

PENNSYLVANIA'S CONSERVATION DISTRICT LAW
ACT 217 enacted May 15, 1945 as amended April 30, 1986.

Section 2. Declaration of Policy.

It is hereby declared to be the policy of the Commonwealth to provide for the conservation of the soil, water and related resources of this Commonwealth, and for the control and prevention of soil erosion, and thereby to preserve natural resources; assist in the control of floods; prevent impairment of dams and reservoirs; assist in maintaining the navigability of rivers and harbors; preserve wildlife; preserve the tax base; protect public lands; and protect and promote the health, safety and general welfare of the people of the Commonwealth.

Section 9. Powers of Districts and Directors. (Abbreviated)

The directors of a district shall have the following powers in addition to those granted in other sections of this act:

1. To conduct surveys, investigations and research relating to the character of soil erosion and the preventive control measures needed and to publish the results of such surveys, investigation or research.....;
2. To employ the necessary personnel to properly conduct the operations of the district and Provide adequate and necessary insurance coverage for directors and employees, and Appropriate fringe benefits for employees, provided funds are available for such purposes;
3. To carry out preventive and control measures within the district, ...upon obtaining the Written consent of the owner and occupier of such lands or the necessary rights or interests in such lands;
4. To cooperate or enter into agreements with, and to furnish financial or other aid to, any agency, governmental or otherwise, or any occupier of lands within the district in carrying on erosion control and prevention operations,.... Provided, however, that such agreements are within the limits of available funds or within appropriations made available to it by law;
5. To obtain options upon, and to acquire by purchase, exchange, lease, gift, grant, bequest, devise or otherwise, any property real or personal or right or interests therein; to maintain, administer and improve any properties acquired; to receive income from such properties and to expend such income in carrying out the purposes and provisions of this act; and to sell, lease or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this act:
6. To make available.... Material or equipment as will assist such land occupiers to carry on operations upon their lands for the effective conservation and utilization of soil resources; and for the prevention and control of soil erosion;
7. To construct, improve and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this act;
8. To assist and advise owners and occupiers of land in developing and/or implementing plans for Stormwater management, water use, water management and water pollution control, soil erosion control and conservation of water and soil resources...;
9. To assist and advise county and municipal governments in subdivision and land development reviews, developing and implementing Stormwater management plans and programs and in administering programs for flood control, Floodplain management, water use, water management and water pollution control and other natural resource concerns;
10. To conduct educational programs relating to soil and water conservation and to publish educational materials relating to soil and water conservation;

11. To accept, upon approval by the State Conservation Commission, any authority delegated by municipal or county governments, the Commonwealth or Federal Government;
12. To sue and be sued in the name of the district; to have perpetual succession unless terminated as hereinafter provided; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers; to make, and from time to time amend and repeal, rules and regulations not inconsistent with this act to carry into effect its purposes and powers;
13. As a condition to extending any benefits under this act,..., the board of directors may require contributions in money, services, materials or otherwise to any operations conferring such benefits and may require land occupiers to enter into and perform such agreements or covenants as to the long term use of such lands as will tend to prevent or control accelerated erosion thereon;
14. No provisions with respect to the acquisition, operation or disposition of property by other public bodies shall be applicable to a district organized hereunder unless the Legislature shall specifically so state;
15. To accept contributions of any character from any source whatsoever, but only by and with the consent and approval of the State Conservation Commission, unless the funding is from other governmental agencies or unless specifically authorized so to do by this act;
16. To sponsor projects under the Watershed Protection and Flood Prevention Act, U.S. Public Law 566 of 1954, as amended, and the Resource and Conservation and Development Program authorized by Public Law 87-703, the Food and Agriculture Act of 1962, as amended.
17. To enter public or private property to make such inspections as are necessary to determine compliance with the act of June 22, 1937 (P.L. 1987, No. 394), known as "The Clean Streams Law", the act of November 26, 1978 (P.L. 1375, No. 325), known as the "Dam Safety and Encroachments Act", and any rules, regulations, permits or orders issued thereunder, to the extent that such inspection authority has been delegated to a district by the department;
18. To establish a program of assistance to environmental advisory councils which may include, but not be limited to, educational services, exchange of information or assignment of administrative and/or technical personnel; and
19. No agent or employee of a conservation district or other Commonwealth agency or political subdivision engaged in the planning, design, construction or regulatory review of soil and water conservation projects and practices under the authority of this act, shall be considered to be engaged in the practice of landscape architecture.

Section 10. Cooperation between Districts

Section 11. Commonwealth Agencies to Cooperate

Section 12. Discontinuance of Districts

Section 13. County Governing Body's Appropriations

Section 14. Commonwealth Appropriations

Section 15. Acts Repealed

Section 16. Contracts to Remain in Force