

THE SMITHFIELD TOWNSHIP ENVIRONMENTAL ADVISORY COUNCIL
REGULAR BUSINESS MEETING
APRIL 16th, 2024

A Regular Business Meeting of the Smithfield Township Environmental Advisory Council was held on April 16th 2024 at 7PM at the Smithfield Township Municipal Center at 1155 Red Fox Rd, East Stroudsburg, PA 18301.

Present are Supervisor Michael Albert, Planning Commissioner James Munet, Pat Owens, Mitch Bowyer, Brett Cartwright, and Ken LeSure.

Also present are Dr. Alex Jackson, Dough Schyver, Francis Schyver, Tarah Freeman, Margarite Vecchio, Gene Turn, and Joann Norris.

Meeting Called to order at 7:04PM by Pat Owens, a quorum is present.

Doug asked for an introduction by the EAC members. Pat agrees, and each of the EAC Council Members briefly introduce themselves to the present members of the public.

Reorganization

Pat Nominates Brett Cartwright for Vice Chairperson, Mitch seconds. Brett Accepts. Vote is called, all in favor; motion carries unanimously.

Minutes

Pat asks about minutes protocol. It's clarified that draft minutes must be sent to the Council in advance of the meeting for review.

Motion to approve minutes as amended by Ken & Mitch by Mitch, seconded by Ken, vote called and motion carries unanimously.

Mitch asks for clarification on “*action items*”. More specifically, things we agreed to do during the EAC meeting. Michael suggests the framework w/ Action items in Red, specifying who promised to do what exactly sent to the EAC after the meeting.

Pat comments on standards of conduct with regards to Roberts Rule of Order. When EAC members want to talk those parties should put up their name plaque. Pat further points out that we should be mindful of how long we talk. The meeting needs to keep running on track.

**Q&A With David Hooker from MCCD on Water Quality Study and
S*mbro Creek Impairment**

Alex introduces David Hooker, and recaps previous discussions from March's meeting on the county water quality study and Sambo Creek's impairment.

David has been with the MCCD for 3 years, and has a variety of roles, including conservation and resources in the county. For 2 weeks each year MCCD partners with MCPC. The goal is to monitor trends in water quality over time. This has been going on since 1985. Including on site measurements with field meter, grab samples, and macroinvertebrates.

David answer's Alex's IBI question to the Council: That IBI is an index of biotic integrity, and to simplify it, it's 6 different metrics based on the community of macroinvertebrates, some are pollution tolerant pollution intolerant. The team looks for diversity/different taxa. Very few Monroe County streams fall below IBI of 70; this county has some of the best water quality in the state of Pennsylvania (score is from 0 – 100).

Mitch asks about Sambo creek's water quality impairment because it seems to be an issue. David states its being addressed primarily through the MS4 program. He explains that in 1988 that creek was designated as impaired for aquatic life use. One of the primary causes is siltation. Contributing factors include on-lot sewage treatment systems and other decentralized systems, urban runoff, and storm sewer discharges. There's an active project where MCCD is trying to re-assess and do a more comprehensive assessment of Sambo, but the source of impairment is a difficult thing to pinpoint.

MS4 program stands for municipal separate stormwater sewage system. Smithfield Township does have an MS4 status. David states that this program isn't in the jurisdiction of the MCCD.

Pat asks if there's anything as a council that we should be focusing on? Can we get community involvement? David states that public education is a good place to start because a lot of this information isn't common knowledge. Specifically focus on general education on how to reduce non-point source pollution.

Pat's question: what exactly is non-point source pollution into layman's terms? David clarifies Pollution can be broken into 2 categories, point source, and non-point source. Point source being exact identifiable discharges, like acid mine drainage from an old mine, or a smoke stack.

Non-point source is when a storm comes in, rainwater washes everything off surfaces, goes into storm sewer system where that collective stormwater ultimately discharges.

Brett asks a question about underbrush suppressant. How do the utility companies coordinate with MCCD to take care of pollutants from that sort of activity? David states this is generally outside of MCCD's scope. The DEP of Agriculture and their pesticide applicator program. Application of pesticides is taken seriously by industry professionals.

Ken asks about road salt, and how to classify it in the pollutant sphere. David states that road salt referred to as an emerging contaminant of concern. Look up freshwater salinization syndrome (University of Maryland 2018 mentioned). Stroud Water research center is doing a lot of in-depth work on road salt.

Question from the public to David: What does the community do and what do they not do on the matter of on-lot septic systems? Comment that there's a life expectancy, and if these on-lot sewage systems aren't maintained the life expectancy is even worse. That leaking on-lot sewage systems may be a real concern in Smithfield township. Pat also asks who has the responsibility and oversight of on-lot sewage systems?

David hooker states it's the sewage enforcement officer (SEO). It was asked who our SEO was, Alex points out the SEO is set by the Supervisors during reorganization in January.

Michael clarifies that Scott Brown serves as Smithfield Twp's SEO.

Michael suggests we ask him to attend a meeting for Q&A.

Mitch asks if sand mounds (from on-lot sewage) are working correctly, are they a problem?

