

## Report Highlights

### Review of the Operation and Structure of County Conservation Districts

Pennsylvania's conservation district law, enacted in 1945, enabled counties to form conservation districts to help control soil erosion and conduct other related programs. The act also created the State Conservation Commission (SCC) to oversee the districts and administer various related programs.

- The SCC is a commission of the Department of Environmental Protection (DEP), but since 1995 has been housed in the Department of Agriculture (PDA). Also in 1995, the conservation district law was amended to require that the Commission chair rotate annually between the two Departments.

These changes appear to have been effective in placing renewed emphasis on district agricultural efforts, but a rotating chair could be problematic if the two departments have different policy priorities. We also note that receiving policy direction from three different state agencies--DEP, PDA, and the SCC--creates difficulties.

- SCC and district funding and reporting requirements are complex. Separate appropriations to DEP and PDA, together with many relatively small funding sources for specific programs, cause significant accounting and reporting burdens for districts.
- Conservation districts vary widely from county to county. In some districts, employees are county employees, in others they are district employees, and a few districts have both county and district employees. County financial support also varies widely.
- Districts take different approaches when setting Erosion and Sediment Control Plan review fees, and these fees vary greatly from one district to another. Districts also have considerable discretion in their review, monitoring, and enforcement of E&S plans.
- Districts are facing funding problems. While Conservation District Fund Allocation Program dollars (\$5.2M in FY04-05) are intended to cover 50% of certain personnel costs, it only covers about 40% of these costs. State funding for two programs has been cut entirely, and adequate future funding for several other programs is uncertain.

#### Recommendations:

- The General Assembly consider adding the Secretaries of DCNR and DCED to the State Conservation Commission.
- A staff-level work group be created to explore ways to better coordinate the administration of state conservation efforts.
- With regard to conservation district funding:
  - The General Assembly provide one CDFAP appropriation directly to the SCC at a level sufficient to meet the 50% funding goal for certain district positions.
  - Districts be allowed to receive advanced funding for certain programs and not be required to lapse unused funds.
  - The Commission consider alternative funds--perhaps a fee--to support the Nutrient Management Program.
  - Districts consider applying for DCED land use assistance grants.
- The SCC streamline the local district board appointment process.
- DEP should:
  - Help districts establish fair/appropriate E&S plan review fees.
  - Develop a training program to certify E&S plan review/inspection personnel.
  - Improve standardization of DEP regional offices, particularly as regards E&S enforcement activities and actions.
  - Allow districts to charge permit fees for the Chapter 105 (waterways) program.
  - Assess the adequacy of training efforts regarding the Chesapeake Bay program.