even if project work is confined to the road right-of way, landowner permission may be required when downslope property will be impacted by road practices. This is particularly true where new drainage outlets from pipes, turnouts, etc. may impact the downslope landowner.

3.7.4.5 Combined Funds

Dirt, Gravel, and Low Volume Road Maintenance Program funds may be combined with other funds to pay for a road maintenance project. If Program funds are combined with other funding sources, detailed accounting of which funds were spent on which portions of the project must be maintained. The other funding sources may be used as matching funds for Program projects, provided the Program funds are used on identified pollution worksites. Projects funded with combined funding sources must still adhere to the Program's non-pollution standards and Environmentally Sensitive Maintenance Practices. Should other funding sources have requirements in conflict with the Program's non-pollution standards, funds cannot be combined. It may be possible to complete a project in stages where the Program funds are used on a phase of a project (i.e.- drainage and base improvements) and another funding source is used on a different phase (i.e.- improving the road surface).

3.8 Administering Projects

3.8.1 Notification to Applicants

The conservation district is responsible for informing all potential applicants of funding availability, application deadlines, and other information necessary to Program participation.

District staff should work with the Quality Assurance Board in development of strategies for insuring equal access and notification to potential Program applicants. More details on this are available in the QAB Section 4.4.1.1.

Conservation Districts are strongly encouraged to meet with potential applicants on site to discuss the potential project before an application is submitted for funding.

3.8.2 Pre-Application Site Visit

Conservation districts are strongly encouraged to meet with potential applicants on site to discuss the potential project before an application is submitted for funding. The purpose of a pre-application meeting is to work jointly with the applicant to insure that the plan they submit is in the best interest of both entities. Some applicants, especially those new to the Program, may focus on road improvement concerns over environmental concerns. The pre-application meeting allows districts to provide input on the potential project at an early stage before the applicant has invested a large amount of time and resources in developing a plan.

It also allows an early discussion of potential topics relating to permitting, funding availability, and other issues that could affect the scope or design of the project. Potential landowner issues, discussed in Section 3.7.4.4, should be a part of the initial site visit. Often the type of practices used on a road will depend a great deal on the cooperation of local landowners, especially where off right-of-way work or additional drainage outlets are required for successful project completion.

3.8.3 Receiving Grant Applications

3.8.3.1 Application process

All applications for Program funding must be received on the “Dirt, Gravel, and Low Volume Road Maintenance Program Grant Application” one-page form that has been approved by the Commission. The form must be signed by the applicant. The form, and instructions for completing the form, can be found in Appendix O.

Conservation district staff should review applications for administrative completeness and to insure they comply with established Program policies and guidance. A project sketch, location map, and itemized costs are a required part of the grant application. District staff is encouraged to work with applicants to revise the scope of their applications that do not meet Program standards. Conservation districts may make minor changes to the application and have the applicant show concurrence by initialing and dating the change. In cases where significant changes are needed to the application work plan, the district should work with the township to create a new application that represents an acceptable project. Examples of “significant changes” may include: changes in project scope, recommended design changes, considerations for engineering and permitting costs, resizing of stream crossing structures, etc. The conservation district may, at their discretion, refuse to accept incomplete applications or applications that do not properly address environmental issues.

Applications that conservation district staff deem complete and potentially acceptable to the Program should be forwarded to the local Quality Assurance Board (QAB) for review and prioritization. The QAB will review and prioritize applications based on established

written criteria and make funding recommendations to the conservation district board. Details of the QAB review process can be found in Section 4.3. The QAB operates in an advisory capacity only. All applications for funding must be acted on by the conservation district board at a sunshined meeting. All applicants should be notified in writing of the funding decisions of the conservation district board.

3.8.3.2 Unfunded Applications

Conservation districts may develop their own county policies on the retention of unfunded applications. Applications may be retained for consideration in the next grant round, or the District may request the re-submittal of applications for each grant round. If unfunded grant applications are retained, the District should check with the applicant before the next grant cycle to insure the scope or costs of the application have not changed.

3.8.3.3 Grant Funding Cycles

Conservation districts may have an open application period, or they may establish application deadlines. All potential applicants should be informed of any application deadlines in accordance with the notification requirements outlined in Section 3.8.1.

3.8.4 Contracting

When an application has been accepted and approved by a conservation district board, the conservation district will enter into a contract agreement with the successful applicant. The contract, when signed by both parties, is a legally binding document between the applicant and the conservation district that describes in detail the responsibilities of both parties. No funding transfers can take place with grant applicants, and no project work can begin, without a signed contract. The contract states the terms and conditions for the project.

Conservation districts may add additional provisions to their contract, as long as they do not negate or conflict with the standard contract provisions or any Program policies. Conservation districts must receive written clearance from their solicitor stating that the proposed provisions are compliant with this section prior to adding additional provisions, and provide written notification to the Commission.

All contracts must be made using the “Dirt, Gravel, and Low Volume Road Maintenance Program Contract Agreement” form that has been approved by the Commission. Districts may add provisions to the standard contract agreement described above. The contract, and instructions for completing the form, can be found in Appendix F.

3.8.4.1 Contract Attachments

When a contract is signed, the attachments listed on the contract and described below become a legally binding part of that contract. The attachments to each Dirt, Gravel, and Low Volume Road Maintenance Program Contract include:

- **Grant Application:** The approved grant application submitted by the applicant, including cost estimate breakdowns. The grant application must include a workplan, which consists of a hand-drawn or digitally produced sketch of the proposed project. A workplan is a plan view of the road with all planned features such as pipes, aggregate, underdrain, surface features, etc. Applicants may use the space provided on the back of the grant application for the work plan. The grant application must also include a map that identifies where the project is located.
- **General Contract Provisions:** Standard contracting provisions required on all

Program contracts. (Appendix G)

- **Program Statement of Policy:** Program Statement of Policy required on all Program contracts. (Appendix B)
- **QAB/District Standards and policies:** Any policies adopted by local conservation district board.
- **Schedule of Payments:** One page form that outlines how funding will be distributed by the conservation district to the grant recipient (Appendix I)

3.8.5 Pre-Project Logistics

3.8.5.1 Permits, PA One-Call

It is the responsibility of the grant recipient to insure that all necessary permits are obtained and any other pre-project requirements such as PA One-Call are met. Any required permits must be obtained by the grant recipient before advances can be given or work can begin. For more details on permits and other requirements, refer to Chapter 8.

3.8.5.2 Pre-Project Meeting

The conservation district should meet with the successful grant recipients, preferably on site, prior to the start of any project work. If the grant recipient is utilizing a subcontractor, the subcontractor should be involved in the pre-project meeting. During the meeting, each contract item or element of the approved plan should be discussed to avoid any misconception about how the plan is to be implemented and how payment will be made to the grant recipient. In cases where Driving Surface Aggregate (DSA) is involved, the pre-construction meeting should be held as far in advance as possible, prior to the start of the project, to allow for DSA sampling. Other more complex project elements such as stream crossing replacements, may require additional lead time as well.

3.8.6 Project Oversight

It is the responsibility of the conservation district to ensure that the work being performed on the project is in accordance with the contract and

When it comes to project oversight, remember, "You get what you inspect, not what you expect."

attachments. The level of direct District oversight will depend on a variety of factors including complexity of the project, past history, and knowledge of grant recipient. Conservation district personnel should visit the project regularly during its implementation to determine whether or not the plan is being followed or if changes need to be made. District oversight is critical at the beginning of a project, and anytime that a new phase or element of a project begins. Expensive or complex items, such as Driving Surface Aggregate placement or stream crossing replacement, will require more extensive district oversight. Districts can request assistance from Commission or Center staff on project oversight and implementation.

3.8.7 Contract Changes

In some cases, unforeseen circumstances arise that may require changes to the scope of a project. Changes that affect the requested funds (up to 20%) or completion timeframe of the contracted project can be made at the discretion of the conservation district. The contract amendment process is outlined in Section 3.5.3 and the contract amendment form can be found in Appendix H. Keep in mind that if a contract is between \$20,000 and \$25,000 (barely under the prevailing wage threshold), an amendment may increase the total value of

the project so that prevailing wage would apply to contractor costs. More on prevailing wage in section 3.7.4.2

3.8.8 Project Completion

In order for final payment to be made to a grant recipient, the following are required: a final site inspection; a project completion report; and receipts for all grant expenses.

3.8.8.1 Final Inspection

Upon project completion, a final inspection must be scheduled on site involving the conservation district and the grant recipient. Final inspections should be scheduled immediately after work is complete, so any remediation can be done while equipment is still on site if needed. Other entities such as the QAB and sub-contractors to the grant recipient should be encouraged to participate. The purpose of the final inspection is to:

- Verify the project is completed in accordance with Program standards and to the satisfaction of the conservation district.
- Verify that all work elements classified as “in-kind services” are also completed in accordance with Program standards and to the satisfaction of the conservation district.
- Verify that work elements proposed in the work plan have been properly installed.
- Allow the district to summarize the project work elements and costs on the Project Completion Report.

3.8.8.2 Project Remediation (if necessary)

During the final inspection, the district may find elements of the project that were not installed, or were not installed to Program or district standards. If so, remediation work may be required of the grant recipient before the project can be considered “complete”. The District should verify any remediation work meets Program standards before making final payment.

3.8.8.3 Project Completion Report

A project completion report is required to formally report the status of projects as complete and close contracts. This report summarizes the costs and project work done on the site. The completion report must be signed by both the conservation district and the grant recipient. The completion report and instructions can be found in Appendix J.

3.8.9 Project File Retention

All records relating to the Dirt, Gravel, and Low Volume Road Maintenance Program must be kept for a minimum of three (3) years from the date of final payment on a project.

3.9 GIS reporting System

The Program uses a customized Geographic Information System (GIS) called “DGRoads” to track potential and completed project location, work done, and expenditures. A GIS is a system of maps and databases where data may be sorted, selected and displayed in a spatial format. The DGRoads GIS software is designed to facilitate the entry of project and financial data by conservation districts. The GIS software is used to identify sites, assess

sites, add or delete sites to the existing database and track project information from application submittal to completion and beyond. Conservation districts keep track of all potential and completed worksites in the DGRoads GIS system.

Districts should enter information on contracted and completed projects into the GIS system on a quarterly basis.

For information on the GIS system go to http://www.dirtandgravelroads.org/#_blank.

3.10 Annual Summary Reports

Conservation districts are required to submit a report annually to the Commission on all project work and spending activity. The information on the Annual Summary Report is used by the Commission to report to the Transportation Committees in the Pennsylvania House and Senate annually.

The Annual Summary Report summarizes Program activity in each conservation district including: Project Completion Report detailing project spending and deliverables, in-kind contributions, administrative spending, and education spending. Annual Summary reports are collected on a calendar year basis, with the yearly activity due in January of the following year. The Annual Summary Report process utilizes the GIS reporting system described above.

The State Conservation Commission shall annually assess the program and annually report to the Transportation Committee of the Senate and the Transportation Committee of the House of Representatives on its acceptance and effectiveness.

-§ 9106, (D), (3)

Chapter 4

Quality Assurance Board Role

4. QUALITY ASSURANCE BOARD (QAB) ROLE

The Dirt, Gravel, and Low Volume Road Maintenance Program is designed around the concept of “local control”. Consistent with this philosophy, the Commission establishes statewide requirements and guidelines, but allows individual conservation districts to establish local policies and procedures to customize the Program for the needs within their county. Each conservation district is required to establish a 4-member Quality Assurance Board (QAB) that becomes the primary “steering committee” that makes recommendations to the district board on local policies and project funding.

The QAB's purpose is to assist the conservation district with the establishment of local controls and program requirements including but not limited to fiscal, environmental, written priorities, training incentives and site inspection. **The QAB serves in an advisory capacity only to the conservation district board.** The QAB makes recommendations to the board but the authority for project approval and spending is with the conservation district directors. Only the conservation district board may approve spending of Dirt, Gravel, and Low Volume Road Maintenance Program Funds.

Within the conservation district a Quality Assurance Board shall be impaneled to establish and administer the grant program. The four-member Quality Assurance Board is to be comprised of a nonvoting chairman appointed by the conservation district directors and one local representative appointed by each of the following entities:

- (1) The Federal Natural Resource Conservation Service*
- (2) The Pennsylvania Fish and Boat Commission*
- (3) The county conservation district*

If circumstances require, the chairman may vote to decide a tie vote.

-§ 9106, (E)

4.1 QAB Composition

A four (4) member Quality Assurance Board (QAB) is required by law for each conservation district administering the Program. The QAB must consist of the four members described above in 9106 (E), or their designee. The chairman of the QAB may not participate in a vote, other than to decide a tie vote. No one other than the 4 QAB members may vote. To broaden citizen involvement, the QAB may enlist any individual or organization to be advisors (non-voting) to the 4 member QAB.

The conservation district should select the district's voting and non-voting members for the QAB, verify their willingness to serve and ascertain that no conflict of interest exists by adopting and enforcing a conflict of interest policy statement.

The conservation district should contact the PA Fish and Boat Commission (PAFBC) and the Natural Resource Conservation Service (NRCS) to identify the proper representatives from each agency for the QAB. Individuals possessing an awareness of local environmental issues, familiarity with project administration, road maintenance, or natural habitats could be valuable QAB members. If any appointee cannot meaningfully participate, or chooses not to participate, a suitable replacement should be found.

The PFBC or NRCS may appoint a person who is not necessarily a PFBC or NRCS employee to the QAB to serve as that agency's representative. Local conservation agencies

such as Trout Unlimited or conservancies may be a potential source of QAB volunteers should PFBC or NRCS wish to appoint a designee. The appointment must be agreed upon by both the conservation district and the agency.

The individual members of the QAB are expected to become familiar with the Dirt, Gravel, and Low Volume Road Maintenance Program and they are encouraged to attend the Environmentally Sensitive Maintenance (ESM) training. At least one of the two conservation district members of the QAB must attend ESM training every five (5) years. There is no requirement for the QAB members representing the PFBC and the NRCS to attend training, but it is strongly encouraged.

4.2 QAB Meetings

4.2.1 Scheduling QAB Meetings

QAB meetings may be held on a regular schedule, or on an as-needed basis. All QAB meetings are subject to the public notification requirements outlined below. The most common action items that occur at QAB meetings are:

- Review of grant application(s)
- Recommendations of project for funding to district board
- Review of completed projects
- Recommendation of local policies to district board

4.2.2 Public Meeting Notifications

Quality Assurance Board Meetings must be scheduled and are subject to the requirements of Pennsylvania's Sunshine law.

PA Sunshine law requires that notice of regularly scheduled QAB meetings must be given once a year by advertising in a newspaper of general circulation at least 3 days prior to the first meeting of the year. The notice must give the place, date, and time of the first meeting and a schedule of the QAB's remaining regular meetings. Notice of the QAB meeting also must be prominently posted at the principal office of the agency or at the public building where the meeting is to be held.

If QAB meetings are not held on a regular schedule, procedures in the PA Sunshine law for "special meetings" should be followed. For rescheduled or special meetings, notice of the meeting must be published in a newspaper of general circulation at least 24 hours in advance of the meeting. The notice must give the place, date, and time of the meeting.

QAB meetings may be held using a conference call. These meetings must still be sunshined and the public must be able to participate. The public should be invited to come to the district office to participate in the call and have the committee members call in to participate. Details on the PA Sunshine Act can be found at:

<http://webpages.charter.net/gdsbmmlp/sunshine.htm>

"The Pennsylvania Sunshine Act requires all public agencies to take all official actions and conduct all deliberations leading up to official actions at public meetings. The Act covers all such actions by municipal governing bodies, committees of these governing bodies and municipal boards and commissions."

-Open Meetings, the Sunshine Act

4.2.3 QAB Meeting Procedures

The QAB must establish rules of order and procedures to govern their meetings. **There must be a quorum (at least 2 of the 3 voting QAB members), to vote on any recommendations to the district board.** The QAB chairman may vote to decide a tie. Meeting minutes must be kept and made available to the district board and general public. QAB meetings may be held via conference call as long as they meet the public notice requirements described above.

4.3 QAB Role in Projects

While much of the administrative and project oversight work is the responsibility of the district staff, QAB members are encouraged to be active participants in the Program to the greatest extent possible. An active QAB is typically the first sign of a successful Program in a county.

4.3.1 Project Ranking

Some of the major functions of the QAB are to determine project eligibility, rank projects for funding, and make funding recommendations to the conservation district board. Each county should have a written local ranking sheet for projects, as described in Section 4.4.1.3.

QAB members are encouraged to visit application sites before regular QAB meetings in order to be able to better discuss the projects and applications. Many counties will have QAB site tours to look at application sites together. This has the advantage of allowing discussion between the QAB members and conservation district staff. Some counties will provide QAB members with a list of applications, and QAB members will perform site visits on their own prior to QAB meetings. In some counties, the district staff will visit potential application sites, and take pictures to present to the QAB at their regular meeting. While not as effective as visiting the potential projects, the presentation approach is still more beneficial than simply looking at a list of applications on paper.

Remember in scheduling QAB meetings, both official and unofficial, that “all deliberations leading up to official actions” are subject to the public notification requirements of the PA Sunshine Law described above.

4.3.2 Project Funding Recommendation

The QAB makes recommendations to the conservation district board based on established district ranking criteria and Program policies. QAB funding recommendations must be made at a public meeting subject to PA’s Sunshine law described above. Conservation district staff should then take QAB recommendations to the District Board for approval at a regular meeting. Once the district board acts to approve an application for funding, District staff can pursue any final measures necessary to secure a contract with the applicant.

4.3.3 Project Implementation and Completion

Once the district board acts on the QAB’s recommendation and enters into a contract with a grant recipient, conservation district staff will be responsible for the general administration, oversight, and inspection of the project. Future decisions on funded projects can be made between the district staff and district board with minimal QAB involvement. For example, the district board may approve a contract amendment to a project without QAB involvement. QAB members are encouraged to stay involved with the project through site

visits, but no further QAB action is required. Many districts also hold “completed site tours” with their QAB that allows them to visit and discuss completed projects.

4.4 QAB Role in Policy

In addition to project funding recommendations, the development of local policies is the second major function of the QAB. As with funding recommendations, any QAB policy recommendations must be approved by the conservation district board. Some of the policies described below are “required” by either the Commission Statement of Policy or the law that created the Program. The “optional” policies below are given only as examples of other policies that have been adopted by QABs around the state. QABs may create policies that are equally or more restrictive than statewide policies. For example, since statewide policy is that new stream crossing structures must be at least 100% of bank full width; local policies could alter this to be at least 120%. Local policies can also impose additional requirements. For example, a policy requiring pre-application site visits, which are highly recommended but not required statewide, could be adopted by the local QAB.

4.4.1 Required Policies

4.4.1.1 Equal Access

The Commission Statement of Policy requires Districts to develop a “fair and open selection process” pertaining to notifying potential applicants and accepting potential applications. All potential applicants must receive equal notification on topics such as: funding availability, application deadlines, availability of CD owned equipment (such as grader blades or traffic counters), training, etc. See Section 3.7.1 for a listing and description of eligible applicants.

4.4.1.2 Conflict of Interest

The Commission Statement of Policy requires Districts to develop “rules of conduct, including “...to avoid conflicts of interest by members of the QAB”. These include provisions for QAB members to abstain from voting on the recommendations of policies or projects where they have a vested interest.

4.4.1.3 Project Ranking

The Commission Statement of Policy requires Districts to develop “written criteria to specify priorities” when it comes to ranking projects for funding. This is typically in the form of a grant application ranking sheet developed by the QAB and approved by the district board. These evaluation sheets rank applications using a numerical score and provide a basis for comparing numerous applications before making funding recommendations. A sample grant application ranking sheet is in Appendix Q.

4.4.1.4 Incentive for Training

The Commission Statement of Policy requires Districts to develop “incentives for training road managers and equipment operators”. Commission policy is that every applicant must have at least one staff person who has completed ESM training, but conservation districts may institute additional training incentives.

Some examples of additional training incentives include: reimbursing applicants travel expenses for attending ESM training or annual workshops; hosting ESM trainings in their

county to reduce travel time and expenses for potential applicants; and encouraging district staff to put on other workshops, field days, tours, etc.

The cost of implementing the incentives may be paid for with either education or administrative funds. The district may establish a written policy to specify what incentives may be used.

4.4.1.5 Non-pollution Standards

The Commission Statement of Policy requires Districts to develop “standards that prohibit use of materials or practices which are environmentally harmful”. The district must adopt the Commission’s Non-pollution Standards or a more stringent policy.

4.4.2 Optional Local Policies and Procedures

QABs may recommend, and district board may adopt, a range of local policies that govern how the Program is administered within the county. Any local policies must be equally or more stringent than any statewide Program policies, and must keep insure equal access to all potential Program participants. Please contact SCC staff if you have questions on a particular policy. A few examples of the potentially limitless array of local policies include:

- Establishing deadlines for grant application submittal.
- Establishing a maximum grant cap.
- Only advancing X% (must be $\leq 50\%$) of funds, or none at all, to grant recipients before work begins.
- Limiting the amount or percentage of project funding that can be used of Driving Surface Aggregate or asphalt paving.
- Establishing a policy that grant recipients must maintain previous projects to be eligible for future funding.
- Requiring a certain percentage in-kind match.

Chapter 5

Applicant Role

5. APPLICANT ROLE

This section of the manual is intended to serve as a primer for potential applicants. While this section should serve as a guide for potential applicants, communication with the local conservation district is vital to becoming a successful applicant.

5.1 Before Applying for Funds

5.1.1 Local Procedures and Policies

There are currently 65 counties participating in the Program. As much as is practical, control of the Program is driven down to the local level. Each county is governed by a local district board, and is advised by a local Quality Assurance Board (QAB) that develops county specific policies and procedures. These local policies can address many county specific issues such as the following:

- Application periods
- Training requirements and training incentives
- Types of projects accepted
- Maximum amount of funds allocated to a specific project
- Maximum number of applications accepted from an applicant
- Ranking criteria
- Maintenance requirements

It is imperative that any potential applicant contact the local conservation district early in the process. This initial contact should occur well in advance of submitting an application.

5.1.2 Eligibility

Potential applicants must meet certain eligibility requirements as follows:

- The person in charge of work plan development and project implementation for the applying entity must have attended environmentally sensitive maintenance (ESM) training within the past five (5) calendar years to become “ESM Certified”. Individuals not directly involved with the project design and implementation (interns, secretaries, etc.) do not qualify an applicant to be eligible for funding. Engineers on retainer or others who serve multiple municipalities are welcome to attend the ESM training, but their attendance does not count as “ESM Certification” for the municipalities they represent
- The road must be publicly owned, not simply open to the public. A publicly-owned road is dedicated by a legal action of the governing body. The origin of the road can be traced back to written records that indicate how and when the road came into legal public ownership, and if called into question, the applicant must provide documentation that the project is located on a public road they own.
- In addition to being publicly owned, the

Typical project timeline:

1. *Locate potential project.*
2. *Site visit with District.*
3. *Submit application to District.*
4. *If funded, enter into contract.*
5. *Acquire any necessary permits and permission.*
6. *Perform, or have contractor perform work.*
7. *Final site inspection with District.*

road must be open to public vehicle travel a minimum of 2 consecutive weeks out of the year.

- The project in the application must adequately address any environmental concern.

Refer to Section 3.7.2 of this manual for more detailed information on eligible projects.

5.1.3 Pre-application Site Visit

While not a Program requirement, a pre-application site visit with the conservation district is strongly encouraged. Districts are encouraged to rank projects higher if a pre-application site visit has occurred. The purpose of the visit is to provide a potential applicant the opportunity to discuss the size and scope of a potential project with the local conservation district. District input at this time can save time, and it can avoid the frustration of taking time to prepare an application only to find out the project may be considered ineligible or low priority. Conservation district staff may provide input during the visit that could make the application more likely to be approved. Districts may also be knowledgeable on other aspects of the project, such as permit requirements, one call notifications, E&S planning, etc. Potential landowner issues, discussed in Section 3.7.4.4, should be a part of the initial site visit.

5.1.4 Combined Funds

Dirt, Gravel, and Low Volume Road Maintenance Program funds may be combined with other funds to pay for a road maintenance project. If Program funds are combined with other funding sources, detailed accounting of which funds were spent on which portions of the project must be maintained. The other funding sources may be used as matching funds for Program projects, provided the Program funds are used on identified pollution worksites. Projects funded with combined funding sources must still adhere to the Program's non-pollution standards and Environmentally Sensitive Maintenance Practices. Should other funding sources have requirements in conflict with the Program's non-pollution standards, funds cannot be combined. It may be possible to complete a project in stages where the Program funds one phase of a project (i.e. drainage and base improvements) and another funding source funds a different phase (i.e. improving the road surface).

