

## Permitting and Regulatory

### Situation Overview:

A. *What was the process the farm went through to prepare for necessary permits?* Since our project was considered land development, there were multiple meetings at the township and county level and PennDOT also became involved in the project. We were not a Concentrated Animal Operation (CAO) or Concentrated Animal Feeding Operation (CAFO), so we expected minimal environmental permitting impacts. When we began exploring this project in August of 2009, we budgeted \$25,000 - \$30,000 for permits. Actual permitting costs far exceeded our budget.

B. *Please list the necessary permits needed for your modernization and technology project. Please also include the approval agency (DEP, County Conservation District, or Township), time to receive permit and cost of permits.*

- Phase I - Bunker silo
  - o Timing: May-August 2010
  - o Erosion and Sedimentation (E&S) Review-Berks County Conservation District =\$750.00
  - o Caernarvon Township Zoning Permit = \$70.00
  - o Total Cost, including engineering = \$2,245.00
- Phase II - Dairy complex
  - o Timing: November 2010-September 2012
  - o Nutrient Management Plan (NMP), Erosion and Sedimentation (E&S), National Pollutant Discharge Elimination System (NPDES), Layout, Pit Probe testing
  - o Land Development Plan required
  - o Five months of township meetings
  - o Caernarvon Township Land Development Plan review and approval = \$6996.78
  - o Caernarvon Township Zoning Permit = \$170.00
  - o Total Costs = \$45,767.28 (permit related)
  - o Last permit issued 7/30/12
- Other
  - o Berks County Assessment Office: Clean and Green approval-No Fee
- Local municipality-Caernarvon township
  - o Land Development Plan
  - o Cost = \$10,294.28
  - o Municipal Improvement Agreement (MIA)
  - o \$96,780 bank letter of credit – money never used, but had to be posted up front, for project to proceed

### Permitting and Regulatory...continued

- PennDOT
  - o Driveway permit(s)
  - o Storm water concerns
  - o Cost = \$8,321.25
- Lender
  - o Required environmental survey
  - o Underground Storage Tank (UST) removal by licensed environmental company
  - o Cost = \$29,800.00
  - o Clean water act

### Challenges and Opportunities:

C. *Which permit was the most challenging to secure?* The PennDOT driveway permits were the most challenging because they wanted us to change our driveway and in a way that would not allow us to access our new barn.

D. *How did you resolve those challenges?* For now, we continue to pay a six month \$20 extension request fee to PennDOT. They are not interested in talking or resolving the issue with us. Our Transformation Team hasn't previously encountered this issue, but agrees we are doing the right thing by filing the fee.

E. *What resources or resource people were used in addressing those challenges?* Jeff Ainslie, Red Barn Consulting.

### Results:

F. *Was the local township supportive of the permitting process? Please explain.* As long as we followed all of the townships regulations and permitting steps, they were supportive. They didn't have anything against the dairy industry, but lots of hurdles before approval.