Public comment that there's neighbors in Smithfield Township where the raw sewage can be smelled because the tank is backed up during rain. Anecdotally, they've asked homeowners, who in return state they never pumped out their on-lot sewage systems.

Doug asks about MS4 and On lot sewage. Alex clarifies MS4 is a permit that a municipality has just on a segment of sambo creek; it's for one specific water body and focus area.

Michael Asks if impairment is IBI score of less than 70. David states not necessarily, there's different thresholds for attainment of impairment. If an impaired stream goes through an urbanized area, MS4 is triggered for the need to mitigate pollutants to that stream.

David states that part of the MS4 requires a pollution reduction plan (PRP) being in place. The PRP is a road map to follow along and make improvements to waterways in question.

Mitch points out that if there's certain times of the year where non-point source runoff can be more contaminated education should be time sensitive. Pointed out Middle Smithfield Township's printed brochure. Michael points out that print is problematic, instead an e-newsletter should be used and Mitch suggests the Smithfield Township online newsletter.

David points out that there's value of having educational resources online. Also that one of the best ways to get the message out is to have hands on conservation events, such as rain barrel workshops, tree plantings, to get experience and instill a conservation ethic in them. It's a great way to get the message out there.

Brett asks about Mitch's point, on the digital media: What is the best portal to get info on what David Does and MCCD? Do we have any portals on our website? What's David's experience with what's best. David states the in-person events generally work the best & social media, plus to reach out to the live TV, PMVB etc etc, to advertise events we are hosting.

Brett asks where David would go to get info on regulatory/pollution information, URLs, etc.

David states that PennState Extension has a lot of resources available for free & Pennsylvania Environmental Council (PEC). To learn more about MS4s, designations, etc, the PADEP has a lot of good information on their website.

Brett states specifically for the Sambo Creek, Can the EAC point the public to a specific actions to bring water quality back up into compliance ?

David states that this is part of the PRP which has a roadmap inside it to guide the township to different actions.

Motion for Alex to send educational one pager in newsletter on Spring Non-point source Stormwater Management, seconded; Discussion: Michael asks that this be sent administratively and not needed to run by EAC. Michael points out that just telling people there's a problem does nothing to solve it. Michael suggests review what is on the PRP and focus on salient points.

Motion carries unanimously.

Doug comments that there's haphazard cutting of trees on steep slopes, that landscape runs right down to streams. Does that affect the stream impairment? Points out that a particular individual is taking down all the trees, gridding them all up, and using that as fill for a wetland to backfill his property gradually moving his property back, level with on-grade on the road.

David states that in that situation anyone can reach out to MCCD on Ch 102 (stormwater) and CH 105 (waterways and wetlands) violations. If that's reported to the office, one of the technicians can inspect and resolve.

Michael asks to help clarify MCCDs enforcement process. David states that MCCD doesn't deal with zoning/ordinance, but they have 3 inspection staff that goes out to sites, E&S, construction agriculture and forestry. Ch 105 (waterways and wetlands), Ch 102 (stormwater), E&S (erosion and sediment control) the MCCD has enforcement capabilities, eventual fines can be issued if it gets to that point (if the property owner doesn't do voluntary compliance. MCCD staff are the first people out there: tech goes to site, documents what they see, talk to landowner try to correct the situation. If it's a continued non-compliance issue that gets elevated to the Northeastern PADEP office in Wilkes Barre, at which point the project/landowner could be facing fines.

Michael follows up, and David clarifies: If MCCD gets a complaint, they inspect the site, issue inspection report, in the report it shows any violations of CH 102 (stormwater and erosion) law will be documented, and corrective action/measures will be in the report. If landowner fails to take corrective action or if there's already a pollution event, at that point MCCD could pursue enforcement.

David points out only the Municipality can issue stop work orders, emphasizing the importance of cooperation between agencies. For CH105 (waterways and wetlands), same sort of process, complaint based, inspect site, try to get voluntary compliance, if situation ends up continued non-compliance, then a CH 105 (waterways and wetlands) violation gets elected to PA DEP

Northeastern Regional Office. If someone already has a permit for what they are doing, the MCCD will also do routine inspections. Generally, it's complaint based, or due to an existing permit.

David clarifies that called complaints to MCCD are anonymous. Typically, most people request to be anonymous when they call in. It stays anonymous when phone calls are submitted. If there's a written request, in a RTK request, the written names are redacted.

Brett comments about regulating the bedrock aquifer. David states the PA DEP has a source water protection division, and that the NPDES permit, deals with Infiltration of the land prior to construction and post construction. The NPDES permit wants to ensure that post construction conditions mimic the pre-construction conditions. More specifically that the same amount of runoff comes off/water infiltrates before and after development.

David concludes by thanking the EAC for their time and invitation and stating that the MCCD office is always open 8:30AM-4:30PM Mon-Friday, and that their phone number is (570) 629-3060.

