



## **POLICY HANDBOOK**

**July 23, 2020**

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Appendix A – Acronyms

Appendix B – Resolution Urging the Reauthorization of Collection of Fees to the Abandoned Mine Land Reclamation Fund (2006)

Appendix C – Conservation District Professional Code of Ethics (1999)

Appendix D – Water Resources Conservation, Protection and Planning (2001)

Appendix E – Utilization of Watersheds to Address Nonpoint Source Environmental Problems in Pennsylvania (1999)

Appendix F – Stormwater Management (1998)

Appendix G – Abandoned Mine Reclamation (1998)

## I. INTRODUCTION

The Pennsylvania Association of Conservation Districts, Inc. (PACD) is a private, nonprofit organization that represents Pennsylvania's 66 conservation districts, their cooperating landowners, and the communities whom they serve. PACD's basic philosophy places importance on local decision making and involvement in solving conservation problems. County conservation districts assess conservation problems, set priorities for conservation work to be done, and coordinate federal, state, and local resources to carry out their programs.

PACD's mission is to support, enhance and promote Pennsylvania's conservation districts and their programs.

The Association is guided by a number of basic policies:

- Motivate conservation district officials to full and positive leadership.
- Seek public assistance for conservation work which is in the public interest and which landowners and land users cannot perform adequately with their own capabilities or authorities.
- Seek effective support for conservation districts wherever it may be found – in government, industry, labor and commerce; in farm, civic, and conservation organizations; among educators, publishers, and the clergy: and in all other segments of American society.
- Supply reliable information about the purposes and activities of conservation districts to the press, radio, and television; to national, state, and local legislative bodies; to farm organization and agricultural leaders; and to all responsible organizations and leaders concerned with these purposes and activities.
- Cooperate with county, state, and federal agencies concerned with the conservation, use, and development of our natural resources.
- Support the National Association of Conservation Districts (NACD) and its conservation programs, and work with NACD to accomplish legislative and policy changes.

## **II. PACD POLICY PROCESS**

### **Overview and Definitions**

The PACD policy process generally applies to a) any policy that would merit inclusion in the PACD policy handbook, and b) any proposal that requires the approval of the PACD Executive Council – for example, changes to the PACD dues or bylaws.

There will be times when the association is called upon to advocate for the membership on an issue that requires more immediate action than the policy process allows. In that case, it is the responsibility of association staff and the PACD Executive Board to gather feedback from the membership and determine how to move forward in the best interests of the membership.

### **Step One: Development and Submission**

The following bodies may develop and approve, by official vote, a policy or proposal to be considered by the PACD membership:

- a local conservation district board
- the PACD Executive Board
- a PACD committee
- a PACD region

In order to receive regional review, policies and proposals must be submitted to PACD prior to March 1 for the spring region meetings, and no later than September 1 for the fall region meetings.

Policies and proposals generated by a PACD region during the region meetings will move directly to Step 3, even if some or all of the other regions have already met. This ensures that proposals generated at the regional level can be considered in a timely fashion, rather than waiting six months for another round of regional review.

### **Step Two: Regional Review**

After submission by the appropriate body, policies and proposals move forward to the next round of PACD region meetings for review by the membership.

Should a proposal come before the PACD Executive Board after the PACD region meetings and before PACD Executive Council, the board may choose to forward this proposal directly to the membership for consideration without regional review. This should only be undertaken if the board deems that a) timely consideration of the proposal will benefit the membership and b) it is impractical to hold the proposal until the next round of region meetings.

### **Step Three: Local Review**

After the region meetings are concluded a summary of actions from the region meetings, including any policies and proposals, will be distributed to the membership via e-mail for review by local conservation district boards.

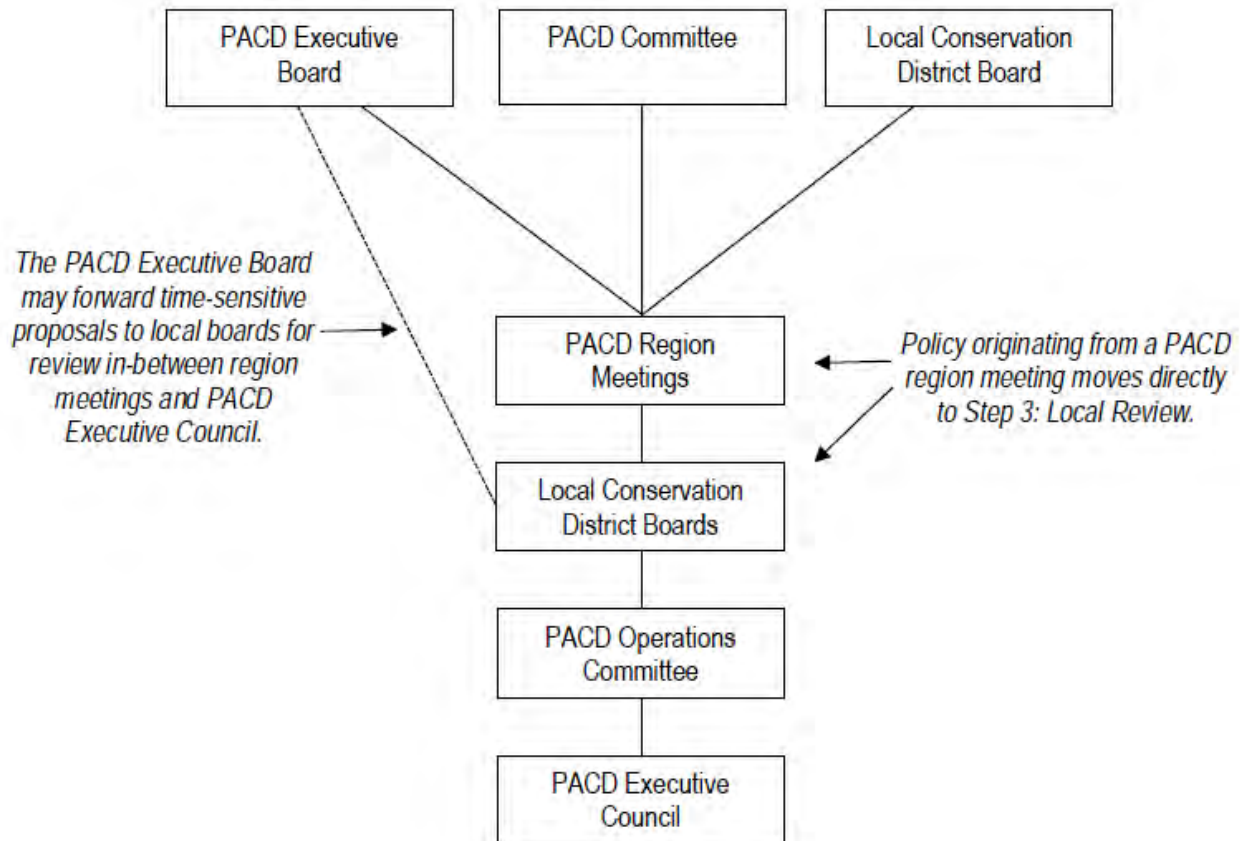
Should the PACD Executive Board choose to forward a time-sensitive proposal to the membership without regional review, as described above in Step Two, PACD will distribute the proposal to the membership via e-mail for local review as soon as possible.

