



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2405

PRINTERS NO. 2959

PRIME SPONSOR: Pickett

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
General Fund	\$0	See Fiscal Impact

SUMMARY: House Bill 2405, Printer's Number 2959, amends the Dam Safety and Encroachments Act to provide for county programs for the removal of obstructions and flood-related hazards on streams.

ANALYSIS: This bill amends the Dam Safety and Encroachments Act (Act 325 of 1978) by adding Section 17.1 providing for county programs to remove obstructions and flood-related hazards on streams. It states that a county may develop a program to provide two regional curves for the watershed to cover the entire county in accordance with this section. The first regional curve shall be for rural areas, and the second regional curve shall be for portions of streams located in municipalities.

A county, in consultation with the county conservation district, shall submit a written notification to the Department of Environmental Protection that describes the program developed. The written notification shall specify the utilization and oversight of the regional curves for the purpose of stream maintenance under the program in accordance with the regulations promulgated. The written notification shall specify the watercourses, water obstructions, appurtenant works and encroachments that the county will maintain, inspect and monitor under the program. The county may not implement the program unless the county conservation district is a signatory to the written notification.

After receiving the written notification, the department shall conduct at least one annual follow-up review of the county's program to determine the overall effectiveness of the program and the county's compliance with the specifications of the written notification and regulations promulgated.

The department shall develop a training program for county conservation districts, counties, municipal equipment operators and contractors operating as agents of the counties for conducting channel maintenance for the purpose of a program developed. The training program shall include all of the following:

- (1) An overview of stream processes.
- (2) An explanation of regional curves and the use of regional curves in the processes.

- (3) An overview of permits issued by the department and utilized for conducting channel maintenance.
- (4) A field exercise in laying out a project.
- (5) A field exercise in the completion of a project.

Upon completion of the training program, a county conservation district may authorize emergency permits to persons operating within a program developed and with the written notification.

The Environmental Quality Board, in consultation with the department and county conservation districts, shall promulgate regulations for the removal of obstructions and flood-related hazards on streams by counties, municipal equipment operators and contractors operating as agents of the counties. In developing the regulations, the Environmental Quality Board may consider existing county programs for the same or similar purpose.

This legislation would take effect in 60 days upon enactment.

FISCAL IMPACT: Enactment of this legislation will have no adverse impact on Commonwealth funds. It is projected that any administrative and operating costs would be covered under existing operations given DEP's related pilot program addressing stream maintenance and other stormwater and floodplain management programs.

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House Appropriations Committee (R)

DATE: June 8, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.