5.2 Applying for Funds

Local conservation districts develop their own procedures for accepting applications. Some districts may establish application deadlines while others may continually accept applications. The following are general Program requirements, but local districts may add additional requirements:

- One grant application should be received for each worksite. More than one worksite will require multiple applications. Grant Application are provided in Appendix E.
- Applicants shall submit applications to the conservation district who will forward it to the local Quality Assurance Board (QAB) for review and prioritization.
- The QAB will review the applications and make funding recommendations to the district board.

- The district board will act on the QAB recommendations and award funding based upon previously defined priorities.
- The district shall keep a copy of the completed application, project sketch, and location map on file.
- Applicants should keep a copy of the completed application on file.
- Projects funded by Dirt, Gravel, and Low Volume Road funds that are bid out to contractors in which the estimated cost of the total project (materials, equipment and labor), exceeds prevailing wage limits (currently \$25,000) are subject to provisions of Pennsylvania's Prevailing Wage Act (1961, August 15, P. L. 987, No. 442), 43 P. S. Section 165-1 et seq.

Conservation districts may make minor changes to the application and have the applicant show concurrence by initialing and dating the correction.

Unfunded grant applications may be retained for future grant rounds, or may need to be resubmitted. Check with your conservation district for their policies and procedures regarding unfunded grant applications.

5.3 Pre-contract Documentation

It is not necessary for an applicant to have all required permits, traffic counts, and other requirements in hand prior to submitting an application, but many of these requirements must be met before funding is advanced to the grant recipient or before project work can begin. While local districts may develop more stringent requirements, the following is a list of general pre-contract requirements:

- PA One Call must be notified at various stages of the project, including the design phase and also prior to construction. One Call assigns a serial number to each call they receive. These serial numbers must be recorded and kept in the project file.
- Many projects will require some type of environmental permit. Applicants are encouraged to work with the conservation district to determine what environmental permits, if any, may be required. Any required permits must be obtained by the grant recipient before advances can be given or work can begin. Under no circumstance can any project work begin until all required permits are in hand. See Chapter 8 for more permit guidance.
- Low volume road projects require that a traffic count be conducted. This traffic count must show that the worksite has a traffic count of 500 vehicles a day or less, and the count must be provided to the conservation district for review prior to entering into a contract. See Section 7.4 for traffic count guidance.

5.4 Entering Into a Contract

Before project work can start, the conservation district must enter into a contract with the successful applicant. The contract will specify the location, a description of the work to be performed, and the time frame within which the work will be performed. Documents such as the grant application, project sketch, location map, and project estimates become attachments to the contract. The contract will also specify the amount of funding available for the project upon completion, as well as any provisions for advance payments, payments during construction, and provisions for final payment after the work has been completed. The

contract must be signed by the conservation district chairman (or appointed designee) and a person authorized to sign for the successful applicant.

5.5 Project Work

5.5.1 Notification of Project Work

Grant recipients must notify the conservation district before beginning work on a project. This will allow the conservation district to meet in person with the grant recipient and any contractors or sub-contractors who will be implementing the plan to determine the phase and sequence of the project and discuss other project elements. The District must also be notified before beginning a new phase of the project (for example, drainage work is completed and aggregate placement will begin).

5.5.2 Performing Project Work

Applicants should follow their standard operating procedures when performing project work such as: bidding procedures for contractors and materials; standard safety requirements; traffic control; road closure; etc. Municipalities should use their municipal codes and other appropriate standards as guidance. Other applicants should follow normal purchasing procedures and normal contract procedures using advertising and bidding as warranted. Project expenditures should be tracked following normal bookkeeping and audit procedures, and retained for 3 years from project completion. Copies of all receipts for project expenditures to be reimbursed by grant funds must be submitted to the conservation district.

Work must be performed in accordance with the accepted application and work plan unless both parties agree to project changes in writing. The grant recipient is responsible for oversight of any contractors or subcontractors working on the project. Work must be performed within the contracted scope, budget, and timeframe.

If an increase in costs or extension of time is required, the conservation district must be contacted as soon as possible. At the district's discretion based on existing policies and funding availability, contracts may be amended for cost overruns up to 20% of the original contract amount, or to extend the timeframe for completion. When cost over-runs exceed 20% of the original contracted amount, an additional or new contract will be required. Keep in mind that if a contract is between \$20,000 and \$25,000 (barely under the prevailing wage threshold for contracted work), an amendment may increase the total value of the project so that prevailing wage would apply to contractor costs. More on prevailing wage in section 3.7.4.2

5.5.3 Project Completion and Reporting

When a project is completed, the district and the grant recipient will meet on site to perform a final inspection. This is documented on a Project Completion Report. The purpose of the final inspection is to assure that all contracted items have been satisfactorily completed. Grant recipients are encouraged to schedule a final inspection immediately after work is complete, so any remediation can be done while equipment is still on site if needed. Upon completion, the successful applicant may submit detailed financial records documenting project costs. The district will then issue a final payment. The contract, project performance report, project costs, and all records pertaining to the project must be kept on file for a period of three years from the completion of the project. The Project Completion Report and instructions can be found Appendix J.

5.5.4 Future Maintenance

Local QABs may set policy on the length of maintenance requirements for completed projects. Maintenance of past projects may be considerations in a District's application ranking criteria.

Chapter 6

Center for Dirt and Gravel Road Studies

6. CENTER FOR DIRT AND GRAVEL ROAD STUDIES

6.1 Center Structure

The Center is an independently funded non-profit entity under the Thomas D. Larson Pennsylvania Transportation Institute at Penn State University. The Center contracts with the State Conservation Commission to provide education, outreach, and technical assistance to entities involved with the Dirt, Gravel, and Low Volume Road Maintenance Program. The services provided by the Center are outlined in the next section. In addition to supporting the Commission part of the Program, the Center also contracts with various other entities such as the PA Department of Conservation and Natural Resources and the PA Game Commission to provide similar training and research services.

6.2 Center Services

6.2.1 Education and Training

The primary education tool of the Program is the two-day ESM course developed, maintained, and presented by the Center. The Center also hosts an Annual Maintenance Workshop for Program participants that include multiple classroom sessions and field demonstration projects. The Center is also involved in various other trainings and educational efforts such as District Administrative Training, GIS Trainings, and topic-specific trainings and webinars. Details of these educational services can be found in Section 3.6.

6.2.2 Outreach

The Center performs various activities in an effort to promote the Program and environmentally sensitive road maintenance principles. Such activities include participating in various professional meetings and trade shows; representing Program interests on various nationwide panels and committees; and creating and distributing promotional materials for the Program.

6.2.3 Project Technical Assistance

Center staff is available to help conservation district staff with project planning, design, implementation and inspection. This technical assistance can be in the form of phone, e-mail, or site visits. The Center typically provides on-site assistance with projects that involve new District staff, new or innovative techniques, or especially complicated projects. Some typical services performed on technical assistance on-site visits include: on-site training of new CD staff; project evaluation and planning; grant application review; interactions with applicants; conflict resolution; project stationing and site-plan development; DSA prep and placement assistance; project implementation and oversight assistance; and review of completed projects. It is important to note that the focus of providing this technical assistance is to build capacity at the District. Center staff will work through the conservation district for all interactions with Program applicants.

6.2.4 Program Technical Assistance

In addition to project-related technical assistance, the Center is also available to answer any Program-related questions or address issues the District and applicants may have on a

wide variety of topics. This technical assistance can be done via phone, e-mail, or even by in-office visits when large issues or new CD staff is involved. If a policy interpretation or administrative assistance is needed, the Center will forward questions and concerns to staff at the State Conservation Commission.

6.2.5 Written and Digital Reference Material

The Center creates and distributes a wide variety of reference material that is available both in print and online including:

- ESM training guidebook.
- Technical Bulletins on specific ESM practices.
- Write-ups about innovative projects.
- Quarterly newsletters containing Program updates.
- Annual Summary Reports for the Program.
- Cooperation with Commission on Program policy and guidance documents.

6.2.6 Website

The Center maintains a comprehensive website including reference material for the Program as well as other Center activities. The website can be found at www.dirtandgravelroads.org.

6.2.7 GIS and Reporting

The Program uses a customized GIS system, detailed in Section 0, to track the locations, deliverables, and expenditures for all road project work. The Center is responsible for the development, maintenance, and training of this GIS system; as well as the collection of the Annual Summary Report from conservation districts. The Center also works with the Commission to develop reports to provide to the State Legislature and others based on county data.

6.2.8 Workgroups

The Center, in conjunction with the Commission, maintains several advisory workgroups to the Program. Conservation district staff makes up the majority of the workgroups. The workgroups act in an advisory capacity only, making recommendations to the Commission for approval. There are four active workgroups that meet on an as-needed basis. The Education and Outreach workgroup deals with the ESM Course content and format, the Annual Maintenance Workshop planning, and various other outreach and education efforts such as GIS trainings, roundtables, and more. The Policy and Planning Workgroup deals with allocation and policy recommendations to the Commission. The Low Volume Road Workgroup was created in 2014 specifically to handle issues related to the new Low Volume Road Program. The Product and Process workgroup deals with technical issues such as Driving Surface Aggregate and approving products for use with Program funds.

6.2.9 DSA Clearinghouse

The Center maintains a “DSA Clearinghouse” that is designed to facilitate DSA purchasing and placements around the State by creating a central point of contact and information for aggregate suppliers and conservation districts. This “DSA Clearinghouse” is described in Section 7.2.

6.2.10 Research

The Center performs a limited amount of research on practices and policies that directly affect the Program. Research topics vary widely from road sediment quantification, to cost-benefit analyses, to development of new and innovative practices.

6.2.11 QAQC

While the Quality Assurance/Quality Control process, described in Section 2.3, is led by Commission staff, the Center still plays a significant role in the Process. The Center has worked with the Commission to develop the QAQC process. Center staff is part of the QAQC visit team and typically assume a role related to the evaluation of completed project sites.

6.2.12 Product and Process Approvals

All products and materials purchased with Program funds must adhere to the Program's non pollution standards. The product and process workgroup develops product testing protocols. These protocols are then reviewed by the Commission. When a product is submitted for approval, the workgroup reviews the product according to Commission approved protocols.

Chapter 7

Additional Program Policies

7. ADDITIONAL PROGRAM POLICIES

The purpose of this chapter is to address more complex Program policies that are not necessarily applicable to every project. This chapter contains policies and guidance on:

- Stream Crossing Replacement
- Driving Surface Aggregate
- Low Volume Road Principles
- Low Volume Road Traffic Counts

7.1 Stream Crossing Structural Replacement Policy

This section applies to **both Low Volume funds and Dirt and Gravel funds.**

7.1.1 Background

The goal of this policy is to allow the replacement of stream crossing structures that were negatively impacting the stream, while at the same time preventing the Program from simply becoming a “bridge replacement program”. The best quantification of stream impact is the size of the existing structure related to the bankfull width of the channel. A channel’s “bankfull width” is the width of flow at a “dominate channel forming flow stage” where sediment and bed material is moved most effectively through the stream system. Although it varies, bankfull is typically associated with a flow level between 1 and 2 year recurrence. Stream crossing structures that are significantly less than the channel’s bankfull width are typically associated with many problems including gravel deposition above the road and excessive stream scour and erosion below the road. In order to focus Program funds on structures that are most likely to be causing stream instability, the policy drafted here limits paying for structural replacement to only those locations where the existing structure is less than half of the bankfull channel width. These structures are most likely to be causing negative stream impacts, and are most likely to be sources of perpetual maintenance and road impacts to local municipalities (gravel bar removal, erosion, etc.). In addition, any new structures must have a width at least equal to the channel’s bankfull width.

7.1.2 Replacement of Road/stream Crossing Structures

The purpose of this policy is to determine eligibility for stream crossing structural replacement with Program funds. Environmentally Sensitive Maintenance practices applied to the surrounding bridge area (road, stream banks, ditches, high water bypass etc.) are still eligible Program expenses around all stream crossings. Within the limits described below, the final decision on funding structure replacement, along with the type of structure used (pipe, box, etc.), is at the discretion of local Quality Assurance Boards. These qualifications do not exempt projects from any permitting or engineering requirements.

EXISTING stream crossing structures with an opening equal to or less than 7 square feet (*equivalent to a 36” diameter round pipe*):

- **Are eligible to be replaced with Program funds.**
- **The NEW REPLACEMENT structure must (all four):**
 1. Have a structure width at least equal to bankfull width (100% ratio).

2. Be properly aligned with the channel.
3. Consider additional floodplain connectivity when possible.
4. Be designed and constructed to accommodate the passage of aquatic organisms through the structure.

EXISTING stream crossing structures with an opening of more than 7 square feet (equivalent to a 36" diameter round pipe):

• **In order to be eligible for replacement, EXISTING structures must** (all three):

1. Have a structure to bankfull width ratio of 50% or less.
2. Show signs of streambank erosion.
3. Show signs of streambed erosion/aggradation.

• **The NEW REPLACEMENT structure must** (all four):

1. Have a structure width at least equal to bankfull width (100% ratio).
2. Be properly aligned with the channel.
3. Consider additional floodplain connectivity when possible.
4. Be designed and constructed to accommodate the passage of aquatic organisms through the structure.

7.2 Driving Surface Aggregate (DSA)

This section applies only to **Dirt and Gravel funds**, not Low Volume funds. Technical details for DSA including placement and purchasing specifications are not included in this administrative manual. See the Center's Aggregate Handbook for technical documentation.

For D&G projects, surface aggregate is not a required part of a project. However, if surface aggregate is purchased with Program funds, Driving Surface Aggregate (DSA) must be used.

7.2.1 DSA Overview

Driving Surface Aggregate is a crushed stone mixture developed by the Center in 2001 to be used as a wearing course for unpaved roads. DSA is designed to achieve maximum density compared to other aggregates in order to resist erosion and support traffic. DSA has a few key differences compared to traditional aggregates such as PennDOT 2A or 2RC:

- Well graded to include a range of rock sizes from 1.5" to "stone dust".
- 10-15% of the material is composed of "rock fines" that bind the material together.
- Placement by motor paver is highly encouraged.
- Several other requirements including a maximum plasticity limit, a pH range, a minimum hardness specification, and optimum moisture requirements.

Driving surface aggregate meeting PennDOT DSA specifications (MS-0450-0004) is the only SCC approved road surface material that may be purchased (for D&G projects) with Program funds.

DSA is designed to resist erosion and stand up to the forces of traffic. DSA has been proven to reduce sediment loads compared to traditional aggregates by as much as 90%. DSA was originally designed to reduce erosion and runoff on road segments close to streams where drainage improvements were limited. DSA is not required on every Program project. Individual counties may make their own policies regarding the use of DSA with Program funds.

7.2.2 DSA Certification

Driving Surface Aggregate must be placed in accordance with the DSA specification and certification found in Appendix N. A DSA Certification is required for every project where DSA is used. The DSA certification does not apply to an entire quarry. The DSA certification applies only to a particular source or pile of DSA that is being purchased. Additional certifications are required if the quarry changes the DSA production process (for example switching to a different seam of stone). The DSA certification must be obtained by the grant applicant before aggregate is placed, and must be kept with project files.

7.2.3 DSA Quality Control

The Center is undertaking an initiative to improve the quality and consistency of Driving Surface Aggregate statewide. The Center is providing a pilot sampling and quality assurance service for DSA purchasing and placement. It is required that conservation districts contact the Center for Dirt and Gravel Road Studies when a potential DSA supplier is chosen. The Center will act as a “DSA Clearinghouse” for DSA projects. The purpose of this DSA Clearinghouse is to insure quality DSA purchase and placements for conservation districts statewide by:

- Visiting and talking with quarries to insure they understand the DSA requirements.
- Collecting samples and performing testing to insure DSA meets all material requirements before delivery and placement.
- Keeping records of aggregate testing to avoid duplicating efforts.
- Establishing a central point of contact for quarries on DSA issues.
- Assistance with contractor coordination.
- On-site assistance during DSA placement.

Contact the Center as far in advance as possible about DSA placements to allow adequate time for material sampling, testing, and analysis. Last minute notifications (two weeks or less) may not allow time for proper coordination and testing.

7.3 Low-Volume Road Specific Guidance

This section applies only to **Low Volume funds**, not Dirt and Gravel funds. For the purposes of the LVR Program, a “paved” road is defined to include any road surfaced with asphalt, “tar and chip”, “chip seal”, bitumen, concrete, or other asphalt-like coating.

7.3.1 LVR Guiding Principals

7.3.1.1 Project Focus

The focus of road projects in the Low Volume Road (LVR) portion of the Program should be on similar Environmentally Sensitive Maintenance principles that have been used in the Dirt and Gravel Road Program since its inception. Projects in the LVR Program must contain benefits to both the road systems (improved drainage, reduced surface, ditch & bank erosion, smoother surface, more durable surface, reduced maintenance costs, etc.) and the environmental systems (water quality, stream quality, reduced storm water flows, improved air quality, increased infiltration). The balance between road improvements and environment benefits should be considered in the local QAB/District project ranking criteria and funding decisions.

7.3.1.2 Long Term Benefits

Similar to Dirt and Gravel Projects, the focus of LVR projects should be on long term road and environmental improvement projects.

- Routine maintenance of LVR or storm water systems such as cleaning inlets, street sweeping, crack sealing, etc. is not eligible for funding under this Program.
- Program funds should not be used to pay for deferred or neglected maintenance on drainage/storm water systems without road improvements.
- Program funds should not be used to fund any LVR issues that do not provide a long term benefit to the road and to the environment.

7.3.1.3 Mistakes/design Errors

Program funds should not be used to correct recent mistakes and or design errors on LVRs that are the responsibility of the original project engineer or construction firm. If recent (within it's reasonable design lifespan) LVR construction projects contain design or construction flaws, correction of these problems should be the duty of the project's engineer or contractor of record, and LVR funds should not be allocated for these purposes.

7.3.1.4 Project Eligibility

In order to be eligible for LVR funding, a road must have an existing paved (including chip sealed) surface, and it must have a verified average daily traffic count of less than 500 vehicles per day (according to Commission guidance). For more information on traffic count guidance, see Section 7.4.

All projects must apply ESM principles and practices approved by the Program in order to address an environmental concern directly related to the road, make improvements to the road system, or to meet all other Program requirements (ie. permits or approvals).

7.3.2 LVR Project Guidelines

7.3.2.1 Paying for Asphalt or Other Surfacing

Resurfacing paved roads (sealing or paving) is not a primary focus of the LVR Program component. Resurfacing costs can be considered by a conservation district as a component part of a larger ESM project. It is at the discretion of individual conservation districts and QABs whether resurfacing costs (sealing or paving) will be funded through the Program, either on individual projects or as countywide policy. Before funding any resurfacing work on projects, the following ESM principles must be addressed:

- Drainage issues must be properly addressed.
- Base instability issues must be properly addressed.
- Other necessary and appropriate issues such as bank stability, road entrenchment, vegetation, etc. must be properly addressed.

7.3.3 Surfacing Unpaved Roads

It is not the intent of the Program to encourage the sealing or paving of existing dirt or gravel roads and converting them to sealed or paved low volume roads. While eligible entities may choose to seal or pave a DGR project on their own at some future point in time, no Program funds should be utilized for the specific purpose of converting unpaved roads to paved or "tar and chip".

7.3.3.1 Reclaiming Paved or Sealed Roads to D&G

The Program recognizes the value of converting a poorly constructed or poorly maintained LV road into a high quality DGR through full depth reclamation or other similar processes. Conservation districts may utilize either LVR or D&G low volume Program component funds for these purposes.

7.3.4 LVRs in Urban Areas

Many ESM principles and practices in use by the Dirt and Gravel Road Program can be readily adapted to paved LVRs in a rural environments. Since the LVR Program is new, districts are strongly encouraged to work from what they know and understand (traditional DGRP projects/concepts) towards LVR projects /concepts that they are less familiar with. LVR funding, however, is not limited to rural roads or rural environments. LVR Projects in urban areas will require a new set of BMPs that will take some time to develop and disseminate through the Program. The level of focus in rural and urban environments will be at the discretion of local conservation districts and QABs.

In order to increase the knowledge base of potential urban LVR BMPS, district should contact the Center for Dirt and Gravel Roads when planning to fund an urban LVR project that is outside of “traditional ESM practices”. This will give the Center opportunity to provide input to these urban projects prior to QAB approval, and will help the Center to increase the knowledge base of urban BMPs for statewide education purposes.

The LVR portion of the Program is not JUST a storm water program. Projects, especially in urban areas, need to strike a balance between environmental improvements and road improvements. It will be up to local Districts and QABs to determine the proper balance for projects in their counties.

7.3.5 Miscellaneous

The Commission recognizes the fact that many LVR component projects will have higher levels of daily traffic and higher levels of posted speed than projects on unpaved roads. Project applicants are required to follow the same safety protocols as with all other road work (flaggers, signs, etc). The funding of any traffic control and safety components of a Program project is at the discretion of the county conservation district.

7.4 Traffic Counts for Low Volume Roads

Before a contract can be signed for a low volume road project, the applicant is responsible for validating that the road has 500 vehicles per day or less consistent with Commission and any local QAB policy.

- Applicant is responsible for providing traffic counts before a contract can be signed.
- A traffic count is not required in order to submit an application, unless required by local QAB policy.
- The conservation district is responsible for verifying that a count exists, and that the count meets the criteria established in state and local policy.
- Traffic counts are considered valid for a period of 5 years, provided there are no new significant changes in traffic flow volumes or patterns.
- Documentation of traffic counts using a signed “Traffic Count Validation Form” must be retained with project files according to the Commission’s record retention policy. Districts may opt to include the completed traffic count validation form as an

attachment to the project Contract.

- Conservation districts may, at their discretion, use administrative and education funding to facilitate or support traffic counts for applicants. Districts should insure that all potential applicants have equal access to any traffic count facilitation measures they may employ.
- Traffic counts only apply to a segment of road between intersections, not to an entire length of road. Application sites that include intersections may require multiple counts.
- Traffic counts should be done on the proposed project location, or on a road that insures that traffic on the project location can be determined.

7.4.1 OPTION A: Validate with Existing Traffic Count Data or Extrapolation

7.4.1.1 Use of Existing Data

Existing traffic counts can be used to verify road eligibility for LVR funding. Existing Data must have been collected within the previous 5 years and conform to the Program's Level 2 count protocol at a minimum. "Estimated" traffic counts that exist for many municipal roads cannot be used.

7.4.1.2 Extrapolation of Existing Data

It is permissible to use existing data for roads with 500 vehicles per day or less to logically extrapolate to subsidiary roads. (For example, a spur road between two State Roads where both state roads have less than 500 vehicles per day must also have less than 500.) This extrapolation of data can be used to verify that a road has 500 vehicles per day or less without performing a count. This extrapolation of traffic counts must prove the ADT on the road is 500 or less to be eligible for LVR funding. Potential sources of existing traffic count data include:

- State Roads:
<http://www.dot.state.pa.us/Internet/bureaus/pdplanres.nsf/infoBPRTrafficInfoTrafficVolumeMap>
- Local Roads: PennDOT regional offices or County Planning Commissions.

7.4.2 OPTION B: Validate with Level 1 Count: 2 Hour Count

An applicant may do a Level 1 count to determine the traffic count on a potential project site. This involves counting traffic for a two hour period, either by hand tally, video recording, or an automated traffic counter. A Level 1 traffic count of 500 vehicles per day or less will qualify the road for LVR funding. A Level 1 traffic count must meet the following criteria:

- It must be conducted between March 1 and the week before Thanksgiving.
- It cannot be conducted on a holiday, or the day before or after a holiday.
- It must be conducted on a Tuesday, Wednesday, or Thursday
- It must be conducted for a minimum of two consecutive hours between 3:00 pm and 6:00 pm.
- Only the number of vehicle passes is counted, regardless of direction of travel or type of vehicle.
- The traffic count for the time period will be adjusted to a 24 hour period by simply

- multiplying the 2 hour count volume times twelve (12)
- Applicants may skip the Level 1 count and go straight to a Level 2 count if desired
- Only licensed motor vehicles should be counted.

If a Level 1 Traffic Count produces a count of 500 vehicles per day or less, the project on the road is considered eligible without a Level 2 Traffic Count. If a Level 1 Traffic Count produces a count of more than 500 vehicles per day, it does not disqualify the road, but necessitates a Level 2 Traffic Count because of its increased accuracy. The purpose of a Level 1 count is to provide a reasonably accurate traffic count with minimal time investment.

7.4.2.1 Level 1 Count Examples

Example 1: A traffic count for two consecutive hours between 4:00 pm and 6:00 pm produces a count of 25 vehicles. $24\text{hours (per day)} / 2\text{hours (per study)} = 12$

12 x 25 = 300 average daily count.

