

YORK COUNTY CONSERVATION DISTRICT
DIRT, GRAVEL AND LOW VOLUME ROAD MAINTENANCE PROGRAM
QUALITY ASSURANCE BOARD POLICY AND PROCEDURES

Purpose

The purpose of the Quality Assurance Board (QAB) in York County is to establish and recommend to the York County Conservation District Board a grant program under Section 9106 of the Pennsylvania Motor Vehicles Code. The QAB will assist the Conservation District in carrying out the Administrative, Educational and Contractual responsibilities of the Dirt, Gravel and Low Volume Road Maintenance Program. The QAB will establish priorities and requirements for funding through the Dirt, Gravel and Low Volume Road Maintenance Program. The QAB responsibilities will include review of applications submitted for funding, conducting site visits (as necessary and determined by the QAB) and recommend eligible applications to the Conservation District Board for funding that will address non-point source pollution in affected areas.

Quality Assurance Board

The QAB in York County will be comprised of two members appointed from the York County Conservation District, one member from the Natural Resources Conservation Service (USDA-NRCS), and one member from the Pennsylvania Fish and Boat Commission (PFBC).

Members may appoint a substitute to attend meetings in their stead in the event of a scheduling conflict. Substitutes should be knowledgeable about the program and their representative's role on the QAB.

Meetings

QAB meetings may be held quarterly, or on an as-needed basis. All QAB meetings are subject to the public notification requirements of Pennsylvania's Sunshine Law. Minutes of the QAB meetings will be taken by the staff and will be kept on record and available to the public pursuant to the open records policy. QAB meetings will be conducted according to Roberts Rules of Order.

Finances

The Conservation District will maintain a separate interest-bearing checking account specifically for the Dirt, Gravel and Low Volume Road Maintenance Program. Any interest accrued from the funds in this checking account must be added to the contractual allocation.

All monies received by the Dirt, Gravel and Low Volume Road Maintenance Program will be utilized in the timeframe allotted by the State Conservation Commission according to the Program guidelines.

Administrative, educational and training monies received and not utilized in the timeframe allotted by the State Conservation Commission will be added to the construction allocation.

Conflict of interest

No District Director, Quality Assurance Board Member, or District Employee, will, as a result of this program, be permitted to obtain financial benefits for himself/herself, a member or his/her immediate family or a business with which he/she is associated. This shall preclude the payment of normal salary and benefits to employees provided in their normal course of employment.

Equal Access

The Quality Assurance Board will comply with the program agreement “Nondiscrimination Clause”.

The actions of the QAB will be approved by the Conservation District Board at the Conservation District monthly meetings. These meetings are open to the public and follow the requirements of the Sunshine Law.

Correspondence on the DGLVR Program updates will be sent to all eligible municipalities and agencies.

Information on application deadlines will be sent to all eligible municipalities and agencies.

Information including application deadlines will be submitted as news releases to the newspapers and various agency newsletters.

Requests to review applications by third parties will be required to follow the District’s open file policy.

Eligible Environmentally Sensitive Maintenance Practices

This section applies to both Dirt and Gravel Road funds and Low Volume Road funds

The Quality Assurance Board will approve projects that protect and enhance water quality by using environmentally sensitive practices to maintain dirt, gravel and low volume roads in order to reduce dust, toxins and sediment-laden runoff from entering streams. Top priority will be assigned to treat dirt, gravel and low volume roads located within 1,000 feet and 500 feet of any stream, respectively. Additional weight will be giving to streams designated as Pennsylvania Wild Trout Waters (Natural Reproduction).

Prevailing Wage Law

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. Where prevailing wage applies, it is the responsibility of the grant recipient to register the project with the PA Department of Labor and Industry, and include prevailing wage notification in any proposal to solicit bids for the contract. A prevailing wage “Notification letter”, attachment F to the DGLVR Contract, must be completed and returned to the Conservation District. For projects where prevailing wage is required, a notarized “Certified Statement of Compliance” attachment G to the DGLVR contract, must be completed before final payment can be made. Additional information is available from the PA Department of Labor and Industry at <http://www.dli.pa.gov>.