Environmentally Sensitive Areas Mapping

Alex gives a presentation on the environmentally sensitive areas map, which is a result of the request for technical assistance from the Monroe County Planning Commission from March's EAC meeting. Alex answers questions from the public on floodplains classifications of those floodplains as it relates to the Delaware watershed.

The EAC question on whether there is a version of this map that has added points of reference: Add roads, names of creeks, and other points of reference for the public without making the map too 'busy'. Michael asks a question, wetlands; most of the brown color that represents hydric soils, agreement that we should have already delineated wetlands overlaid on top of the brown.

Michael points out that in order to subdivide property owner has to delineate the wetlands and identify any wetlands. Pat points out that an area near her property had wetlands, then a big development came in, which changed the hydrologic regime. Pat questions if the developer was in compliance with regulations.

On the topic of wetlands, Alex clarifies that hydric soils are a strong indicator of wetlands, but that plants must also be taken into consideration. Alex points out the importance of on-site soils for predictability of developability. Soils are a good initial assessment of the value of the property for the purposes of future development.

Alex clarifies he does needs to talk to the MCCP and MCCD and get more info on the hydrologic soil groups in the township for the purpose of infiltration testing. He points out that it's a bit more complicated because we're in Act 167 region; watersheds, proximity to the main stem, certain areas discharge stormwater quicker than others. Act 167 significantly helps

maintain the natural hydrologic regime, mimicking existing conditions, ultimately for the goal of maintaining base flow of streams.

Mitch asks about the storymap series on Plan for Clean Water. Mitch wants some education on exactly how to use that tool. Many of those metrics are on map. Action item for Alex to walk the EAC through the Plan for Clean Water.

Clarify the Purpose of Official Map & Next Steps

Pat references the Official Map fact sheet that is part of the board packet. That the Official Map guides decision policy decision making and future projects. Only two small areas in the entire township were previously identified in 2013 as consideration for future township parks. That one of the EAC's responsibilities is to look at Municipal landscape and to make recommendations and a reason/rational to consideration of protecting areas.

Alex points out the next step in this EAC's process could be for the community to update the 'official map'. Agrees that the fact sheet provided to the EAC is excellent. Points out the sections on misconceptions on the 'official map'. That it's not a zoning map, or taking of official land, no surveys, and that that ultimately the 'official map' is a detailed planning tool.

Michael states the Official Map is not just focusing on environment, it's also about acquisition, intention, in an ideal situation it would align this official map with the Comprehensive Plan.

Ken brings up the Smithfield Gateway, Michael points out stormwater management was very detailed and there were a lot of requirements. Comment that it's unfortunate that the EAC didn't exist 5 years ago. Michael states that the EAC can have impact as a recommending body for administrative recommendations, or to make recommendations that result in a resolution or an ordinance.

Pat points out that the beauty of the updating the 'Official Map' is to delineate the areas of the Township that need to be better protected, and then present it to the Supervisors and Planning Commission.

Alex suggests that the MCPC could work with the Township, give a presentation, and help the community on the Official Map update process. Alex recommends EAC moves to take up the MCPC on this opportunity for technical assistance.

James makes the motion to engage MCPC on the Official Map Update, and presentation to EAC, and 2nded by Mitch, no discussion, vote is called, all in favor, motion carries unanimously.

Question by member of the public on the parcels they wanted to acquire from the old draft. Alex clarifies those parcels were for consideration in 2013. Michael states the 2013 'official map' has is easily downloadable. Question on amount of property, location adjacent to Mount Nebo Park. Question on acquiring property that's unbuildable, and it's pointed that's also potentially why

such areas may be desirable. Alex clarifies at this particular time, any update of the 'official map' is just for planning purposes.

Public Comment

Joann Norris asks about Pocono Wildlife rehab presentation. States that there's many wildlife species in Shawnee Valley. That the moving of wetlands endangered species like bog turtles. Suggests that the EAC should invite them to go and look at the Shawnee lake property. Asks why can they move the wetlands if the wetlands are protected; but it's pointed out that's private property, others cannot be invited onto private property.

Some lengthy discussion ensues on the Shawnee Valley PRD approved in 2005, amended in 2007, then litigation ensued. Further discussion on the general subject on Mosier's Knob, Shawnee Valley, and future developments. Discussion among Council members on concerns about pulling groundwater and aquifer levels. Further discussion on the various phases of Shawnee PRD; discussion on ownerships and questions on extensions of the land development plan. Michael states that the EAC is probably not the right forum to discuss the Shawnee Valley PRD. Pat recognizes that this PRD is a big issue, and that as a result the environment of township environment may change.

Alex notes that EAC meetings are 3rd Tue at 7PM every month. Pat encourages the public and hopes for fully open forums, where the public can bring up issues of concern.

Michael points out that EAC has more flexibility to take on what it wants to take on. Pat and Mitch remind the Council Members that what the EAC takes on must have a clearly identifiable solution.

Mitch reminds the Council that strong public participation was a deciding factor in protecting the National Recreational Area.

Pat thanks members of the public for attending this evening.

Motion to adjourn by James, seconded by Mitch, motion carries unanimously, meeting adjourned at 9:10PM.