### Step Four: PACD Operations Committee

Per the PACD bylaws, the PACD Operations Committee will review all resolutions for consistency with PACD policy and clarify resolutions for consideration by the Executive Council.

### Step Five: PACD Executive Council

Policies and proposals will go before PACD Executive Council for discussion, amendment, and adoption. Conservation district voting delegates are expected to be able to make decisions on behalf of their district during council meetings, and to have authorization to cast a vote for their district on any amendments made from the council floor.



### III. OPERATIONS

1. Long range program planning should be reviewed and modified regularly to recognize changing trends and needs.
2. We encourage partnering between conservation districts and public agencies and private organizations and adoption of cooperative working agreements.
3. Whereas decisions of the State Conservation Commission (SCC) directly affect PACD and conservation districts and whereas timely information exchange is fundamental to the ability of conservation districts to properly advise and work with the State Conservation Commission and whereas each conservation district has the capability to access the Internet and E-mail, allowing communications with the State Conservation Commission to be virtually instantaneous, now therefore, beginning with the November, 1999 State Conservation Commission meeting, PACD requests that the Executive Secretary of the State Conservation Commission provide all information including draft agendas, and all supporting documents, related to the SCC agenda at least one month before SCC meetings on the Internet via the SCC's web site so that conservation districts can discuss issues at their Board meetings and have sufficient time to share their views with the SCC prior to the SCC's taking action at their meeting(s). So that this can occur in a timely fashion, the Executive Secretary of the SCC needs to ensure (require) that the SCC receives all necessary documents and information on which it is going to act so that the above deadlines can be met. (1999)
4. PACD supports the timely reimbursement of all expenses due under the terms of reimbursable grants and programs. (1998)
5. Conservation districts should be permitted to recover the cost of interest charged on money borrowed by conservation districts to fund state programs, and the cost of interest lost from funds which were not reimbursed by the state in a timely manner. (1998)
6. We support the creation of a conservation district in Philadelphia. (2006)
7. PACD encourages conservation districts to obtain adequate insurance.
8. PACD encourages conservation districts and counties to submit the required annual audits by the established deadlines of the State Conservation Commission. (2006)
9. We support the continuation of an annual memorial service to honor deceased members of the Pennsylvania conservation district community. (2006)
10. PACD should represent the conservation districts on the USDA State Administrative Committee.

## IV. LEGISLATIVE

### A. State

1. PACD proposes amendments to Act 217 and will work with the PA General Assembly with the guidance of our Position Paper “Conservation District Law” to preserve and strengthen the conservation district system. The goal is to streamline the processes that conservation districts use to develop and administer local, state, and federal programs. PACD recommends enhancing the necessary structure of the SCC to include consistent leadership, expanded membership, and a more formal assignment of necessary staff from the associated state departments. Finally, PACD supports a special non-lapsing fund for conservation district support. This fund should allow for future changes in funding and programs and provide a framework for utilization of any dedicated funding should that become available. (2006)
2. PACD supports an increase in the threshold of the prevailing wage law. Following each twelve month period thereafter, the estimated cost threshold shall be increased by an annual cost adjustment calculated by applying the percentage change in the consumer price index. Because of the limited amount of funding available for conservation projects, this increase will allow conservation districts to work more effectively with the agricultural and conservation community. (2008)
3. Since technical assistance is the key component to implementing sound conservation practices, PACD supports significant funding increases for NRCS and Conservation Districts to provide landowners and land users with technical assistance. Additionally, PA farmers do not receive their fair share of federal farm bill funding. Farmers across the country should receive the same percentage of available agricultural production and conservation dollars. A more equitable distribution of funds per producer is needed so all farmers nationwide have an equal opportunity to participate in voluntary government conservation programs. (2006)
4. PACD supports legislation to exempt landowners from liability if they invite individuals onto their land for recreational purposes. (2007)
5. The Pennsylvania Association of Conservation Districts (PACD) supports the adoption of a severance tax in Pennsylvania that includes a percentage of the proceeds dedicated toward natural resource protection activities and dedicated funding for conservation districts, and that some portion of that percentage be dedicated to the conservation district in the county in which it originated. (2009)
6. In addition to dedicated funding for the Conservation District Fund, PACD endorses an additional percentage of a severance tax should be distributed to host counties and host municipalities, with a share for non-host municipalities within counties where natural gas has been severed, to reduce negative infrastructure impacts that may occur from wells in neighboring areas. PACD also supports a portion of any severance tax for the Environmental Stewardship Fund, Pennsylvania Fish and Boat Commission, and the Pennsylvania Game Commission. (2010)
7. PACD supports legislation creating a natural gas extraction impact fee with a dedicated portion allocated to the Conservation District Fund to protect and preserve Pennsylvania’s natural resources. A portion of the fee should be distributed to conservation districts statewide and the remainder should be committed specifically to conservation districts in impacted areas. (2011)

