

**PACD Executive Council  
Web Conference Minutes  
July 23, 2020**

**Call to Order**

President Mike Price welcomed everyone and called the meeting to order at 10:06 a.m.

**Housekeeping**

PACD Director of Communications and Education Shannon Wehinger reviewed helpful guidelines for participants.

**Roll Call**

1<sup>st</sup> Vice President Kelly Stagen called the roll. Forty-three districts answered the roll, which constituted a quorum.

**Minutes of the Preceding Meeting**

President Price presented the minutes of the previous meeting.

*It was moved by Mark Kimmel (York) and seconded by Mike Hubler (Northumberland) to approve the minutes of the previous meeting. Motion carried.*

Beaver and Westmoreland abstained.

**President's Report**

Mike Price provided the following report:

- He introduced the newest member of the PACD Executive Board, PACD South West Region Director Emil Bove from Westmoreland Conservation District
- He reported we received dues from all 66 conservation districts for Fiscal Year 2019-2020
- The due date for dues for Fiscal Year 2020-2021 will be March 31 instead of June 30 to help PACD with the budgeting process
- PACD is looking into an unemployment compensation insurance program for districts, which would be available to any members who are interested in participating
- President Price congratulated the PACD staff for successfully continuing operations remotely.

**Executive Director's Report**

Executive Director Brenda Shambaugh provided the following report:

- She congratulated conservation district and partner staff for their impressive work meeting the challenges of the past several months and keeping things moving smoothly and efficiently.



- She thanked the board and staff. PACD staff have been working remotely since mid-March. Things have been going smoothly, and Brenda encouraged anyone with any concerns or suggestions to please contact us by email.
- Staff have been working to schedule, reschedule, and translate our various meetings and trainings into a virtual format. Staff have been working hard to keep districts in the loop throughout the process as things change.
- PACD has a section on our website at PACD.org devoted to information of use to districts and partners during the pandemic. PACD has also worked with our legal counsel to develop and provide general legal guidelines and advice for various topics such as the template liability waiver release form and guidance for districts who had to furlough employees.
- The Pennsylvania budget was level-funded through November. PACD will be keeping an eye on the continued budget process as we approach the November deadline.
- PACD helped obtain a conservation district for PDF software for ePermitting.
- Brenda thanked the districts who have invited her to attend their virtual board meetings. She encouraged districts to let her know.
- The region meetings will once again be virtual due to the difficulties inherent in finding space to accommodate social distancing.

### **Treasurer's Report**

Treasurer Sonia Wasco presented the year-end financial reports. She reviewed the bottom lines for the Balance Sheet and the Profit and Loss Report and reported a positive balance of \$16,327.00, which will be placed in the reserve account pending audit approval.

*It was moved by John Akers (Bedford) and seconded by Erica Tomlinson (Tioga) to file the FY 2019-2020 year-end financial reports for audit. Motion carried.*

### **NACD Director's Report**

NACD Director Clifford Lane provided the following report:

- NACD held their virtual summer meeting in Nebraska on July 20, 2020.
- The NACD board passed a bylaw change to allow virtual meetings and a statement on diversity, equity, and inclusion.
- Legislatively, NACD is keeping a close eye on what happens in Washington regarding the budget and potential aid to states and local government.

### **New Business**

### **Reports, motions, and resolutions from PACD Committees**

#### **PACD Conservation Committee**

PACD Conservation Committee Chair Josh Longmore provided the following report: The PACD Conservation Committee met on July 7, 2020 without a quorum.

- The committee Received a report from Nathan Crawford at DEP on e-permitting. Nate listed the issues that were discovered during the user acceptance testing and assured the committee that they would be addressed prior to the system going live. Training is planned to take place prior to the September 2 go-live date. He explained the four phases of implementation and let

the group know that there will be a transition phase where both paper and electronic submissions will be accepted.

- The committee also received a report from Piper Sherburne on invasive species. Kristopher Abell gave a presentation at the region meetings and each region passed a motion to create a delegated agreement to provide funding and authority to battle invasive species. Piper urged the committee to contact legislators to support invasive species funding.
- The committee received an update on training. Future Chapter 102 Clean Water Academy training topics include channel calculations and timber harvest training. The annual Chapter 102 Basic and Topic-based Technical Training will be held virtually.
- Lastly, the committee received an update on the state budget including how the state may proceed after passing a 5-month budget which will end on November 30, 2020. An interim budget was created. Both line items were level funded. After the November election, the legislature will know what the state's income level is, however a \$4 billion deficit is anticipated. The budget process will be tough. We need to have a strategy to show the importance of districts in economic recovery that includes the state level from PACD and the district level.
- The Conservation Committee had one motion to bring before Council.

