

Funding Conservation, Trails, Parks, and Recreation with Counties' Federal CARES Act Funds

Silas Chamberlin, PhD

Silas.A.Chamberlin@gmail.com

Background

Every county in Pennsylvania has received federal CARES Act funds to aid in recovery efforts and reimburse for COVID-related expenses.

Counties with 500,000 or more residents received a direct allocation from the federal government. The remaining counties received federal funds via DCED's COVID 19 County Relief Block Grant Program. Guidelines for the DCED program are available [here](#).

Everyone working with the funding is encouraged to read the DCED guidelines, but there are really two critical points to understand:

- The funds are meant to aid in recovery from COVID. All funds must be used to cover losses and expenses due to COVID-19 and/or costs incurred to mitigate the spread of COVID-19 through PPE and social distancing.
- All CARES Act funds must be allocated and expended by the end of 2020 for expenses incurred between May 1, 2020 and December 31, 2020.

CARES Act funds are subject to a number of restrictions on their use, but County Commissioners have significant discretion in how and to whom the funds are disbursed.

DCED has been unable to provide detailed guidance on the use of funds. This is because they have not received clear guidance from the federal government and have taken a conservative approach in approving the types of uses for the funds. In some cases, their verbal guidance to counties has been more restrictive than their written guidelines for the program.

The lack of clarity around the funds actually creates an opportunity for county solicitors and others to generously interpret the guidelines that do exist and use local discretion in the allocation of funds. Some counties have been creative and proactive in developing allocation plans that include a wide array of uses and sub-allocatee. Other counties have been conservative, focusing their funds solely on county expenses or private business grants.

York County Case Study: \$200,000+ for Trails, Conservation, and Eco-Tourism

York County received \$40.5 million in CARES Act funds via DCED. The County Commissioners had already created a countywide recovery task force that returned a holistic, 60-page set of recommendations for the county, with eight priority focus areas. To the Commissioners' credit,

they used the task force and its priority recommendations as a blueprint for the allocation of their funds.

As of late August, they had allocated \$14 million to a competitive grant program for for-profit and non-profit businesses; \$300,000 for feasibility studies related to countywide broadband and the creation of a countywide health department; \$5 million for the county's own expenses; \$3 million for municipalities, and millions of dollars in direct allocations to tourism, workforce development, and social service non-profit organizations.

Within these allocations, the Commissioners provided \$100,000 each to the York County Rail Trail Authority, which is our county's primary trails organization, and Susquehanna Heritage, our region's National Heritage Area and co-lead of our region's DCNR-designated Conservation Landscape. We also anticipate that one or more of the county's conservation and recreation organizations will receive up to \$35,000 each through the county's competitive grant program.

In each of these cases, the funds primarily will be used to cover operational expenses. For example, several of the organizations were forced to cancel fundraisers and events that would generate revenue in a normal year, while they remained open and continued to incur expenses. The county's CARES Act funds can be used to cover the organization's expenses (payroll, employee benefits, mortgage/rent payments, utilities, etc.), which would have normally been covered by revenue disrupted by COVID. The organizations may also reimburse themselves for PPE purchases for their employees and patrons and any physical improvements to facilities to ensure social distancing.

Note that the funds were not used to build new trails, create new parks, or preserve more open space. Although I believe those uses meet the spirit and technical requirements of the funding, DCED has discouraged such use, in part because of the need to (a) expend the funds by the end of 2020, (b) provide a COVID-related benefit in 2020, and (c) serve as a response to the current pandemic rather than future ones.

What Can Other Counties Do?

Trails, conservation, parks, and recreation are not explicitly named as eligible for CARES funding, but the York County example shows there are a number of ways for funds to flow to those areas. There are also a number of other actions county could take.

Counties can provide funding for their own facilities and operations, including but not limited to:

- Making physical improvements to parking lots and trailheads to accommodate heavy crowds and social distancing
- Purchasing and installing signage with COVID, social distancing, or etiquette information (to respond to crowded facilities and overuse due to COVID)
- Reimbursing parks departments for overtime payroll and other expenses incurred due to COVID and/or intensive use of trails and parks due to COVID

Counties can provide direct allocations to non-profit organizations, such as:

- National and State Heritage Areas

- DCNR-designated Conservation Landscapes
- Friends groups serving state and federal public lands located within the county
- Land and water conservancies and other conservation organizations, including trails organizations
- Local and regional recreation commissions

Counties can also create competitive grant programs for a variety of non-profits and allow the above organizations to apply.

Note that all direct allocations and competitive grants must still meet the eligibility criteria for CARES Funds, including that they must be for COVID-related impacts and be expended by the end of the year.

What Should You Do—Right Now?

Reach out to your county now! Believe me, everyone else is already doing this, and often the squeaky wheel gets the grease. Conservation groups should be doing the same. Be the squeaky wheel, make your case!

- Reach out to your County Commissioners, Administrator, or Executive to learn what process your county is using to allocate funds
- Submit a formal letter to your county to request funds, documenting your COVID-related impacts and what your needs are
- Share this memo with your county's leadership to show that trails, conservation, parks, and recreation are eligible expenses and how other counties are already making those allocations
- Tie your work to economic development, business growth and tourism. For better or worse, those concepts resonate with policymakers more so than trails, conservation, and recreation. We all know they are one and the same. Note that tourism and economic development are eligible—and prioritized—under the CARES Act.
- Advocate. Write an op-ed about your organization's contributions during COVID and how you've been negatively impacted; issue a press release; arm your board members with talking points. Again, this is what private sector businesses and advocacy groups do every day—and your organizations are just as deserving of funds as they are.
- Use data to make your case. For example, in York County we used trail counters to show a 300% increase in trail use in April and May 2020 versus the same time last year. That's a pretty definitive way to show your trail has been an essential service and experienced significant impact due to COVID.

What Shouldn't You Do?

- Wait. You need to act now before (a) the money is all allocated or (b) the timeline to expend funds gets too tight.

- Misuse these funds or try to get funds if you don't need them. There are enough legit uses of CARES Act funds without needing to bend the rules. If you think about your actual expenses and losses since March, you likely have eligible expenses that could be reimbursed under CARES.

Have input on this document or more examples of how counties are using their CARES funds for conservation? Let me know, and I will update the document.