8. PACD supports legislation allowing for a tax credit for the development of coal-refuse-to-electricity initiatives, and that these same companies need to practice environmental responsibility for any waste products from this activity. (2016)
9. PACD supports the concept of a water resource extraction fee that funds water quality improvements and includes exemptions for public and agricultural users. (2017)
10. PACD opposes legislation to shorten the permit review period for Erosion and Sedimentation, Nutrient Management, and National Pollutant Discharge Elimination System plan reviews and permit approval. (2018)
11. PACD continues to support utilizing the Environmental Stewardship Fund (ESF) to fund the Growing Greener program and its success in assisting local communities with natural resource projects. We philosophically oppose using funding from the ESF to pay for state agency administration. (2019)
12. PACD supports conservation district funding to remain in the PA Department of Environmental Protection (DEP) fund and continue with the existing DEP funding structure. (2019)
13. PACD opposes third-party permit reviewers, such as those proposed in House Bill 1959 (2018-2019 Session) now House Bill 509 (2019-2020 Session). (2019)
14. PACD opposes legislation allowing for unreported discharges, spills or releases into waters of the Commonwealth that are not authorized by a DEP permit. (2020)
15. PACD opposes Acts amending Title 27 of the PA Consolidated Statutes establishing advanced permit review programs and advanced permit review program funds unless the legislation addresses conservation district concerns. (2020)

## **B. Federal**

- PACD supports the “Resolution Urging the Reauthorization of Collection of Fees to the Abandoned Mine Land Reclamation Fund” provided in Appendix B. (2006)



## **V. CONSERVATION DISTRICT EMPLOYEES**

1. District employees play a vital role in district affairs. PACD recommends that conservation districts employ staff (administrative, technical, clerical, and other support personnel) to implement district programs. (2006)
2. PACD encourages conservation districts to establish a personnel management system which includes development of job descriptions for conservation district employees, performance evaluations, and training. (2006)
3. PACD encourages the development of a strong training program for both administrative and technical skills for all areas of district responsibility. (2006)
4. PACD encourages conservation districts to consider cooperating agencies' offers of training that are consistent with the districts' strategic plans. (2006)
5. PACD encourages conservation districts to utilize individual development plans for district employees to enhance the professional growth and skills of district staff. Training should be documented through an Individual Development Plan. (2006)
6. PACD encourages conservation districts to adopt the Conservation District Professional Code of Ethics as described in Appendix C. (2006)
7. PACD recommends that conservation districts offer a competitive wage and benefits package in order to obtain and retain quality employees. (2006)
8. The District Employees Committee supports the efforts of PACD to encourage a curriculum for conservation planning certification for district staff. (2006)

## **VI. EDUCATION AND OUTREACH**

### **A. Funding**

1. PACD seeks funding for educational grant programs to support conservation districts. (2006)
2. PACD supports increased funding for the conservation district track of the PA DEP Environmental Education Grants Program. (2006)
3. PACD supports dedicated funding for Watershed Specialists and Environmental Education Coordinators. (2006)

### **B. Education and Training**

1. PACD supports the use of conservation education tools and the development of Pennsylvania-specific materials that target both youth and adult audiences. (2006)
2. PACD supports educational workshops and other training opportunities for conservation districts. (2006)

### **C. Marketing and Communications**

1. PACD supports activities that expand the public's understanding of local conservation districts. (2006)
2. PACD maintains an educational website for conservation districts. (2006)
3. PACD supports conservation district networking through listserves. (2006)
4. PACD recognizes conservation district directors, associate directors, and/or staff whose efforts have furthered the activities and accomplishments of conservation districts on a statewide basis. (2006)

### **D. Relationships**

1. PACD maintains a current MOU with the PA Department of Education. (2006)
2. PACD maintains a current MOU with the PA State Envirothon. (2006)
3. PACD remains active on the Pennsylvania Center for Environmental Education's Executive Board. (2006)
4. PACD remains active on the Pennsylvania Environmental Education Advisory Board. (2006)
5. PACD supports fostering partnerships to achieve common goals. (2006)

## **VII. CONSERVATION**

### **A. Erosion and Sedimentation Control**

1. PACD urges all municipal and county governments to adopt and enforce ordinances requiring developers to prepare and apply for Erosion and Sedimentation Control Permits and NPDES Permits for construction of Private and Public Developments.
2. PACD urges USDA to give equal recognition to our northeastern states' fragile soils as a valuable resource needing to be saved.
3. PACD encourages the standardization of interpretation of erosion and sediment control planning within all bureaus and regional offices of the PA DEP and other state agencies, especially as they apply to permit requirements, to ensure that all landowners and agencies are treated equally under the Clean Streams Law. (2006)
4. PACD supports the "Erosion and Sediment Pollution Control Program Manual" and other manuals and handbooks for planning and designing erosion and sediment pollution control on earth disturbance sites, and recommends that it be periodically revised and updated to remain current. (2006)
5. PACD supports compliance actions in cases where there is continued violation or refusal to cooperate.
6. PACD urges that erosion and sediment specifications for road and bridge construction conform to the standards and specifications for soil erosion control specified in PA DEP regulations. (2006)
7. PACD encourages cooperation between conservation districts and all Commonwealth departments for erosion control compliance. (2006)
8. PACD urges conservation districts to work cooperatively with loggers and landowners in using the Pennsylvania handbook on erosion and sedimentation pollution control. (2006)
9. PACD encourages the PA Bureau of Forestry to include forestry erosion and sediment pollution control measures on private woodland forest stewardship management plan standards. (2006)
10. PACD acknowledges the impact of legacy sediment on water quality in the Commonwealth. PACD supports adequate funding to address legacy sediment removal and the restoration of streams. (2006)
11. As legacy sediment has been found to be a significant contributor to nutrient and sediment pollution in the Chesapeake Bay and other Pennsylvania watersheds outside of the Chesapeake Bay, PACD recommends that the Environmental Protection Agency (EPA) and the PA DEP update the Chesapeake Bay Model to include and quantify the nutrient and sediment load due to legacy sediment. PACD also recommends that the PA DEP update the Chesapeake Bay Tributary Strategy to account for the nutrient and sediment load due to legacy sediment. (2006)
12. Any Erosion and Sedimentation or NPDES permit must include technical plan review(s) by the conservation district, where delegated, prior to permit issuance. (2009)