This worksite would be eligible (no Level 2 Count needed).

Example 2: A traffic count for two consecutive hours between 3:30 pm and 5:30 pm produces a count of 53 vehicles. $24\text{hours (per day)} / 2\text{hours (per study)} = 12$

12 x 53 = 636 average daily count.

This does not disqualify the road. It simply means that a more accurate Level 2 Count is required if the applicant wants to continue to pursue Program funding.

7.4.3 OPTION C: Validate with Level 2 count: 24 hour Automated Count

A Level 2 Count involves the placement of an automated traffic counter on the road for a minimum period of 24 hours. Note that these are the minimum criteria for a count. More comprehensive or longer counts can be substituted as long as they meet the minimum requirements below for a “Level 2 Count”. A Level 2 traffic count of 500 vehicles per day or less will qualify the road for LVR funding. Level 2 counts supersede Level 1 counts if there is a discrepancy. A level 2 traffic count must meet the following criteria:

- It must be conducted between March 1 and the week before Thanksgiving.
- It cannot be conducted on a holiday, or the day before or after a holiday.
- It must be conducted between 12 AM Tuesday and 12 AM Friday.
- It must be conducted for a minimum of 24 consecutive hours.
- Only the number of vehicle passes is counted, regardless of direction of travel or type of vehicle.

If a Level 2 Traffic Count produces a count of 500 vehicles per day or less, the project on the road is considered eligible. If a Level 2 Traffic Count produces a count of more than 500 vehicles per day, a project on that road is not eligible for LVR funding. 24 hour counts do not have to be broken up by hour or any smaller time unit.

The criteria described in the Level 2 traffic count represent a “minimum acceptable criteria”. Counties may use or adopt more stringent traffic count requirements as long as it meets or exceeds the requirements here. (A more stringent requirement is a count that provides more statistically accurate data. For example: requiring Level 2 counts for all roads; requiring 48 hour counts, or requiring hourly totals on counts to provide information to PennDOT.)

7.4.4 Seasonal Activities and Special Circumstances

A traffic count survey cannot be conducted in a timeframe or manner that intentionally causes artificially low average daily traffic counts on a particular road segment. This includes conducting a traffic count during summer recess for a school access road, or conducting a traffic count when access to a road segment is temporarily or partially restricted or reduced (i.e. detoured, weight, or size restricted, etc.) or conducting a traffic count in any other timeframe or manner that intentionally causes low average daily traffic counts.

The Program's Traffic Count Verification Form can be found in Appendix L.

Chapter 8

Permits and Other Requirements

8. PERMITS AND OTHER REQUIREMENTS

Dirt, gravel, and low volume road projects must comply with all federal state and local permit requirements. The Program has no specialized permits and projects are not exempt from any permit requirements.

Permits are not required in order for an application to be submitted to the conservation district. Any required permits must be obtained by the grant

recipient before funding can be advanced or work can begin. Under no circumstance can any project work begin until all required permits are in hand. The applicant is responsible for obtaining all necessary permits. The District is responsible for verifying all necessary permits have been obtained and retaining documentation with project files. Permit costs, and any engineering required cost for permits, is an allowable project expense at the discretion of the Conservation District as long as such costs are less than 10% of the total Contract. The list below represents the most common permits required in road maintenance work, but is not all-inclusive.

Any required project permits or plan approvals must be obtained by the grant recipient before funding can be advanced or work can begin. Under no circumstance can any project work begin until all required permits or plan approvals are in hand.

8.1.1 National Pollutant Discharge Elimination System (NPDES)

The National Pollutant Discharge Elimination System (NPDES) is a program established under the Federal Clean Water Act (CWA) to control discharges from point sources. The program was originally established to focus on discharges from pipes but since 1990 has included requirements for storm water runoff. The specific statute is found in Section 402 of the CWA.

If a project is going outside the cross-section of the road and more than 1 acre of construction occurs, an NPDES permit is required.

Contact the local Conservation District for more information.

8.1.2 State Permits

A wide variety of permits may be required from multiple state agencies for various aspects of the Dirt, Gravel, and Low Volume Road Maintenance Program. Conservation district staff are knowledgeable about which permits are necessary and are willing to help project applicants obtain those permits.

8.1.2.1 Erosion and Sediment Control - 25 Pa Code Chapter 102.

An Erosion and Sediment Control plan (E&S plan) is a document that outlines erosion control measures to be employed during project implementation. An E&S plan is required for projects where more than 5,000 square feet of earth is disturbed, or in all cases in special protection watersheds..

An E&S Control permit is required if a project will disturb more than 25 acres (inside and outside the road footprint combined).

For more details on Erosion and Sediment control, see: the Erosion and Sediment Pollution Control Manual (DEP Document 363-2134-008).

8.1.2.2 Water Obstruction and Encroachments- 25 Pa Code Chapter 105

Chapter 105 deals with watercourses and wetlands. A watercourse is a channel for the conveyance of surface water with a defined bed and banks.

Chapter 105 permits are waived for water obstructions (culverts, fills, etc.) if the drainage area to watercourse is less than 100 acres. However the U.S. Army Corps of Engineers may be required to review and approve the project.

8.1.2.3 General Permits

8.1.2.3.1 GP-7

General Permit-7 may be used for culverts and bridge replacement if the drainage area is less than 1 sq. mi.

For bridges and culverts that were constructed prior to 1979 and have a drainage area of less than 5 sq. mi the permit requirements are waived, as the bridge exists. If work has to be done to the structure (less than of the structure) a waiver of permit can be obtained from the regional DEP office.

All other projects will require a submittal of a joint permit to the regional DEP office. Township Officials are encouraged to work with conservation district staff so that all regulatory requirements are met.

8.1.2.3.2 General Permit 11

A (GP-11) is issued by the Department of Environmental Protection and is for maintenance, testing, repair or replacement of water obstructions and encroachments. The GP-11 is not a replacement for an emergency permit and should be used for culverts bridges and other water obstructions but not dams. The grant recipient should contact the regional DEP office for the latest information and instructions. Other restrictions including Bog Turtles and PNDI may have to be considered..

8.1.2.4 Pennsylvania Natural Diversity Inventory (PNDI)

The Pennsylvania Natural Diversity Inventory (PNDI) identifies and describes the Commonwealth's rarest and most significant ecological resources. Data is collected and maintained using the format of the Nature Conservancy's Natural Heritage Program (NHP). The NHP is an international network for biological information. PNDI is Pennsylvania's Natural Heritage Program and the consistency of data and record keeping provides an opportunity to assess the status of an organism or ecosystem over a broad geographic area. The PNDI's geographic areas are not constrained by political boundaries or subdivisions. PNDI represents the most comprehensive and consistent baseline information available to analyze cause and effect for this indicator.

For more information on PNDI, go to: the Department of Conservation and Natural Resources (DCNR) at <http://naturalheritage.state.pa.us>

8.1.3 Pennsylvania One Call System, Inc.

The One Call System is a single nonprofit communication clearinghouse established within the Commonwealth to provide a single toll free telephone number for contractors or designers or any other person planning to perform excavation work. The One Call System

notifies the facility owner of the contractors' intent to perform excavation. After PA One Call is made, utility companies will visit the project site to mark any underground utilities such as power or gas lines to prevent damage. PA One Call will provide serial numbers to callers as proof they have met the requirement of the law. Conservation districts should remind applicants, engineers, and contractors involved with Program projects of their notification requirements under the PA One Call law. PA One Call serial numbers must be retained with project files. For more information, see: <http://www.pa1call.org> PA One Call: Call Before You Dig! 800-242-1776.

8.1.4 Local Ordinances

Counties and local municipalities are responsible for most planning and zoning ordinances. Municipal roadmasters should be aware of any ordinances or local limiting factors that may inhibit Dirt, Gravel, and Low Volume Road Maintenance Program projects. The municipality should ensure that any projects are not in conflict with local ordinances.

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Appendix A. Dirt Gravel, And Low Volume Road Program Law 9106

Section 9106 of PA motor vehicle code that establishes the Dirt, Gravel, and Low Volume Road Program. Originally passed in 1997 and amended in 2013.

§ 9106. Dirt, gravel and low volume road maintenance.

(A) statement of purpose. It is the intent and purpose of this section:

- (1) to fund safe, efficient and environmentally sound maintenance of sections of dirt and gravel roads which have been identified as sources of dust and sediment pollution.
- (2) to establish a dedicated and earmarked funding mechanism that provides streamlined appropriation to the county level and enables local officials to establish fiscal and environmental controls.
- (3) to fund safe, efficient and environmentally sound maintenance of sections of low volume roads that are sealed or paved with an average daily traffic count of 500 vehicles or less.

(B) general rule.--Of the funds available under section 9502(a)(1) (relating to imposition of tax), \$7,000,000 shall be annually distributed to the department of conservation and natural resources for the maintenance and mitigation of dust and sediment pollution from parks and forestry roads. Funds in the amount of \$28,000,000 shall be appropriated annually to the state conservation commission and administered in a non-lapsing, nontransferable account restricted to maintenance and improvement of dirt, gravel and low volume state and municipal roads. The state conservation commission shall apportion the funds based on written criteria it develops to establish priorities based on preventing dust and sediment pollution. In the first fiscal year, top priority shall be given to specific trouble spot locations already mapped by the task force on dirt and gravel roads and available from the department. A minimum of \$8,000,000 of the total appropriated annually shall be for maintenance and improvement of low volume roads. *(NOTE: remainder of § 9106 remains unchanged)*

(C) Apportionment Criteria. The apportionment criteria shall:

- (1) Be based on verified need to correct pollution problems related to the road.
- (2) Consider the total miles of dirt and gravel roads maintained by local municipalities or state agencies that are open to the public during any period of the year.
- (3) Consider total miles of dirt and gravel roads within watersheds protected as of November 1996 as exceptional value or high quality waters of this Commonwealth.
- (4) Consider allowances for the local cost of limestone aggregate.
- (5) Consider the commitments of grant applicants to comply with the non-pollution requirements established.

(D) State Conservation Commission. The State Conservation Commission shall:

- (1) Adopt performance standards
- (2) Provide for a system of audit.
- (3) Annually assess the program and annually report to the Transportation Committee of the Senate and the Transportation Committee of the House of Representatives on its acceptance and effectiveness. The State Conservation Commission shall be entitled to withhold and expend the costs of the audit and report preparation up to the maximum limit of 2% of the funds administered.

(E) Quality Assurance Boards.

Apportioned funds are to be dispersed to the county conservation districts which apply for them and are to be used by State agencies and local municipalities that maintain roads within the county and fulfill certain requirements specified under subsection (g). Within the conservation district a Quality Assurance Board shall be impaneled to establish and administer the grant program. The four member Quality Assurance Board is to be comprised of a nonvoting chairman appointed by the conservation district directors and one local representative appointed by each of the following entities:

- (1) The Federal Natural Resource Conservation Service
- (2) The Pennsylvania Fish and Boat Commission
- (3) The county conservation district

If circumstances require, the chairman may vote to decide a tie vote.

(F) Administration. The Quality Assurance Board's administration of funding shall include:

- (1) Adoption of written criteria to assure equal access for all eligible applicants within specified funding categories.
- (2) Provision of documentation that application has been made for all required permits.
- (3) Adoption of procedures that assure a minimal amount of procedural paperwork.
- (4) Adoption of written criteria to specify priorities:
- (5) Adoption of funding categories to provide separate budgeting for:
 - (i) Department of Conservation and Natural Resources, Bureau of Forestry roads.
 - (ii) Municipal government roads.
 - (iii) Road demonstration projects.
 - (iv) Training grants restricted to 15% of funding.
 - (v) Administrative costs, limited to actual documented costs and restricted to a maximum of 10%.
- (6) Adoption of incentives for training road managers and equipment operators.
- (7) Adoption of standards that prohibit use of materials or practices which are environmentally harmful.
- (8) Adoption of site inspection requirements to verify completion of work.

(G) Grant Application. Each grant application shall:

- (1) Be specific to one work site or one type of work except that all State Forest roads within one county and within one Forest District may be authorized on a single grant.
- (2) Expedite the approval process by allowing the Quality Assurance Board to insert additional requirements that complete and qualify the grant for approval and which when accepted by the applicant become a binding obligation on the applicant.
- (3) Require minimal handwritten information such as location, problem being solved, basis of cost estimate, project work schedule, basis of successful completion, and type and amount of pollution reduced. The grant application shall not exceed one page with reference to published standards being acceptable.

Appendix B. Commission Statement of Policy

Statement of Policy for Dirt, Gravel, and Low Volume Road maintenance Program. This document also becomes “Attachment D” to the contract between the Conservation District and the Grant recipient.

7-24-98

TITLE 25. ENVIRONMENTAL PROTECTION
CHAPTER 83. STATE CONSERVATION COMMISSION
Subchapter F. DIRT AND GRAVEL ROAD
MAINTENANCE PROGRAM

STATEMENT OF POLICY

§83.601. Purpose.

It is the intention of the State Conservation Commission to provide local governments and other eligible entities with funds to:

(1) Fund safe, efficient and environmentally sound maintenance of sections of dirt and gravel roads, which have been identified as sources of dust and sediment pollution.

(2) Establish a dedicated and earmarked funding mechanism that provides streamlined apportionment to the county level and enables local officials to establish fiscal and environmental controls.

(3) Provide training to road crews on techniques of dirt and gravel road maintenance which minimize negative environmental impact.

(4) Conduct demonstrations of new and innovative techniques of dirt and gravel road maintenance to assist in training of road crews and educate the general public on this matter.

§83.602. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Act - The Act of April 17, 1997 (P.L. 6, No. 3) amending the Vehicle Code by adding the Dirt and Gravel Road Maintenance Program at 75 P.S. §9106.

Cooperating Organization - An organization approved by the Commission to assist in implementing the Act.

District - A conservation district as defined in the Act of December 19, 1984 (P.L. 1125, No. 221, §2) known as the Conservation District Law, 3 P.S. §849-864.

Exceptional Value - A stream or watershed which is designated as an exceptional value water pursuant to 25 *Pa. Code* Chapter 93.

High Quality - A stream or watershed which is designated as a high quality water pursuant to 25 Pa. Code Chapter 93.

Performance Standards – Administrative policies and/or technical requirements adopted by the Commission for the implementation of the Dirt and Gravel Road Maintenance Program, including standards that prohibit the use of materials or practices which are environmentally harmful.

Project Area - A designated area where critical sediment and/or dust pollution problems have been identified.

Project Participant - A municipality or state agency eligible to participate in a Dirt and Gravel Road Maintenance project under the Act.

Quality Assurance Board or QAB - The administrative board impaneled by a district to administer the Dirt and Gravel Road Maintenance Program locally, pursuant to 75 P.S. §9106(e).

Quality Assurance Board Advisory Committee - The advisory committee established by the Commission to assist and advise the Commission on the implementation and administration of the Dirt and Gravel Roads Maintenance Program by local Quality Assurance Boards.

Task Force on Dirt and Gravel Roads - The public/private sector, multi-agency task force which provides program guidance to the Commission on technical standards and other aspects of the Dirt and Gravel Road Maintenance Program.

§83.603. Cooperation.

(a) The Commission will encourage cooperation between Commonwealth and federal agencies and other organizations including the Task Force on Dirt and Gravel Roads which have either direct or indirect involvement in the program to achieve the objectives to reduce sediment and/or dust pollution originating from dirt and gravel roads.

(b) Agencies other than conservation districts will be encouraged to work closely with the appropriate conservation districts to promote local awareness of the projects and to effectuate the purposes of this program.

§83.604. Apportionment Criteria.

(a) The Commission will apportion the amount of funds for each participating district under the program, based on the Act and the criteria listed below.

(b) The Commission may reallocate funds in the event that an agreement cannot be fulfilled by the district, local government, contractor, and agency or cooperating organization.

(c) Apportionment criteria shall be based on the verified need to correct pollution problems related to the road and shall include consideration of:

(1) The total number of miles of dirt and gravel roads maintained by local municipalities or state agencies that are open to the public during any period of the year.

(2) The total miles of dirt and gravel roads within watersheds protected as of November 1996 as exceptional value or high quality waters of the Commonwealth.

(3) Allowances for the local costs of limestone aggregate.

(4) The commitments of grant applicants to comply with the nonpollution requirements established.

(5) Other factors determined by the Commission to be appropriate.

(d) In the first fiscal year, top priority shall be given to specific trouble spot locations already mapped by the Task Force on Dirt and Gravel Roads. The Commission may, at its discretion, extend this priority beyond the first fiscal year.

(e) The Commission may allocate funds for training and/or road demonstration project to an aggregated budget managed by the Commission and may establish spending limits, consistent with the Act, which includes the portion of the aggregated funds administered by the Commission.

(f) Public notice of the apportionment of funds for this program shall be published by the Commission in the *Pennsylvania Bulletin*.

§83.605. Payments by the Commission to Districts.

(a) State funds apportioned to districts under this program will be utilized solely for implementing a county level Dirt and Gravel Roads Maintenance Program.

(b) The Commission shall provide apportioned funds to a participating district through an agreement between the Commission and each participating district.

(c) The State Conservation Commission may, at its discretion, withhold funds until the Commission has received any overdue program reports and audit statements as required by the Commission.

(d) For purposes of disbursing funds to participating conservation districts, the Commission may process an advanced working capital payment as follows:

(1) Upon the full execution of the grant agreement, the Commission may process up to 50% of the approved grant amount. Subsequent payments to the districts will be made on an “actual cash expended” basis to replenish the working capital advance.

(2) Advance payments by a conservation district to an eligible project participant under a project agreement shall be considered “actual cash expended” at such time as the advance is paid by the conservation district.

(3) The district must request such payments to replenish working capital in writing to the Commission in a format and timeframe as prescribed by the Commission. The Commission may set a minimum payment level and/or time frequency for each request for payment.

(4) Notwithstanding the provisions of (d)(1), (2), or (3) above, grant awards apportioned by the Commission to a conservation district and any advanced working capital payments made to conservation districts which will be \$25,000 or less for any one fiscal year may be advanced in total to the district.

§83.606. Quality Assurance Board Advisory Committee Responsibilities.

The QAB Advisory Committee will advise the Commission on:

- (1) allocation of funds from the state level to conservation districts;
- (2) development of program and administrative procedures for Quality Assurance Boards;
- (3) review of administrative and technical guidance for this program;
- (4) other matters relating to the administration of this program.

§83.607. District Responsibilities.

(a) A district participating in the Dirt and Gravel Road Maintenance Program shall enter into an agreement with the Commission establishing the duties and responsibilities of each.

(b) The district shall receive and manage funds for this program that have been apportioned by the Commission to the district.

(c) The district shall be responsible for all aspects of the management and administration of the Dirt and Gravel Road Maintenance Program within that county.

(d) A participating district shall conduct their Dirt and Gravel Roads Maintenance Program consistent with the Act, Statement of Policy and all other policies and regulations established by the State Conservation Commission.

(e) The district shall appoint and impanel a four-member Quality Assurance Board to administer the Dirt and Gravel Road Maintenance grant program within the county, under the supervision and direction of the district Board of Directors. The Quality Assurance Board is to be comprised of a non-voting Chairman appointed by the district and one local representative appointed by each of the following entities:

(1) the federal Natural Resource Conservation Service;

(2) the Pennsylvania Fish and Boat Commission;

(3) the district.

(f) The district shall develop a fair and open project selection process, consistent with Commission policy, that provides general program information to all eligible project participants and includes sign-up periods as necessary to receive requests for road maintenance and repair work from eligible project participants. Special efforts will be made to enlist the cooperation of project participants with identified critical erosion or dust problems.

(g) Work completion by project participants will be subject to approval by the district under the performance standards adopted by the Quality Assurance Board.

(h) The district shall conduct an annual audit of program expenditures in accordance with guidance provided by the Commission.

(i) The district shall submit the results of their annual audit to the Commission in a manner and time frame as established by the Commission. The Commission reserves the right to audit all program-related accounts and records to determine if funds were expended in accordance with Commission policies and the requirements of the Act.

(j) The district shall report program accomplishments to the Commission on prescribed forms at times as specified by the Commission.

(k) The district shall maintain a separate accounting of funds received under the program. The district shall maintain an itemized accounting of administrative costs claimed. Districts shall deposit funds in a federally insured interest bearing account. Interest earnings from the account shall be applied only to the Dirt and Gravel Roads Program. In no case shall the percent of apportioned funds utilized by the district for administration or training grants exceed those limits established by the Commission and/or the Act.

(l) Records shall be retained by districts for 3 years after completion of the work.

(m) The Commission reserves the right to examine all records and files maintained by the district related to the administration of the district's Dirt and Gravel Roads Maintenance Program.

§83.608. Quality Assurance Board Responsibilities.

(a) The Quality Assurance Board impaneled by a district shall establish and administer the Dirt and Gravel Road Maintenance Program for the district, under the direction of the Board of Directors of the district, and consistent with the policies adopted by the Commission.

(b) The Quality Assurance Board shall consider and adopt:

- (1) written criteria to assure equal access for all eligible applicants within each funding category;
- (2) procedures that assure a minimum amount of procedural paperwork;
- (3) written criteria to specify priorities;
- (4) funding categories to provide separate budgeting for road maintenance projects, road demonstration projects, training grants and administrative costs:
 - (i) QAB training grants shall not exceed limits established by the State Conservation Commission;
 - (ii) Administrative costs shall not exceed 10%;
- (5) incentives for training road managers and equipment operators;
- (6) standards that prohibit use of materials or practices which are environmentally harmful;
- (7) site inspection requirements to verify completion of work;

(c) The Quality Assurance Board shall review applications and recommend project participants to be funded through the program.

(d) The Quality Assurance Board shall consider and adopt procedures for the conduct of business by the Board, including:

- (1) meeting schedules and procedures for public notice of meetings;

- (2) record keeping and provisions to make minutes and records available to the public;
- (3) rules of conduct, including such rules as may be necessary to avoid conflicts of interest by members of the Quality Assurance Board.

§83.609. Application by Project Participants.

(a) Applications will be on a one-page form approved by the Commission. Applications should be submitted to the local conservation district at such times designated by the local district. Handwritten applications will be acceptable.

(b) An application shall be specific to one work location or one type of work and shall include:

- (1) a short description of the problem being solved;
- (2) basis of the cost estimate;
- (3) the proposed project work schedule;
- (4) the basis for successful completion;
- (5) the type of pollution to be reduced; and
- (6) other items specified by the Commission.

(c) The Quality Assurance Board shall expedite the approval process by inserting additional requirements which become binding when accepted by the applicant.

§83.610. Agreements.

(a) An agreement is required between a district and project participants.

(b) The form of agreements between the district and project participants shall be approved by the Commission.

(c) Each agreement shall provide that the parties agree to comply with the conditions set forth in this Statement of Policy, the General Contract Conditions adopted by the Commission, and the performance criteria adopted by the Quality Assurance Board of the district.

(d) The term of the agreement shall be sufficient to cover the duration of work implemented under the agreement.

§83.611. Eligible Expenses

(a) Eligible expenses include all program and project costs associated with the administration and implementation of the program, and the design, review, approval, implementation, and maintenance of any project approved and funded by the program.

Eligible costs payable to project participants for Dirt and Gravel Road Maintenance Program projects, and eligible costs payable to conservation districts for the overall administration and implementation of the program shall be determined by the Commission.

(b) Eligible expenses for project participants include all materials, services, and labor required to design and implement a project, including, but not limited to, all construction and maintenance supplies and materials, equipment rental and transportation charges, demurrage, reimbursement for use of participant owned equipment, salaries and benefits, automotive and hauling travel including room and board expenses, contracted specialized services, miscellaneous expenses, certain engineering and technical fees as determined by the Commission, and other expenses necessary for the satisfactory completion of a project as determined by the Commission.

(c) Eligible expenses for participating conservation districts shall include all eligible costs defined above for project participants, plus all materials, services, labor, insurance/liability coverage, and all other expenses necessary for the overall administration and implementation of the program, the development and delivery of training /education programs, demonstration projects, resource assessment, site inspections, and other expenses as determined by the Commission to be necessary to administer and implement the program.

§83.612. Project Participant Responsibilities.

(a) Project participants shall conduct the dirt and gravel road maintenance project in accordance with the project agreement with the district, the work plan for the project, the standards established by the Quality Assurance Board for the district, and the policies adopted by the Commission.

(b) Project participants shall not use materials or practices that are environmentally harmful.

(c) Project participants shall apply for all necessary local, state and federal permits required for the project and shall provide the district with suitable documentation of permit issuance and requirements.

(d) Project participants shall report program accomplishments to the district in a manner prescribed in the agreement.

(e) Claims for payment shall be submitted to the district in accordance with the schedule contained in the agreement. The claims shall be itemized and show that the utilization of funds are in accordance with the budget outlined in the agreement. Such claims shall also include receipts, weigh slips, and/or other appropriate supporting information, as determined by the Commission, to document actual expenditures by the project participant.

