

**SENATE ENVIRONMENTAL RESOURCES & ENERGY COMMITTEE
WRITTEN TESTIMONY FOR JANUARY 25, 2022 HEARING**

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WYOMING VALLEY SANITARY AUTHORITY**

Thank you for the opportunity to present this written testimony to the Committee. By way of background, the Wyoming Valley Sanitary Authority is located in Northeastern Pennsylvania and is one of the largest municipal authorities in the Commonwealth. For nearly sixty years, we have served the sanitary treatment and related needs of 36 municipalities which have approximately 177,759 residents.

Several years ago, many municipalities in our service area found themselves in need of assistance with their current MS4 permits. They were also faced with the issuance of new MS4 permits that included increased requirements and mandated nutrient reductions which would prove difficult to meet on their own. After initial collaboration with state and local officials and representatives of DEP, the WVSA took the initiative to develop a regional stormwater program in order to meet these new water quality requirements. As a result of the regional approach approximately three years ago, 32 municipalities joined together through Intergovernmental Cooperation Agreements to address the new permit requirements. Collectively all these municipalities have a requirement to reduce 2,373,102 pounds of sediment per year, in perpetuity, through stormwater projects constructed over the current five-year permit cycle. As administrators of this regional program WVSA is currently providing stormwater management services throughout the 32 municipalities we serve. Our program is intended to improve local water quality throughout our region while also supporting the Commonwealth in meeting Pennsylvania's requirements under the Chesapeake Bay Agreement.

In order to finance the cost of meeting stormwater management goals and provide the above services, the WVSA enacted a stormwater fee pursuant to the provisions of the Pennsylvania Municipality Authorities Act. This fee is applicable to everyone who benefits from this program in our service area, including businesses, colleges and universities, churches, residents, municipal properties and properties owned by the Commonwealth.

Although the imposition of this fee was initially met by pockets of opposition, we have found that most of the stakeholders are currently supporting the program through the payment of the levied stormwater fees. Unfortunately, we have not had that same level of support from Commonwealth agencies which have raised various arguments in opposition to paying the fee.

Over the course of our program, the Commonwealth has refused to pay a total of \$308,993.16, which includes fees and penalties through September 2021. If the Commonwealth were to make their annual payments to WVSA, which currently totals \$94,351, it would support the debt service necessary to fund \$1.6M in stormwater management. Alternatively, the Commonwealth's contribution could also support the funding of a necessary stream restoration project along 5,000 linear feet of Warrior Creek in Hanover Township, Luzerne County. The eroding streambank along this creek contributes 244,160 pounds of sediment pollution per year into the waterway, reducing water quality and negatively impacting aquatic life in the watershed.

Our federal and state officials are rightfully continuing to place an emphasis on improving the water quality of public waters. This is a worthwhile and necessary objective which is critical in preserving this resource for future generations. However, these remedial measures cost significant monies to implement and we feel that everyone should be contributing towards the ultimate objective of maintaining the cleanest water possible. It has been invigorating to see the local community embrace the Commonwealth's MS4 regulation of our municipalities by paying

their stormwater fees, participating alongside WVSA by joining community action days, installing green infrastructure on their properties, and forming various stormwater partnerships with WVSA and its municipalities. The Authority, our partner municipalities, and our property owners, have all stepped up to embrace the challenge entrusted to us by the Commonwealth through DEP. We respectfully request for the Commonwealth to join us in meeting these objectives through payment of our stormwater invoices and/or entering into a Stormwater Partnership Agreement with WVSA to support stormwater management in our service area. By working together and supporting each other, we can meet these important and necessary water quality goals.