

Important Information Regarding the Contents of this Document

Please note that the policies and information presented in this document are current through the date given below. The documents made available within the [Center's Conservation Districts web pages](#) are intended to serve as a guide for the policies set by each Conservation District. While these policies may in fact be current at the time of your viewing, it is strongly recommended to contact the relevant Conservation District for the most current version.

Document Current Date: October 14, 2019



Conserving Natural Resources for Our Future

Perry County Dirt, Gravel, and Low Volume Road Program Policy and Procedures

Revision Approved at the October 14th, 2019 Conservation District Board meeting.

The Pennsylvania State Conservation Commission's Dirt, Gravel, and Low Volume Road Maintenance Program (Program) is an innovative effort to create a better public road system with a reduced environmental impact. The Program focuses on "Environmentally Sensitive Road Maintenance Practices" (ESM) that reduce the impact of road runoff and sediment to local streams, while reducing long term road maintenance costs.

The maintenance practices employed in the projects must conform to the program's unique "Environmentally Sensitive Maintenance" standards described and taught through the Program. Key Program concepts are:

- Stresses site-specific, long-term solutions to prevent erosion and pollution, instead of "band-aid" fixes.
- Reduces pollution while promoting sustainable unpaved roads.
- Minimal administration; limited to 2% at the state level; limited to 10% at the local level.
- Emphasis on informed local control and environmental soundness puts decision-making at local level.
- Adherence to program values assured through central training, technical assistance, and quality control.
- Uses a computerized GIS system used for project tracking and central reporting with minimal paperwork.

For more information, contact the Perry County Conservation District, visit the Center for Dirt & Gravel Road Studies website at <https://www.dirtandgravel.psu.edu/> or call the Center for Dirt & Gravel Studies at 1-866-668-6683 (No-To-Mud).

Roles of the Program Cooperating Agencies

The non-profit Penn State Center for Dirt & Gravel Road Studies was established ~~is contracted~~ to provide education, outreach, and technical assistance to entities involved in the PA Dirt, Gravel, and Low Volume Road Program.

The **PA State Conservation Commission (SCC)** is a departmental administrative commission under the concurrent authority of PA Department of Environmental Protection (DEP) and the PA Department of Agriculture (PDA) that administers the Dirt, Gravel, and Low Volume Road Program. The SCC determines statewide Program policies, allocates funds to Conservation Districts, and implements a quality assurance/quality control effort. Funding is allocated to the Conservation Districts based on the miles of eligible roads, and identified pollution sites.

The **Perry County Quality Assurance Board** is a multidisciplinary advisory board that establishes county-specific policies and ranking criteria, and recommends projects for funding to the Conservation District Board. Each Conservation District is required to form a Quality Assurance Board (QAB) made up of 4 members from the District, 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 projects for funding. All policies and funding recommendations by the QAB must be adopted by the Conservation District Board in order to be implemented.

The **Perry County Conservation District** administers the Program at the local level. Local public road-owning entities apply to the District for grants to fund individual worksites. The District receives an allocation from the SCC annually, and along with the oversight of a local Quality Assurance Board (QAB), they:

- Provide education and outreach opportunities to all 30 municipalities.
- Work directly with applicants to develop plans for projects
- Work with applicants to obtain permits and necessary documentation
- Assist with logistics of project work whenever possible
- Keep track of project records using the GIS system
- Maintain project financial records and track funds separately by program.
- File quarterly and annual reports on project completion and all Program finances.

The **Grant Applicants** are public road-owning entities who apply to their Conservation District for grant funding for individual projects. Most grant applicants are municipalities, although any state or local public road-owning entity is eligible (such as PGC, PFB, and PennDot) after attending a two day “Environmentally Sensitive Maintenance” training. Applicants are encouraged to work closely with the Conservation Districts, starting with a pre-application meeting. Successful applicants will enter into contracts with the Conservation Districts to complete project work. Applicants can complete project work themselves, or by hiring contractors.