Replacement of Stream Crossings

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

This policy is to determine eligibility for stream crossing structural replacement with Program funds. Environmentally Sensitive Maintenance practices applied to the surrounding (road, stream banks, ditches, headwall, wingwalls, high water bypass etc.) are still eligible Program expenses around all stream crossings regardless of bankfull measurements. Within the limits set forth and approved by the State Conservation Commission (July 2019), the final decision on funding structure replacement, along with the type of structure used (pipe, box, etc.), is at the discretion of the QAB. These qualifications do not exempt projects from any permitting or engineering requirements.

Permits and Other Requirements

Any required project permits or plan approvals (i.e., PNDI, wetland assessment, Bog Turtle survey, PA One Call System, Inc., etc.) must be obtained by the grant recipient before work can begin on the portion of the project related to the permit.

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).

Work 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 significant drainage and sediment that negatively affects the public road comes from outside of the right-of-way. Before working outside the right-of-way, the applicant must obtain written permission from the landowner.

Districts and grant recipients can use their own landowner agreements as long as they are in a form and manner similar to the sample provided. Districts must keep a copy of the signed landowner consent form with the project file for any work performed off the right of way.

In certain situations, off-right-of-way work requires the prior written approval from the State Conservation Commission. Where off right of way work is more than 35 percent of the total project costs (including Program funds and in-kind contributions), districts must first obtain written approval from the Commission before a contract can be signed. Where work extends more than 500 feet off of the right-of-way, districts must first obtain written approval from the Commission before a contract may be signed. The district must keep a copy of the written Commission approval for off right-of-way work with the project file.

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

- It is part of a larger project on a public road.
- 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 as part of 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.
- Prior written approval of the Commission is obtained, if required (see above).
- The grant recipient has obtained written permission from the landowner.

If project work is confined to the road right-of way, landowner permission is recommended 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.

Driving Surface Aggregate

This section applies only to Dirt and Gravel Road funds.

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

Technical details for DSA including placement and purchasing specifications are included in the Center's Driving Surface Aggregate Handbook (March, 2018) for technical documentation.

Low Volume Roads

This section applies only to Low Volume Road funds, not Dirt and Gravel Road 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.

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 stormwater 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.

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 will not be used to pay for deferred or neglected maintenance on drainage/storm water systems.
- 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.

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 the Conservation District and QAB to determine the proper balance for projects in the county.

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 DGLVR Program project is at the discretion of the county conservation district.

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.

- A traffic count is required in order to submit an application.
- 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.

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.
- The 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 five 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. The districts may opt to include the completed traffic count validation form as an attachment to the project contract.
- The QAB may, at their discretion, use administrative and education funding to facilitate or support traffic counts for applicants. Districts should ensure 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.

Full-Depth Reclamation (FDR)

FDR is an eligible expense in the Program, at the discretion of individual districts, for use on paved Low-Volume Road (LVR) projects. FDR is not an eligible expense on unpaved roads. FDR shall not be funded on paved LVR roads with DGLVR Program funds unless all applicable drainage improvements and Environmentally Sensitive Maintenance practices have been employed, as road owners are hesitant to install drainage practices at a later point when it would disturb the new road base. Shallow surface grinds for the purpose of road resurfacing are not considered FDR projects. FDR is a major rehabilitation technique in which the full depth (minimum 6”) of the surface and predetermined portion of the underlying base is uniformly pulverized and blended to provide a stronger, homogeneous road base.

If the QAB chooses to fund an FDR project, the following requirements apply:

- The Center must be made aware of the proposed FDR project before a contract is signed. A site visit from Commission or Center staff may be requested.
- FDR must follow specifications in PennDOT Publication 447 (Approved Products for Lower Volume Local Roads)
- The mix design for FDR projects must be determined by an independent third-party.
- FDR is a base stabilization technique and does not provide a final running surface. Consideration for asphalt, “tar and chip”, or some other final running surface must be part of the planning for FDR projects.

- Any additives or binding agents used in chemical stabilization must be on the Program's "Approved Products" list, detailed on the Center's website.

Paying for Asphalt or Other Surfacing

Resurfacing paved roads (sealing or paving) roads is not a primary focus of the LVR Program component. Resurfacing costs can be considered by the QAB as a component part of a larger ESM project. It is at the discretion of the Conservation District 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 principals 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 DGLVR 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 Dirt & Gravel

The DGLVR Program recognizes the value of converting a poorly constructed or poorly maintained low volume roads into a high quality dirt and gravel roads through full depth reclamation or other similar processes. The Conservation district may utilize either LVR or D&G low volume program component funds for these purposes.

