



POWER Communication

Policy Outreach with Effective Results

POLICY AND ISSUE DISCUSSION SHEET

Conservancy Districts in Ohio

Defining the Issue

In response to the Great Flood of 1913, the Ohio General Assembly passed the Conservancy Act of Ohio. The act allowed the creation of regional agencies or conservancy districts to provide flood protection for communities within the state. As political subdivisions under state law, conservancy districts can form at the initiative of local communities for various purposes including flood control, reservoir development for water conservation and treating wastewater. Conservancy districts have relationships with the US Army Corps of Engineers and other state and federal agencies. All are governed by Ohio Revised Code: Chapter 1601.

There are over 20 Conservancy Districts throughout Ohio; several with over a century of service. Some encompass watersheds at a multi-county level. The Miami Watershed Conservancy District and Muskingum Watershed Conservancy District encompass all or part of 7 and 16 counties respectively. Each district has developed an extensive system of dams and reservoirs for flood control and water supply management. Much of their work predates the more readily known Tennessee Valley Authority.

There are smaller districts addressing flooding and erosion control, too. The Hunter's Run Conservancy District in Fairfield County encompasses over 31,000 acres in the Hunter's Run tributary of the Hocking River. The Reno Beach/Howard Farms Conservancy District in Lucas County encompasses close to 1200 acres and 2300 individual parcels along the Lake Erie shoreline.

Conservancy districts are created after submission of a petition, either by landowners or certain local government entities within the proposed district. Common pleas judges have responsibility to establish conservancy districts and appoint governing board members within their jurisdiction. Each appointed conservancy district board member serves a five-year term.

Conservancy districts can collect assessments from land holdings within their respective service areas. They are reported as a "Special Benefits Tax" and/or "Exceptional Benefits Assessment." Prior to settlement by a county treasurer, the county auditor audits conservancy district tax duplicates in the same manner as a property tax duplicate and verifies the correctness of these tax collections.

Conservancy districts have the ability to create scenic corridor easements and dedicate their land holdings for recreational purposes. These lands are maintained and renovated only in accordance within specific provisions governing these areas.

Over the past several years some community stakeholders have advocated that conservancy districts and their holdings should be protected and preserved much in the same way as a national park. Others continue to support maintenance of infrastructure and programs to primarily address flooding and water management.

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We Support:

- Amendments to the law to increase transparency.
- Requiring that Conservancy Board Trustees be either elected by the public or appointed by the County Commissioners.
- Restructuring the Boards of Conservancy districts to include stakeholder representation (i.e. agricultural community, soil and water conservation districts, residents).
- Requiring County Commissioners' approval before a county outside the original conservancy district is included in any conservancy sub-district.
- Establish a method for a county to remove itself from a sub-district.
- Conservancy district flood control programs.
- Changes to provide checks and balances of their operations and a resident voice.

We Oppose:

- Attempts to physically expand conservancy districts into additional jurisdictions.
- Expansion of the mission and authority of a Board beyond its legislated purpose.

Discussion Questions

1. Is your property in a conservancy district? Are there any flood control and/or water supply management projects in your area? Given the potential for flooding or need to access water supplies, should conservancy district infrastructure be developed in your community?
2. Several conservancy districts collect assessments based on the amount of acreage or "drainage area" each landowner has in the district. Given the amount of acreage dedicated to agriculture, is this fair when compared to home and business land holdings?
3. Should the responsibility for appointing conservancy district governing board members be expanded or changed? What basic qualifications should a candidate have? How could the county Farm Bureau advocate for governing board members with rural community and agricultural experience?
4. Work needs to be done upgrading water management infrastructure to address potential flooding and water supply constraints; and work needs to be done to repair/refurbish recreational assets under district management. Each activity generates important environmental and economic community benefits. How would you set spending priorities?