(f) The district and the Commission reserve the right to audit project related accounts and records to determine if funds were expended in conformance with the agreement.

(g) A project participant shall maintain a separate accounting of the funds received under the program.

(h) Records shall be retained for 3 years following the last payment for the project.

(i) Upon the request of the district and/or the Commission, project participants shall provide access to all records, files and documents related to Dirt and Gravel Roads Maintenance Program Projects.

§83.613. Performance Standards.

(a) The Commission shall establish, as it deems appropriate, performance standards for the implementation of the Dirt and Gravel Road Maintenance Program. These standards may include specific administrative policies and/or technical requirements adopted by the Commission for the implementation and administration of the program, including standards which prohibit the use of materials or practices which are environmentally harmful.

(b) Standards which prohibit the use of materials or practices which are environmentally harmful shall include the following minimum requirements:

(1) All commercial products used by project participants within a project area shall be used and/or installed according to manufacturer's recommendations and label requirements;

(2) Materials toxic to aquatic life, as defined by the Clean Streams Act, shall not be used where surface runoff may enter surface or ground waters;

(3) Compliance with all applicable federal, state, and local laws, regulations, and permit requirements.

§83.614. Payment of Eligible Expenses to Project Participants.

(a) Payments made by a district pursuant to a project agreement shall be solely for "eligible expenses."

(b) Claims for payment shall be submitted by a project participant to the district in accordance with the schedule and terms contained in the approved project agreement. The claims shall be itemized and show that the utilization of funds are in accordance with

the project cost summary contained in the approved project application and work plan. Claims shall include receipts, weigh slips, equipment use time sheets, employee time sheets, and/or other appropriate supporting information to document actual expenditures by the project participants.

(c) For the purpose of dispersing funds to a project participant under a project agreement, the district may process an advanced working capital payment as follows:

(1) Upon the full execution of the project agreement, the district may process an advanced payment to a project participant of up to 50% of the approved project expenses.

(2) Subsequent payments to the project participant will be made on an actual cash expended basis.

(3) In all cases, the district shall withhold payment of at least 30% of the approved project expenses until the satisfactory completion of the project. Final payment for the project expenses shall be made only after a final inspection by the district determines that the work was performed consistent with the project application and the work plan, and to the satisfaction of the district.

Appendix C. 5 Year Agreement Between Districts and Commission

Legal agreement between the SCC and individual conservation districts that enables the Program to be administered at the local level.

**DIRT AND GRAVEL ROAD MAINTENANCE PROGRAM AGREEMENT
BETWEEN THE STATE CONSERVATION COMMISSION
AND THE _____ COUNTY CONSERVATION DISTRICT**

This agreement made this _____ day of _____, _____, by and between the Commonwealth of Pennsylvania, Department of Environmental Protection through the State Conservation Commission, and the _____ County Conservation District, is intended to set forth the terms and conditions for a Dirt and Gravel Road Maintenance Program conducted under Section 9106 of the Vehicle Code, 75 Pa. C.S. Section 9106 (Dirt and Gravel Road Maintenance).

Whereas, the purposes of Section 9106 of the Vehicle Code (Dirt and Gravel Road Maintenance) are declared to be: 1) to fund safe, efficient and environmentally sound maintenance of sections of dirt and gravel roads which have been identified as sources of sediment and dust pollution; and 2) to establish a dedicated and earmarked funding mechanism that provides streamlined apportionment of funds to the counties and enables local officials to establish fiscal and environmental controls; and

Whereas the _____ County Conservation District (the “District”) desires to conduct a Dirt and Gravel Road Maintenance Program within _____ County; and

Whereas the State Conservation Commission (“Commission”) desires to provide a specified amount of funding to Districts for this program from funds appropriated to the Commission for these purposes; and

Whereas, the program will be implemented by a Quality Assurance Board established under the supervision and guidance of the District; and

Whereas the program will be conducted in accordance with Section 9106 of the Vehicle Code, 75 Pa. C.S. Section 9106 (Dirt and Gravel Road Maintenance), the Commission’s Dirt and Gravel Road Statement of Policy (“Statement of Policy”) (25 Pa. Code Sections 83.601 – 614) which is incorporated by reference as if fully attached hereto, including any amendments thereto upon the dates such amendments are published in the Pennsylvania Bulletin, and all other standards and conditions as established by the Commission.

Now therefore, intending to be legally bound, the parties agree as follows:

I. General Conditions

A. The District shall exercise direct supervision over the program established within their county and the quality assurance board impaneled to administer the program.

B. The District shall ensure that the program is conducted in accordance with Section 9106 of the Vehicle Code, 75 Pa. C.S. Section 9106 (Dirt and Gravel Road Maintenance), the Commission’s Statement of Policy, this contract, the administrative manual distributed by the

Commission, and all other standards and conditions as established by the Commission and the District's quality assurance board.

C. The District shall ensure that all project agreements, contracts, or other arrangements entered into pursuant to the implementation of this program are performed in compliance with all applicable local, state, and federal laws, rules and regulations.

D. The District shall comply with the terms and conditions of Attachment A, "Nondiscrimination/Sexual Harassment Clause" and Attachment B, "Provisions for Commonwealth Contracts," attached to this agreement. For the purposes of these attachments, the terms "District" and "Contractor" shall be synonymous.

E. Financial records, supporting documents, and all other records pertaining to the program shall be retained and be made available to the Commission or its agent for audit for a period of three (3) years after the final apportionment payment is made and the agreement has expired, and all other pending matters are resolved.

F. The Commission or its agent shall have access to and the right to examine directly any pertinent books, documents, papers, documents, letters, reports and records involving transactions related to the program.

G. The District shall submit all program accomplishment reports, financial audit statements, and other reports on prescribed forms and at times as specified by the Commission.

H. No District director, quality assurance board member, or District employee, Commission member, or staff of the Commission shall, as a result of this program, be permitted to obtain financial benefits for himself, a member of his immediate family or a business with which he is associated. This shall not preclude the payment of normal salary and benefits to employees provided in their normal course of employment of any of the above individuals.

I. The Commission and the District shall meet at the request of either party to discuss the progress of work under this program and any problems pertinent to it. The District shall immediately notify the Commission in writing of any unusual development or circumstances, which could significantly change or otherwise affect the District's ability to implement the program or the responsibilities outlined in this agreement.

J. When the Commission determines that the terms and conditions of the agreement are not materially being met, the Commission may, after 30-day written notice, suspend the District's authority to proceed with work under this agreement until corrective action has been taken to the satisfaction of the Commission or until the agreement is terminated and all unspent funds are returned to the Commission.

K. This agreement may be terminated by any of the signatory parties upon 30-day written notice to the other parties. Within 10 days of such termination, the District shall release to the Commission all files, records and unspent monies pertaining to this agreement.

L. The Commission, the Department, the Commonwealth and the Conservation District agree that no party to this agreement shall be held responsible for any loss of life, personal injury or property damages of any kind incurred in performing or completing any work or duties under this program.

M. Upon full execution of this Agreement, Project work (a) may, at the discretion of the Commission, be reimbursed from July 1, _____ through the date of full execution and (b) shall be paid for from the date of full execution through June 30, _____ (the “Project completion date”). All Project work under this Agreement shall be completed no later than the Project completion date.

II. Grant Payment/Apportionment Provisions

A. Contingent on the availability of funds, the Commission shall apportion funds to participating Districts at least annually through a formula established by the Commission.

B. The Commission shall apportion and transfer funds to participating Districts in a timely fashion and in a manner consistent with Section 9106 of the Vehicle Code, 75 Pa. C.S. Section 9106 (Dirt and Gravel Road Maintenance), the Commission’s Statement of Policy, and other guidelines established by the Commission. The transfer of funds from the Commission to participating Districts shall be done consistent with Section 83.605 of the Commission’s Statement of Policy governing the transfer of such funds, and any subsequent future amendments to these provisions as adopted by the Commission.

C. The Commission shall publish notification in the Pennsylvania Bulletin of all funds apportioned to participating Districts under this program.

D. The apportionment made by the Commission to the District for the first agreement year is attached and made part of this agreement as Attachment C. Future Commission apportionments to the District may be made by the Commission after publication in the Pennsylvania Bulletin and without the need to amend this agreement.

E. The Commission may provide technical oversight and training to the participating Districts by aggregating and managing up to 10% of the total program funds for the development and delivery of a coordinated, statewide dirt and gravel road education and training program.

F. The Commission may withhold any program funds to be apportioned to the District until receipt of required reports or the completion of all conditions of the agreement.

G. The District’s Quality Assurance Board shall prepare an annual budget for the program, which is consistent with the spending authorizations as determined by the Commission and contained in the County Apportionment Worksheet, which is found as Attachment D. The Commission shall annually determine individual conservation District annual allocation and provide a County Apportionment Worksheet to the District for each apportionment made by the Commission.

H. The District may utilize up to 10% of the total apportioned funds received from the Commission for administrative costs, limited to actual documented costs as defined by the Commission.

I. In the first year of this contract, the District may utilize up to 5% of the total apportioned funds for training grants and educational purposes at the county level. The Commission may increase the allowable percentage of total apportioned funds that may be utilized for training grants and educational purposes at the county level in second and subsequent years of this contract without the need to amend this contract.

J. All funds apportioned to the District under this agreement and budgeted by the District for road maintenance work through project agreement contracts shall, unless waived by an action of the Commission, be committed under a contract within 24 months from the time the District receives its apportioned funds. Any such road maintenance funds that are not committed to a contract within 24 months shall, unless waived by an action of the Commission, revert back to the control of the Commission for future apportionments or may, at the discretion of the Commission, be deducted from any future apportionment to the District.

K. The District shall maintain a separate accounting of the funds received under the program. The District shall include an itemized accounting of administrative costs claimed by the District. The District shall deposit funds in a federally insured interest bearing account. Interest earnings from the account shall be applied only to the Dirt and Gravel Road Maintenance Program. In no case shall the percentage of apportioned funds utilized by the District for administration or training grants exceed those limits established by the Commission and/or Section 9106 of the Vehicle Code, 75 Pa. C.S. Section 9106.

**COMMONWEALTH OF PENNSYLVANIA
STATE CONSERVATION COMMISSION
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In witness whereof, the parties with the intention of being legally bound hereby have caused this agreement to be executed by their duly authorized representatives, the day and year first above written.

Attest:

_____ COUNTY
CONSERVATION DISTRICT

District Secretary/Treasurer (Date)

District Chairman (Date)

Vendor ID No.

Federal ID No.

Approved:

STATE CONSERVATION COMMISSION

COMMONWEALTH OF PENNSYLVANIA
DEPT. OF ENVIRONMENTAL PROTECTION

Executive Secretary (Date)

Deputy Secretary (Date)
Office of Water Management

Approved as to legality and form:

Office of Attorney General (Date)

Office of Chief Counsel (Date)
Department of Environmental Protection

Secretary (Date)
Office of Budget

I hereby certify that funds in the amount of \$ _____ are available under

Appropriation: _____

Comptroller (Date)

Doc. #: _____

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE [Contracts]

The Contractor agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the Contractor, each subcontractor, or any person acting on behalf of the Contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this commonwealth who is qualified and available to perform the work to which the employment relates.
2. Neither the Contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.
3. The Contractor and each subcontractor shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.
4. The Contractor and each subcontractor shall not discriminate by reason of gender, race, creed, or color against any subcontractor or supplier who is qualified to perform the work to which the contract relates.
5. The Contractor and each subcontractor shall, within the time periods requested by the commonwealth, furnish all necessary employment documents and records and permit access to their books, records, and accounts by the contracting agency and the Bureau of Minority and Women Business Opportunities (BMWBO), for purpose of ascertaining compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. Within fifteen (15) days after award of any contract, the Contractor shall be required to complete, sign and submit Form STD-21, the "Initial Contract Compliance Data" form. If the contract is a construction contract, then the Contractor shall be required to complete, sign and submit Form STD-28, the "Monthly Contract Compliance Report for Construction Contractors", each month no later than the 15th of the month following the reporting period beginning with the initial job conference and continuing through the completion of the project. Those contractors who have fewer than five employees or whose employees are all from the same family or who have completed the Form STD-21 within the past 12 months may, within the 15 days, request an exemption from the Form STD-21 submission requirement from the contracting agency.
6. The Contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that those provisions applicable to subcontractors will be binding upon each subcontractor.
7. The commonwealth may cancel or terminate the contract and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the Contractor in the Contractor Responsibility File.

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE [Grants]

The Grantee agrees:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the grant agreement or any subgrant agreement, contract, or subcontract, the Grantee, a subgrantee, a contractor, a subcontractor, or any person acting on behalf of the Grantee shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this commonwealth who is qualified and available to perform the work to which the employment relates.
2. The Grantee, any subgrantee, contractor or any subcontractor or any person on their behalf shall not in any manner discriminate against or intimidate any of its employees on account of gender, race, creed, or color.
3. The Grantee, any subgrantee, contractor or any subcontractor shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.
4. The Grantee, any subgrantee, contractor or any subcontractor shall not discriminate by reason of gender, race, creed, or color against any subgrantee, contractor, subcontractor or supplier who is qualified to perform the work to which the grant relates.
5. The Grantee, any subgrantee, any contractor or any subcontractor shall, within the time periods requested by the commonwealth, furnish all necessary employment documents and records and permit access to their books, records, and accounts by the granting agency and the Bureau of Minority and Women Business Opportunities (BMWBO), for purpose of ascertaining compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. Within 15 days after award of any grant, the Grantee shall be required to complete, sign and submit Form STD-21, the "Initial Contract Compliance Data" form. Grantees who have fewer than five employees or whose employees are all from the same family or who have completed the STD-21 form within the past 12 months may, within the 15 days, request an exemption from the STD-21 form from the granting agency.
6. The Grantee, any subgrantee, contractor or any subcontractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subgrant agreement, contract or subcontract so that those provisions applicable to subgrantees, contractors or subcontractors will be binding upon each subgrantee, contractor or subcontractor.
7. The commonwealth may cancel or terminate the grant agreement and all money due or to become due under the grant agreement may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the granting agency may proceed with debarment or suspension and may place the Grantee, subgrantee, contractor, or subcontractor in the Contractor Responsibility File.

PROVISIONS FOR COMMONWEALTH CONTRACTS**CONTRACTOR INTEGRITY PROVISIONS**

It is essential that those who seek to contract with the Commonwealth of Pennsylvania ("Commonwealth") observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth procurement process.

In furtherance of this policy, Contractor agrees to the following:

1. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Contractor or that govern contracting with the Commonwealth.
2. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to Contractor employee activity with the Commonwealth and Commonwealth employees, and which is distributed and made known to all Contractor employees.
3. Contractor, its affiliates, agents and employees shall not influence, or attempt to influence, any Commonwealth employee to breach the standards of ethical conduct for Commonwealth employees set forth in the Public Official and Employees Ethics Act, 65 Pa.C.S. §§1101 et seq.; the State Adverse Interest Act, 71 P.S. §776.1 et seq.; and the Governor's Code of Conduct, Executive Order 1980-18, 4 Pa. Code §7.151 et seq., or to breach any other state or federal law or regulation.
4. Contractor, its affiliates, agents and employees shall not offer, give, or agree or promise to give any gratuity to a Commonwealth official or employee or to any other person at the direction or request of any Commonwealth official or employee.
5. Contractor, its affiliates, agents and employees shall not offer, give, or agree or promise to give any gratuity to a Commonwealth official or employee or to any other person, the acceptance of which would violate the Governor's Code of Conduct, Executive Order 1980-18, 4 Pa. Code §7.151 et seq. or any statute, regulation, statement of policy, management directive or any other published standard of the Commonwealth.
6. Contractor, its affiliates, agents and employees shall not, directly or indirectly, offer, confer, or agree to confer any pecuniary benefit on anyone as consideration for the decision, opinion, recommendation, vote, other exercise of discretion, or violation of a known legal duty by any Commonwealth official or employee.
7. Contractor, its affiliates, agents, employees, or anyone in privity with him or her shall not accept or agree to accept from any person, any gratuity in connection with the performance of work under the contract, except as provided in the contract.
8. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material on this project, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor's financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.
9. Contractor, its affiliates, agents and employees shall not disclose to others any information, documents, reports, data, or records provided to, or prepared by, Contractor under this contract without the prior written approval of the Commonwealth, except as required by the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104, or other applicable law or as otherwise provided in this contract. Any information, documents, reports, data, or records secured by Contractor from the Commonwealth or a third party in connection with the performance of this contract shall be kept confidential unless disclosure of such information is:

- a. Approved in writing by the Commonwealth prior to its disclosure; or
- b. Directed by a court or other tribunal of competent jurisdiction unless the contract requires prior Commonwealth approval; or
- c. Required for compliance with federal or state securities laws or the requirements of national securities exchanges; or
- d. Necessary for purposes of Contractor's internal assessment and review; or
- e. Deemed necessary by Contractor in any action to enforce the provisions of this contract or to defend or prosecute claims by or against parties other than the Commonwealth; or
- f. Permitted by the valid authorization of a third party to whom the information, documents, reports, data, or records pertain; or
- g. Otherwise required by law.

10. Contractor certifies that neither it nor any of its officers, directors, associates, partners, limited partners or individual owners has been officially notified of, charged with, or convicted of any of the following and agrees to immediately notify the Commonwealth agency contracting officer in writing if and when it or any officer, director, associate, partner, limited partner or individual owner has been officially notified of, charged with, convicted of, or officially notified of a governmental determination of any of the following:

- a. Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property.
- b. Commission of fraud or a criminal offense or other improper conduct or knowledge of, approval of or acquiescence in such activities by Contractor or any affiliate, officer, director, associate, partner, limited partner, individual owner, or employee or other individual or entity associated with:
 - 1. obtaining;
 - 2. attempting to obtain; or
 - 3. performing a public contract or subcontract

Contractor's acceptance of the benefits derived from the conduct shall be deemed evidence of such knowledge, approval or acquiescence.

- c. Violation of federal or state antitrust statutes.
- d. Violation of any federal or state law regulating campaign contributions.
- e. Violation of any federal or state environmental law.
- f. Violation of any federal or state law regulating hours of labor, minimum wage standards or prevailing wage standards; discrimination in wages; or child labor violations.
- g. Violation of the Act of June 2, 1915 (P.L.736, No. 338), known as the Workers' Compensation Act, 77 P.S. 1 et seq.

- h. Violation of any federal or state law prohibiting discrimination in employment.
- i. Debarment by any agency or department of the federal government or by any other state.
- j. Any other crime involving moral turpitude or business honesty or integrity.

Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for cause upon such notification or when the Commonwealth otherwise learns that Contractor has been officially notified, charged, or convicted.

11. If this contract was awarded to Contractor on a non-bid basis, Contractor must, (as required by Section 1641 of the Pennsylvania Election Code) file a report of political contributions with the Secretary of the Commonwealth on or before February 15 of the next calendar year. The report must include an itemized list of all political contributions known to Contractor by virtue of the knowledge possessed by every officer, director, associate, partner, limited partner, or individual owner that has been made by:
- a. Any officer, director, associate, partner, limited partner, individual owner or members of the immediate family when the contributions exceed an aggregate of one thousand dollars (\$1,000) by any individual during the preceding year; or
 - b. Any employee or members of his immediate family whose political contribution exceeded one thousand dollars (\$1,000) during the preceding year.

To obtain a copy of the reporting form, Contractor shall contact the Bureau of Commissions, Elections and Legislation, Division of Campaign Finance and Lobbying Disclosure, Room 210, North Office Building, Harrisburg, PA 17120.

12. Contractor shall comply with requirements of the Lobbying Disclosure Act, 65 Pa.C.S. § 13A01 et seq., and the regulations promulgated pursuant to that law. Contractor employee activities prior to or outside of formal Commonwealth procurement communication protocol are considered lobbying and subjects the Contractor employees to the registration and reporting requirements of the law. Actions by outside lobbyists on Contractor's behalf, no matter the procurement stage, are not exempt and must be reported.
13. When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or in these provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or Commonwealth Inspector General in writing.
14. Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these contractor integrity provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract.
15. Contractor shall cooperate with the Office of Inspector General in its investigation of any alleged Commonwealth employee breach of ethical standards and any alleged Contractor non-compliance with these provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of the Office of Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Inspector General to Contractor's integrity and compliance with these provisions. Such information may include, but shall not be limited to, Contractor's business or financial records, documents or files of any type or form that refers to or concern this contract.
16. For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the

Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.

17. For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Paragraph 17.

- a. "Confidential information" means information that a) is not already in the public domain; b) is not available to the public upon request; c) is not or does not become generally known to Contractor from a third party without an obligation to maintain its confidentiality; d) has not become generally known to the public through a act or omission of Contractor; or e) has not been independently developed by Contractor without the use of confidential information of the Commonwealth.
- b. "Consent" means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by pre-qualification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of execution of this contract.
- c. "Contractor" means the individual or entity that has entered into this contract with the Commonwealth, including those directors, officers, partners, managers, and owners having more than a five percent interest in Contractor.
- d. "Financial interest" means:
 - 1. Ownership of more than a five percent interest in any business; or
 - 2. Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.
- e. "Gratuity" means tendering, giving or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the Governor's Code of Conduct, Executive Order 1980-18, the 4 Pa. Code §7.153(b), shall apply.
- f. "Immediate family" means a spouse and any unemancipated child.
- g. "Non-bid basis" means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.
- h. "Political contribution" means any payment, gift, subscription, assessment, contract, payment for services, dues, loan, forbearance, advance or deposit of money or any valuable thing, to a candidate for public office or to a political committee, including but not limited to a political action committee, made for the purpose of influencing any election in the Commonwealth of Pennsylvania or for paying debts incurred by or for a candidate or committee before or after any election.

OFFSET PROVISION

The Contractor agrees that the Commonwealth may set off the amount of any state tax liability or other obligation of the Contractor or its subsidiaries to the Commonwealth against any payments due the Contractor under any contract with the Commonwealth.

CONTRACTOR RESPONSIBILITY PROVISIONS

For the purpose of these provisions, the term Contractor is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, grantee, or subgrantee, who has furnished or seeks to furnish goods, supplies,

services, or leased space, or who has performed or seeks to perform construction activity under contract, subcontract, grant, or subgrant with the Commonwealth, or with a person under contract, subcontract, grant, or subgrant with the Commonwealth or its state-affiliated entities, and state-related institutions. The term Contractor may include a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other entity of the Commonwealth.

- a. The Contractor must certify, in writing, for itself and all its subcontractors, as of the date of its execution of any Commonwealth contract, that neither the Contractor, nor any subcontractors, nor any suppliers are under suspension or debarment by the Commonwealth or any governmental entity, instrumentality, or authority and, if the Contractor cannot so certify, then it agrees to submit, along with the bid/proposal, a written explanation of why such certification cannot be made.
- b. The Contractor must also certify, in writing, that as of the date of its execution, of any Commonwealth contract it has no tax liabilities or other Commonwealth obligations.
- c. The Contractor's obligations pursuant to these provisions are ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to inform the contracting agency if, at any time during the term of the contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or any of its subcontractors are suspended or debarred by the Commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.
- d. The failure of the Contractor to notify the contracting agency of its suspension or debarment by the Commonwealth, any other state, or the federal government shall constitute an event of default of the contract with the Commonwealth.
- e. The Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth, which results in the suspension or debarment of the Contractor. Such costs shall include, but shall not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The Contractor shall not be responsible for investigative costs for investigations which do not result in the Contractor's suspension or debarment.
- f. The Contractor may obtain the current list of suspended and debarred Commonwealth contractors by either searching the internet at <http://www.dgs.state.pa.us/> or contacting the:

Department of General Services
Office of Chief Counsel
603 North Office Building
Harrisburg, PA 17125
Telephone Number: (717) 783-6472
FAX Number: (717) 787-9138

THE AMERICANS WITH DISABILITIES ACT

- a. Pursuant to federal regulations promulgated under the authority of The Americans With Disabilities Act, 28 C.F.R. § 35.101 et seq., the Contractor understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this Contract or from activities provided for under this Contract. As a condition of accepting and executing this contract, the Contractor agrees to comply with the "General Prohibitions Against Discrimination", 28 C.F.R. § 35.130, and all other regulations promulgated under Title II of The Americans With Disabilities Act which are applicable to the benefits, services, programs, and activities provided by the Commonwealth of Pennsylvania through contracts with outside contractors.
- b. The Contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth of Pennsylvania from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth of Pennsylvania as a result of the Contractor's failure to comply with the provisions of subparagraph a above.