Policy and Procedures

QAB RULES OF CONDUCT

The QAB will meet as required by their workload. Meetings will be announced as per the provisions of the Pennsylvania Sunshine Law. QAB members will be notified by the chairman. Every attempt will be made to accommodate ~~everyone's~~ member schedules. In cases of conflicts of interest or severe scheduling conflicts, a substitute from the agency of the unavailable committee member will stand in and represent their agency. In the event that a worksite adjacent to a committee member's property is being considered or a committee member has a vested interest in the worksite, the committee member will abstain from voting.

CONFLICT OF INTEREST STATEMENT

No District Director, Quality Assurance Board member, or District employee, 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 preclude the payment of normal salary and benefits to employees provided in their normal course of employment.

EQUAL ACCESS POLICY STATEMENT

The Quality Assurance Board has adopted the following policy and procedures to insure equal access to the benefits of the Dirt and Gravel Low Volume Road Program, and to eliminate bias and favoritism. The QAB is committed to managing a program that protects and improves water quality through sound road maintenance practices.

- 1) All potential grant recipients will be given a list of the dates and locations of the required ESM training sessions.
- 2) All potential grant recipients will be notified when grant applications are being accepted and when the applications are due.
- 3) All potential grant recipients have access to the evaluation form that is used to prioritize work-sites.
- 4) Projects will be ranked on environmental impact to the surrounding area.

GRANT RECIPIENT COST SHARE POLICY

It will be the policy of the Conservation District to cover most improvement costs incurred by the grant recipient for an approved worksite, while completing a Dirt and Gravel Low Volume Road Program project. The District agrees to pay 100% of project materials, rented equipment costs, and costs for contracted work. The grant recipient's "in-kind" contribution to the project will be employee labor costs and owned equipment used on the project.

ADVANCING FUNDS TO GRANT RECIPIENTS

Up to 50% of the contract amount may be advanced to grant recipients once a contract is signed.

REMAINDER OF FUNDING TO GRANT RECIPIENTS

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.

CONTRACT AMENDMENTS

All contract cost-over-runs will require that a new contract be created to request reimbursement of the amount over and above the initial contract.

In some cases, the grant recipient may request additional time to complete a project. The approval of additional time to a contract is awarded on a case by case basis and at the discretion of the District Board.

ELIGIBLE APPLICANTS

Public entities that own public roads that are open to the public vehicle travel are eligible to apply for Program funding. The public entity must have at least one "ESM Certified" employee or elected official. The ESM certified individual must be the person in charge of the project design and implementation for the applying entity. Individuals not directly involved with the project design and implementation do not qualify the applicant for funding.

INELIGIBLE APPLICANTS

1.) Federal Government

2.) Private road owners

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.

ELIGIBLE PROJECTS

Only public roads owned by eligible applicants may be considered for funding. A road must be open to the public motor vehicle traffic for 2 weeks annually in order to be eligible for funding.

The "Dirt and Gravel" portion of the program is designed to fund work on 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.

The "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 another such binder. "Tar and Chip" or "Chip-sealed" roads are considered paved and would fall under Low Volume Road portion of the Program for funding. Only paved roads with 500 vehicles per day or less are eligible for Low Volume Road funding.

ELIGIBLE EXPENSES

1.) Materials:

Typical material expenses on projects 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 SCC requirements for non-pollution.

2.) Equipment:

1.) FEMA rates will be used to calculate in-kind contributions on applicant owned equipment.

2.) An applicant may rent or lease equipment necessary to complete a project with Program funds. Equipment that is rented or leased may ONLY be used on the project for which it was rented.

3.) Grants recipients may not use Program funds to purchase or maintain equipment.

3.) Labor:

Reimbursement of labor and equipment operators supplied by the applicant is an eligible expense under the program. Projects funded by this program which total cost exceeds \$25,000 are subject to provisions of Pennsylvania's Prevailing Wage Act. 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. In addition, the grant recipient must provide a completed and signed copy of the Prevailing Wage Notification and Acknowledgement Form with the agreement, and the back page of the Weekly Payroll Certification for Public Works Projects with the final reimbursement request.

4.) Contractor Costs:

Projects may be completed entirely by sub-contractor where no road work is performed by the applicant. Applicants must follow standard procedures regarding project bidding and work with sub-contractors. The District will make payments directly to the grant recipient, not the sub-contractor.

