

**PACD Legislative Committee  
Red Lion Hotel, Harrisburg, PA  
July 12, 2017**

**Welcome and Roll Call**

Acting Chair Josh Longmore called the meeting to order at 10:00 a.m. without a quorum present.

*Committee members in attendance:* Donna Fisher, Blair; Josh Longmore, Luzerne; Jim Shaner, Beaver; Kelly Stagen, Pike; Chris Strohmaier, Chester.

**Minutes of the Previous Meeting**

The minutes of the previous meeting on January 24, 2017, were provided for review. No changes were presented. No motion was made due to lack of a quorum.

**Update on State Budget**

PACD Executive Director Brenda Shambaugh reported that the state budget was passed by both the House and the Senate and the Governor opted to wait for it to become law without his signature. Conservation district lines were restored. This is a huge success and comes as a result of PACD and conservation district efforts to restore that funding. However, there is no implementation legislation and negotiations between the House, Senate, and Governor's office are at a standstill. The House has adjourned and members have returned to their home districts. The Senate is still in Harrisburg.

In the near future, PACD will focus on providing a strong legislative program to help the conservation districts build and maintain relationships with legislators. About half of the legislators are new within the past five years, and we need to build relationships with them, so that they know the value of conservation districts and the work we do.

**Policy on Legislation to Shorten Permit Review Period**

Brenda provided a memorandum from Representative Zimmerman, who would like to propose a 90 day limit for written decision on ag nutrient management plans.

Brenda explained that Rep. Zimmerman is proposing this legislation because he and other legislators are hearing from constituents that nutrient management plans are not being approved in a timely fashion. Brenda provided this legislation to the managers for comment, and they are concerned that this will not solve the problem, and will instead result in either insufficient plans or even longer delays.

**Discussion points:**

- Just presenting a plan is not enough; the plan must be adequate and sufficient.
- It may well be that the failure is not on the part of the district or DEP.



- The delay may be on the part of the landowner or the planner/consultant, both of whom have responsibilities that, if not met in time, can cause delays.
- Many planners are overwhelmed with the demand for plans, particularly in the Chesapeake Bay watershed.
- In addition, other timing issues may delay a plan through no fault of the conservation district. The plan may be submitted between district board meetings, or during a month when a board meeting is not taking place. Plans for Concentrated Animal Feeding Operations (CAFO) may not make it into the bulletin in time.
- If the plan doesn't meet requirements this shortened deadline may force a reviewer to reject the plan, rather than continuing to work with the applicant.
- Allegheny sees more issues with individual plan reviews, and don't have full control over timeliness.
- DEP is underfunded and understaffed, and this has an impact on conservation districts, permits, and programs. DEP is an integral partner and needs to be adequately funded and staffed.

Brenda provided a proposed policy. After discussion and changes, the proposed policy read:

*PACD opposes legislation to shorten the permit review period for Erosion and Sedimentation, Nutrient Management, and/or National Pollutant Discharge Elimination System (NPDES) plan reviews and permit approval.*

#### **Update on Other Relevant Legislation**

Brenda provided the following report on other legislation relevant to districts:

- Growing Greener III legislation has been introduced in the Senate, but not in the House. This legislation has not moved, and is not anticipated to move in the near future due to Pennsylvania's budget shortfalls. However, it is out there and is being discussed, which is a good thing. It was noted that some proposals allocate a certain portion to the Chesapeake Bay, whereas previous Growing Greener legislation was statewide.
- Legislation related to PACD's water use fee policy has been introduced, but is not moving.
- There have been a number of proposals that would add a severance tax to the impact fee, but these have not moved forward, either.

#### **Prevailing Wage Exemption for Dirt, Gravel, and Low Volume Road Projects**

Adam Cotchen reported that Representative Dush has introduced a proposal (House Bill 297) to categorize dirt, gravel, and low-volume road maintenance projects as maintenance work under the Prevailing Wage Act, thus exempting DGLVR projects from prevailing wage.

#### **New Issues Discussion**

The committee had no additional items or issues to bring to the fall region meetings.

#### **Adjourn**

The meeting was adjourned at 11:00 a.m.