

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 19, 2022

ATTACHMENT E

DIRT, GRAVEL AND LOW VOLUME ROAD MAINTENANCE PROGRAM STATEMENTS OF POLICY FOR THE MCKEAN COUNTY CONSERVATION DISTRICT ADOPTED March 18, 2015, Amended 2/21/17, Amended 1/24/18, Amended 1/16/19, Amended 10/16/2019, Amended 10/19/22

PROGRAM IMPLEMENTATION POLICIES & STANDARDS

The program implementation of the Dirt, Gravel and Low Volume Road Maintenance Program will follow the policies and guidance outlined in the Dirt, Gravel and Low Volume Road Maintenance Program's Administrative Manual.

1. Criteria for Equal Access:

Correspondence on program and project updates and examples shall be sent to all eligible municipalities and agencies.

Application with a specific deadline shall be sent to all eligible municipalities and agencies.

Special efforts shall be made to enlist the cooperation of participants through a telephone conversation or a site visit.

Information, including any application deadlines, shall be publicized in newspapers, radio and various agency newsletters.

QAB (Quality Assurance Board) meetings having formal actions shall be open to the public and follow the requirements of the Sunshine Law.

Prohibit discrimination on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status.

2. Pre-Application Site Visit:

The Conservation District will 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 ensure 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 the district 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.

Pre-application meetings must take place before July 1st. This will allow 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 should be 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. 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 State Conservation Commission. The form must be signed by the applicant. Applications must be received by September 30th. The applications received will be ranked in October with the QAB and Conservation District Board approving the projects in November. QAB has the right to extend deadline dates at their discretion.

Each application will be for one worksite, or continuous project area. The conservation district will keep all non-funded projects on file for two (2) years for future allocations. The applying entity may update or cancel the application at any time. Project participants may also choose to revise existing submitted applications. There are no restrictions to the number of applications that can be submitted by one project participant.

Conservation district staff should review applications for administrative completeness and to ensure 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 will 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.

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.

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.

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.

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 not project work can begin, without a signed contract. The contract states the terms and conditions for the project. 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.

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 district for review prior to entering into a contract.

5. Project Work:

The following is a list of general pre-project work 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.
- If the project falls within the municipal code bidding requirements, an Engineer may be needed to assist with meeting the bidding requirements, as determined by the District.
- Many projects will require some type of environmental permit. Applicants are encouraged to work with the 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.
- Some projects may require and Erosion and Sediment Control (E&S) plan. The district can help you to determine if an E&S plan is necessary.

A. Pre-Project Meeting:

A pre-project meeting is required prior to the beginning of a project. This will allow the District to meet in person with the grant recipient and any contractors or sub-contractors to discuss each contract item or element of the approved plan to avoid any misunderstanding 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-project meeting should be held as far in advance as possible, prior to the start of the project, to allow for DSA sampling.

B. Notification of Project Work:

Grant recipients MUST notify the district before beginning work on a project. The District must also be notified before beginning a new phase of the projects. The District may withhold payments and/or request reimbursement of advanced funds and

cancellation of the contract if a grant recipient fails to comply with notification requirements.

C. Performing Project Work:

Grant recipients should follow their standard operating procedures when performing project works 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 recipients should follow normal purchasing procedures and normal contract procedures using advertising and bidding as warranted.

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 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 percent of the original contract amount, or to extend the timeframe for completion. When cost overruns exceed 20 percent of the original contracted amount, an additional or new contract will be required. Keep in mind that if a contract is between \$20,800 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.

D. Project Check List:

Grant recipients will utilize the Project Check List in Appendix B of this policy to guide them through project work.

6. Project Ranking:

Projects will be ranked by the QAB as outlined in Appendix A. of this policy.