#### Policy on Invasive Species Funding

All six PACD regions voted to support this policy, which was proposed by the PACD Executive Board on January 21, 2020 and supported by the PACD Conservation and Legislative Committees on January 22, 2020.

*It was moved by Gretchen Schatschneider (Bucks) and seconded by Cliff Lane (McKean) to adopt the following policy:*

*PACD encourages the PA Department of Agriculture and related agencies to develop a delegated agreement with conservation districts to provide funding and authority to battle invasive species.*

*Motion carried.*

#### **PACD District Employees Committee**

PACD District Employees Committee Chair Sandy Thompson reported the committee met on July 10, 2020 with a quorum.

- Amy Brown, PACD Program Manager, discussed the PACD and Leadership Development Program Opportunities.
- Sandy Thompson reported on the on-going Diversity, Equity, and Inclusion survey and noted that Oregon has a website with great information.
- There is a lot of district interest in the wetland delineation training. Brenda Shambaugh reported that NRCS holds this training annually but had to cancel this year's event due to COVID-19. PACD will work with NRCS on this training.
- Sandy Thompson reported on her involvement with the National Conservation District Employees Association (NCDEA) and mentioned a blog for others to join (NCDEA.groups.io). She will also be gathering outreach/educational information being conducted by Pennsylvania's districts to share with other districts across the nation.

- Sandy Thompson announced this was her last meeting as Chairwoman and that she would like to continue as a staff committee member if possible. Jamie Knecht from Wayne County Conservation District volunteered to chair the committee when Sandy steps down.
- The District Employees Committee had no motions to bring before the council.

### **PACD Education and Outreach Committee**

Chairwoman Laura Anderson reported that the PACD Education and Outreach Committee met on July 13, 2020 with a quorum.

- Shannon Wehinger reported on 2020-2021 events. There was no conservation district booth at PSATS, which was held virtually, or Ag Progress Days, which was cancelled. If the 2021 Farm Show is held, and PACD feels it is safe to do so, the conservation district booth will be co-located with NRCS once again at no cost to PACD. PACD thanks NRCS for that opportunity.
- The committee also talked about the public service announcement on native plants that PACD produced and viewed the animated explainer video on native plants that was produced for social media. PACD plans to create another PSA in the fall on lawn care.
- The committee discussed what educational activities districts conducted when in-person activities were not permitted. Most districts reported outreach through videos, webinars, and sharing on social media. Some districts are planning to stay virtual through February. Districts were encouraged to share resources and outreach efforts.
- PACD Software Specialist Nick Yeagy will give a how-to webinar on creating videos for conservation districts that are producing content.
- PACD received a \$3,000 DEP Environmental Education (EE) grant to make three template signs for districts to use to educate the public on watershed projects.
- PA Envirothon also received a DEP EE grant. PACD is working with Lorelle on ideas for partnering on a grant for the next round.
- The Education and Outreach Committee had no motions to bring before the council.

The PSA mentioned above was then displayed for participants with video ability.

### **PACD Legislative Committee**

PACD Legislative Committee Chairwoman Donna Fisher reported that the committee met with a quorum via web conference on July 9, 2020. The committee discussed the following items:

- A partial state budget is in effect and will expire on November 30, 2020. The Conservation District lines were level-funded in both the PDA and DEP budgets. Since the state must have a balanced budget and expenditures will far outweigh the revenue, it is anticipated that severe budget cuts could be made when the General Assembly completes the full fiscal year budget.
- Legislators are again looking at the Conservation District Fund and other restricted funds as a potential source to make up any shortfall. PACD and the districts are asking the SCC to consider distributing the CDFAP funds up-front to avoid this issue in future.
- PACD urges conservation districts to reach out to their legislators during this budget cycle. Templates and other information are available on PACD.org and Brenda is available as a resource if you have questions or need guidance.
- Two versions of third-party reviewer legislation are currently in the Senate: House Bill 509 and Senate Bill 252. PACD has policy opposing third-party reviewer legislation. However, if

the Senate moves forward with either bill, PACD will do what we can to ensure that the conservation districts are included as third-party reviewers.

