



## REPORT ON MCCD

July 2018

By Paula Heeschen for Brodhead Watershed Association

# DEP delegation dispute resurfaces

More than a year ago, a majority on the Monroe County Conservation District board overrode nay votes from then-members Heidi Secord and Paul Canevari on a motion to scale back the district's longstanding delegation agreement with the state Department of Environmental Protection.

The delegation agreement authorizes the district to act on the DEP's behalf. The majority of the board at the time argued that reducing the district's responsibilities under the agreement and accepting only Level II responsibilities would reduce the time staff members spend on enforcement. District staff and others pointed out that all documentation for an enforcement action (Level III) happens with Level II delegation.

They voted over the objections of non-voting associate members including Janet Weidensaul, Theresa Merli and John Leiser and despite recommendations from former district manager Craig Todd and current DM Adam Schellhammer to remain at Level III. Both these professionals argued that the Level III agreement is an important tool for the staff when they work with applicants on planning and completing building projects without damaging the environment — and that it often saves time for local, district staff members to operate under the authority of the agreement.

At June's MCCD meeting, the discussion arose again. Board member Bob Armstrong asked the board to reinstate the Level III delegation. He based his request on information he took in at the recent Round Table meeting, a joint informational meeting in which state DEP and state Conservation Commission officials took part.

A lengthy discussion followed Armstrong's request. Member Charlie Garris suggested continuing with Level II for another year. Randy Rice said maybe the district should stay at Level II for another year and compare the results.

Chuck Gould argued that Level III enabled the district to speed permit turnaround times, which in the past the regulated community had identified as their primary concern. Schellhammer added that Level II, which reduces the district's delegated authority from DEP, can end up making the approval process longer because the district has to coordinate more — more back-and-forth discussion — with DEP rather than working directly with the developers.

Dave Moyer repeated his often-raised complaint that the district should be regulating road salt and natural stream bank erosion rather than earth disturbance from construction sites that has been the district's primary focus for so long.

In the end, the board agreed to vote on the issue at the July meeting.

*The MCCD board will meet at 8 a.m. Thursday, July 19, at Kettle Creek Environmental Education Center, 8050 Running Valley Road, Bartonsville.*