7. DGR/LVR Funding Categories:

The Dirt and Gravel/Low Volume Road funds will be kept in separate accounts where they will be divided into the following categories:

- Road maintenance projects - 80%
- Education/Training - 10%
- Administration - 10%

8. Incentives:

The McKean County Conservation District will give additional points (maximum 10 points) to municipalities/eligible entities where Roadmasters, road crews and those with direct oversight

responsibility are Environmental Sensitive Maintenance (ESM) certified. The priority will be as follows:

Roadmaster/direct oversight	7 points if certified in previous year (otherwise 5 points)
Road Crew	3 points for each additional ESM certified person
Supervisor (not roadmaster)	2 points per ESM certified person
Secretary or clerical	.5 points per ESM certified person

Also 5 points per municipality or eligible entity will be given when attending District sponsored events.

9. Environmentally Harmful Practices and Materials:

The McKean County Conservation District's DGR/LVR Program will not fund the use of any practice or material that may be harmful to the environment. For a list of materials that are not approved by the Center for Dirt and Gravel Roads (see website <http://www.dirtandgravelroads.org/>). The use of any un-approved materials or practices used on a trial basis must be approved by the Center for Dirt and Gravel Roads prior to implementation.

10. Certification and Final Payment:

Final payment for the project expenses shall be made only after a final site inspection has been made to determine the work performed is consistent with the project application, the work plan, and to the satisfaction of the District. 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. A Project Performance Report will also be completed by the District Staff during this site visit. The site visit will also include the presence of at least one QAB member, and/or a district representative and the project participant.

All claims submitted by the program participant pursuant to this agreement shall be submitted to the District in accordance with the Schedule of Payments 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 continued in the approved project application and work plan. Claims shall include receipts, weigh slips, and/or other appropriate supporting information to document actual expenditures on the project.

11. Stream Crossing Structural Replacement Policy - This section applies to both Low Volume funds and Dirt and Gravel funds.

Background

- **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 so long as they follow the DGLVR Stream Crossing Replacement Policy and DGLVR Stream Crossing Design and Installation Standard. Within the limits described in the DGLVR Stream Crossing Replacement Policy

and DGLVR Stream Crossing Design and Installation Standard 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.

- For any project involving a stream crossing/s the McKean County Conservation District will adhere to the DGLVR Stream Crossing Replacement Policy and DGLVR Stream Crossing Design and Installation Standard.
- Projects that may be eligible for an exemption under the DGLVR Stream Crossing Replacement Policy and DGLVR Stream Crossing Design and Installation Standard the final decision on an exemption is at the discretion of the local Quality Assurance Boards.

12. Driving Surface Aggregate (DSA) Guiding Principles- 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.

Paying for DSA

Application of DSA to dirt and gravel roads is not a primary focus of the DGR Program component. Utilization of DSA 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 application of DSA will be funded through the Program, either on individual projects or as countywide policy.

Before funding any DSA 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.

13. Low-Volume Road Project Guidelines - 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.

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). 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).

Paying for Asphalt or Other Surfacing

Resurfacing paved roads (sealing or paving) is not a primary focus of the LVR Program component. Resurfacing of the project area is limited to fifty (50%) of project cost as long as it is a component of a larger Dirt, Gravel and Low Volume project or at the discretion of the QAB.

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.

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”.

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.

LVRs in Urban Areas

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, districts 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.

14. 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** required in order to submit an application.
- 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.

OPTION A: Validate with Existing Traffic Count Data or Extrapolation

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.

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.

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.

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.)

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.

PROCEDURES FOR QAB BOARD CONDUCT

1. Meeting Schedule and Procedures:

The QAB may meet on a monthly or an as needed basis. Specific dates and time will be determined by the members. Additional meetings may be held or meetings may be cancelled at the discretion of the QAB. All recommendations of the QAB must be presented to the District Board for final approval. All QAB meetings will meet Pennsylvania's Sunshine Act 65 Pa.C.S.A. § 701.

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.

2. Conflict of Interest:

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, member of his immediate family or a business with which he is associated. This shall preclude the payment of normal salary and benefits provided in their normal course of employment.

If a Dirt, Gravel and Low Volume Road Maintenance Project application involves a township and/or municipality in which a QAB member resides in, this QAB member will exclude themselves from voting and the QAB Chair will be the alternate vote.