- The PA Supreme Court considered the General Assembly's resolution ending the Governor's Emergency Declaration and determined that the Emergency Declaration remains in effect. The legislature will now likely consider legislation to countermand the Declaration. However, the Governor would need to sign any such legislation, so it is unlikely to be enacted.
- The committee discussed funding for invasive species. The PA Invasive Species Council is undertaking an economic impact study to support their request for funding to battle invasive species.
- While the most severe COVID-19 restrictions were in place, a piece of legislation (House Bill 1822) passed the House that would have frozen any new contract funding from the Conservation District Fund and other funds. PACD asked the House and the Senate to consider an amendment that would delete the Conservation District Fund entirely from the legislation, specifically stating that conservation districts are a key government entity in the reopening process, and opposing the legislation unless it was amended to exclude the Conservation District Fund. This legislation was stopped in the Senate.
- The committee discussed House Bill 1106, which would require a 30 day timeframe for permit approval if the application is administratively complete. It would also provide a dispute process for disagreements between DEP and the applicant. If the department fails to adhere to the timeline, the application would be deemed approved.
- There is money available under the CARES Act for expenses related to COVID-19. There may be more than one funding stream and the funding available may depend on a district's status. For example, whether the district is a county department or is associated with a 501(c)3. Several districts are tracking expenses related to COVID-19, some at the request of their county. Chester County was able to request and receive funding already under an earlier deadline. It was asked if PACD can help districts determine the requirements for the available funding. It was also noted that this may be a moving target as the requirements are updated or amended.
- The committee discussed outreach to local media and the community, which is particularly important during the budget process. There have been many creative outreach efforts while district staff were working from home, including virtual educational sessions, workshops, and videos. The native plant Public Service Announcement created by PACD is another opportunity for district outreach, and that PACD plans to create more PSAs between now and November. To take full advantage of your advocacy program, PACD recommends a three-pronged approach that includes outreach from PACD, the conservation district, and individual directors/associate directors.
- The committee had no motions to bring before the council.

### **PACD Operations Committee**

PACD Operations Committee Chairwoman Kelly Stagen reported that the committee met on July 16 with a quorum.

- The committee approved the minutes of the previous meeting and voted to forward two items to PACD Executive Council: a motion on invasive species funding and a proposed bylaw change moving Armstrong to the North West Region.
- The PACD Operations Committee had no motions to bring before the council.

### **PACD Ways and Means Committee**

PACD Ways and Means Committee Chairwoman Sonia Wasco reported that the committee met with a quorum on May 18, 2020, and July 14, 2020.

- During the meeting on May 18, 2020, the committee reviewed the March 31, 2020, financial reports and the draft budget for fiscal year 2020/2021. The committee made recommendations for the Executive Board to consider concerning the budget.
- During the meeting on July 14, 2020, the committee reviewed the draft financial reports for July 2019-June 2020. The committee also reviewed the revised draft budget for Fiscal Year 2020-2021 and was pleased that the Executive Board acted on their recommendations.
- The Ways and Means Committee had no motions to bring before the council.

### **PACD Bylaws Change: Armstrong Move to PACD North West Region**

On November 20, 2019, the Armstrong Conservation District board passed a motion to move from the PACD South West Region to the North West Region. All six regions voted to support this change, which requires a PACD Bylaws amendment and requires member approval at two PACD Executive Council meetings. July 2020 will be the first Council review. The change will affect *Article VII – PACD Regions*.

*It was moved by Emil Bove (Westmoreland) and seconded by John Akers (Bedford) to approve amending the PACD Bylaws to place Armstrong County Conservation District in the PACD North West Region. Motion carried.*

### **Proposed PACD Budget for Fiscal Year 2020-2021**

Sonia Wasco presented the proposed PACD budget for FY 2020-2021 and reviewed several items in detail.

*It was moved by Sonia Wasco (Lancaster) and seconded by Rob Shannon (Centre) to approve the PACD proposed budget for fiscal year 2020-2021. Motion carried.*

### **Election of Officers**

Ron Rohall presented the following slate of candidates on behalf of the PACD Nominating Committee:

- *President:* Mike Price, Beaver County Conservation District
- *1st Vice President:* Kelly Stagen, Pike County Conservation District
- *2nd Vice President:* Dennis Beck, Cambria County Conservation District
- *Secretary:* Charles Duritsa, Westmoreland Conservation District
- *Treasurer:* Sonia Wasco, Lancaster County Conservation District
- *NACD Director:* Clifford Lane, McKean County Conservation District

Mr. Rohall called for any additional nominations from the floor. None were presented.

