

Buck passing

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The amendment, which set up the Rural Clean Water Program in 1977, provided the framework for the final regulations for the program which were published by mid-1978.

Giovannitti said his division, with DER's Department of Soil and Water Conservation, and the Soil Conservation Service, began putting the package together for a state-wide plan by the end of 1978.

He said a cooperative committee, consisting of representatives from the three agencies, set up a priority system, identifying areas in agriculture that were causing the most pollution problems. The watersheds were ranked, with the Conestoga and Tulpehocken watersheds coming in first and second in the state.

But, noted Giovannitti, his division still did not consider the agricultural pollution in water quality to be as severe a problem as the impact of the trichloroethylene situation in Chester County.

Actually, he pointed out, the original Federal Clean Water Act of 1972 did not even address agricultural pollution. With the amendment of 1977, state environmentalists recognized the possibilities of getting funding for Pennsylvania farmers, and therefore began to formulate a plan using the existing state policies.

Background for the plan had been gotten through Pennsylvania's forerunner to the Federal Clean Water Act. The Pennsylvania program, known as COWAMP, for Comprehensive Water Management, blended into the federal Section 208 area-wide waste treatment management with more ease than it takes to explain.

But, said Giovannitti, even though the area-wide planning in Pennsylvania was underway, there were no funds to carry out the 1977 amendment's rural clean water program.

Finally, when Congress was approving the Fiscal Year 1980 budget last Fall, the subject of dollars for

RCWP was addressed. However, during the appropriations bill approval, there was finagling and inter-agency fighting going on between USDA's SCS and the sister-agency ASCS, said Giovannitti.

When the feathers finally settled and the budget was approved, the Agricultural Stabilization and Conservation Service won the administration responsibilities for RCWP. Reasons given for the change were RCWP cost-sharing was similar to the programs already administered by ASCS and would require no major changes in the agency.

This reasoning was an attempt to save time and money, but according to Giovannitti, it slowed the whole RCWP process down.

Actually, the final regulations for RCWP under ASCS administration were published in the Federal Register on March 4, just one day prior to USDA Secretary Bob Bergland announcing the project dollar recipients.

Walter Peechatka, head of the Soil and Water Conservation Commission in the state agreed with Giovannitti when he said, "I don't ever recall a specific date for a state plan deadline being announced under the ASCS administration, but under the old SCS regulations, we knew."

Both Giovannitti and Peechatka pointed out the applications for the Tulpehocken and Conestoga watersheds had been submitted to EPA last summer. And a sample of the proposed state-wide plan had been sent in hopes that the official plan signed by the governor would not be long in following.

So, what was the hold up? According to the two DER officials, getting the state-wide plan to the governor's office for approval was a lengthy process. The public participation requirements were set-up in the regulations tied up the plan.

The proposal was published, said Peechatka, in the Pennsylvania Bulletin and a public meeting was held on November 14. He

pointed out that only two people other than agency personnel attended the public meeting.

Then there was a 30 day waiting period where DER had to accept written comments and respond to each one individually.

The state plan was finally ready and submitted to the governor's office through channels on February 1, 1980. Giovannitti noted that DER had been in touch with the Attorney General's office to keep him informed and speed up the process.

Even so, the plan was not signed by the governor until February 26.

The plan still has not received approval from EPA.

When asked if he knew USDA was about to fund the RCWP applications, Giovannitti stated he knew they were planning some funding, but didn't know when—it wasn't clear under the ASCS administration.

He added that if the plan would have been approved and in to EPA earlier, the applications would not necessarily have been funded. He said the projects were judged on merit, but he said EPA was receptive to the two Pennsylvania applications, especially the sub-basin of the Conestoga with a dollar figure of \$1.9 million.

Carl Kaufman, the state executive director for ASCS in Pennsylvania, said, "I thought we had everything going for us. The applications were submitted in a timely manner, but the governor had not signed the state conservation plan."

He added the reason he was given for not being funded by Washington D.C. was the projects were too big dollar-wise.

Kaufman said there may be a possibility for Pennsylvania to get some funding in the near future. But his positive outlook is not shared by Peechatka.

Peechatka pointed out the 13 projects approved by USDA only used \$30 million of the \$50 million allocated for RCWP, but the difference would be eaten up by inflation since the cost base for the applications was developed some time ago.

And, the President's proposed budget for next year slices the RCWP funds to a total of \$20 million

allocation to fund that one project. Again, these funds would be needed to meet the inflation costs on the approved projects if current trends continue.

"The outlook is dim," Peechatka said, "but we're going to keep on plugging."

According to Richard Pennay, the agricultural program specialist for ASCS in Harrisburg, after the appropriations bill amended the Clean Water Act of 1977, the state plan wasn't absolutely required for applications to receive funding, unlike the original RCWP regulations under SCS.

But, according to Dean Quirin, Deputy Director of Conservation and Environmental Protection Division of ASCS in the Washington office, all of the funding went to states with approved plans.

He explained that in the original regulations developed by SCS in December, 1978, in the proposed regulations for the ASCS administered program published in the Federal Register of December 21, 1979, and finally in the March 4, 1980 final regulations, it called for an approved water quality plan in order for a state to be eligible for RCWP funds.

He added the size of the Tulpehocken watershed project was a limitation for funding, even if Pennsylvania would have had an approved plan. He laughed and said it would have taken 50 percent of this year's total

conservation plan will have been approved by EPA.

Amos Funk, vice chairman of the Lancaster County Conservation District commented it wasn't that the projects weren't good, or that they were politically decided. "EPA told the judging committee the 208 plan was a few days too late," he said.

Neighboring states that had state plans and projects approved included: Delaware, New Castle County, \$1,157,799; Maryland, Double Pipe Creek, \$4,117,400; and Vermont, St Albans Bay, \$1,215,526.

If the agencies influencing the purse strings of RCWP catch up with one another, there may be a chance for the farmers in Pennsylvania, especially those in the Conestoga and Tulpehocken watersheds, to finally realize some additional conservation funds — better late than never.

Quirin's outlook on the possibilities of future funding for Pennsylvania was not as bleak as the Commonwealth's officials paint. He said additional funds are looked for during the 1981 budget development.

He anticipates the \$20 million plus the \$9 million he says is left from this year's budget after projects and inflation costs are subtracted will be enough to fund several new projects at the rate of \$1 to \$2 million a shot.

The final dollar value given to RCWP is always changeable. He noted last year the Senate recommended a sum of \$75 million dollars for the program, the House recommended no money, with the final outcome—\$50 million.

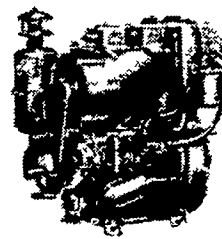
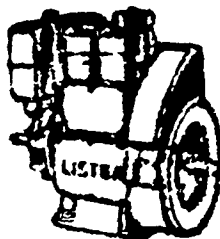
In order to be eligible for any of the 1981 funds though, each state will have to resubmit the old applications or submit new ones. Quirin said he hopes by the time the additional funds are available this coming Fall, Pennsylvania's state



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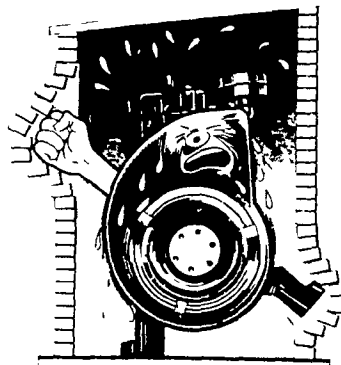


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