## **B. Conservation Planning**

1. All natural resource tools and services should be pursued to compile a total natural resources inventory.
2. PACD supports a requirement that all landowners or operators who receive financial assistance from federal or state agencies have and are implementing an approved conservation plan with the local conservation district. (2006)
3. PACD believes every farm should have an implemented conservation plan. Conservation plans should be the vehicles for government conservation help such as technical assistance, credit, and cost-sharing all farming practices.
4. PACD supports the Soil Survey Program and recommends continued federal funding for soil research, digitalization and computerization of soil information. (2006)
5. PACD supports the concept of one integrated resource management plan for farmers. An integrated planning system would help reduce conflicts between local, state, and federal requirements regarding the management of soil and nutrient resources, pest control, woodland, and wetland resources.

## **C. Roadway Construction and Stabilization**

1. PACD encourages the PA Department of Transportation (PA DOT) to establish permanent vegetation on road rights-of-way. Conservation districts should assist in developing maintenance programs that prevent erosion and sediment pollution on these rights-of-way in cooperation with PA DOT.
2. PACD encourages the PA Department of Transportation (PA DOT) to protect soil when working on private property. The types of protection, the methods to be used, and the delegation of responsibility should be written into any agreement between the Department and the landowner when any earthmoving activities are planned off their rights-of-way.
3. PACD supports the update of the MOU between PA DOT, PA DEP, and the conservation districts to improve communications between conservation districts and PA DOT. Stormwater problems resulting from state rights-of-way can only be solved or avoided with constant communication and support between conservation districts and PA DOT offices.
4. Conservation district officials should annually request a list of proposed road construction projects from local and state government agencies and be alert to identify potential drainage problems through proposed roads and highways. (2006)
5. PACD supports all efforts in the stabilization and beautification of roadsides in Pennsylvania using native species where possible.
6. PACD encourages state and local highway officials to seek designs for new construction that will provide minimum slopes on cuts and fills and thereby promote successful establishment of vegetation. (2006)
7. PACD supports the Dirt and Gravel Roads Program and efforts to minimize the impact of all road systems on natural ecosystems. (2006)
8. PACD encourages a written Letter of Understanding (LOU) be developed between the State Conservation Commission, the PA Department of Environmental Protection, Conservation Districts, and the PA Turnpike Commission concerning E&S projects. (2007)

9. PACD encourages a review and renewal of the current LOU between the PA Department of Transportation, the State Conservation Commission, the PA Department of Environmental Protection, and conservation districts concerning E&S projects. (2007)

#### **D. Water Resources**

1. PACD recognizes that water resources are critical to the future of Pennsylvania and need to be both quantitatively and qualitatively protected from human abuse. See Appendix D for PACD Water Resources, Conservation, Protection and Planning position paper. (2001)
2. PACD favors participation in water management decisions by conservation districts. We believe that water management decisions should involve local participation by both public and private sectors. Water management should also reflect the varied rainfall patterns and watershed conditions of the State.
3. PACD encourages planners to use the watershed as an important planning unit because of the natural relationships which exist within drainage areas.
4. PACD supports the PL566 Program and encourages adequate funding. (2006)
5. PACD supports the proposed amendments to the Clean Water Act relating to nonpoint source programs.
6. PACD supports the involvement of conservation districts as the lead agency for control of runoff pollution within watersheds.
7. PACD encourages funding support for the conservation district Watershed Specialist as part of the Conservation District Fund Allocation Program (CDFAP). (2006)
8. PACD supports the state control over groundwater management and urges Pennsylvania to enact and administer sound groundwater management policies (including mine pools). (2006)
9. PACD endorses the EPA strategy for groundwater protection which includes the following three elements:
  - a. Build and enhance programs for groundwater protection;
  - b. Address contamination from sources such as leaking tanks, surface impoundments, and landfills; and
  - c. Adopt guidelines for consistency in groundwater protection and cleanup (including mine pools). (2006)
10. PACD supports the efforts of Act 220 of 2002 and the revision and implementation of a State Water Plan. (2006)
11. PACD encourages the development and public distribution of a navigable river list and map with public access points as part of official Commonwealth law. (2006)
12. See Appendix E for PACD position paper on *Utilization of Watersheds to Address Nonpoint Source Environmental Problems in Pennsylvania*. (1999)

#### **E. Stormwater and Floodplain Management**

1. Conservation districts are encouraged to become involved in the development of watershed stormwater management plans as required under Pennsylvania's Stormwater Management Act 167. We encourage their use of the "Storm Water Management Guidelines and Model

Ordinances” and their participation on Watershed Plan Advisory Committees, which are required to include at least one representative from the county conservation district. (2006)