*It was moved by Chuck Gould (Monroe) and seconded by Mark Kimmel (York) to approve the slate of candidates as presented. Motion carried.*

## **PACD Awards Recognition**

PACD North Central Region Director Dr. Robert Shannon announced the PACD awards recipients and PA Poster Contest Winners in lieu of the usual in-person event:

### Legislator Leadership Award

- Representative Mark Keller

### President's Award

- PA State Conservation Commission

### Ann Rudd Saxman Conservation District Director Excellence Award

- Sonia Wasco, Lancaster County Conservation District Director, PACD Treasurer

### Conservation District Employee Excellence Award

- Brooke Russick, Indiana County Conservation District

### Conservation District Employee Service Recognition Awards

30 Years of Service:

- Susan Gallagher, Carbon County Conservation District
- Keith Largent, Somerset Conservation District
- JoAnn McCready, Lawrence County Conservation District
- Patrick McKinney, Schuylkill Conservation District
- David Stoner, Franklin County Conservation District
- Sylvia Thompson, Wayne Conservation District

35 Years of Service:

- Donna Fisher, Blair County Conservation District
- Mark Kimmel, York County Conservation District
- Roger Spotts, Monroe County Conservation District
- Robert Sweitzer, Centre County Conservation District

### PA Poster Contest Winners

- Kindergarten to First Grade: Payton Joy Duncan, Greene County
- Second to Third Grade: Grace Petrunak, Lehigh County
- Fourth to Sixth Grade: Andrew John Watts, Berks County
- Seventh to Ninth Grade: Sarah Hartman, Carbon County
- Tenth to Twelfth Grade: Natalie Brown, Clinton County

## **Partner Reports**

### **PA Department of Environmental Protection**

Summer Kunkel, Acting Director for DEP's Office of Water Resources Planning, provided the following report on behalf of Deputy Secretary for Water Programs Aneca Atkinson:

- She thanked the 300 users who helped test the functionality of the Chapter 102 e-permitting system. They did document some critical functionality issues with the system, which meant

they were unable to pursue their initial go-live date in July. They are currently addressing the functionality issues and hope to go live in September 2020 depending on how quickly they can make the needed changes.

- She extended thanks to everyone who helped with Chapter 105 ePermitting. Updates for Chapter 105 ePermitting were released in July. The Chapter 105 ePermitting website has also been updated with a new FAQ and instructional videos.
- The Clean Water Academy offers web-based training county coordinators, conservation districts and DEP staff. The training offerings are regularly updated and new content added.

Ms. Kunkel provided the following updates on the Chesapeake Bay Office:

- The Agricultural Inspection Program Phase II Pilot will roll out in August. The Lancaster and Chester County Conservation Districts have signed onto the pilot and a third district has expressed interest if they receive approval from their board.
- The program has received an extension until December 31, 2021, for the Chesapeake Bay Implementation Grants awarded to pilot counties for BMP implementation. Counties are in the process of implementing projects now.
- Eight new Clean Water Action Plan coordinators were hired in Phase I counties using state funds.
- The program is working to develop a plan for Tier 3 and Tier 4 outreach.
- The office is also working with Chesapeake Commons on a data management tool called Field Dock to support partners with data management recording needs.
- At the beginning of June, the office released a *Healthy Watersheds, Healthy Communities* story map to mark Chesapeake Bay Awareness Week
- They have been publishing monthly Phase 3 WIP eNewsletters.
- Their website has undergone a complete renovation.

### **PA State Conservation Commission**

Executive Secretary Karl Brown provided the following report:

- He thanked the PACD board and staff for setting up this meeting and their flexibility and innovation in getting things done during this time.
- He recognized Pennsylvania's conservation district managers for their hard work in adapting to the pandemic conditions. They have been critical to keeping things moving and have done an outstanding job.
- He thanked PACD for the President's Award. Leadership Development has been very successful in the three years under the contract with PACD. Matt Miller has done an outstanding job and demonstrated dedication and innovation, particularly in the new virtual environment. He thanked Matt and PACD.
- The SCC held their virtual meeting earlier this week, with nearly 90 people in attendance. He thanked everyone who took the time to participate.
- The SCC allocated about \$36 million during the meeting and about \$33 million of that funding went to districts. Of the \$33 million, \$12 million went to fund conservation district operations and staff salaries and benefits and about \$21 million was pass-through money, mainly for the Dirt, Gravel, and Low Volume Road program.
- The Dirt and Gravel Roads Program allocations have been submitted to the comptroller's office and are in process.



