

MONROE COUNTY CONSERVATION DISTRICT REPORT ON MARCH 21, 2024 MEETING

A language barrier is proving the latest obstacle in Monroe County Conservation District's ongoing battle against "dirty dirt." Resource Conservation Specialist OC Hearthstone told the district board during its March 21 meeting that owners of four of five residential lots on the monthly inspection report, based on complaints of suspected contaminated fill, were non-English speakers. Explaining the problem can be a challenge.

District Manager Kristina Heaney told the board that entire neighborhoods sometimes become affected when one homeowner accepts free fill. "You can't look at the fill that's delivered to this address and not look next door," Heaney said, adding that multiple people on the monthly list of site complaints "have been violators more than once."

"Dirty dirt" is slang for polluted fill masquerading as landscape soil. Unscrupulous haulers from New York and New Jersey, where dumping rules are stricter, often advertise the free fill online and bring it to customers in Pennsylvania.

The district monitors earthmoving and other activities. Earthmoving and stormwater can cause pollution when soil or other material enters nearby streams or rivers, endangering fish and aquatic life. When fill is polluted with construction waste or other contaminants, that presents an even greater threat to water quality.

The district is not delegated to enforce dirty dirt violations at the county level, so technicians refer the sites to the Pennsylvania Department of Environmental Protection, whose solid waste section follows up. However, board President Bob Armstrong complained that when District staff refer suspected violators to the state Department of Environmental Protection, "it always seems to end there."

Heaney and board member Craig Todd blamed DEP's workload and noted sparse staff worsens the problem.

District staff and the board have made efforts to raise public awareness of the problem, working with homeowner's associations, municipal officials, and the county Council of Governments.

"We need to do more," Heaney acknowledged, noting that education is "the best we can do for this. We're really looking to pump information out to the public." Meanwhile, "We're relying on our municipal partners to step in," she said.

Municipalities can regulate and enforce landscaping rules and could impose fines for violations. But, Todd said, "unless you can get someone with jurisdiction to make it a priority," dumping dirty dirt will continue to happen.

Given the language barrier, Hearthstone suggested creating educational information about dirty dirt. She said after the meeting that languages technicians encountered included Filipino, Thai, Spanish, and Mandarin.

“Ultimately the answer is legislation, but it’s not going to get traction,” Heaney said of efforts to get the state legislature to tighten dumping regulations. She hopes the county can develop a model ordinance for townships and the COG to help them address the problem. She has a model municipal ordinance from New Jersey that she will share. The district will also consider holding a “dirty dirt” workshop for townships and planners. Heaney added that residential lots are one concern, but asked what could happen “on a larger scale, especially in instances of chemical contamination. “I’m not worried about garden beds; I’m worried about truckloads.”

In other business, the board:

- ✚ Discussed the permitting process for large warehouse developments, including possible delays based on public input as well as warehouses’ effect on wetlands, forests, and wildlife.
- ✚ Approved a Dirt and Gravel Road project grant application for \$113,420.50 to improve a roughly 3/4-mile stretch of Firestone Road in Middle Smithfield Township. The project will add drainage pipes, swale, fill, and surface aggregate to improve road drainage and correct erosion problems, helping to protect tributaries to Bushkill Creek, which is a high-quality trout stream.
- ✚ Approved an application for a \$68,648 Agriculture Conservation Assistance Program grant to improve the rotational grazing on 35 acres of the Jackson View Farm in Jackson Township. The project will eliminate seasonal animal concentrated areas.
- ✚ Approved hiring David Hooker as Senior Resource Conservationist, replacing Lori Kerrigan, who resigned earlier this year.
- ✚ Heard from head Naturalist Roger Spotts that the Environmental Education section’s last day of sap collection was March 12, “one of the earliest dates we’ve ever had.” The temperature was too warm, he said; the section made about 26 gallons of syrup compared to last year’s 36 gallons.

Attendance at the two public days for maple sugaring was down as both days were wet. Those who attended had a great time, Spotts said.

The board’s next meeting will be at 10 a.m. Thursday, April 18.

Respectfully submitted,
Paula C. Heeschen, board member