2. PACD encourages cities, municipalities, and county government to adopt stormwater management plans and ordinances. (2006)
3. PACD supports conservation district involvement in solving local stormwater management issues. We encourage conservation districts to assist counties in developing Act 167 Stormwater Management Plans on a watershed basis. (2006) See Appendix F for position paper. (1998)
4. Conservation districts, NRCS, and state conservation agencies are encouraged to cooperate with FEMA and the state floodplain management agencies ( Pennsylvania Emergency Management Agency and Pennsylvania Department of Community and Economic Development) in implementing floodplain management plans and ordinances. (2006)
5. Conservation districts are encouraged to become involved in floodplain management education programs.
6. PACD encourages the use of flood warning systems at the local level.
7. PACD endorses a pilot public-private market-based Stormwater Trading Program, addressing pending stormwater (MS4, NPDES) concerns and the Watershed Implementation Plan (WIP) to meet the Total Maximum Daily Load compliance requirements in the form of credit offsets or benefit stacking on a regional scale. PACD also encourages that adequate compensation be provided to conservation districts in order to offset costs associated with serving as an adviser/facilitator for such a program. (2011)

## **F. Resource Extraction**

1. PACD supports compensation to property owners for damage associated with resource extraction. (2006)
2. Comprehensive planning is necessary to determine the best course of action to remediate degradation from past resource extraction and to prevent degradation from future resource extraction activities. Conservation districts are a vital local voice in mine land reclamation and should be involved in every active reclamation program. See Appendix G. (1998)
3. PACD believes that conservation districts are a vital local voice in mine land reclamation and should be involved in every delivery system now in operation. Conservation district involvement includes insuring the fulfillment of Chapter 102 requirements, making the public aware of the programs, and conducting local publicity efforts for reclamation projects.
4. Oil and Gas Policy

*Whereas*, in March 18, 2009 the PA Department of Environmental Protection (DEP) transferred responsibility for reviews and permitting associated with Chapter 102 and 105 regulations of the PA Clean Streams Law from conservation districts to Regional Office Oil and Gas Management Programs; and

*Whereas*, many communities, legislators, and organizations such as the County Commissioners Association of Pennsylvania conservation organizations, and conservation districts have expressed support for the transfer back to conservation districts of those responsibilities; and

*Whereas*, conservation districts understand the need for energy development without compromising water quality protection; and

*Whereas*, conservation districts and DEP have a long history of cooperation and partnership in the administration of Chapters 102 and 105; and

*Whereas*, conservation districts are recognized locally and statewide as having the responsibility and expertise in administering Chapters 102 and 105; and

*Whereas*, conservation districts have program-ready staff available to assist DEP; therefore be it

*Resolved*, that PACD supports conservation district resumption of Chapter 102 and/or 105 responsibilities by the DEP rescinding the March 18, 2009 memo; and be it further

*Resolved*, that a working group comprised of conservation district, DEP and SCC representatives be formed to discuss issues that arise and are relevant to district resumption. (2012)

5. PACD supports the use of properly permitted and treated Abandoned Mine Drainage (AMD) water for fracking. (2016)

## **G. Land Use**

1. PACD urges Pennsylvania to provide for the maximum participation by local jurisdictions, conservation districts, sub-state planning regions, and other units of multi-governmental organizations when developing or reviewing land use policies.
2. PACD endorses the preservation of Pennsylvania's open space and natural resources. (2006)Whereas the 21st Century Environment Commission Report emphasizes the role of conservation districts, PACD strongly endorses the recommendations of the 21st Century Environment Commission and asks the Governor to implement the recommendations through conservation districts, state agencies, organizations and local governments. (2006)
3. PACD supports federal and state legislation which will discourage imprudent use of land for agricultural cultivation where land is only suitable for permanent cover or long-term grass rotations.
4. PACD favors the preservation of prime and unique agricultural lands. We support efforts to identify "prime and unique" farmlands and to preserve these lands in agricultural use where appropriate.

## **H. Solid Waste and Biosolids**

1. PACD supports the emphasis on recycling of solid wastes, including coal waste, in solid waste management and encourages the development of markets for recycled and resource recovery materials. (2006)
2. PACD supports the principle of county-wide solid waste management plans and encourages conservation districts to counsel county commissioners and other municipal decision-makers in solid waste management.
3. PACD supports the requirement of beverage container deposits as the best method to reduce littering and the amount of waste generated. (2006)
4. PACD supports the efforts of PA Cleanways. (2006)

5. PACD encourages continued research into the land application of sludges/solid waste. (2006)
6. PACD supports the beneficial use of biosolids for application to agricultural land, when the following conditions are met:
  - a. The farm receiving the biosolids has a soil conservation plan meeting the requirements of the PA Code, Title 25 Chapter 102 Erosion Control, and the plan is fully implemented;
  - b. The biosolids are of good quality, determined by lab analysis, and meet the state and federal regulations for application to agricultural lands; and
  - c. The site is suitable, under good management, and meets the permit requirements of the state and federal regulations. (Good management includes frequent testing of the biosolids and the soil to which they are applied, as well as application of the biosolids to meet crop needs as determined by a nutrient management plan.) (2006)
7. PACD supports adequate funding for the conservation districts by PA DEP for the Biosolids Program. (2006)

## **I. Wetlands**

1. PACD supports grassroots education of local officials, property owners, farmers, and developers on wetlands identification techniques and protection requirements. (2006)
2. A tax break or reassessment of land values for a landowner whose property contains wetlands is needed.
3. PACD supports the adoption by PA DEP and the Army Corps of Engineers of a state general permit system for specific agricultural practices in wetlands. A general permit would enable farmers to implement conservation practices in wetlands where agricultural production is already established. (2006)

## **J. Forestry**

1. Conservation districts are encouraged to develop opportunities for additional cooperation with forest industries and for the further development of programs aiding in production and profitable marketing of forest products.
2. Conservation districts should encourage wood product industries to locate in the Commonwealth rather than process Pennsylvania timber outside of the state.
3. PACD recommends that conservation districts having substantial forested areas appraise periodically the extent and quality of services and facilities available to advance forestry work. If necessary, conservation districts should seek additional assistance from public and private sources in order to help landowners and operators meet wise land use and forest production goals.
4. PACD urges conservation districts, NRCS, Cooperative Extension Service, and state and federal forestry agencies to give emphasis to technical assistance to private timber owners.
5. Conservation districts are encouraged to work with regional hardwood utilization groups under the PA Hardwood Council.
6. PACD supports the American Tree Farm System and the Forest Stewardship Program and encourages conservation districts to participate in their forest management programs. (2006)
7. PACD encourages communities to take advantage of the Municipal Tree Restoration Program.



