NEW LAW CREATES FUNDING FOR PREVENTING POLLUTION FROM DIRT & GRAVEL ROADS!!

On April 17, 1997, the Pennsylvania General Assembly approved House Bill 67 as amended, the Transportation Revenue Bill. Governor Ridge promptly signed the bill into law as Act 3 of 1997. Included in the law is a $5M annual, non-lapsing appropriation earmarked for "Dirt and Gravel Road Maintenance". By virtue of this legislative action, a new section (§ 9106) will be added to Pennsylvania's Vehicle Code (Title 75) specifying the environmental purpose, apportionment methodology, and grant program procedures for the new Dirt and Gravel Road funding.

Sponsored by State Senator J. Doyle Corman (R-34), the new program establishes "a dedicated and earmarked" fund providing a "streamlined appropriation to the county level to fund safe, efficient and environmentally sound maintenance of sections of Dirt & Gravel roads identified as sources of dust and sediment pollution." The law identifies as top priorities previously recognized pollution "trouble spots" and "dirt & gravel roads within watersheds protected as Exceptional Value or High Quality waters of the Commonwealth." The $5M annual program will direct $4M to the State Conservation Commission for apportionment at the county level to local municipalities and state agencies that maintain dirt & gravel roads. The remaining $1M will go to the Department of Conservation and Natural Resources for maintenance and mitigation of pollution from forestry roads.

The State Conservation Commission, in order to disperse the funds at the county level, will apportion funds to county conservation districts which apply based, on written criteria adopted by the Commission to prevent dust and sediment pollution. In turn, County Conservation Districts will create 4-member Quality Assurance Boards (QAB) to define and administer the grant programs to award moneys to local municipalities and/or state agencies with jurisdictions over dirt & gravel roads. Each QAB is to be made up of a nonvoting chairman appointed by the conservation district directors and one local representative appointed by the United States Natural Resource Conservation Service, the Pennsylvania Fish and Boat Commission, and the county conservation district. At both the state and county level, environmentally sound road management practices aimed at curbing pollution will be required.

Noteworthy to local municipalities, the new law puts special emphasis on "streamlined appropriation" and "a minimal amount of procedural paperwork." Municipalities may submit a grant application "not to exceed one page" with "minimal handwritten information" to the local QAB for funding consideration. Training grants, road demonstration projects, maintenance project work, and incentives for training road managers and equipment operators will be eligible for funding. A maximum 2% limit on administrative costs has been set for the State Conservation Commission. Likewise, local QABs will be restricted to a 10% maximum.

The new program becomes effective on July 1, 1997. Stay tuned for further information on implementation. In the coming months, as details become available, the State Conservation Commission will publicize that information.
Goals

Conduct statewide evaluations of dirt and gravel roads to determine extent and locations of sedimentation from road drainage to waters protected as "Exceptional Value" and "High Quality.".

Develop an interim reference manual for road managers.

Address environmentally harmful products being included in state purchasing contracts without adequate safeguards and warnings.

Assure that all parties associated with administration and management of unpaved roads understand the value of and basic principles included in environmentally sound road management.

Identify and pursue the full range of causes that contribute sediment to the environment. This includes fiscal, administrative, available products and traditions.

Stay abreast of and contribute to technical developments demonstrating products and procedures that provide low cost, environmentally sound practices which can be performed with existing equipment.

Achievements

In 40 counties, Trout Unlimited volunteers have field verified and documented the locations of sediment pollution from unpaved road drainage into special protection waters. Statewide inventory is to be complete in summer of 1997.

"Controlling Sediment Pollution From Light Duty Gravel/Dirt Roads" was produced by the Indiana County Conservation District using an Environmental Protection Agency 319 Grant.

A product evaluation board formed within PennDOT now requires vendors to include data on the effects of their new products on the environment; consideration of already approved and contracted products are to be examined.

PennDOT funded the Transportation Institute at Penn State to work with Task Force Members and prepare a multi-media presentation: "Environmentally Sensitive Maintenance of Dirt and Gravel Roads". LTAP (Local Technology Assistance Program) will conduct a prototype session in Mid-June 1997 to collect the viewpoints and feedback on the program's effectiveness from a cross section of practicing township supervisors. That information will be used to improve and finalize the course for local presentations.

As a technical resource, citizen members of the Task Force helped draft a new law enabling the State Conservation Commission and county level Quality Assurance Boards to establish programs that will guide, finance and evaluate environmentally sound maintenance work on roads which are to be retained as dirt or gravel.

Task Force members have reviewed research conducted elsewhere, obtained EPA/DEP funding to perform and monitor environmental results of innovative demonstrations and are establishing alliances among interested parties to fund additional work on use of recycled and beneficial use products such as tire chips, glass cullet, "red dog" and fly ash.

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