RIGHT TO KNOW LAW

I. If this contract is a grant agreement:

- a. Grantee or Subgrantee understands that this Grant Agreement and records related to or arising out of the Grant Agreement are subject to requests made pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104 ("RTKL"). For the purpose of these provisions, the term "the Commonwealth" shall refer to the granting Commonwealth Agency.
- b. If the Commonwealth needs the Grantee's or Subgrantee's assistance in any matter arising out of the RTKL related to this Grant Agreement, it shall notify the Grantee or Subgrantee using the legal contact information provided in the Grant Agreement. The Grantee or Subgrantee, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.
- c. Upon written notification from the Commonwealth that it requires Grantee's or Subgrantee's assistance in responding to a request under the RTKL for information related to this Grant Agreement that may be in Grantee's or Subgrantee's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information"), Grantee or Subgrantee shall:
 - 1) Provide the Commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in Grantee's or Subgrantee's possession arising out of this Grant Agreement that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and
 - 2) Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Grant Agreement.
- d. If the Grantee or Subgrantee considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that Grantee or Subgrantee considers exempt from production under the RTKL, Grantee or Subgrantee must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by the representative of Grantee or Subgrantee explaining why the requested material is exempt from public disclosure under the RTKL.
- e. The Commonwealth will rely upon the written statement from Grantee or Subgrantee in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the Commonwealth determine that the Requested Information is clearly not exempt from disclosure, Grantee or Subgrantee shall provide the Requested Information within five (5) business days of receipt of written notification of the Commonwealth's determination.
- f. If Grantee or Subgrantee fails to provide the Requested Information within the time period required by these provisions, Grantee or Subgrantee shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee's or Subgrantee's failure, including any statutory damages assessed against the Commonwealth.
- g. The Commonwealth will reimburse Grantee or Subgrantee for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.
- h. Grantee or Subgrantee may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, Grantee or Subgrantee shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee's or Subgrantee's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, Grantee or Subgrantee agrees to waive all rights or remedies that may be available to it as a result of the

Commonwealth's disclosure of Requested Information pursuant to the RTKL.

- i. The Grantee's or Subgrantee's duties relating to the RTKL are continuing duties that survive the expiration of this Grant Agreement and shall continue as long as the Grantee or Subgrantee has Requested Information in its possession.

II. If this contract is a lease agreement:

- a. The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104 ("RTKL") applies to this Lease. For the purpose of these provisions, the term "Commonwealth" shall refer to the Department of General Services or the tenant Commonwealth agency.
- b. If the Commonwealth needs the Lessor's assistance in any matter arising out of the RTKL related to this Lease, it shall notify the Lessor using the legal contact information provided in this Lease. The Lessor, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.
- c. Upon written notification from the Commonwealth that it requires the Lessor's assistance in responding to a request under the RTKL for information related to this Lease that may be in the Lessor's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information") the Lessor shall:
 - 1) Provide the Commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in the Lessor's possession arising out of this Lease that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and
 - 2) Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Lease.
- d. If the Lessor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that the Lessor considers exempt from production under the RTKL, the Lessor must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of the Lessor explaining why the requested material is exempt from public disclosure under the RTKL.
- e. The Commonwealth will rely upon the written statement from the Lessor in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the Commonwealth determine that the Requested Information is clearly not exempt from disclosure, the Lessor shall provide the Requested Information within five (5) business days of receipt of written notification of the Commonwealth's determination.
- f. If the Lessor fails to provide the Requested Information within the time period required by these provisions, the Lessor shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Lessor's failure, including any statutory damages assessed against the Commonwealth.
- g. The Commonwealth will reimburse the Lessor for any costs associated with complying with these provisions only to the extent allowed under that fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.
- h. The Lessor may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, the Lessor shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the

Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Lessor's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, the Lessor agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth's disclosure of Requested Information pursuant to the RTKL.

- i. Lessor's duties relating to the RTKL are continuing duties that survive the expiration of this Lease and shall continue as long as the Lessor has Requested Information in its possession.

III If this contract is other than a grant or lease agreement:

- a. The Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104 ("RTKL") applies to this Contract. For the purpose of these provisions, the term "Commonwealth" shall refer to the contracting Commonwealth agency.
- b. If the Commonwealth needs the Contractor's assistance in any matter arising out of the RTKL related to this Contract, it shall notify the Contractor using the legal contact information provided in this Contract. The Contractor, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.
- c. Upon written notification from the Commonwealth that it requires the Contractor's assistance in responding to a request under the RTKL for information related to this Contract that may be in the Contractor's possession, constituting, or alleged to constitute, a public record in accordance with the RTKL ("Requested Information") the Contractor shall:
 - 1) Provide the Commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in the Contractor's possession arising out of this Contract that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and
 - 2) Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Contract..
- d. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that the Contractor considers exempt from production under the RTKL, the Contractor must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL.
- e. The Commonwealth will rely upon the written statement from the Contractor in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the Commonwealth determine that the Requested information is clearly not exempt from disclosure, the Contractor shall provide the Requested Information within five (5) business days of receipt of written notification of the Commonwealth determination.
- f. If the Contractor fails to provide the Requested Information within the time period required by these provisions, the Contractor shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth.
- g. The Commonwealth will reimburse the Contractor for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.
- h. The Contractor may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, the Contractor shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth

may incur as a result of the Contractor's failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, the Contractor agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth's disclosure of the Requested Information pursuant to the RTKL.

- i. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

PENNSYLVANIA ELECTRONIC PAYMENT PROGRAM (PEPP):

I. For Procurement Contracts

- a. The Commonwealth will make contract payments through the Automated Clearing House (ACH) Network. Within 10 days of award of the contract or purchase order, the Contractor must submit or must have already submitted its ACH information within its user profile in the Commonwealth's procurement system (SRM).
- b. Contractor must submit a unique invoice number with each invoice submitted. The unique invoice number will be listed on the Commonwealth of Pennsylvania's ACH remittance advice to enable the Contractor to properly apply the Department's payment to the invoice submitted.
- c. It is the responsibility of the Contractor to ensure that the ACH information contained in SRM is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.
- d. Contractor may enroll for PEPP at: <http://www.vendorregistration.state.pa.us/cvmu/paper/Forms/ACH-EFTenrollmentform.pdf>

II. For Grant Contracts:

- a. The Commonwealth will make payments to the Grantee through the Automated Clearing House (ACH) Network. Within 10 days of the grant award, the Grantee must submit or must have already submitted its ACH information to the Commonwealth's Payable Service Center, Vendor Data Management Unit at 717-214-0140 (FAX) or by mail to the Office of Comptroller Operations, Bureau of Payable Services, Payable Service Center, Vendor Data Management Unit, 555 Walnut Street - 9th Floor, Harrisburg, PA 17101
- b. The Grantee must submit a unique invoice number with each invoice submitted. The unique invoice number will be listed on the Commonwealth of Pennsylvania's ACH remittance advice to enable the Grantee to properly apply the Department's payment to the respective invoice or program.
- c. It is the responsibility of the Grantee to ensure that the ACH information contained in the Commonwealth's central vendor master file is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.
- d. Grantee may enroll for PEPP at: <http://www.vendorregistration.state.pa.us/cvmu/paper/Forms/ACH-EFTenrollmentform.pdf>

Appendix D. New-Hire Program Guide

One page summary of the Dirt, Gravel, and Low Volume Road Maintenance Program intended for new conservation district staff.

“New Hire” Guide to Administering the Dirt, Gravel, and Low Volume Road Maintenance Program



10/2014

This document is meant as an overview of administering the Dirt and Gravel Road Maintenance Program for new staff and technicians at County Conservation Districts.

PROGRAM OVERVIEW: The Dirt, Gravel, and Low Volume Road Maintenance Program (**Program**) began in 1997 stemming from an initiative by Trout Unlimited. The goal of the Program is to reduce pollution to streams while improving the rural road network. The Program directs funding to “worksites” where road runoff is affecting water quality. The Program implements long-term fixes to rural public roads in order to create a more environmentally and economically sustainable rural road network.

CENTER OVERVIEW: The Center for Dirt and Gravel Road Studies (**Center**) at Penn State was formed in 1999 to handle the statewide education and outreach component of the Program. The Center provides: 2-Day ESM training, Annual Maintenance Workshop, website, newsletters, technical documentation, technical Assistance to Districts (for Projects, GIS, or administration), and more. The Center is funded by the PA State Conservation Commission and PA Bureau of Forestry through the Dirt and Gravel Road Program. The Center also maintains other research and educational contracts with outside entities.

PROGRAM STRUCTURE: The Program is unique in that it relies heavily on “informed local control” to function. This philosophy puts more power and decision-making and the local level, and relies on a statewide education and oversight program to insure local projects follow Program guidelines.

- **State Conservation Commission (SCC):** Administers Program Statewide at Department of Agriculture (PDA).
- **PSU Center:** Education, outreach, tech support for the Program Statewide.
- **Conservation Districts:** Run the Program within each County including: create local policy and priorities, accept Grant Applications, fund and oversee projects, track projects and spending, and submit annual reports.
- **Quality Assurance Board (QAB):** (one per District) Advises District on policies and funding priority, and ranks applications for funding. QAB only provides recommendations to the District Board. The QAB has 4 members: a non-voting chair appointed by the District, and a voting representative from the District, PAFBC & NRCS.
- **Grant Recipients:** Apply to Conservation District for funding. Do work or hire contractor to do work. Mostly townships, but PAGC, PAFBC, DOT any other public entities are eligible.

DISTRICT ALLOCATIONS: District receive Funds from State Conservation Commission through PDA

- **District Allocations:** The Program’s \$28M annual allocation is distributed by the SCC to Conservation Districts based largely on the number of unpaved roads and worksites in each county. Allocations range from \$100,000 to \$1.4M. Allocations are typically received in September. Counties receive half of their allocation up front, and must apply to the State for replenishment for the remaining funds by claiming that advanced funds have been spent. *An additional \$7M is allocated to the PA Bureau of Forestry.*
- **Spending Requirements:** Funds must be spent or committed within 2 years of receipt. Counties failing to meet this requirement will be ineligible for future allocations until they meet this spending requirement. This is determined as part of the Annual Summary Report each January.
- **Administration:** Districts can spend up to 10% of their annual allocation on Program administration, and 10% on education. Eligible expense include salary, travel, training expenses, equipment (field and office), etc.

GRANT APPLICATION PROCESS: Municipalities (and others) apply to District for Funding

- **Eligibility:** Applicants must have been to ESM training within the past 5 years in order to be eligible to apply to the Conservation District for funding. Only unpaved (not “tar&chip”) publicly-owned roads that are open to public travel for at least part of the year are eligible. Projects must also have an impact on water quality.
- **Application Cycle:** Many Districts have an application deadline each year. Some smaller counties continuously accept allocations. Find out what your District’s policy has been.
- **Project Ranking:** Each District should already have written ranking criteria to determine project funding priority developed by the QAB. This formal ranking is important as it serves to justify the recommendations of the QAB.
- **“Preemptive” site visit:** Counties who have the most success typically meet with the township BEFORE they submit applications to collaborate on creating a site plan. The earlier you get involved, the easier changes will be.
- **Notification:** The applicant should notify the Conservation District in advance as to when project works will start.

NEW HIRE CHECKLIST

1. Talk to others at District.
2. Attend an ESM training.
3. Meet and talk to your QAB.
4. Review your local policies.
5. Find out what projects are active or awarded.
6. Review the Program’s Administrative Manual
7. Take files into the field and look at old projects.
8. Familiarize yourself with DGRoads GIS system.
9. Attend a Workshop.
10. Get help from co-workers, other Districts, and Center.

GRANT ADMINISTRATION: Conservation District is Responsible for Project Oversight

- Contract:** The “grant application” and other documentation become attachments to a two-page contract.
- Advances:** Up to 50% of the project funds can be advanced to the applicant before work begins. At least 30% of the project funds must be held until project completion and inspection.
- Eligible Costs:** All materials, equipment, and labor costs to complete the project are eligible. There is no statewide requirement for matching funds from applicants (although the Program average nearly \$0.45 per dollar spent). Often applicants will donate some or all labor and equipment time as “in-kind”. Up to 10% of the project cost can go towards engineering and/or permits. Equipment rental is eligible, but no equipment can be bought.
- Cost Overruns:** Cost overruns can be made at the discretion of the District Board. They can be made for up to 20% of the original contract. Overruns of over 20% should be handled in a new or separate contract.
- Field Visits:** It is not necessary for District staff to be on-site for all project work. Some oversight is typically required though, especially early in the project, to insure both parties will be satisfied with the finished road.
- Project Completion Report:** Summary page with project deliverables and cost breakdown for the project. Typically completed during final project inspection to officially close out project.

EDUCATIONAL OPPORTUNITIES: Learn more about the Program’s ESM Practices

- Environmentally Sensitive Maintenance (ESM) Training:** 2-day classroom training held by the Center. The ESM training focuses on the specific ESM practices to be used on projects in the field. Both Conservation Districts and participating townships are required to attend one every 5 years. The Center holds 8-12 ESM trainings at various locations around the State each year. The training is free of charge to public entities.
- Annual Maintenance Workshop:** 2-day “conference” with concurrent classroom sessions and field trips to active and completed projects. The Workshop is held at a different location every fall and typically attracts 150-250 attendees from across Pennsylvania. Workshop topics and field sites change each year.

GIS & REPORTING: Districts Track Projects and Submit Annual Report

- DGRoads GIS System:** To cut down on paperwork and facilitate project tracking, the Program uses a customized GIS interface called “DGRoads”. This system is housed on a computer at each Conservation District. The system is used to track project location and details such as what was done and what was spent.
- Annual Summary Reports:** Each year on January 15th, reports are due using the DGRoads GIS system. Project data from the previous year must be entered for all completed and contracted projects.
- GIS help:** Center staff typically visits each region of the state offering GIS help late each fall.

QAQC: Quality Assurance / Quality Control Effort: The QAQC process is a collaborative effort between the Center and the Program. The QAQC team visits each Conservation District individually in an effort to evaluate and improve the Program at the County level. The QAQC team visits approximately 20 Districts on an annual basis.

PROJECT WORK: On the Ground Projects: The best way to get familiar with project work is to attend an ESM training as soon as possible. Then take some project files into the field to look at some projects that have already been completed. Talking with the townships that completed those projects is also recommended.

Paved Low Volume Roads: Paved LVRs with less than 500 vehicles per day were made eligible for Program funding in 2014. Look for more details in the administrative manual.

MORE HELP:

- www.dirtandgravelroads.org:** The Center and Program website contains information including technical bulletins, blank forms, GIS program download, reference material, training information and schedule, and more.
- Center:** Outreach and education is what the Center does! From a simple question, to GIS help, to help with project design, to onsite project assistance. 814-865-5355
- SCC:** For more “Programmatic” questions, contact the Program Coordinator at the SCC at 717-787-2103.

PROJECT HARD FILES MUST INCLUDE

1. Signed Contract with all attachments, including grant application and project sketch showing project location and site layout (what was done and where).
2. Contract amendment if applicable.
3. Copies of receipts for all expenses paid.
4. Completed and signed Project Completion Report.

TYPICAL PROJECT LIFECYCLE

1. Applicant attends ESM training.
2. Applicant notifies District of desire to do a project.
3. District meets with applicant on site to come up with a workplan together, or make recommendations to applicant’s plan.
4. Applicant submits application.
5. QAB recommends project for funding based on established criteria.
6. District Board approves project and a contract is signed with the applicant.
7. 50% of funds are advanced to the applicant.
8. Applicant notifies District of start of work.
9. Project work is done by township or contractor, with oversight from District.
10. District conducts final inspection and fills out Project Performance Report.
11. Remainder of funds is paid to applicant.
12. District enters project data into GIS system.
13. Data for project submitted as part of Annual Report on January 15th.

Appendix E. Grant Application, Work Plan & Instructions

Grant Application: One-page application submitted by the road-owning entity to the Conservation District. This becomes “Attachment A” to the contract between the Conservation District and the Grant recipient.

Work Plan: Project sketch detailing proposed work. Can be on the back of the grant application. This becomes “Attachment B” to the contract between the Conservation District and the Grant recipient.

Expenditures Sheets: Two optional sheets, one for grant requested funds and one for in-kind contributions, that can be attached to the grant application if needed.

DIRT, GRAVEL AND LOW VOLUME ROAD MAINTENANCE GRANT APPLICATION

Project Location: County _____		Project Location: Municipality _____		District Use Only	
ESM Certified Person _____		Position _____		Application Type: <input type="checkbox"/> DGR <input type="checkbox"/> LVR	
		Certification Date _____		Work Site ID: _____	
Date Received: _____					
Official Name of Applying Agency _____					
Mailing Address _____					
Contact Person _____		Phone _____		Fax _____	
				E-Mail _____	

Road Name / ID Number _____		Affected Stream or Tributary _____	
Proposed Project Start Date _____		Proposed Project Completion Date _____	
		Existing Road Surface Type: <input type="checkbox"/> Unpaved <input type="checkbox"/> Paved	
		Is project considered an emergency? <input type="checkbox"/> Yes <input type="checkbox"/> No	

1. The applicant is required to identify and obtain all necessary permits before starting the project.
2. Identify the proposed work elements: Ditches Improved Ditch Outlets Added Off Right-of-Way Improvements
 Road Banks Improved Road Base Improved Road Surface Stabilized
 Stream Crossings Improved Storm Water Improvements Vegetative Management Other _____
3. The applicant is required to obtain the DSA Specification and Certification form prior to DSA placement.
4. Complete Attachment B "Project Work Plan" including a sketch of proposed project. Attach a locational map with the project highlighted.
5. Project cost estimate: (summarize costs here and attach detailed documentation if needed)

<u>Grant Requested Funds</u>			<u>In-Kind Contributions</u>		
Materials	Equipment	Labor	Materials	Equipment	Labor
See Attachment A1			See Attachment A2		

Grant Requested \$ _____
In-Kind Contributions..... \$ _____
Total Project Value..... \$ _____

_____ Applicant Signature _____ Date

SECTION 9106 OF THE PENNSYLVANIA VEHICLE CODE
DIRT, GRAVEL AND LOW VOLUME ROAD MAINTENANCE
Grant Application/Project Work Plan Instructions

The following instructions pertain to the Dirt, Gravel and Low Volume Maintenance Program **Grant Application** and **Project Work Plan** forms. These instructions are to act as a guide only. Note that all fields are required unless indicated otherwise.

It is strongly recommended grant applicant and Conservation District representatives hold an on-site meeting to discuss a potential project plan before an application is submitted.

Grant Application Instructions

"District Use Only":

- Applicant DOES NOT fill out any of the information within this box.

General Information:

- **County** – The County the road project in question is within.
- **Municipality** – The Municipality (township, borough, or city) the road project in question is within.
- **ESM Certified Person** – List the person who will oversee the project who is currently ESM certified.
- **Position** – The current position of the ESM Certified Person.
- **Certification Date** – The date the ESM Certified Person completed their ESM training. Applicant may need to contact their Conservation District if the date is unknown. The person responsible for project design and oversight for applying entity must be ESM certified within last 5 years to be eligible for funding.
- **Official Name of Applying Agency** – The name of the agency who is applying for Dirt, Gravel and Low Volume Maintenance funding.
- **Mailing Address** – The mailing address of the applying agency. Include street address, state, and zip code.
- **Contact Person** – The official contact person of the applying agency.
- **Phone** – The phone number of the official contact person or the applying agency.
- **Fax** – The fax number of the official contact person or the applying agency. *Optional*
- **E-Mail** – The e-mail address of the official contact person or the applying agency. *Optional*

Affected Road Information:

- **Road Name / ID Number** – The name and identification number of the road in question. List both if available.
- **Affected Stream or Tributary** – The name of the stream or tributary that the road project in question is currently affecting. If project affects a small unnamed tributary (UNT), list the first named stream downstream of the tributary, such as "UNT to Trout Run".
- **Proposed Project Start Date** – The proposed date that applicant expects the project to begin.
- **Proposed Project Completion Date** – The proposed date that applicant expects the project to be finished.
- **Existing Road Surface Type** – Check the appropriate CURRENT surface type of the road project in question. "tar & chip" or "chip sealed" roads are considered paved.
- **Is project considered an emergency** – Check if the project would be considered an emergency. For example, a road that is washed out and is unpassable due to a storm would be considered an emergency.

Additional Questions, Proposed Work Elements, and Cost Estimates:

- 1) **Applicant is required to identify and obtain all necessary permits before starting the project:**
 - By signing the application, the applicant acknowledges they understand that they will be required to identify and obtain all required permits before starting the project. Applicant is not required to identify and obtain these permits prior to submitting the grant application.
- 2) **Identify the proposed work elements:** Check all that apply
 - **Ditches Improved** – Stabilizing ditches through elimination, vegetation, armoring, flow reduction, etc.
 - **Ditch Outlets Added** – Addition of drainage outlets such as pipes, turnouts, etc.
 - **Off Right-of-Way Improvements** – Improvements to access roads, lanes, etc. that affect the public roadway.
 - **Road Banks Improved** – Stabilizing of banks through reprofiling, armoring, vegetation, etc.

- **Road Base Improved** – Improvements to road base through material addition, milling, geo-synthetics, etc.
- **Road Surface Stabilized** – Improvements to the road surface through new material, stabilizers, etc.
- **Stream Crossings Improved** – Replacement or stabilization of road/stream crossings.
- **Storm Water Improvements** – Improvements to or disconnection of traditional storm water collection systems.
- **Vegetative Management** – Vegetation work such as tree thinning, selective thinning, seeding, etc.
- **Other** – List any other proposed work elements not covered by the above choices.

3) Applicant is required to obtain the DSA Specification and Certification form Prior to DSA placement.

- Applies to any projects using Driving Surface Aggregate (DSA).
- By signing the application, applicant acknowledges that they understand that they will be required to obtain the Specification and Certification from the aggregate supplier prior to aggregate placement.

4) Complete Attachment B by drawing a sketch of the proposed project. Attach a copy of a locational map with the project highlighted:

- This project sketch is part of the Project Work Plan that is addressed at the end of the Grant Application help.

5) Project cost estimate:

- **Applicant must provide estimates for both grant requested funds and in-kind services.**
 - **“Grant Requested Funds”**: summarizes the project costs that the applicant is requesting from the Program through the Conservation District.
 - **“In-Kind Contributions”**: summarizes the costs incurred by the applicant in project implementation where no reimbursement will be requested or made through the Program.
- **Cost estimates** - Cost estimates for simple projects may fit in the space provided on the Grant Application. Many projects, however, may require a separate worksheet. The optional “Detailed Estimated Project Expenditures” and “Detailed Estimated In-Kind Contributions” worksheets (Attachments A1 and A2) can be used to summarize cost details.
- **Grant Requested** – The project costs that the applicant is requesting from the Program through the Conservation District.
- **In-Kind Contributions** – The costs that will be borne by the applicant where no reimbursement will be requested or made through the Program.
- **Total Project Value** – Grant Requested + In-Kind Contributions. This is the total estimated cost of the project.

Finalizing the Application:

- **Applicant Signature** – The signature of the applicant.
- **Date** – The date the Grant Application was completed.

Project Work Plan Instructions

General Information:

- **Applicant** – The entity applying for the grant.
- **Road Name / ID Number** – The name and identification number of the road in question. List both if available.
- **Date** – The date the project work plan was completed.
- **North Arrow** – Draw a locational north arrow that identifies where north is as related to the sketch.
- **Project Length** – Enter the length of the proposed work area (not necessarily entire road length). Then circle the appropriate unit of "feet" or "miles". If the total proposed work length is less than 1 mile, then it is recommended to enter the work length in feet.

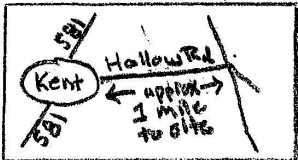
Attach a copy of a locational map with the project highlighted:

- Highlight or circle the project location on a map such as township map, topographic map, photocopied atlas map, GIS map, PennDOT map, etc. Do not include any project work items on the location map (they go on the workplan). The purpose of this map is to allow the project site to be easily found.

Project Work Sketch: The project sketch should detail the practices to be implemented on the road in plan view. Items such as new culverts, turnouts, streams, etc. should be identified on the sketch. Hand drawn sketches are acceptable. Below is a sample work sketch that could be placed in the body of the Project Work Plan.

