

New law an aid to state conservation districts

By CHARLES WERTZ

We at the Lebanon Conservation District applaud the Pennsylvania General Assembly for its unanimous passage of SB 1020 and the governor for signing the legislation into law. This legislation updates the Conservation District Law, which is the Pennsylvania statute that created the State Conservation Commission and provided the authority for county governing bodies to create conservation districts.

Pennsylvania's conservation districts administer a wide array of delegated and contracted state programs with a number of funding sources. SB 1020 was introduced by Sen. Rob Wunderling (R-24) to update and strengthen Act 217, the law creating conservation districts and to continue to meet the conservation needs of the commonwealth. The bill increases the capacity of conservation districts to deliver locally led conservation and further defines and strengthens the State Conservation Commission.

Key points of the legislation include:

- Establishing a procedure for those members of the SCC and local directors who do not or cannot perform their responsibilities;
- Offering appropriate training

GUEST OPINION

assistance and certification for directors, staff and volunteers of the conservation districts;

- Requiring SCC approval of delegation and contracting for certain functions and powers of the districts;

- Allowing the commission to administer grant, loan and tax-credit programs for landowners to implement nonpoint-source best-management practices on their properties;

- Reducing the requirement to at least one eligible nominee for each director to be appointed;

- Allowing the county government body to require that directors of the conservation district be residents of the county;

- Requiring the county governing body to provide names and contact information of directors to the SCC;

- Further delineating a list of activities conservation districts can engage in including any natural-resource program approved by the commission;

- Allowing districts to contract with state and local agencies for payment for services rendered;

- Allowing conservation districts to

accept contributions from federal, state and local government entities;

- Allowing any state agency to delegate one or more of its regulatory and enforcement functions to conservation districts;

- Adding the president of the Pennsylvania Association of Conservation Districts, the secretary of the state Department of Conservation and Natural Resources and the secretary of the state Department of Community and Economic Development as associate, nonvoting members of the SCC;

- Providing the farmer and public members of the Commission with a \$150 per diem that will be adjusted every 4 years for inflation, plus reimbursement for expenses incurred as a result of their SCC duties, with per diem payments to county directors if funding is available;

- Allowing SCC review of fees for services established by conservation districts for the purpose of determining if such fees are reasonable in relation to the scope of the service to be provided;

- Explicitly stating that the law does not diminish, limit or in any way interfere with the authority given to state agencies under other laws;

- Allowing commonwealth agencies to agree to fee schedules for work performed by conservation districts for erosion and sedimentation, stream encroachments and other work or services;

- Requiring any commonwealth agency to provide the SCC with analyses of funding and compensation, conditions affecting funding and a clear delineation of the duties, authorities, deliverables and tasks to be performed prior to the SCC's approval of any delegation agreement;

- Allowing directors to serve no longer than six months beyond an expired term;

- And allowing associate directors who have had two or more years of active service to fill an unexpired term as director.

I am thrilled with the passage of the bill. The unanimous vote confirms the bipartisan effort and importance of this legislation to strengthen the conservation-district law.

Thanks to the state Legislature for passing and to Gov. Ed Rendell for signing the bill into law.

Wertz is the manager of the Lebanon County Conservation District.