- SCC staff will continue to do everything they can to process contracts and agreements as quickly as they can.
- The SCC Conservation District Advisory Committee has had two meetings to date and has another meeting planned on August 20, 2020, where they will discuss some of the adaptations and changes resulting from COVID-19.
- During their meeting, the SCC also made some final amendments to the REAP guidelines. About \$10 million in credits is available for this fiscal year and the application period begins on August 3. About \$2.5 million were rolled over from last year.
- Mr. Brown noted that he looks forward to meeting face to face again but, in the meantime, he appreciates the work everyone is doing to allow for these virtual events.

### **USDA Natural Resources Conservation Service**

Pennsylvania State Conservationist Denise Coleman provided the following report:

- Ms. Coleman thanked everyone for hosting this virtual meeting and expressed appreciation for the opportunity to speak with the districts.
- She thanked the PACD staff for their hard work keeping the field portions of the Ag Boot Camp trainings on track considering the pandemic.
- The field portion of Boot Camp Level II will take place August 31-September 4 and the field portion of Boot Camp Level I will take place September 9-11
- NRCS is continuing to set their sites on obligating about \$33 million in EQIP, CSP, and RCPP funding, as well as easement programs. They continue to have additional ‘slippage’ dollars coming in from states who cannot use the funding.
- She thanked the NRCS field staff and noted it has been a challenging year, with a new automation system to learn and implement to rank and evaluate conservation plans and translate them into contracts.
- Several Watershed Rehabilitation Projects are in the works, either in planning or design. The Hibernia Dam project in Chester County moved into the construction phase this summer and they are looking forward to completion of that dam in about a month-and-a-half.
- National Water Quality Initiative money has been set aside to fund implementation of conservation practices in several high-priority watershed areas, including Warrior Run in Northumberland, Beaver and Upper Yellow Creeks in Bedford, Upper Kishacoquillas Creek in Mifflin, Swatara Creek in Lebanon, and Maiden Creek in Berks. They are hoping to dedicate \$3-4 million for these projects. She noted that Maiden Creek and Swatara Creek are source-water areas that have been designated to protect municipal water supplies.
- She thanked districts for helping to revive their PL566 programs for flood control and land treatment. They currently have four watershed flood prevention and operations planning designs that are going forward. These are long-term ten-year projects that will assist four communities with planning, design, and construction of flood control projects: Martins Creek in Wyoming, Chiques Creek legacy sediment removal in Lancaster, spent mushroom compost in Chester, Jacobs Creek flood prevention project in Westmoreland. NRCS provides 100% of the money for planning, design, and engineering assistance and about 65%-75% of the money for construction. This program was active in the 1960s and has regained popularity in Congress.
- She thanked DEP and local districts in the northern tier who worked hard to complete the Emergency Watershed Protection projects. Over 95 projects were completed because of 2018 flooding. NRCS contributed about \$5 million and the districts contributed about \$4 million.

- NRCS has awarded the 2019 RCPP classic projects. Announcements for 2020 RCPP classic projects will go out in late July/early August.
- The Kittatinny Ridge Conservation Landscape project puts conservation easements on forestry and ag lands in the Kittatinny Ridge Corridor of the Chesapeake Bay watershed. The chief partner is the PA Department of Agriculture.
- The Ag BMP Implementation in the Chesapeake Bay project, with primary partner Berks County Conservation District, will install agricultural conservation practices in the Chesapeake Bay portion of Berks County.
- The Buffalo Creek Watershed Conservation Alliance project has the primary partner the Audubon Society,
- NRCS statewide training for district employees will continue, either virtually or in-person. However, national training courses are on hold until the end of the calendar year.

### **Adjournment**

*It was moved by John Akers (Bedford) and seconded by Ted Veresink (Northampton) to adjourn the meeting at 11:59 a.m. Motion carried.*

The meeting adjourned at 11:59 a.m.