

**PACD Legislative Committee
Videoconference Minutes
January 17, 2024**

Welcome and Roll Call

Chairperson Donna Fisher welcomed everyone to the meeting and called the meeting to order at 10:03 a.m.

Committee members in attendance: Adam McClain, Adams; Charles Duritsa, Westmoreland; Christian Strohmaier, Chester; Christopher Thompson, Lancaster; Donna Fisher, Blair; Douglas Beri, Indiana; Kelly Stagen, Pike; Larry Kehl, Berks; Mary Burris, Lawrence; Tabby Shah, Clarion; Trevor Weaver, Mifflin

Guests in attendance: Adam Stern, Lancaster; Brenda Shambaugh, PACD; David Stoner, Franklin; Dean Druckenmiller, Berks; Holly Miller, PACD; Josh Longmore, Luzerne; Molly Burns, PACD; Roxanne Dohner, PACD; Sherri Clayton-Williams, Adams; Tara Mlodzienski, Pike

State Budget (Fiscal Code) Update and Dedicated Funding for the PA Clean Streams Fund

Executive Director Brenda Shambaugh reported that the fiscal code was passed, but without dedicated funding for the PA Clean Streams Fund. The original proposal for dedicated funding, which would take funds from the PA Game Commission, was very unpopular. PACD will continue to support dedicated funding for the PA Clean Streams Fund, but is not proposing a specific funding source.

Update on Proposed Policy Addressing Fencing Legislation

Executive Director Brenda Shambaugh provided an update on the policy proposed by the committee during its last meeting:

PACD recognizes the significant environmental benefit of streambank fencing in a pasture used for grazing to restrict livestock access to the stream. PACD supports education and incentives for voluntary installation of streambank fencing as opposed to legislation allowing administrative agencies of the Commonwealth and municipalities to require fencing along a stream.

Five regions approved the proposed policy as presented. The South West passed a version that supports amending the Clean Streams Law to allow state agencies to require streambank fencing, but not municipalities. Both versions of the proposed policy will go before the PACD Executive Council on January 25, 2024.

Minutes of the June 27, 2023, Meeting



The minutes of the previous meeting on June 27, 2023, were provided for review.

It was moved by Chris Strohmaier and seconded by Chuck Duritsa to approve the minutes of the June 27, 2023, meeting as presented. Motion carried.

Mandatory Riparian Buffer Legislation (HB 1275)

Executive Director Brenda Shambaugh explained this legislation would prohibit land development in riparian buffer areas within 100+ feet of certain waterways in order to mitigate flooding issues and water pollution. She noted that Rep. Webster worked with Rep. Vitali to develop the legislation and there is an exemption for agriculture. Brenda thanked Donna for working with her to develop a draft policy for the committee's consideration. So far, the Audubon society has reached out to see what position we might take.

The committee discussed the potential for a broader policy that would support education and voluntary installation over requirement for all best management practices. Brenda is going to research this.

It was moved by Chris Thompson and seconded by Mary Burris to adopt the following policy:

PACD recognizes the significant environmental benefit of riparian buffers along surface bodies of water. PACD supports education and incentives for voluntary installation of riparian buffers as opposed to legislation allowing administrative agencies of the Commonwealth and municipalities to require buffers along any body of water more restrictive than current law and regulation.

Motion carried.

It was suggested that PACD consider working with legislators to promote our own legislation, rather than simply reacting to legislation proposed by others.

Growing Greener Plus Grants Program Administrative Expenses

Brenda Shambaugh explained that the 5% ceiling on administration expenses for Growing Greener grants, which seemed feasible at the time it was passed, currently does little to cover the actual administrative cost to implement Growing Greener grants. The group discussed the issue, noting that reporting requirements have become increasingly burdensome, costs have increased significantly, and restrictions on other funding sources have increased. PACD, conservation districts, and other organizations that rely on grant funding, are struggling. It was also noted that federal grants allow 10% to cover administrative costs.

It was moved by Chris Thompson and seconded by Kelly Stagen to propose the following policy:

The Growing Green Plus Grants Program offered by the PA Department of Environmental Protection (DEP) funds projects aimed at reducing nonpoint source water pollution through local, watershed-based planning, restoration, and protection efforts. The PACD Legislative Committee supports legislation to increase the administrative expense limitation for the Growing Greener program to a minimum of 10% to better cover administrative expenses.

Motion carried.

Long-term Stream Maintenance Legislation (SB 689 and SB 690)

Brenda Shambaugh provided an update on SB 689 and SB 690. SB 689 allows local governments to apply for a DEP continuing maintenance stream permit for a period of at least 10 years. SB 690 allows counties to address hazards within their streams by allowing for emergency maintenance permits in consultation with their county conservation district. PACD already has a policy supporting the legislative package in which these bills originated.

Both bills have passed the Senate and are in the House Environmental Resources and Energy Committee. A link to the Memo of Understanding was provided:

<https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20230&cosponId=39683>

Adjournment

The meeting was adjourned at 10:46 a.m.