8. Conservation districts are encouraged to participate in the Stream ReLeaf Program. (1999)
9. PACD supports sustainable forest management. (2006)
10. PACD supports federal funding for state and private cooperative forestry programs.
11. PACD supports the Forest Legacy Program. (2002)
12. PACD endorses the creation of woodland owners associations.
13. PACD urges the state and federal governments to adopt a comprehensive integrated forest protection management program that includes the various insect, disease, wildfire, and environmental impacts to a healthy and productive forest. (2006)
14. PACD supports the protection of the forest understory which includes tree seedlings and rare and endangered species. (2006)
15. PACD encourages woodlot owners to consider the market value of other understory species, such as mushrooms, ginseng, and goldenseal, to name a few. (2006)
16. PACD endorses the Pennsylvania Sustainable Forestry Initiative (PA SFI) and its self-regulatory objectives of increasing professionalism and stewardship that will foster the sustainability of Pennsylvania forests. PACD encourages conservation districts to support the objectives of PA SFI. (1997)
17. PACD supports the concept of forester licensing/registration as promoted by the PA Council of Professional Foresters. (2007)

## **K. Recreation**

1. PACD opposes efforts to curtail or abolish sport hunting, fishing, and trapping. (2000)
2. PACD opposes Sunday hunting. (1999)
3. PACD supports the concept of "Teaming With Wildlife." (1999)
4. PACD supports responsible programs for the expansion of outdoor recreational facilities on public and private lands. (2006)
5. PACD opposes the anti-environmental advertising used by the all-terrain vehicle and off highway vehicle industry to sell their vehicles. (2001)
6. PACD endorses actions designed to halt unwarranted and unlawful entry on private property.
7. Conservation districts are encouraged to foster and support cooperative arrangements and educational programs which will promote understanding between resource users and landowners.
8. The work of both the PA Fish and Boat Commission and the PA Game Commission is important to Pennsylvania's conservation districts and the resources we protect. As such, any proposed measure to merge the two agencies should be intensely studied. PACD feels that whatever the outcome:
  - a. The present number of field staff are vital to the protection of these resources and should be sustained or increased to insure an adequate level of protection.
  - b. Licenses, fees, and natural and mineral resource extraction income should be earmarked for wildlife, fishery, and habitat protection and management and should be non-lapsing for that use.

- c. Protection of our natural resources should always be the priority of the agencies, whether together or separate.
  - d. This agency or its jointure remain an independent commission. (2003)
9. PACD opposes the inclusion of the PA Fish and Boat Commission and PA Game Commission and their personnel into PA DCNR. (2006)
  10. PACD supports the PA Fish and Boat Commission's increase in license fees and that the minimum age for a Junior License be set at 12 and that the Legislature combine the Fish and Boat funds together under the Fish and Boat Commission. (2004)
  11. PACD requests that the PA Game Commission's Deer Management Assistance Program be changed so that any landowner in Pennsylvania with a deer management plan be eligible for one antlerless deer coupon for every five acres of land. (2004)

## **L. USDA**

1. PACD urges that the USDA allocation formula be changed to bring about a more equitable distribution of financial and technical assistance to conservation districts. PACD recommends that USDA:
  - a. Recognize water quality, quantity, and management as concerns of vital importance to the nation.
  - b. Consider the effects that high animal densities have on a district's need for technical assistance to deal with animal waste management and nutrient management.
  - c. Recognize the problems and needs of urban and developing areas.
2. PACD encourages OMB and USDA to establish adequate NRCS base program funding levels which recognize non-federal contributions and give conservation districts an incentive to increase the non-federal share of program costs.
3. PACD requests that the USDA Secretary fully involve and consult with state associations of conservation districts, state farmer committees, state conservation agencies, and farm organizations prior to announcing or implementing any USDA field structure or major personnel changes.
4. PACD supports a basic level of funding and personnel which provides at least one full-time NRCS employee servicing every conservation district.
5. PACD supports continued funding for the NRCS at levels to maintain a viable conservation program.
6. PACD, conservation districts, and concerned citizens should provide a continuous flow of information to the federal administration and Congress requesting their support for adequately funding national conservation programs and agencies.
7. PACD supports increased funding for NRCS in the northeastern states, but particularly in Pennsylvania, so that greatly needed technical assistance can be provided, as required by federal regulation.
8. PACD urges USDA to request additional funding above base levels to provide the needed technical assistance and program support required to carry out special program activities of partner agencies outside USDA. We encourage supplemental appropriations to USDA to support conservation districts, particularly in areas involving responsibilities delegated to conservation districts by PA DEP.

9. PACD supports a base level of funding and personnel for the RC&D programs in Pennsylvania that includes a Coordinator plus a staff person in each designated area. (2006)
10. PACD believes that USDA should allow cost sharing on those practices that are identified locally as being needed for soil maintenance of water quality protection and which will benefit the public. (2006)

#### **M. Pennsylvania Department of Environmental Protection**

1. PACD believes that the capabilities of the Bureau of Watershed Management should be strengthened in order to provide technical support to conservation districts, particularly in areas involving responsibilities delegated to conservation districts by PA DEP. (2006)
2. PACD encourages the Bureau of Watershed Management to place high priority on training programs, including technical training, for conservation districts in the erosion and sedimentation program and professional development of directors and staff. (2006)
3. PACD will actively pursue efforts to urge PA DEP to commit additional staff resources, dedicated to compliance activities, specifically for the support of Chapter 102 State Erosion Control and Chapter 105 Dams Safety and Encroachment Programs, to more adequately support conservation district delegation program activities. (2006)

