CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

September 11, 2019

RE: Comments of the Chesapeake Bay Foundation regarding the Senate Environmental Resources and Energy Committee Hearing on Stormwater Management, September 11, 2019

Dear Chairman,

On behalf of the Chesapeake Bay Foundation (CBF), we respectfully submit the following comments regarding the Pennsylvania Senate Environmental Resources and Energy Committee hearing on Stormwater Management scheduled for September 11, 2019.

The CBF is a 501(c)(3) non-profit organization, founded in 1967. The organization's mission—carried out from offices in Maryland, Virginia, Pennsylvania and the District of Columbia—is to restore and protect the ecological health of the Chesapeake Bay, the nation's largest and one of its most vital estuaries. As such, we are very interested in matters that will impact the health of the Chesapeake Bay, the waters that feed into it, and the health of those who live and work within the Bay watershed.

The importance of well-maintained stormwater infrastructure cannot be underestimated. Such systems support human health and welfare, property values, community vitality and quality of life, and a 21st century economy.

Regrettably, according to the American Society of Civil Engineers *2018 Report Card for Pennsylvania's Infrastructure*[1], Pennsylvania's wastewater (including stormwater) systems need significant repair and score a D-.

Aging and deliberated stormwater sewers from the Commonwealth's cities, towns, and boroughs discharge billions of gallons of untreated sewage into Pennsylvania's rivers and streams each year. This waste carries bacteria, viruses, pathogens, and anything else flushed down the toilet to rivers and streams citizens rely upon for fishing, boating, and even as a source of drinking water. Unfortunately, Pennsylvania has the most combined sewer overflows (CSOs) in the nation, with over 1,600 identified outfalls. Many of these CSOs are within Pennsylvania's portion of the Chesapeake Bay watershed.

[1] American Society of Civil Engineers. 2018 Report Card for Pennsylvania's Infrastructure. Viewed: 10 September 2019. http://www.pareportcard.org/PARC2018/default.html

Stormwater runoff from urban and suburban areas also impairs roughly 3,600 miles of rivers and streams in Pennsylvania, according to Pennsylvania's draft 2018 Integrated Water Quality report.[2] And Pennsylvania has made significant commitments to control the water quality impacts of stormwater runoff in its plan to meet Chesapeake Bay cleanup commitments.

As last year's rains reminded us, the Susquehanna River Basin is one of the most flood prone river systems in the United States and affects hundreds of thousands of residents and businesses.

As you know, municipalities are tasked with the difficult job of updating stormwater infrastructure. Many local governments are doing so through the context of Municipal Separate Storm Sewer System (MS4) Pollution Reduction Plans (PRPs). PRPs represent a tool to help MS4s plan for and achieve quantifiable reductions in stormwater pollution as part of the National Permit Discharge Elimination System (NPDES) MS4 permits, established in 1990 and 1999 updates to the federal Clean Water Act. Such requirements help provide a level of certainty and predictability, two critical elements in the long-term planning and resource allocation considerations local governments must undertake, that would otherwise not be available to local decision-makers. Without PRPs, municipalities would not have specific, measurable pollution reduction targets to plan and invest.

Although the requirements can be daunting, thankfully there are myriad of public, private, and nonprofit entities capable of offering planning, design, and implementation assistance to MS4s, including alternative financing opportunities. For example, through a USDA Natural Resource & Conservation Service Conservation Innovation Grant, CBF along with several partners are exploring the concept of stormwater "offsetting" in which under certain situations MS4s could implement cost-effective non-urban stormwater practices to address MS4 PRP obligations. As part of this endeavor, the project is exploring under which circumstances certain types of private investments might help jumpstart implementation and leverage public grants/loans and locally generated fees.

In closing, Pennsylvania's stormwater infrastructure is in peril. Our health, our communities, our quality of life requires 21st century infrastructure for a 21st century economy. PRPs provide a critical backbone for helping make that need into a reality.

Sincerely,

H.L. Campbell III
Pennsylvania Executive Director

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[2] PA Department of Environmental Protection. 2019. Draft Integrated Water Quality Report—2018. Viewed: 10 September 2019.
https://www.dep.pa.gov/Business/Water/CleanWater/WaterQuality/IntegratedWatersReport/Pages/2018-Integrated-Water-Quality-Report.aspx