SAMPLE

Any Mountain Road
Dirt and Gravel Road Project 2014
Every Township, Your County
Sketch AMR I
Not to Scale



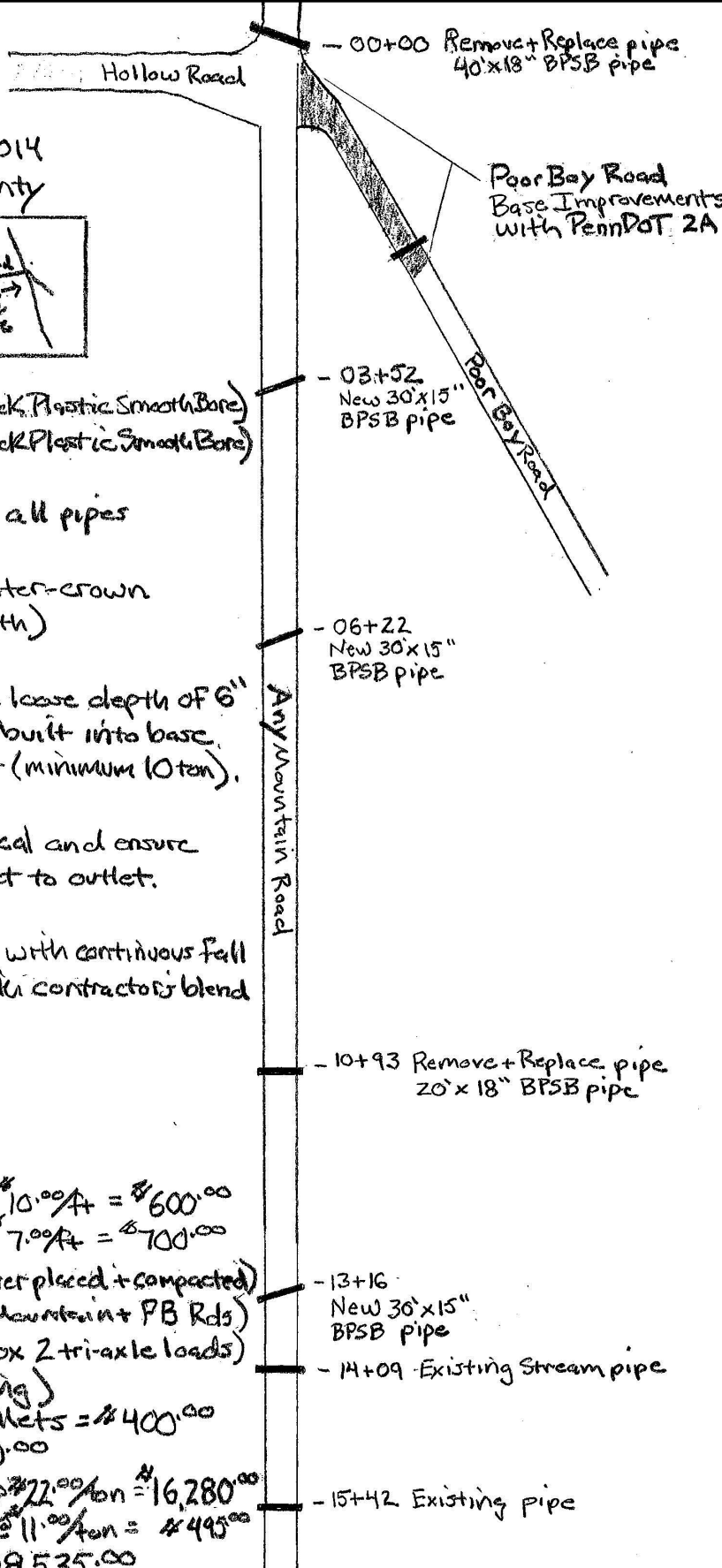
- Install three new pipes (15" Black Plastic Smooth Bore) and replace two pipes (18" Black Plastic Smooth Bore)
- Install Headwalls + Endwalls on all pipes
- Grade existing road to a 4% center-crown (1/2" of fall per 1' road width)
- Paver place DSA to a uniform loose depth of 6" to 16" wide. Reflect center-crown built into base. Compact with vibratory roller (minimum 10 ton).
- Keep pipes as shallow as practical and ensure a minimum of 2% fall from inlet to outlet.
- Grade wide-shallow ditches with continuous fall (stabilize ditches post-grading with contractor's blend grass seed + mulch)

Materials Estimate:

- 18" Dia. Smooth Bore Pipe - 60' @ \$10.00/ft = \$600.00
- 15" Dia. Smooth Bore Pipe - 100' @ 7.00/ft = \$700.00
- Driving Surface Aggregate - 740 tons (paver placed + compacted) (for coverage of both Any Mountain + PB Rds)
- 2 RC Aggregate - 45 tons (approx 2 tri-axle loads) (for supplemental pipe bedding)
- Dimensional Wall Stone - 2 pallets = \$400.00
- Grass Seed + Mulch Hay = \$60.00

DSA @ \$22.00/ton = \$16,280.00
2RC @ \$11.00/ton = \$495.00

Total Materials Estimate = \$18,535.00



- 00+00 Remove + Replace pipe 40' x 18" BPSB pipe
- 03+52 New 30' x 15" BPSB pipe
- 06+22 New 30' x 15" BPSB pipe
- 10+93 Remove + Replace pipe 20' x 18" BPSB pipe
- 13+16 New 30' x 15" BPSB pipe
- 14+09 Existing Stream pipe
- 15+42 Existing pipe

Poor Bay Road Base Improvements with PennDOT 2A

DETAILED ESTIMATED PROJECT EXPENDITURES WORKSHEETS **INSTRUCTIONS**

OPTIONAL - (attachments A1 and A2) - OPTIONAL

Included with the Grant Application packet are two additional project expenditure worksheets. These two worksheets, Grant Requested Funds and In-Kind Contributions, are referred to in the Grant Application as Attachment A1 and Attachment A2, respectively. These are not required but are recommended if the applicant needs more space than what is provided in the Grant Application. Since they are nearly identical, general help is provided below.

- **Grant Requested Funds/In-Kind Contributions Worksheets:**
- **Materials** – List the type, unit cost, quantity, and total cost for each proposed material.
- **Equipment** – List the type, hours, FEMA Rate/Hour if applicable, and cost for each piece of equipment proposed. Note that FEMA rates are only applicable where township-owned equipment if used otherwise applicant should use contracted rates.
- **Labor** – List the rate, hours, and cost per type of laborer.
- **Total** – The total cost of materials, equipment, and labor.
- **Applicant** – The Grant Application applicant.
- **County** – The County the road project in question is within.
- **Municipality** – The Municipality (township, borough, or city) the road project in question is within.
- **Road Name / ID Number** – The name and identification number of the road in question. List both if available.
- **Date** – The date the project expenditures form was completed.

Appendix F. Contract & Instructions

Legal contract between the conservation district and the grant recipient. Attachments to the contract include:

- Attachment A – Grant Application (project specific)
- Attachment B – Work Plan (project specific)
- Attachment C – General Contract Provisions (PA standard)
- Attachment D – Dirt, Gravel and Low Volume Road Maintenance Program Statement of Policy (PA standard)
- Attachment E – Quality Assurance Board Standards (county specific)
- Attachment F – Schedule of Payments (project specific)
- Attachment G – Project Performance Report (project specific)

10-29-2014

**DIRT, GRAVEL AND LOW VOLUME ROAD
MAINTENANCE PROJECT AGREEMENT BETWEEN
_____ COUNTY CONSERVATION DISTRICT
AND
_____**

Now, this ___ day of _____, _____, the _____ County
Conservation District ("district")
and _____
_____, known wherein as the "project participant", agree as
follows:

(1) _____ will
conduct, or cause to be conducted, a road maintenance project on specified portions of
_____,
in accordance the Application and Work Plan attached hereto.

(2) This project will be conducted in accordance with standards that prohibit the
use of materials or practices that are environmentally harmful and in accordance with the
application and work plan attached hereto and incorporated herein. Any changes or
modifications to the work plan will be performed to the satisfaction of the district.

(3) This project will be conducted in accordance with the "General Contract
Conditions" required by the State Conservation Commission ("Commission"), the
"Dirt, Gravel and Low Volume Road Maintenance Program Statement of Policy" as
adopted by the Commission and as may be amended from time to time, and the
environmental standards approved by the Quality Assurance Board, which are attached
hereto and incorporated herein.

(4) The project participant agrees to provide documentation to the district that all
required federal, state, or local permits have been obtained prior to project
commencement, and further agrees to comply with all such permits as a condition of
performing this agreement.

(5) The project participant shall ensure that this contract and all other
arrangements entered into pursuant to the implementation of this contract are in
conformance with all applicable local, state, and federal laws, rules, and regulations.

(6) The district agrees to fund the eligible costs for this project in an amount up
to, but not exceeding, \$ _____. This contract can be amended
using the Program's "Contract Amendment Form" up to an additional 20% of the
original contract amount identified here, at the discretion of the district.

(7) The project funds will be disbursed by the district to
_____ in accordance with the attached schedule of payments.

(8) A project participant shall maintain a separate accounting of funds received under the program.

(9) Records must be kept for three years from the date of project completion.

(10) The Commission will have access to all relevant program documents during that time.

(11) Neither the district nor the Quality Assurance Board shall be held responsible for any loss of life, personal injury, or property damages of any kind incurred in performing or completing the work or duties under this contract.

(12) The project participant agrees to work concurrently with the district to complete a copy of the Project Performance Report when the project is completed.

(13) The project participant shall provide the district notice of at least _____ days prior to project commencement.

(14) The project participant shall complete the project no later than _____, unless an extension of time is approved by the district.

(15) The project participant shall obtain and satisfy all requirements as determined by the district.

(16) This document and the attachments hereto constitute the entire agreement between parties.

WHEREFORE, the parties have set their hands on the date indicated, intending to be bound hereby.

FOR THE DISTRICT:

FOR: _____

(Signed) (Date)

(Signed) (Date)

(Print Name)

(Print Name)

(Title)

(Title)

List of Attachments:

Attachment A – Grant Application (*project specific*)

Attachment B – Work Plan (*project specific*)

Attachment C – General Contract Provisions (*PA standard*)

Attachment D – Dirt, Gravel and Low Volume Road Maintenance Program
Statement of Policy (*PA standard*)

Attachment E – Quality Assurance Board Standards (*county specific*)

Attachment F – Schedule of Payments (*project specific*)

Attachment G – Project Performance Report (*project specific*)

Appendix G. General Contract Provisions

Legal document that defines the terms of the contract between the conservation district and the grant recipient. This becomes “Attachment C” to the contract between the Conservation District and the Grant recipient.

GENERAL CONTRACT PROVISIONS

The following provisions shall be incorporated into all contracts under the Dirt and Gravel Road Maintenance Program:

(1) Legality – All work under this Agreement shall be performed in accordance with applicable statutes, rules, and regulations of the Federal, State, and local governments.

(2) Changes – The parties to the Agreement hereby agree to execute minor adjustments to this Agreement via a letter of mutual consent approved by the District.

(3) Suspension – When the District determines that the terms and conditions of this Agreement are not materially being met, the District may, upon written notice to the Contractor, suspend the Agreement until corrective action has been taken to the satisfaction of the District, or until the Agreement has been terminated.

(4) Termination – The District may terminate the Agreement in whole, or in part, at any time before the date of completion if any of the following occurs:

- (a) It is determined that the terms and conditions of the Agreement have not been met. Prompt notification in writing of the termination, with effective date, will be made by the District. Payments or recoveries by the District shall be in accordance with the legal rights and obligations of the parties.
- (b) Anticipated State and/or Federal funds are not obtained or continued at a sufficient level.
- (c) The District, without cause, provides written notification to the Contractor with an effective termination date. Payments and recoveries by the District shall be in accordance with the legal rights and obligations of the parties.

(5) Extension of Time – The Agreement may be extended for additional periods beyond its established expiration date by written amendment to the Agreement. The extension of time must be approved by both of the contract parties prior to the expiration date of the Agreement.

(6) Conflict of Interest

- (a) Interest of Members of the Commonwealth and others – No officer, member, or employee of the Commonwealth who exercises any function or responsibilities under this Agreement, shall participate in any decision relating to this Agreement which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested; nor shall any such officer, member, or employee of the Commonwealth, and no member of its

governing body, have any interest, direct or indirect, in this Agreement or the proceeds thereof.

(b) Interest of Contractor – The Contractor covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The Contractor further covenants that in the performance of this Agreement, it shall not knowingly employ any persons having such interests. Contractor further certifies that no member of the Board of Directors of the Contractor or any of its officers have such adverse interest.

(7) Hold Harmless – Contractor shall be responsible for and agrees to indemnify and hold harmless the District, the County, the Commission, and the Commonwealth from and against damages to property or injuries (including death) to any person and other losses, damages, expenses, claims, demands, suits, and actions by any party against the District, the County, the Commission, and the Commonwealth in connection with the work performed by the Contractor.

(8) Fiscal Records – Contractor agrees to maintain books, records, documents, correspondence, and other evidence pertaining to the costs and expenses of this Agreement (hereinafter collectively referred to as “the records”, to the extent and in such detail as will properly reflect all costs, direct and indirect, of labor, materials, equipment, supplies, services, and all other costs and expenses of whatever nature for which funding has been provided under the provisions of this Agreement, and in accordance with generally accepted accounting principles.

(9) Retention of Records – The records shall be retained by the District and be made available for audit for a period of three (3) years after final payment is made and the Agreement has expired and all other pending matters are resolved.

(10) Right to Audit – The District, the Commission, and the Office of Auditor General, or any of their duly authorized representatives, shall have access to the records of the Contractor for the purpose of making an audit of financial transactions, compliance with the Agreement terms, and an evaluation of Agreement performance. It is further understood that the District, the Commission, and the Office of Auditor General are authorized to make examination, excerpts, copies, and transcriptions of such records during the course of an audit.

(11) Indirect Costs – Where indirect costs are part of the amount charged to the District, the method of determining those costs must be identified with sufficient documentation to support its use. Regardless of the method used to calculate indirect costs, the amount charged must not exceed actual costs incurred.

Appendix H. Contract Amendment & Instructions

Simple amendment form that can be used to increase the funding amount or extend the completion date of an existing contract. (funding can only be increased by 20% over original contract)

Dirt, Gravel, and Low Volume Road Maintenance Project
Amendment # _____ to Agreement Between
_____ Conservation District
and

(project participant)

Whereas, the agreement required the project participant to perform a road maintenance project (“project”) in accordance with an Application and Work Plan attached to the agreement.

Whereas, the agreement required the district to fund the eligible costs of the project in an amount up to, but not exceeding \$ _____.

Whereas, the project participant underestimated the amount of money that it would need to complete the project in accordance with an Application and Work Plan attached to the agreement.

Whereas, the district is able to provide eligible funds to the project participant as long as the funds are used to complete the project as specified in the Application and Work Plan attached to the agreement and the total additional funds are no more than 20% of the amount of money included in the original agreement.

Now therefore, intending to be legally bound, the parties agree as follows:

1. The district agrees to provide additional monies to fund the eligible costs for the project in an amount up to, but not exceeding \$ _____. The maximum amount payable to project participant for the entire project is increased to \$ _____.
2. The district agrees to extend the project completion date to _____. The project participant agrees to complete the project by this extended date.
3. Except as amended hereby, the original agreement remains in full force and effect.

Wherefore, the parties have set their hands on the date indicated, intending to be bound hereby.

For the District:

For the project participant:

(Signed) (Date)

(Signed) (Date)

(Print Name)

(Print Name)

(Title)

(Title)

SECTION 9106 OF THE PENNSYLVANIA VEHICLE CODE
DIRT, GRAVEL AND LOW VOLUME ROAD MAINTENANCE
Amendment Instructions

The following instructions pertain to the Dirt, Gravel and Low Volume Maintenance Program Contract Amendment.

Header Information:

- **Amendment #** _____ – The unique number that identifies this amendment.
- _____ **Conservation District** – Conservation district name.
- **And** _____ – The recipient of the Dirt, Gravel, and Low Volume Road Maintenance grant (Project Participant)

Original Contract Information:

- **...not exceeding \$** _____ The total amount originally contracted for this project.

Parties agree as follows:

(1):

- **...not exceeding \$** _____ – The additional funds being made available to complete the work. This amount cannot be greater than 20% of the amount originally awarded. For example, if the original contract's grant was for \$10,000 then the maximum amendment allowed is \$2,000. Even
- **...entire project is increased to \$** _____ – The sum total of the original contract plus the amendment. Using the example above, this would be \$12,000 (\$10,000 + \$2,000). If multiple amendments are used, the total of those amendments is limited to 20% of the original contract amount.

(2):

- **...extend the project completion date to** _____ – The amended expected completion date of the project.

Finalizing the Contract:

Once signed by both parties, this amendment must be retained with project files.

Appendix I. Schedule of Payments

Single page form that outlines the procedure in which funding will be distributed to a successful grant applicant. This becomes “Attachment F” to the contract between the Conservation District and the Grant recipient.

ATTACHMENT H
to Contract

10-2014

**Dirt, Gravel, and Low Volume Road Maintenance Program
Schedule of Payments to Program Participants**

The conservation district agrees to disburse funds under this project agreement in the following manner:

(1) All required permits must be obtained by the Program Participant before funds can be advanced from the Conservation District. Upon the full execution of this project agreement, the district agrees to provide an advanced payment to the project participant of \$_____ to be applied towards payment of eligible expenses incurred in the performance of the project (maximum of 50% of contract). The project participant agrees that these advanced funds will be utilized solely for eligible expenses as contained in the attached project application and work plan. The project participant shall supply the district with receipts, weigh slips, and/or other appropriate supporting information to document proper expenditure of advanced payments by the project participants prior to receiving additional payments under this agreement.

(2) The district shall process subsequent payments to the project participant on an actual cash expended basis.

(3) The district shall withhold \$_____ of the approved project expenses until the satisfactory completion of the project (minimum of 30% of the contract). Final payment for the project expenses shall be made only after a final inspection by the district determines that the work has been performed consistent with the project application and the work plan, and to the satisfaction of the district.

(4) All claims submitted by the program participant pursuant to this agreement shall be submitted to the district in accordance with this schedule and the terms and conditions contained in the approved project agreement. The claims shall be itemized and show that the utilization of funds are in accordance with the project cost summary contained in the approved project application and work plan. Claims shall include receipts, weigh slips, and/or other appropriate supporting information to document actual expenditures by the project

Appendix J. Project Completion Report and Instructions

Report used to summarize a completed project. Continues a summary of both financial information and the practices implemented on the project. It is recommended that conservation districts and grant recipients jointly complete this form as part of the final inspection.

SECTION 9106 OF THE PENNSYLVANIA VEHICLE CODE
**DIRT, GRAVEL AND LOW VOLUME ROAD MAINTENANCE
PROJECT COMPLETION REPORT**

This form is intended to summarize financial expenditures and work completed for ONE PROJECT and must be filled in upon project completion.

County	Municipality	Date
Project Participant	Work Site ID	Road Name / ID Number

<p><u>Dirt, Gravel and Low Volume Program Funds</u> <i>Use actual project costs after receipts are totaled.</i></p> <p>Project Commitments:</p> <p>A. Contract Amount..... \$ _____</p> <p>B. Amendments (if applicable)..... \$ _____</p> <p>C. Total Committed (A+B)..... \$ _____</p> <p>Project Expenditures: (receipts must be submitted)</p> <p>D. Materials..... \$ _____</p> <p>E. Equipment..... \$ _____</p> <p>F. Labor..... \$ _____</p> <p>G. Total Expenditures (D+E+F)..... \$ _____</p>	<p><u>In-Kind Contributions</u> <i>Includes goods and services from applicant and other sources.</i></p> <p>In-Kind Contributions from Grant Recipients:</p> <p>H. Materials..... \$ _____</p> <p>I. Equipment..... \$ _____</p> <p>J. Labor..... \$ _____</p> <p>In-Kind Contributions from Other Sources:</p> <p>K. Other Sources (describe below)..... \$ _____</p> <p>_____</p> <p>_____</p> <p>L. Total In-Kind Value (H+I+J+K).... \$ _____</p>
---	---

<u>Project Cost Summary</u>	
M. Total Project Value: (G+L)	\$ _____

Additional Project Notes: _____

I attest that all work elements proposed in the project contract have been completed to the extent invoiced and in accordance with all contract agreements.

Conservation District Rep.	Date	Project Participant Rep.	Date
----------------------------	------	--------------------------	------

SECTION 9106 OF THE PENNSYLVANIA VEHICLE CODE
**DIRT, GRAVEL AND LOW VOLUME ROAD MAINTENANCE
 PROJECT COMPLETION REPORT**

Project Totals

Use best estimates and complete as much info as possible. Include work completed for both Project Expenditures and In-Kind Contributions.

Ditch Improvements/Outlets

Turn Outs Installed..... # _____

New Cross Pipes Installed..... # _____

Cross Pipes Replaced..... # _____

Through the Bank Pipes..... # _____

Off Right-of-Way Improvements

Diversion Swales Constructed..... ft _____

Bank Benches..... ft _____

Through Drains..... # _____

Access Drainage Improvements..... # _____

Road Base

Road Fill Added..... tons _____

Full Depth, Chemical, Mechanical Stabilization..... sq yd _____

Geo Separation Fabric, Grid, or Cell..... sq yd _____

Under Drain Added..... ft _____

French Mattresses Constructed..... sq yd _____

Road Surface Stabilized

DSA Placed..... tons _____

Sealed Surface..... sq yd _____

Broad Based Dips..... # _____

Grade Brakes..... # _____

Dust Suppressant Used..... sq yd _____

Road Banks

Soil Pinning..... sq yd _____

Geo Stabilized Bank..... sq yd _____

Structural Storm Water Improvements

Infiltration..... sq yd _____

Detention..... sq yd _____

Dispersal..... sq yd _____

Road-Stream Interface

High Water Bypass..... # _____

In-stream Stabilization Structures..... # _____

Bioengineering..... sq yd _____

Vegetative Management

Select Thinning/Pruning..... ft _____

Seeding/Mulching..... sq yd _____

Stream Crossings Replaced (check all that apply and enter structure opening width size in feet)

Stream Crossings Replaced..... # Bottomless Arch Structures _____' Box Culverts _____'

Bridges _____' Circular Culverts _____' GRS-IBS Spans _____' Plate Arch Structures _____' Squash Culverts _____'

Other

All Other Practices Implemented..... # List Practices..... _____

SECTION 9106 OF THE PENNSYLVANIA VEHICLE CODE
DIRT, GRAVEL, AND LOW VOLUME ROAD MAINTENANCE
Project Completion Report Instructions

The following instructions pertain to the Dirt, Gravel and Low Volume Maintenance Program **Project Completion** form.

This form is intended to summarize and “close out” a project. The signed form must be retained in project files. It is strongly recommended Grant Recipient and Conservation District representatives hold an on-site meeting to complete this report.

General Information:

- **County** – The County where the completed project is located.
- **Municipality** – The Municipality (township, borough, or city) where the completed project is located.
- **Date** – The date the Project Completion Report was completed.
- **Project Participant** – The recipient of the Dirt, Gravel, and Low Volume Road Maintenance grant.
- **Work Site ID** – The site identifier for the road maintenance work funded. This identifier was determined by the Conservation District when the contract was awarded.
- **Road Name / ID Number** – The name and identification number of the road in question. List both if available.

Dirt, Gravel and Low Volume Program Funds: This section only includes actual grant costs paid for by the Program through the Conservation District. Grant Recipients must provide receipts.

- **Project Commitments:**
 - A **Contract Amount** – This is the amount agreed on within the signed contract between the Conservation District and the Grant Recipient.
 - B **Amendments** – Any amendments to the above contract amount. *(if applicable)*
 - C **Total Committed** – Contract Amount + Amendments. The total Program funds committed to the project.
- **Project Expenditures:**
 - D **Materials** – The actual cost of all the materials funded by the Program grant.
 - E **Equipment** – The actual cost of all the equipment funded by the Program grant.
 - F **Labor** – The actual cost of all the labor funded by the Program grant.
 - G **Total Expenditures** – Materials + Equipment + Labor. This is the total expenditures of the project that are funded by the Dirt, Gravel, and Low Volume Road Maintenance Program grant. It is permissible to estimate the breakdown of materials, equipment, and labor if needed (such as if a contractor bids one sum for surface placement that would encompass materials, equipment, and labor), but **“Line G: Total Expenditures” must reflect the total funding paid by the Conservation District to the Grant Recipient.**

In-Kind Contributions: In-kind contributions are project costs incurred by the Grant Recipient that are NOT reimbursed through the Program grant. Receipts are not required.

- H **Materials** – The total cost of grant recipient materials supplied as in-kind contributions.
- I **Equipment** – The total cost of the grant recipient equipment supplied as in-kind contributions.
- J **Labor** – The total cost of the grant recipient labor supplied as in-kind contributions.
- K **Other Sources** – The total contributions from any other sources besides the grant recipient (other grants, etc.) supplied as in-kind contributions. List these sources in the space provided.
- L **Total In-Kind Value** – Materials + Equipment + Labor + Other Sources.