5.) Consultants, Engineering, and Permitting Costs:

A maximum of 10% of the total contract between the District and the grant recipient may be used to cover engineering, permitting, and similar consultant costs. Note this limit is defined as up to 10% of the contract amount (program contracted funds) not 10% of the total project value (which would include other in-kind contributions). Consultant fees must only be paid for services performed after the contract is signed. Consulting fees associated with the project prior to signing a contract may not be paid using program funds.

STREAM CROSSING STRUCTURAL REPLACEMENT POLICY

This section applies to both Low Volume Funds and Dirt and Gravel Funds

- 1.) EXISTING stream crossing structures with an opening equal to or less than 13 square feet (equivalent to a 48" diameter pipe) are eligible to be replaced with program funds. The new replacement structure must meet #4 below.
- 2.) EXISTING stream crossing structures with an opening of more than 13 square feet (equivalent to a 48" diameter pipe) are eligible for replacement when the following criteria have been met (*all three*):
 - A. Have a structure to bankfull width ratio of 75% or less
 - B. Show signs of streambank erosion
 - C. Show signs of streambed erosion/aggradation
- 3.) EXISTING stream crossings consisting of multiple pipes are eligible for replacement regardless of their relationship to the bankfull measurement, as long as they are replaced with a single opening structure of at least 100% bankfull width. This policy applies to multiple pipes only, not multi-cell bridges.

- 4.) NEW structures placed under #1, #2 and #3 above, must meet the following criteria for replacement (*all four*):
 - A. Have a structure width at least equal to bankfull width (100% ratio)
 - B. Be properly aligned with the channel
 - C. Consider additional floodplain connectivity when possible
 - D. Be designed and constructed to accommodate the passage of aquatic organisms through the structure
- 5.) EXISTING structures that do not meet the above criteria are not eligible for replacement (materials, equipment, or labor) with Program funds. This policy applies to replacement of structures and does not prohibit work adjacent to the structure. In addition:
- 6.) ROUND PIPE over 36" in diameter are not permitted for use in DGLVR funded stream crossings. Oval or squash pipes are acceptable. This applies only to stream crossing replacements. Round cross pipes are standard and acceptable for road drainage.
- 7.) Installation of multiple pipe stream crossings is not permitted with Program funds.

DRIVING SURFACE AGGREGATE (DSA) POLICY

Driving surface aggregate meeting the State Conservation Commission DSA specifications is the only road surface material that may be purchased for Dirt and Gravel Road project funds. DSA is the ONLY approved surface aggregate for use on Dirt and Gravel Road projects.

All grant recipients MUST notify the District at least 30 days prior to the date of DSA placement. This will provide adequate time for the Center for Dirt and Gravel Road Studies to visit the quarry and sample the DSA product for quality control purposes.

LOW VOLUME ROAD POLICY

In order to be eligible for Low Volume Road (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. All projects must apply environmentally sensitive maintenance principles and practices approved by the program in order to address an environmental concern directly related to the road system. No program funds will be utilized for conversion of unpaved roads to paved roads.

TRAFFIC COUNT POLICY AND PROCEDURE

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. However, a traffic count is not required to submit an application for LVR funding. Documentation of traffic counts using a signed "Traffic Count Validation Form" (M-15 and M-16) must be submitted before a contract is signed and kept with the project file. Traffic counts are considered valid for 5 years provided there are no new significant changes in traffic flow volumes or patterns. Traffic counts can only apply to a segment of road between intersections, not an entire length of road. Application sites that include intersections may require multiple counts.

CHAPTER 105 PERMITS, E&S PLANS, AND OTHER REQUIREMENTS

Any required project permits must be obtained by the grant recipient before work can begin on the portion of the project related to the permit. Under no circumstances can any project work begin until all required permits are in hand. An erosion and sediment control plan is required for projects consisting of earth disturbances of 5,000 square feet or greater. It is required that the erosion and sediment control plan be on-site during all

phases of the project. For those projects within special protection watersheds (HQ or EV), all earth disturbances, regardless of size or scope, will require an erosion and sediment control plan to be on-site during all phases of the project.

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