



COMMONWEALTH OF PENNSYLVANIA  
STATE CONSERVATION COMMISSION

**TO:** Members  
Agricultural Advisory Board

**FROM:** Frank X. Schneider  
Director, Nutrient and Odor Management

**THROUGH:** Douglas M. Wolfgang  
Executive Secretary

**DATE:** January 11, 2023

**RE:** Information considering the following Regulations :

- Title 25. Environmental Protection - Chapter 83. State Conservation Commission; Subchapter B; Conservation District Fund Allocation Program – Statement of Policy
- Title 25. Environmental Protection - Chapter 83. State Conservation Commission; Subchapter E; Nutrient Management Funding Program – Statement of Policy

**Summary**

1. The Conservation District Law, 3 P.S. §§ 849 et seq, provides for the General Assembly of the Commonwealth to appropriate moneys into a special fund known as the Conservation District Fund for allocation to local conservation districts. Funds allocated to conservation districts from this fund shall be used for activities necessary to meet the requirements of the act and costs associated with implementing programs delegated, contracted or approved by the Commission. Such Program would include:
  - a. Conservation District Management Cost Share Program
  - b. Administrative Assistance Funding Program
  - c. Technical Assistance Cost Share Program
  - d. Special Project Funding Program
  - e. Others
2. The Nutrient Management Funding Program, which was established under Section 512 of the Nutrient and Odor Management Act, 3 Pa.C.S.A, is to provide delegated conservation districts with funds to assist districts in the implementation of the Program developed under the Act if the district complies with the terms and conditions. The funds will be used for the employment of technical staff, to provide administrative funding assistance to the district and to finance other Commission approved activities under the Program.

### **Purpose of Regulation.**

The purposes of the two above referenced policies are to annually allocate the available funding for the programs and provide for the fair and equitable distribution of funds.

### **What is the statutory authority for the proposal**

1. Conservation District Funding:
  - i. Conservation District Law
  - ii. Section 1920-A of The Administrative Code of 1929
2. Nutrient Management:
  - i. Nutrient Management Act

### **Action**

No action is needed by the Agricultural Advisory Board (AAB). This information is presented as a courtesy since the two proposed actions to update the Pennsylvania Code affect Title 25, which houses the Department of Environmental Protection's (DEPs) regulations and policy statements, even though some are under the authority of the State Conservation Commission (Commission).

The Commission has approved in November 2022 the removal of the Nutrient Management Funding Program – Statement of Policy from the Chapter 83 regulations and to make the Statement of Policy a standing policy of the Commission.

The Commission has approved updating the Conservation District Fund Allocation Program – Statement of Policy to the current version of the policy that was approved in November 2014 and is currently being followed since Act 13 provided additional sources of funds to the Conservation District Fund.

Attached: Updated CDFAP – Statement of Policy