Project Cost Summary:

- M **Total Project Value** – Total Expenditures + Total In-Kind. This is the overall total value of the funded road project.

Additional Project Notes:

- Any additional project information that should be included in this report.

Finalizing the Project Completion Report:

- **Conservation District Rep.** – The signature of the Conservation District representative.
- **Date** – The date the Conservation District representative signed the Project Completion Report.
- **Project Participant Rep.** – The signature of the Project Participant representative.
- **Date** – The date the Project Participant representative signed the Project Completion Report.

Project Totals (Page 2): Below is a very brief summary of some common ESM practices.

- **Ditch Improvements/Outlets:**
 - **Turn Outs Installed** – Any opening in the down slope side of the road to outlet water from the ditch.
 - **New Cross Pipes Installed** – Any new pipe installed through the road to manage water from upslope ditch.
 - **Cross Pipes Replaced** – Any existing pipe through the road that is replaced.
 - **Through the Bank Pipe** – A pipe, used similar to a turnout, that outlets water from the downslope ditch through the road bank.

- **Road Base:**
 - **Road Fill Added** – Any material that is used to elevate the road (besides surface aggregate).
 - **Full Depth, Chemical, Mechanical Stabilization** – Road base improvements through addition and incorporation of material such as cement, aggregate, etc.
 - **Geo Separation Fabric, Grid, or Cell** – Geosynthetic materials buried for support drainage and separation.
 - **Under Drain Added** – Constructed or prefabricated underdrain installed as part of a project, may be under the road, ditch, bank, or impacted off-right-of-way area.
 - **French Mattresses Constructed** – Free draining stone wrapped in geotextile to provide road support and allow water to move through the road.

- **Road Banks:**
 - **Soil Pinning** – Any stabilization practice utilizing deep soil reinforcement with rebar, pins or tubes, etc.
 - **Geo Stabilized Bank** – Any stabilization practice incorporating layers of soil and geo-material.

- **Road-Stream Interface:**
 - **High Water Bypass** – Road area reinforced for controlled overflow of flooding events.
 - **In-stream Stabilization Structures** – Any structure that manages or redirects stream flow to stabilize the stream banks or bed.
 - **Bioengineering** – Any area stabilized using deep rooting tree and shrub cutting.

- **Stream Crossings Replaced:** Enter the number of crossings replaced. In the blanks by each structure type, enter the width of the structures installed.
 - **Bottomless Arch Structures** – Any bottomless arch stream structure utilizing a footer.
 - **Box Culverts** – Square or rectangular structures, with or without baffles.
 - **Bridges** – Any traditional crossing with steel reinforced concrete foundations.
 - **Circular Culverts** – Any circular structure made from any material.
 - **GRS-IBS Spans** – Any structure built using GRS-IBS technologies.
 - **Plate Arch Structures** – Any structure with a plate reinforcing foundation.
 - **Squash Culverts** – Any oval or reshaped circular structure

- **Off Right-of-Way Improvements:**
 - **Diversion Swales Constructed** – Swale to collect water before it reaches the road area.
 - **Bank Benches** – Flat benches in upslope road banks to slow runoff.
 - **Through Drains** – Length of pipe installed to conveying off right-of way flow through the road profile.
 - **Access Drainage Improvements** – Drainage improvements to the interface of the road and driveways, farm lanes, trails, and other off-site access points.

- **Road Surface Stabilized:**
 - **DSA Placed** – Total Driving Surface Aggregate used on the project.
 - **Sealed Surface** – Total road surface sealed with any asphalt-based product.
 - **Broad Based Dips** – Road surface drainage feature that conveys water from the up-slope road ditch, across the road surface, and out of the road profile.
 - **Grade Brakes** – Road surface drainage feature that sheds water off of the road surface into the ditch lines or out of the road profile.
 - **Dust Suppressant Used** – Total product used to manage dust. Product must be listed on Program's approved product list.

- **Structural Storm Water Improvements:** “Structural” refers to more hard-engineered practices such as infiltration basins, detention ponds, etc.
 - **Infiltration** – Area created for the infiltration of storm water.
 - **Detention** – Total area created for the detention of storm water.
 - **Dispersal** – Any structure created for the sole purpose of dispersing storm water.
- **Vegetative Management:**
 - **Select Thinning/Pruning** – Selective removal of road side trees and shrubs.
 - **Seeding/Mulching** – Total area seeded and mulched.
- **Other:**
 - **All Other Practices Implemented** – Any practice not covered under the listed Project totals. May include new innovative techniques. A description of the item or practice should be written on the comments section of this form.
 - **List Practices** – List all practices that fall in this category

Appendix K. Replenishment Request Form

Form used by the Conservation District to request part or all of their remaining funds from the Commission as their advanced working capital is spent.

Dirt, Gravel & Low Volume Roads Maintenance Form
Application for Replenishment of Advance Working Capital

County Conservation District SAP Vendor ID:
Address: Vendor Invoice Date:
Agreement #: Time Period: to

Dirt & Gravel administrative expenses claimed this period \$
Dirt & Gravel education & training expenses claimed this period \$
Dirt & Gravel project expenses claimed this period \$
Total Dirt & Gravel expenses \$

Low Volume administrative expenses claimed this period \$
Low Volume education & training expenses claimed this period \$
Low Volume project expenses claimed this period \$
Total Low Volume expenses \$

Total administrative expenses claimed this period \$
Total education & training expenses claimed this period \$
Total expenses claimed this period \$
Total expenses claimed for this period \$
Replenishment requested (total expenses or contract account balance) \$

This represents the total expenses for this period This is the balance that remains

I attest that:

All expenditures reflected herein were made in accordance with the 'Dirt & Gravel Road Statement of Policy', 'General Contract Conditions', and the criteria approved by this Conservation District's Quality Assurance Board.

Sworn: District Manager (print) Signature Date

Witness: Conservation District Signature Date

FOR STATE CONSERVATION COMMISSION USE ONLY:
Commission verifies that the District's expenditures for projects, training and administration adhere to limits of Section 9106 of Act 3, 1997, the Dirt & Gravel Road Maintenance Program Statement of Policy and the Five Year Program Agreement.
Approved: State Conservation Commission Date Amount: \$
Account Code: 6600400-305400000-30035_ _ _ _ 6811001000

Appendix L. Traffic Count Validation/Instructions

Form for recording traffic counts to insure that paved Low Volume Roads have traffic counts of ≤ 500 vehicles per day in order to be eligible for funding.

Dirt, Gravel, and Low Volume Road Maintenance Program (DGLVRP)

Traffic Count Validation Form

TRAFFIC COUNT LOCATION

Road Name and #: _____ Road Owner: _____

County: _____ Township: _____

GPS Location (if available): _____ W, _____ N

If GPS location not available, describe count location here: _____

(for example: Traffic count on Smith road, ½ mile north of intersection with SR180, Maple road.)

Traffic Counts can be validated by use of existing data, a level 1 two-hour count, or a level 2 twenty-four-hour counts. Select the method used below and complete that section of the form.

Existing Data or Extrapolation: For existing traffic data, or extrapolation of existing data, describe the data used and extrapolation method on the back of this page. If necessary, attach a description of the data and extrapolation methodology, source and date of traffic counts used, and maps.

LEVEL 1 TRAFFIC COUNT DETAILS (2 hour count)

Count Performed From / / , Time to Time

Describe Count Method: (hand/camera/counter/etc.) _____

Count Performed by: _____ of _____
(name) (organization)

Total Count = _____ vehicles x 12 = _____ ADT

LEVEL 2 TRAFFIC COUNT DETAILS (24 hour (minimum) automatic count)

Count Length: **24hr** 48hr 72 hour other: _____

Count Performed From / / , Time to / / , Time

Counter Used: air tube other: _____ Counter Make/Model: _____

Count Performed by: _____ of _____
(name) (organization)

Total Count = _____ 24 hour count = _____ ADT

Applicant Validation: I hereby swear that this count is accurate as reported here and done in accordance with State Conservation Commission specifications.

_____, _____, _____, _____
print name position signature date

Conservation District Validation: The traffic count data supplied by the applicant is acceptable to the Conservation District in accordance with SCC and county policy.

_____, _____, _____, _____
print name position signature date

This form verifies eligibility of a sealed road for LVR funding as having a traffic count of 500 vehicles per day or less. It must be signed and retained in the project files.

Select method used

Dirt, Gravel, and Low Volume Road Maintenance Program (DGLVRP)
Traffic Count Instructions for Applicants
10/20/14

This document is intended to provide instructions to applicants for performing traffic counts. For details of the Program's Traffic Count Policy, see the Program's administrative manual chapter 7.4.

Traffic Count Location – This section is to enter basic information about the location of the traffic count such as the name and location of the road, county and township, and the name of the road owning entity. GIS coordinates are helpful to locate the project on a map, but if this is not known, please describe the location so that it can be easily found (i.e. Intersection of Elk Lane and Beaver Creek Road).

Choose one of the 3 methods below to determining traffic count:

- Existing Data or Extrapolation - Indicate whether this traffic count is taken from existing data, or extrapolated from existing data. See Chapter 7.4 of the administrative manual for more details on data extrapolation. Page two of the form can be used to describe the methodology used to extrapolate from existing traffic data.
- Level 1 Traffic count details – Record the date and time the count was performed, describe what method was used to take the count (i.e. camcorder). Indicate the name of the person taking the count, and who they work for. For a 2 hour count, multiply the number of cars counted by 12 to determine the average daily traffic (ADT).
- Level2 traffic count details – Record the length of the count, the dates and times of the count, and the type of counter used, including the make and model of the counter. Indicate the name of the person taking the count, and who they work for. Record the total count, then adjust to a 24 hour count if needed (i.e. 800 cars counted in 48 hours = 400 ADT).

Applicant Validation – Applicant must print and sign and date the validation form. Indicate the position held by the person signing the validation.

Conservation District Validation - Conservation District must print and sign and date the validation form. Indicate the position held by the person signing the validation.

Appendix M. Stream Crossing Evaluation/Instructions

Form used to evaluate stream crossings for potential structural replacement with Program funds.

PA Dirt Gravel and Low Volume Road Program—Stream Crossing Evaluation Form

Reviewer Information: Site Information

Date: _____ County _____ Township _____

Reviewer: _____ Road Owning Entity _____

Entity: _____ Structure Owning Entity _____

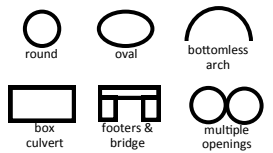
Existing Structure (circle): Road Name _____

Stream Name _____ "UNT" for unnamed tributary to _____

Latitude _____ N Longitude _____ W

Site notes: _____

Other: (describe/draw)



Existing Conditions: quantitative assessment

Measuring Bankfull Channel Width: Begin first measurement, outside the area of influence of the structure (preferably upstream and at least 5 bankfull widths away from structure) and in a relatively stable area free from influences that may impact cross section (such as debris jams, floodplain obstructions such as fill/roads/etc.). Additional bankfull widths should be measured so that a total of three (with 5 preferred) are collected upstream of the crossing. The second bankfull width measurement should be collected 1/2 bankfull width upstream of the first measurement. Continue spacing the width measurements 1/2 bankfull width upstream of the previous measurement until the total number (3 or 5) is collected. Take preceding measurements and average together.

required Bankfull width measurements: 1) _____ ft 2) _____ ft 3) _____ ft 4) _____ ft 5) _____ ft

optional A. Avg. Reference bankfull width _____ ft If it is impossible to obtain reference bankfull widths upstream of the structure, downstream widths can be used if they are taken out of the structure influence area.

B. Existing structure width _____ ft Width of structure at narrowest point. Add structure widths for multiple baseflow openings (not including any elevated floodplain pipes).

C. Structure / Bankfull ratio _____ % Structure width divided by average bankfull width. (Line B divided by line A)

D. Max downstream pool width _____ ft Width of widest spot on plunge pool (if applicable).

E. Max downstream pool depth _____ ft Depth of water in plunge pool at typical flow (if applicable).

F. Vertical Drop at outlet _____ in Drop or "waterfall" from structure outlet to water level in plunge pool at typical flow.

Existing Conditions: qualitative assessment

G. Stream Bank Erosion	upstream	none	slight	moderate	high	severe
	downstream	none	slight	moderate	high	severe
H. Stream Bed Erosion	upstream	none	slight	moderate	high	severe
	downstream	none	slight	moderate	high	severe
J. Stream Bed Deposition	upstream	none	slight	moderate	high	severe
	downstream	none	slight	moderate	high	severe
K. Bank Armoring		unknown	none	intact	failing	

Eligibility for Crossing Structural Replacement with Program Funds

Is the existing structure opening is equal to or less than 7 square feet (equivalent to a 36" diameter round pipe): **NO-see below YES-Eligible**

For larger structures, the all three criteria below must be met in order to be eligible for replacement with Program funds:

Existing structure to bankfull width ratio of 50% or less. What is the existing structure to bankfull ration (line C above): _____ %

Show signs of streambank erosion. Is stream bank erosion present (line G above): **YES NO**

Show signs of streambed erosion/aggradation. Is streambed erosion/aggradation present (line H&J above): **YES NO**

Is this stream crossing eligible for replacement with Program funds? **YES NO**

Appendix N. DSA Specification and Certification

Driving Surface Aggregate specification and certification form. A certification form is required from the aggregate supplier with the first load of stone delivered.

Please contact the Center for Dirt and Gravel Road Studies to notify them of planned DSA placements.

3/2014

Driving Surface Aggregate Certification

Dirt and Gravel Road Maintenance Program



Company: _____

Plant Location: _____

Parent Stone Type: _____

Tonnage Represented: _____

Project: _____

This record is to certify that the aggregate shipped to the above-referenced job site meets all PA State Conservation Commission specifications and quality requirements.

Sieve Size	Specification Range	Gradation for This Lot
	% Passing	% Passing
1.5"	100	
0.75"	65-95	
#4	30-65	
#16	15-30	
#200	10-15	

pH: _____ L.A. Abrasion: _____ Plasticity Index: _____ Optimum Moisture %: _____

Authoring Agent Signature: _____ Date: _____

Print Name of Authorizing Agent: _____

Title of Authorizing Agent: _____

Note: The authorizing agent or responsible party should sign their name and print their name below their signature. If the signatory is a Penn-DOT certified Aggregate Technician add the certification number on title line and no notary is required.

Sworn and subscribed before me

This day _____

Notary Public

My commission expires: _____

Driving Surface Aggregate Specifications

Dirt and Gravel Road Maintenance Program



Note that "Driving Surface Aggregate" is approved by PennDOT for State purchasing in Publication 447 (MS-0450-0004)

Pursuant to Section 9106 of the PA Vehicle Code, all Driving Surface Aggregate (DSA) is to be derived from natural stone formations. Stone is defined as rock that has been crushed; rock is defined as consolidated mineral matter. All components of the aggregate mix are to be derived from crushed rock material that meets program specification for abrasion resistance, pH and freedom from contaminants.

Minus #200 fine composition:

The fines passing the #200 sieve must be rock material. No clay or silt soil may be added. Limestone material passing the #200 sieve may be used to make up a deficit in the distribution of sandstone aggregate rock, and vice versa. All added material passing the #200 sieve must be derived from rock material that conforms to program specifications. Lime kiln dust and cement kiln dust may be added to DSA to account for up to 50% of the fines passing the #200 sieve. The amount of particles passing the #200 sieve shall be determined using the washing procedures specified in PTM No. 100.

Size:

The required amounts and allowed ranges, determined by % weight, for various size particles are shown on page 1 of the certification.

LA Abrasion:

The acceptable limit as measured by weight loss is "less than 40% loss". Los Angeles Abrasion test, AASHTO T-96 [ASTM C 131] shall be used to determine this property. Existing data obtained from tests made for and approved by PennDOT will be accepted.

pH:

Aggregate must be in the range of pH 6 to pH 12.45 as measured by EPA 9045C.

Optimum Moisture:

Material is to be delivered and placed at optimum moisture content +/- 1% as determined for that particular source. The optimum percentage moisture is to be determined using Proctor Test ASTM D698, procedure C, Standard.

Plasticity Index:

Material must not exceed Plasticity Index (PI) rating of 6. The laboratory test required for these results is the ASTM D4318 – Standard Test Method for Liquid Limit, Plastic Limit, and Plasticity Index of Soils.

Transportation:

Tarps are to be used to cover 100% of the load's exposed surface from the time of loading until immediately before dumping. This requirement includes standing time waiting to dump.

Appendix O. Off Row Consent Form

Sample consent form to obtain permission from a landowner to perform work and/or outlet water onto their property.

Consent, license and release agreement

between _____ (road-owning entity) and _____ (landowner)

Whereas,

BACKGROUND: The _____ (Herein referred to as "Road Owning Entity") and the undersigned have agreed that employees, agents or contractors of Road Owning Entity may enter the undersigned's land to cut, open, maintain, clean and repair drains and ditches on the undersigned's lands as deemed necessary by the Road Owning Entity to properly maintain the roads for the benefit of the undersigned and all residents. The undersigned acknowledges that he/she has been informed of and understands the scope of the work which the Road Owning Entity intends to perform on his/her lands for this purpose.

AGREEMENT: For and in consideration of the benefits accruing from proper maintenance of Road Owning Entity roads and the undersigned's drainage facilities, I/we, the undersigned, intending to be legally bound hereby agree as follows:

1. *Certification of Ownership of Lands and Authority to Sign:* The undersigned certifies that the following persons are all the persons with ownership interest in the property described below (Herein referred to as "Subject Property") and that, if all owners have not signed this Consent, License and Release, he or she as one of these owners has been authorized by all owners to sign this Consent, License and Release on their behalf.

Owners and Property Addresses

Property Description

2. **Scope of Work** (describe work to be done):

3. *License & Consent:* The undersigned, for and on behalf of all persons with ownership interest in the property, grant(s) a license to Road Owning Entity for use of the Subject Property and consent(s) to the entry of Road Owning Entity officials, employees, agents and contractors onto

the above-described property for purposes of implementing the practices described in the "scope of work" above, and for the future maintenance of those practices. This consent shall be valid and effective for the life expectancy of the practices implemented.

4. *Release:* The undersigned do/does for himself/themselves, their spouse, personal representatives, heirs, successors and assigns, forever release and discharge Road Owning Entity, its officials, officers, agents, servants and employees and any other persons or entities acting with or on behalf of the Road Owning Entity (Released Parties) of and from any and all claims, liabilities, actions and demands of any and all natures whatsoever, including but not limited to any and all claims for property damage or bodily injury which may arise from or be in any way related to any acts or omissions of the Release Parties relating to the practices described in the "scope of work" above, and for the future maintenance of those practices

5. *Binding on Successors:* This Consent, License and Release shall be binding on Grantors successors, representatives and assigns.

In Witness Whereof, I/we have executed this agreement, certificate, consent and release this
_____ day of _____, 20____.

_____, _____, _____
Printed Landowner Name Landowner Signature Date

_____, _____, _____
Printed Witness Name Witness Signature Date

Appendix P. QAQC Documents

Brief overview of the Program's Quality Assurance / Quality Control effort that visits individual conservation districts to evaluate the effectiveness of the Program in each county.

QAQC Documents

Dear _____ Conservation District,

Thank you for participating in a Dirt and Gravel Roads Program Quality Assurance / Quality Control (QAQC) visit. The QAQC team will be visiting your District on _____ and _____, _____. The purpose of the visit will be to insure the Dirt and Gravel Road Program is being administered properly and to work jointly to improve the Program at both the local and State level. Please review the enclosed information and agenda.

We are requesting that your District complete some preliminary actions prior to the team's visit. This will allow the team to review some basic information beforehand so they can make better use of the limited time during the QAQC visit. Please make sure to review **Attachment A** for a list of these requested actions.

Please find the following documents attached for further details:

- **Attachment A: Pre-Visit Checklist for the District**
- **Attachment B: QAQC Visit Agenda** (schedule of what to expect for visit)
- **Attachment C: Expectations** (what the QAQC team be looking at)

Thank you, sincerely,

Roy Richardson,
SCC Dirt and Gravel Road Program Coordinator

How has the process changed since the first round of QAQC visits? We are trying to:

- *get a few more things reviewed before the visit to spend time more effectively;*
- *spend more time in the field, potentially even visiting a "potential" site;*
- *emphasize an interactive visit and learning experience over evaluations and scores;*
- *give the District a better understanding of what the visit will entail;*
- *share more strategies between Districts and focus on improvement at the District and State level.*

Attachment A: Pre-Visit Checklist for the District

Please complete these tasks at least two weeks before your visit:

- Schedule Interviews:** Contact the people listed below and request that they come in to the District Office for a 20 minute interview between 8:30 and 10am on Day 1 of the QAQC visit. Try to stagger the interviews a little so not everyone shows up at the same time. If they will be unavailable, please provide contact information so they can be interviewed over the phone before the visit.
 - All QAB Members
 - ANY District Staff involved in the Program

- Make copies of the following three project files and submit them:** (including receipts)
 - Site _____, _____ Road, _____ twp
 - Site _____, _____ Road, _____ twp
 - Site _____, _____ Road, _____ twp

- Make copies of the following material, if available, and submit them:**
 - List of QAB members names, affiliations, and role on QAB
 - QAB policies:
 - Project ranking criteria sheet
 - Equal access criteria
 - Environmental standards for products and practices
 - QAB rules of conduct
 - Any other adopted policies
 - Minutes from your last three QAB meetings.
 - Minutes from your last Board Meeting where Dirt and Gravel issues were acted on (approving projects for funding, etc).

- Have the person responsible for administering the Dirt and Gravel Road Program in your county review:**
 - The District's previous QAQC report.
 - The three projects listed above. Whether they were involved with the projects or not, we will be able to have a better discussion if they refresh or familiarize themselves with these projects prior to the visit. If current staff was not involved in the requested projects, consider having them visit the sites before the QAQC team arrives.

Submit all preliminary information to:

Steve Bloser
Penn State University
216 Transportation Research Building
University Park, PA, 16802

Attachment B: QAQC Visit Agenda (schedule of what to expect for visit)

PRE-VISIT

- Please submit the items in Attachment A at least **two weeks** before your visit.
 - **Your DEP “Field Rep” will be contacting you at some point prior to your visit.** In order to better prepare and spend time more efficiently during the visit, the Field Rep will be completing the “Administrative Checklist” at some point prior to the actual visit.
 - The QAQC team will interview townships in your County prior to the visit.
 - The QAQC team may arrive in the area the afternoon before your visit to review and discuss preliminary material. You may be contacted if they have questions.
-

DAY 1 *Full day (8:30-4) scheduled for interviews, file review, and site visits.*

8-8:30am **Arrival, introductions, and review of agenda** (*at District office*)

8:30 – 10am **Interviews of manager, staff and QAB members** (*at District office*)

- **District should arrange interview times for staff and QAB members, ^{District}staggering times as much as possible.** ← Task
- Individual interviews will take approximately 20 minutes.
- Any questions that arose during the administrative or project file review will be addressed as well.

10am **Visit to field sites**

- At a minimum, the person responsible for administering the D&G Program for the District must accompany the group. The District Manager is also encouraged to attend. Anyone else at the District, including the District Board and QAB, is also invited.
- We will plan to have lunch as a group at a restaurant between sites.
- Ideally, we will visit at least two of the three sites that were submitted.
- We may visit additional sites as time and travel allows.
- We may visit a current contract or application site that has not been completed as time and travel allows. (opportunity for District to get input or help on an upcoming project)

4pm We will try to be back at the District before 4pm.

Evening QAQC group will work without District to prepare preliminary report.

DAY 2 *Exit Interview – wrapped up by noon*

~8-10am QAQC group will work without District to complete preliminary report. We may contact the District with questions, or arrive early to make copies of the report.

10am **Exit interview and review of preliminary report**

- District manager and the person responsible for administering the D&G Program must be present. Anyone else at the District, including the District Board and QAB, is also encouraged to attend.

**Day 2 schedule is flexible. In some cases, the exit interview may be scheduled earlier or later as needed. These plans can be finalized at the end of Day 1. The QAQC team will also stay as long as necessary day two to address anyone’s questions and concerns.*

Attachment C: Expectations (1of3)

This document is meant to give you a thorough picture of the kinds of things that the QAQC team will be looking at. Some of these issues, especially in administration, are “black and white” items required by the law or Statement of Policy. Other items are meant to gauge how the Program is being run. The QAQC process is divided into three areas: Administration, Functionality, and Projects.