4. Policy on DEP's Proposed Model Agricultural Compliance Policy

*Whereas*, a majority of conservation districts believe that each conservation district should have an agricultural compliance policy; and

*Whereas*, PACD's number four top priority is to advocate for uniformity and consistency across the state in program implementation in contracted and delegated programs;

*Therefore*, be it resolved that PACD supports a statewide conservation district agricultural compliance policy that is consistent with the intent of DEP's proposed Model Agricultural Compliance Policy, on the condition that a significant portion of conservation district comments are incorporated into the December 2011 draft. (2012)

#### **N. Funding Conservation Programs**

1. PACD supports adequate state funding for programs delegated to conservation districts. (2006)
2. PACD encourages communication with state officials to obtain adequate funding for programs delegated to conservation districts. (2006)
3. PACD urges the development of programs including financial assistance to land users which would encourage voluntary controls as the first line of defense in erosion control and nutrient management.
4. PACD supports the use of Clean Water Fund monies to support the activities of conservation districts, who contribute to this Fund through the erosion and sediment pollution control program.
5. PACD supports an increase in General Fund appropriations for conservation districts, particularly as the needs grow for technical personnel at the conservation district level.
6. PACD will investigate alternative funding sources for conservation district programs.

7. Regarding tree seedling sales, PACD urges conservation districts to exercise caution in the types of materials sold so as not to create unfair and unreasonable competition with the private sector.
8. PACD supports the use of a percentage of tipping fees to support conservation district activities. (2006)
9. PACD will base the amount requested in its annual state budget request for administrative assistance on the actual, documented costs reported during the previous fiscal year. (2006)
10. The Pennsylvania Association of Conservation Districts (PACD) endorses a PA Resource Enhancement and Protection (REAP) Tax Credit Program which provides state tax credits to offset some or most of the costs of environmental improvements on barnyards, pastures and riparian corridors, development of nutrient management plans, remediation of legacy sediments, and other best management practices. Landowners and businesses may receive tax credits or the tax credits may be sold to other entities having significant tax liability. In the event that conservation districts agree to be the technical advisor in these projects, adequate compensation must be provided for conservation district services through contracts, fees, or other means of reimbursement. (2006)
11. PACD opposes any mandatory match requirement for Growing Greener Grants. We believe that many organizations, including local conservation districts, will not be able to achieve a cash or in kind match, prohibiting them from successfully obtaining a Growing Greener grant regardless of the proposed project's merits.
12. PACD Policies on the Distribution of Unconventional Gas Well Funds (UGWF) for FY 2014/2015 (2014)
  - Flexibility  
PACD supports the ability of the conservation districts to use the Unconventional Gas Well Funds within any of the categories in the current Conservation District Fund Allocation Program Statement of Policy, with the percentage to be determined annually by each local conservation district board. These categories include District Manager cost share, Erosion and Sediment Technician and/or Agriculture Technician cost share, Easement Support (such as farmland preservation activities) General Administrative Support, and Special Projects (including environmental educators).
  - Long-term Decision  
PACD supports a long-term decision regarding the distribution of the UGWF, which will stay in effect for three full fiscal years, to be re-evaluated every three years beginning in fiscal year 2018-2019.
  - Percentage/Formula for Distribution to Impacted and Non-impacted Districts  
PACD supports the annual distribution of the UGWF with sixty (60) percent of the funding to be distributed equally among the 66 conservation districts and forty (40) percent to be distributed to impacted conservation districts.
  - State Conservation Commission "Statewide Special Projects" Funds  
PACD recommends that the State Conservation Commission allocate funding for "Statewide Special Projects" (i.e. ACT Boot Camp, Leadership Development, Ombudsman) from the UGWF prior to determining allocations to conservation districts.

- Distribution of UGWF Among Districts with Wells

PACD respectfully recommends that the State Conservation Commission distribute UGWF among those districts with wells as follows:

- Each district with wells will receive a base amount of \$15,000.
- A per well credit will then be determined by dividing the remainder of the allocated funding by the average number of new wells spudded statewide, as provided by the PUC, over the prior three years. (For example, to determine funding for FY 2015-2016, staff would use the data provided by the PUC on wells spudded from 2012 to 2014. To determine funding for FY 2016-2017, staff would use the data provided by the PUC on wells spudded from 2013 to 2015, and so on.)
- Each conservation district will then receive the per well credit based on the average number of new wells spudded, as provided by the PUC, in each respective county over the prior three years.
- There shall be no cap on funds to be distributed to any one district with wells.
- PACD shall review this policy annually.

13. 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. (2020)

#### **O. Alternative Energy**

1. PACD supports alternative energy initiatives. (2006)
2. PACD supports the use of biomass as an alternative energy source. (2006)

#### **P. Other**

1. PACD supports streamside riparian set aside and best management practices aimed at providing cleaner water and wildlife habitat. (2006)
2. PACD supports active participation of conservation districts in the Nutrient Management Program if adequately funded. (2006)
3. Conservation districts that do not have a strategic plan are urged to concentrate their efforts in the following fields:
  - a. The prevention and control of non-point source pollution;
  - b. Comprehensive resource management on a watershed basis;
  - c. Reclamation of areas disturbed by mining;
  - d. Assistance in the management of the state's privately owned forest lands, and to cooperate with state and federal forest agencies to develop and carry out beneficial forest policies;
  - e. Assistance to school districts with the incorporation of conservation and environmental education in school curricula;
  - f. The preservation and enhancement of prime, unique, important farmland and any actively farmed land, wetlands, and forest lands; and
  - g. Land use planning. (2006)
4. PACD supports the Pennsylvania Environmental Agricultural Conservation Certification of Excellence (PEACCE) Program. (2006)