Incentives for Training

All applicants must complete the 2-day Environmentally Sensitive Maintenance training and be currently certified to be eligible for funding. Applicants may be re-certified, if their current certification has not lapsed, by attending the Center's fall workshop. Both certifications are good for 5-years.

The QAB will consider requests for training expense reimbursement, as "incentives for training road managers and equipment operators", on a case by case basis.

Application Evaluation

In 1998, the QAB drafted criteria to evaluate and prioritize application funding based on suggestions from the State Conservation Commission. These criteria were subsequently approved by the Conservation District Board. These criteria will be reviewed and amended as needed.

Filing Applications for Funding

The QAB will have an open sign-up period year round. All eligible applicants will be notified annually of the deadlines of application submittal and QAB meetings for grant-making cycle.

A pre-application meeting site assessment will be made by at least one QAB member or district employee with project applicant prior to ranking by the QAB.

All applications submitted must contain a signature of a municipal official. The applications will be evaluated, scored, and ranked for priority according to the QAB's Application Evaluation Form.

The one-page Dirt, Gravel and Low Volume Road Maintenance Program Grant Application form, developed for statewide use, will be distributed to all municipalities. Each application will be for one verified worksite, or continuous project area. The Conservation District will keep all non-funded applications on file for future funding consideration. Applicants may choose to revise existing submitted applications. There is no restriction to the number of applications that can be submitted by one applicant.

The QAB will meet quarterly as scheduled. At that time, all submitted applications will be reviewed, ranked and recommended for funding. Applicants that have open contracts at the time of the QAB's meeting will not be considered for further funding until the existing contract is completed. These recommendations will be given to the District Board at the next regularly scheduled Board meeting for approval. Applicants will be notified in writing of their application approval, grant award and proposed contract.

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, and before project work can begin. While 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 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 and a copy(ies) provided to the district.
- 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.
- 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 certified count must be provided to the district for review prior to entering into a contract.

Funding Distribution

All approved contracts with grantee will be signed by the Chairperson of the York County Conservation District Board or District Manager. Funds will be distributed by the Conservation District in the following manner:

- Upon commencement of a project, the District will forward 50% of the grant amount requested by the participating grantee.
- The grantee has one year to complete the project. If unable to complete the project in one year's time, the applicant may request in writing for a one year extension the project contract.
- The Conservation District will withhold the remaining 50% of the approved grant amount until the project is completed and has been inspected by the QAB and/or District personnel. For the project to be considered complete, all site work must be accomplished and stabilized as indicted in the contract in a manner to be considered satisfactory to achieve the purpose it was designed to, as determined by the QAB and/or the Conservation District.

The grantee is responsible for retaining all receipts, weigh slips, labor accounting, etc. to document materials, equipment and labor expenditures of the entire grant amount (100%). All receipts, weigh slips, labor accounting, etc. must also meet or exceed the total grant amount awarded prior to the final 50% of the grant funds being released. If total expenditures are less than the remaining 50%, only the lesser amount will be forwarded to the grantee. Grant monies that are unspent by the grantee at the end of the effective date of the executed contract must be returned in full to the Conservation District.

All funds committed to projects must be spent within two (2) years of the grant award or the allocation year, whichever comes first.

Project Maintenance

The QAB policy on the minimum length of maintenance requirements for completed projects is five years from the date of final inspection and satisfactory approval. Maintenance of past projects may be considered in a District's application ranking criteria.

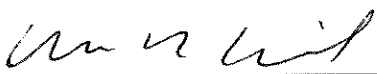
Non-Pollution Standards

Section 9106(f)(7) of the Pennsylvania Motor Vehicles Code requires the QAB to adopt standards that prohibit use of materials or practices that are environmentally harmful. The State of Policy 83.613(1)(b) formalizes that requirement. In response, the QAB has adopted standards prohibiting the use of materials and practices which are environmentally harmful or do not meet the program's "non-pollution" standards. These materials include, but are not limited to: noxious weeds, fugitive emission, and dust control products which may pose a problem if they enter a waterbody. Compliance with all existing environmental laws is a condition of purchase under the contracting agreement between the Conservation District and the grantee. An environmentally suitable substitute for dust control, as determined by the State Conservation Commission, may qualify for payment.

Discrimination Clause

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

12-19-19
Date


QAB Chairperson