Administration

1. Quality Assurance Board (QAB)

- a. Is QAB complete and do members attend? (§83.607.e)
- b. Adopted policies – *these policies should have been adopted long ago. They are required by various section of the SCC Statement of Policy.*
 - i. DGRP equal access criteria (§83.607.f)
 - ii. Written criteria for ranking projects (§83.608.b(3), §83.608.c)
 - iii. Environmental standards for products and practices (§83.608.b(6))
 - iv. QAB rules of conduct (§83.608.d(3))
- c. QAB Minutes (required) or past meeting dates. (§83.608.d.(2)) (§83.608.d.(1)) *Minutes of QAB meetings (at least date, attendance, and recommendations) are required by the Law & Statement of Policy. (Yes, QAB meetings are public.)*

2. District Accounting

- a. Is there evidence of proper financial & accounting practices?
 - i. Are D&G funds separate accounting? (§83.607.k)
 - ii. Are D&G funds kept in an insured account? (§83.607.k)
 - iii. Is interest used only for D&G projects (§83.607.k) *Interest can ONLY be used for projects, even interest from admin/edu accounts.*
 - iv. Is Administrative spending kept within the 10% limit? (§83.608.b.4.ii) What was it spent on? (§83.607.k) Contract, General Conditions II.H)
 - v. Education spending kept within the 5% limit? What was it spent on? (§83.608.b.4.i, Contract, General Conditions II.I)
- b. Have they encumbered to a contract and/or spent D&G funds within 2 years? (Contract, General Conditions II.J)

3. District Administration

- a. Does the District board regularly act on adopting the policies and project recommendations of the QAB? (§83.607.d) *QAB is an advisory group only. The District Board must approve all policies and project funding.*
- b. Schedule of payments - *Policy allows for up to 50% advance and requires at least 30% be withheld until project closeout.*
 - i. Do they advance funds to municipalities? (§83.611.b)
 - ii. Did they keep advances 50% or less? (§83.614.c(1))
 - iii. Did they hold at least 30% of the grant amount until project completion and final certification? (§83.614.c(3))
- c. How does the District handle D&G cost over-runs? *Overruns of up to 10% of the original grant can be handled through a signed amendment form. Cost changes of over 10% require a new contract to be written.*
- d. Are the District's GIS and hard-copy files current? *Hard copy files should include signed contract, application, attachments, receipts, and signed performance report that are consistent with each other. GIS records should reflect these same figures.*

Functionality

Far from the “black and white” administrative aspects of the Program, the Functionality part of the process looks at how the Program is being run and the involvement of the people within the County. The major tool for assessing functionality is the interviews with District Staff, QAB members, and participating townships. Obviously, the amount of funding a District receives will have a bearing on the number of projects completed and the District’s level of involvement. Below are some general areas the group will be looking at:

- **What is the townships’ knowledge of the D&G Program?** Are townships that have not completed projects getting the word about the Program. Are townships with completed projects satisfied with the District and the Program?
- **How involved is the District in planning projects?** This ranges from Districts who co-design projects with applicants, to Districts who meet on site to suggest application improvements, to Districts who simply “rubber stamp” applications with a yes/no as they come in.
- **How are projects ranked for funding?** Does QAB visit application sites? Does someone from District visit sites in the field and report back to QAB? Are decisions made from applications without site visits? Are QAB recommendations acted on by the District Board?
- **How involved is the District in project implementation and oversight?** How often is the District on site when work is being done? How accessible is the District during project work? Is the District notified before a project begins?
- **What is the final inspection procedure?** Ideally, the District and Township will do a final walkthrough of a completed site together. This allows the Project Performance Report to be completed on site and signed by both parties, effectively closing out the project. Some Districts also involve the QAB in “after” site visits.
- **What is the relationship between the District Board, the QAB, and District Staff?** In a program emphasizing “local control” among 64 different Districts, a great deal of variability can be expected. The major goal here will be to find out how the process is currently working in your District, and to make suggestion to improve the process where needed.

Projects

In the end, the most important question to answer may be: “Is the Program making strides to reduce sediment pollution and improve the way Municipalities maintain their unpaved roads?” Some considerations:

Project Effectiveness

- **Have ESM principles of “drainage disconnection” been used?** There should be a lower volume of water, and less sediment, reaching the stream as a result of the project.
- **How effective are the practices that were used?** Were the practices used appropriate to the situation and installed properly? For example: There may be a pipe installed, but: does it have a headwall? Is it at an appropriate angle, location, or depth? Are there enough pipes installed? Etc.
- **What ESM practices would have made the project better? How far beyond “DSA and pipes” did the District go?** Applying DSA and installing pipes can be an effective project. DSA reduces surface erosion while adding pipes divides road drainage. But many times we have seen projects stop at “DSA and pipes” where other practices would have been beneficial. Are other more “innovative” practices being used where appropriate such as underdrains, French mattresses, gradebreaks, shallow pipes, vegetation management, road fill, berm removal, etc.

Project Logistics

- **Does what is in the field match the application, contract, performance report, receipts, and GIS data (both location and deliverables)?**
- **Was the project an effective use of D&G money?** How cost-effective was the project? Were project expenditures within normal ranges?
- **Were the sites impacting water quality in the first place?** Was there a stream/wetland impact from the site?

Other Project Considerations

- **What project strategies is the District using? Which may be helpful to consider?** These could include general project funding philosophies such as: not funding DSA, required use of DSA on all projects, use of dust suppressants, phasing projects to complete drainage before DSA, many small projects vs. few large projects, etc.
- **Is the Program having an effect on the way Townships maintain their roads outside of funded projects?**
- **How effectively are previously funded projects being maintained?**

Appendix Q. Project Ranking Criteria

Example criteria for use by Conservation Districts and Quality Assurance Boards in ranking applications that are submitted.

This document is provided only as an example. County QABs can use as little or as much of the information here as they desire to establish local priorities in project ranking.

Example Dirt, Gravel, and Low-Volume Road Grant
Application Ranking 8/13/14

Select type of application	
<input type="checkbox"/>	Unpaved (Dirt and Gravel)
<input type="checkbox"/>	Paved (Low Volume Road)

SECTION 1: APPLICATION VALIDATION

Note the validation criteria in Section 1 serve to insure a project is eligible. Feel free to insert additional county specific criteria.

	<i>circle choice</i>	
Does this road site negatively impact a stream, lake, wetland, or other water body?	YES	NO
Will the proposed project reduce environmental impacts to a water body?	YES	NO
Is someone from the applying entity "ESM Certified" within the past 5 year?	YES	NO
Does the proposed application meet all SCC requirements (non-pollution, pipe size, etc.)	YES	NO
Does the proposed application meet all policies adopted by the local County QAB?	YES	NO
Has the applicant identified and agreed to obtain all necessary permits?	YES	NO
LVR ONLY: If the traffic count is known at this point, is it 500 vehicles per day or less?	YES	NO <small>unavailable</small>

(note traffic count is required before contract is signed)

If any of the questions above are answered "NO", the application is currently not eligible for funding.

SECTION 2: APPLICATION RANKING

Feel free to delete criteria, add criteria, or change weighting of criteria to better fit local County needs.

SEVERITY OF PROBLEM

1. "Modified" Worksite Assessment:

- a. **Road Drainage to Stream:** none-0 Slight-5 Moderate-10 Severe-15 _____ (15)
- b. **Wet Site Conditions:** Dry-0 Saturated Ditches-3 Roadside Springs-5 _____ (10)
 Flow in Ditches-7 Saturated Base-10
- c. **Road Surface Condition** _____ (15)
 - i. **LVR EVALUATION: Pavement Condition:** good-0 fair, some cracking-5
 Poor, cracking, unevenness-7 Damaged-10 Severely Damaged-15
 - ii. **D&G EVALUATION:** Hard Gravel-0 Mixed Stone-5 Soft Stone-7
 Mixed stone/dirt/dust-10 Severe Dust-15
- d. **Road Slope:** <5%-0 5-10%-5 >10%-10 _____ (10)
- e. **Road Shape (cross-slope/crown):** Good-0 Fair-3 Poor-5 _____ (5)
- f. **Slope to Stream:** <30%-0 30-60%-3 >60%-5 _____ (5)
- g. **Distance to Stream:** >100'-0 50'-100'-3 <50'/crossing-5 _____ (5)
- h. **Outlets to Stream:** None-0 Near Stream-3 Directly to Stream-5 _____ (5)
- i. **Outlet/Bleeder Stability:** Stable-0 Moderate-3 Unstable-5 _____ (5)
- j. **Road Ditch Stability:** Stable-0 Fair-3 Poor-7 Unstable-10 _____ (10)
- k. **Road Bank Stability:** Stable-0 Fair-3 Poor-7 Unstable-10 _____ (10)
- l. **Average Canopy Cover:** Moderate-0 Minimal-3 Heavy-5 _____ (5)
- m. **Off-ROW Impacts resolved:** None-0 Minimal-3 Some-7 Many-10 _____ (10)

Note the assessment above has been modified from the original version. Feel free to use the original version or change the scores to reflect county priorities. Regardless of the method used, sites should be re-evaluated when they are applied for. Outdated GIS assessment scores should not be used for project ranking.

Modified Assessment Subtotal: _____ (110)

This document is provided only as an example. County QABs can use as little or as much of the information here as they desire to establish local priorities in project ranking.

2. Classification of stream or waterbody impacted:

Warmwater Fishery-10 Coldwater Fishery-20 HQ/EV/drinking water-30 _____ (30)

EFFECTIVENESS OF SOLUTION

3. Degree to which project remediates impact to waterbody:

Slightly-0 Moderately-10 Highly-30 Almost completely- 50 _____ (50)

4. Degree to which project improves road:

Slightly-0 Moderately-5 Highly-10 Extremely high- 15 _____ (15)

5. Cost effectiveness: How much “environmental benefit per dollar” (benefit per cost)?

Low ben/\$-0 Moderate ben/\$-10 High ben/\$-30 Very high ben/\$-50 _____ (50)

OTHER FACTORS

6. In-Kind Contributions from Applicant: _____ (15)

1to 10%-5 10-25%-10 Over 25%-15

7. Did applicant contact CD about this specific project before submitting application: _____ (15)

No-0 Discussed site details with CD-10 Met w/CD on site-15

8. Is applicant maintaining recently funded Program projects properly: _____ (15)

No-0 Recent projects still functional-10 Yes (or first project)-15

This sample ranking criteria is weighted toward applications that have moderate to severe environmental problems, and high to very high benefit solutions. Your QAB is encouraged to customize this to best fit your county’s needs.

Point Summary:

Severity of Problem: _____ (140 possible points)
Effectiveness of Solution: _____ (115 possible points)
Other Factors: _____ (45 possible points)
TOTAL SCORE: (300 possible points)

OTHER CONSIDERATIONS: Some other factors that your local QAB may want to consider:

- Types of road use (residential, school bus route, timber, agriculture, etc.)
- Are all necessary permits already in-hand or applied for?
- Addressing road hazards.
- Past working relationship with applicant within Program.
- A required minimum score in order to be eligible for funding.
- Location of project within MS4 or TMDL or Combined Sewer Overflow regions.
- Presence or absence of “curb and gutter” systems.
- Flooding or winter icing issues on the road.
- Future road use plans (developments, drilling, etc).
- Collaboration with other agencies or projects.

Your QAB is encouraged to customize this evaluation to circumstances in your county. You may develop a joint D&G and LVR ranking sheet such as this, or you may develop separate rankings for D&G and LVR applications. Any ranking criteria used should insure equal access to all potential applicants and be consistent with state policies. Program and Center staff would be glad to review your ranking criteria on request.

This document is provided only as an example. County QABs can use as little or as much of the information here as they desire to establish local priorities in project ranking.

Notes and descriptions for ranking criteria.

This page attempts to describe the reasoning behind some of the factors used in the evaluation.

1. **“Modified” Worksite Assessment:** Detailed description of assessment criteria is available online at: http://www.dirtandgravel.psu.edu/pa_program/gis/gis_help/Assessment_Guide_2007-08.pdf
2. **Classification of stream or waterbody impacted:** self-explanatory.
3. **Degree to which project remediates impact to waterbody:** How much of the identified environmental problem will be remediated as a result of the project? For example, an application for pavement or DSA that ignores drainage may only provide marginal environmental benefit, while a comprehensive drainage improvement project may all but eliminate road impacts on the stream.
4. **Degree to which project improves road:** How much of the problems with the road itself will be remediated as a result of the project? For example, a base-stabilization project on a road that is cracking, rutting, or potholed would rank high. A project that focuses solely on environmental benefits (streambank stabilization, Off ROW issues, etc.) may not provide much road improvement.
5. **Cost effectiveness: How much “environmental benefit per dollar” (benefit per cost)?:** Examples of high “benefit per dollar” projects may include: projects that focus on low-cost drainage improvements (new pipes, underdrain, French mattress, etc.) over road surface improvements; projects that replace stream crossing structures to stabilize a stream channel and avoid gravel bar formation. Examples of low “benefit per dollar” project may include projects that focus on base stabilization and road surface over drainage improvements; or projects focusing on expensive engineered BMPs.
6. **In-Kind Contributions from Applicant:** Total in kind contributions from applicant, divided by total grant requested. Note that there are no statewide in-kind requirements. While in-kind should be encouraged, assigning too much value to in-kind in an application ranking process would work against poorer townships that may need grant funding the most.
7. **Did applicant contact district before submitting application:** Pre-applications meetings and site visits are highly encouraged in order to implement a project that is beneficial to all parties.
8. **Is applicant maintaining past Program projects properly:** The extent to which applicants have maintained past funded projects within a reasonable project life expectancy. For example, are pipes and headwalls still functional; have they graded DSA to maintain road shape; etc. Districts can adopt their own policies and procedures for evaluation past projects.

Appendix R. Allocation Formula Details

Details of how both the “Low Volume Road” and “Dirt and Gravel Road” funding is allocated from the Commission to conservation districts.

Allocation Formula Details

Low Volume Allocation Formula

4/29/2014

Miles Urban Road > 500' to Stream X 1 = A (urban, no stream)

Miles Urban Road < 500' to Stream X 2 = B (urban, stream)

Miles Non-Urban Road > 500' to Stream X 3 = C (non-urban, no stream)

Miles Non-Urban Road < 500' to Stream X 4 = D (non-urban, stream)

$$\text{County Allocation} = \left(\frac{\text{A + B + C + D for County}}{\text{A + B + C + D for State}} \right) \times \text{Total to be distributed to Counties}$$

How LVR Allocation Formula Works:

Each county receives points for miles of road in the four categories above (A, B, C, and D above represent these "points"). Points are based on the miles of road in each category, multiplied by the weighting factor for that category (1, 2, 3, 4 respectively). A County's points are totaled, and divided by the statewide point total to obtain a percentage for each county. If a county has 2% of the statewide point total, they would receive 2% of the allocation. A minimum allocation of \$40,000 and a maximum allocation of \$550,000 are also in effect.

Definition of GIS Data Used:

- **"Miles" of road:** data from PennDOT Local Road Data Management System from 2012.
 - Includes State roads with less than 500 ADT.
 - Includes all paved municipal roads. (*ADT counts not available statewide*)
 - Does not include unpaved roads, Federal roads, or other state roads such as Gamelands or State Forest.
- **"Urban":** road classification based on 2010 US Census classification of "urban areas".
- **"Streams":** "blue-line" channels as defined by USGS in the National Hydrography Dataset.

Dirt and Gravel Allocation Formula

$$50\% \quad \text{A County's Worksite Allocation Factor} = \frac{\# \text{ Worksites in County}}{\# \text{ Worksites in State}} + \frac{\text{Miles Worksite in County}}{\text{Miles Worksite in State}}$$

$$45\% \quad \text{A County's Unpaved Road Allocation Factor} = \frac{\text{Miles of unpaved roads in County}}{\text{Miles of unpaved roads in State}} + \frac{1/4 \text{ Miles of unpaved road in protected watersheds in County}}{\text{Miles of unpaved road in protected watersheds in State}}$$

$$5\% \quad \text{A County's Stone Cost Factor} = \frac{\$ \text{ Stone in County} - \text{Minimum } \$ \text{ Stone in State}}{\text{Minimum } \$ \text{ Stone in State}}$$

How D&G Allocation Formula Works:

Allocations are determined by creating an index value for each county using the above formula and weighting. Each county's index value is then compared to the statewide total of index values to obtain a percentage. A county whose index value is 2% of the statewide total would receive 2% of the funding. A minimum allocation of \$100,000 and a maximum allocation of \$1,375,000 are also in effect.

Appendix S. Definitions

Definitions of some commonly used terms within the Program.

Definitions

Act - The Act of April 17, 1997 (P.L. 6, No. 3) amending the Vehicle Code by adding the Dirt and Gravel Road Maintenance Program at 75 P.S. §9106.

Administrative Funds (at the district) – up to 10% of a district’s allocation that can be used to administer the Program at the county level.

Advance Working Capital – the portion of a conservation district’s allocation that is received up-front from the Commission.

Allocations – Funding distributed from the Commission to conservation district for both Dirt and Gravel, and Low Volume Roads.

Assessment - The process of evaluating a road to determine which sections are having negative environmental impacts.

Average Daily Traffic Count- A traffic count that meets the standards described in section 7.3.6 of this manual.

Bankfull – The stream channel width at the dominant channel forming flow, typically with a recurrence interval between 1 and 2 years.

Center for Dirt and Gravel Road Studies – Non-profit entity at Penn State that provides education, outreach, and technical assistance to entities involved in the Program.

Certification – Relating to Driving Surface Aggregate: A notarized form provided by the quarry detailing specifications of the DSA material being provided.

Cooperating Organization - An organization approved by the Commission to assist in implementing the Act.

Demonstration Project – A “Demonstration Project” is a project that is funded by the Conservation Districts that does not follow the lifecycle of the “typical project” above. Demonstration Projects can be implemented by the Conservation District to showcase a particular practice or project without the typical application submittal and ranking process using the district’s educational or administrative funds.

Dirt and Gravel Road – A public road with an unbound surface layer.

District - A conservation district as defined in the Act of December 19, 1984 (P.L. 1125, No. 221, §2) known as the Conservation District Law, 3 P.S. §849-864.

Driving Surface Aggregate (DSA) – A specification of crushed aggregate that is designed to achieve maximum density and resist erosion. DSA is the only approved surface aggregate for unpaved roads in the Program.

Education Funds (at the district) – up to 10% of a district’s allocation that can be used to for educational efforts at the county level.

Environmentally Sensitive Maintenance (ESM) - a term used to describe a suite of principles and practices that are designed to create a more environmentally and financially sustainable public road system. They are long term practices designed to reduce erosion and maintenance within the road area.

Environmentally Sensitive Maintenance Training (ESM training) – 2-day training course that potential grant applicants must attend in order to be eligible for to apply to their district for funding.

Exceptional Value - A stream or watershed which is designated as an exceptional value water pursuant to *25 Pa. Code* Chapter 93.

Geographic Information System (GIS) – A systems of interconnected digital maps and databases use to store large amounts of spatial data.

Grant Applicant / Recipient – A public road-owning entity such as a municipality or state agency who is eligible to apply to the district for Program funding.

High Quality - A stream or watershed which is designated as a high quality water pursuant to *25 Pa. Code* Chapter 93.

In-kind - Materials or services contributed to a project by the grant recipient.

Low Volume Road - For the purposes of the low volume road, a low volume road is a paved or sealed road with an average daily traffic count of 500 vehicles or less.

Paved or Sealed Road - For the purposes of the low volume road program, a “paved” road is defined to include any road surfaced with asphalt, “tar and chip”, “chip seal”, bitumen, concrete, or other asphalt-like coating.

Performance Standards – Administrative policies and/or technical requirements adopted by the Commission for the implementation of the Dirt, Gravel, and Low Volume Road Maintenance Program, including standards that prohibit the use of materials or practices which are environmentally harmful.

Project Area – see *also* “*worksite*”, A worksite that has been designated for funding through the Program.

Project Completion Report – A two page form signed by the district and grant recipient that summarizes the funding and work for a particular project.

Project Participant - A municipality or state agency eligible to participate in a Dirt, and Low

Volume Road Maintenance project under the Act.

Quality Assurance Board (QAB) - The 4-member administrative board impaneled by each district to administer the Dirt, Gravel, and Low Volume Road Maintenance Program locally, pursuant to 75 P.S. §9106(e).

Quality Assurance / Quality Control (QAQC) – A visit and review of an individual districts program administration and implementation by Program and Center staff.

Replenishment – Process for districts to claim remaining funding from the Commission after expenditure of advance working capital.

Right-of-way – A publicly owned corridor surrounding the road, in many cases extending 33’ from the centerline of the roadway.

State Conservation Commission (Commission) – Administrative home of the Program at the PA Department of Agriculture in Harrisburg.

Sunshine – Public meeting notification requirements that apply to QAB and Conservation District meetings.

Worksite – *also “worksite”*, A section of road that have been identified to be a source of sediment or other pollution to a waterway.

Appendix T. Contact Information

Contact information for the Commission, Center, and Conservation Districts

Statewide Contacts

State Conservation Commission

Roy Richardson
Dirt, Gravel, Low Volume Roads Program Coordinator
2301 N Cameron Street
Room 311
Harrisburg PA 17110
Phone: 717.787.2103
e-mail: rricharso@pa.gov

PSU Center for Dirt and Gravel Road Studies

215 Transportation Research Building
University Park, PA 16802
Phone: 814.865.5355
Phone (toll free): 866.668.6683
Fax: 814.863.6787
E-mail: dirtandgravel@psu.edu
website: www.dirtandgravel.psu.edu

Pennsylvania Department of Agriculture

2301 N Cameron Street
Harrisburg PA 17110
Phone: 717.787.4737
www.agriculture.state.pa.us

Department of Environmental Protection

Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
Phone: 717.783.2300
e-mail: RA-epcontactus@pa.gov
Website: www.depweb.state.pa.us

DEP Regional Contacts

Department of Environmental Protection

Regional Offices

Northeast Regional Office

2 Public Square
Wilkes-Barre, PA 18711-0790
24 Hour Emergency Number: 570.826.2511
*Serving: Carbon, Lackawanna, Lehigh, Luzerne, Monroe,
Northampton, Pike, Schuylkill, Susquehanna, Wayne,
Wyoming*

DEP Wilkes-Barre Regional Office

Shane Kleiner
2 Public Square
Wilkes-Barre PA 18711
Phone: 570.826.2597 e-mail: shkleiner@pa.gov

Northcentral Regional Office

208 West Third Street, Suite 101
Williamsport PA 17701-6448
Main Number/Emergency Response: 570.327.3636
Fax: 570.327.3565
*Serving: Bradford, Cameron, Centre, Clearfield, Clinton,
Columbia, Lycoming, Montour, Northumberland, Potter,
Sullivan, Tioga*

DEP Williamsport Regional Office

William Kahler
208 West Third Street, Suite 101
Williamsport PA 17701
Phone: 570.327.3565
e-mail: wkahler@pa.gov

Northwest Regional Office

230 Chestnut Street
Meadville PA 16335
Business Hours: 814.332.6945 /
After Hours: 800.373.3398
*Serving: Butler, Clarion, Crawford, Elk, Erie, Forest,
Jefferson, Lawrence, McKean, Mercer, Venango, Warren*

DEP Meadville Regional Office

John Green
230 Chestnut Street
Meadville PA 16335
Phone: 814.332.6360 e-mail: johngreen@pa.gov

Southeast Regional Office

2 East Main Street
Norristown PA 19401
Main and 24-hour emergency number: 484.250.5900
*Serving: Bucks, Chester, Delaware, Montgomery,
Philadelphia*

DEP Norristown Regional Office

Linda Mackey
2 East Main Street
Norristown PA 19401
Phone: 484.250.5148
e-mail: lmackey@pa.gov

Southcentral Regional Office

909 Elmerton Avenue
Harrisburg PA 17110
Business Hours: 717.705.4700 / Emergency Response
(24 hours): 877.333.1904
*Serving: Adams, Bedford, Berks, Blair, Cumberland, Dauphin,
Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon,
Mifflin, Perry, York*

DEP Harrisburg Regional Office

Andrea Blosser
900 Elmerton Avenue
Harrisburg PA 17110
Phone: 717.705.4700
e-mail: ablosser@pa.gov

DEP Altoona District Office

Bill Zett
3001 Fairway Drive
Altoona PA 16602
Phone: 814.946.7307
e-mail: wzett@pa.gov

Southwest Regional Office

400 Waterfront Drive
Pittsburgh, PA 15222-4745
Emergency Notification Number: 412.442.4000
*Serving: Allegheny, Armstrong, Beaver, Cambria,
Fayette, Greene, Indiana, Somerset, Washington,
Westmoreland*

DEP California District Office

Chuck Kubasik
California Tech Park
25 Technology Drive
Coal Center PA 15423
Phone: 724.769.1102
email: ckubasik@pa.gov

Conservation District Contacts

Adams County Conservation District

District Manager Laurence Martick
670 Old Harrisburg Road, Suite 201
Gettysburg PA 17325
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