5. Conservation districts are encouraged to participate in the annual observance of Earth Day and Soil and Water Stewardship Week, beginning each year with the fifth Sunday after Easter and continuing through the following Sunday. (2006)
6. PACD recommends that conservation districts emphasize the protection and enhancement of areas around ponds for wildlife and protect such areas from grazing and burning.
7. PACD supports the free flow of our Commonwealth's rivers and the removal of low head dams. (2006)
8. PACD supports the reduction of sulfur dioxide, nitrogen oxide, ozone, mercury, and other forms of air pollution. (2006)
9. PACD supports the PA Department of Agriculture Pesticide Control Program that provides for strict regulation of applicators and pesticide use and heavy emphasis on users' training and education.
10. PACD encourages the use of Integrated Pest Management.
11. PACD recognizes that the waters of the Commonwealth are owned by all citizens of Pennsylvania and that the sand and gravel resources that lie beneath the water shall be regulated by PA DEP. (2006)
12. PACD supports Project Grass and encourages the use of intensive grazing systems as a sustainable agricultural practice. We encourage the conservation partnership to expand the program statewide as an innovative BMP. (2006)
13. PACD supports the Growing Greener initiatives. (2006)
14. PACD supports the "Ohio River Basin Conservation and Natural Resources Development Program" NACD policy statement. We request that "Abandoned Mineland" be added to the explanation of need. (2003)
15. PACD endorses the Hazleton Soil Series as the official state soil. (2004)
16. PACD supports organic and hydroponic farming. (2006)
17. PACD supports aquaculture. (2006)
18. PACD discourages the sale of exotic and invasive species, especially during conservation district tree sales. (2006)
19. PACD supports portions of the Preserving the Pennsylvania Farmer package that have a positive impact on programs relating to conservation districts. Specifically, we support a program that would take new revenue generated from the dedicated funding proposed from the realty transfer tax and direct that those funds be returned to the counties in which they originated to be used for farmland preservation and open space preservation. We believe that funds should be available for the administration of farmland protection programs, including conservation planning and inspections. We also support legislation that would permit private non-profit entities to join the Commonwealth in preserving agricultural lands, meaning new funding could be made available and a combination of public/private monies can be leveraged to preserve more farmland. Finally, we encourage the creation of a Board or Council whose mission is to review and evaluate advancing technologies for alternate manure uses. (2006)
20. The PACD supports the legislative package entitled "The Second Phase of the Farmers First Agenda," specifically: the passage of legislation providing adequate funding to implement alternatives that would provide water releases during low-flow periods without having to

impose consumptive use fees on farmers; the creation of “The Centers for Agriculture Excellence and Education” to serve as a central clearing house of programs and information for current and new farmers; legislation to ensure the continuation of vocational agriculture and FFA programs operated by school districts and area vocational-technical schools; the creation of a Healthy Farms and Healthy Schools Program to promote both good health and farm profitability by encouraging nutritional and agricultural education in schools. (2006)

21. PACD supports the Manure Hauler and Broker Certification process. While we support the testing procedures, we are concerned about the costs involved in administering the program. Conservation districts need to be adequately compensated for their responsibilities in this endeavor. (2006)
22. PACD supports the general concept of nutrient and sediment trading to achieve environmental benefits. Conservation districts are interested in assisting PA DEP and other interested parties to determine the criteria and regulations governing the trading program with the understanding that conservation districts will be compensated for their time and efforts throughout the process. Because of the complexity of this new idea to improve the environment, we suggest that PA DEP consider conducting a pilot program with PACD’s assistance to demonstrate the positive benefits of nutrient and sediment trading. A pilot approach will help to identify strengths and weaknesses of the program and address specific issues that may arise as the pilot is conducted. In addition, a pilot project will help to identify the role that conservation districts can play in the nutrient and sediment trading process. (2006)
23. PACD supports programs to reduce carbon emissions, slow global warming, and consequently help the environment. PACD supports carbon trading to reduce total carbon emissions into the atmosphere. PACD supports conservation districts’ efforts to become involved in local efforts to sequester carbon and provide technical assistance to help generate carbon credits.

PACD supports conservation district activities to become further involved in the carbon trading market that fits with their local priorities. PACD will also pursue options available as an aggregator of carbon credits and provider of other services to assist and support conservation districts in carbon trading. (2009)

24. To protect and restore ecosystems impacted by global climate change and to avoid potentially high costs later to restore or replace them, PACD supports climate change legislation and policy that encourages greenhouse gas emission reductions. PACD also recommends investing the necessary funds to reduce greenhouse gas emissions and market-based payments for emissions offsets. Specifically, PACD supports:
  - Reduction of energy inputs required to produce and transport agricultural products.
  - Strong and immediate action to reduce emissions. This includes a verifiable “cap and trade system” that will begin to reduce carbon dioxide emissions by 3 percent per year over the next decade, with a goal of an 80 percent reduction in greenhouse gas emissions by the year 2050.
  - Policies that encourage conservation through increased fuel economy standards, investment in public transportation, implementation of smart growth strategies that reduce sprawl, establish a national renewable electricity standard, and transition to clean coal and renewable energy technologies, green building technology and energy efficiency. (2009)

25. PACD supports legislation to raise Pennsylvania's clean fill standards to be in line with New Jersey, New York, and other neighboring states. (2020)



## APPENDIX A

### ACRONYMS

BMP	Best Management Practice
EPA	Environmental Protection Agency
E&S	Erosion and Sedimentation
FEMA	Federal Emergency Management Agency
NACD	National Association of Conservation Districts
NPDES	National Pollution Discharge Elimination System
NRCS	Natural Resources Conservation Service
OMB	Office of Management and Budget
PACD	Pennsylvania Association of Conservation Districts, Inc.
PA DEP	Pennsylvania Department of Environmental Protection
PA DCNR	Pennsylvania Department of Conservation and Natural Resources
PA DOT	Pennsylvania Department of Transportation
PL 566	Public Law 566 (Small Watersheds and Flood Prevention)
RAMP	Rural Abandoned Mine Program
RC&D	Resource Conservation and Development Council
SCC	State Conservation Commission
USDA	United States Department of Agriculture