



# BLAIR COUNTY CONSERVATION DISTRICT



[www.blairconservationdistrict.org](http://www.blairconservationdistrict.org)

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Honorable Members of the Senate, Staff and Guests

Thank you for the opportunity to comment on the MS4 program and the opportunities and challenges presented by the program. My name is Donna Fisher and I am speaking today in my capacity as the District Manager of the Blair County Conservation District and as a participant in the Blair County Intermunicipal Stormwater Committee (ISC).

As you know, the NPDES program is a Federal Program, delegated to the States and then passed to the local municipalities for implementation and compliance. Funds are not attached to the permits to administer the program nor to implement Best Management Practices associated with program compliance. **Staffing is a major challenge for many of our local entities. Funding is a monumental obstacle for compliance.**

The Environmental Protection Agency performed MS4 file reviews at the State level in 2010 resulting in deficiency letters being sent to many municipalities across Pennsylvania to include many in Blair County. In 2014, the EPA conducted an Inspection of the MS4 program in the City of Altoona. Needless to say, our collective attention for MS4 program requirements were heightened.

Conservation Districts, when delegated by DEP for the Title 25, Chapter 102 Erosion and Sediment Pollution Control Program, serve a support role to local municipalities for numerous targets and activities related to Minimum Control Measures required by the MS4 Permit. When a Conservation District authorizes an NPDES Permit for Stormwater Associated with Construction Activities; performs a site inspection; or responds to a complaint, the municipality is notified and thus our actions can be attributed to the annual reporting required for the Municipal MS4 permit. When the Conservation District provides an educational program or event related to construction, erosion and stormwater....again the municipality can assist in promotion and facilitation and get "credit" for the event. The field and staff presence of the individual Conservation Districts often serves an **integral role** related to Municipal MS4 program compliance in **rural areas where municipal staff is limited**. It is a great partnership and one that I strongly encourage fostering across the Commonwealth.

Blair County municipalities recognized the need for collaboration related to the MS4 program starting in 2012 and have steadily worked toward a formalized approach to jointly manage, implement, fund and comply with the Federal Regulations. In Blair County, the municipalities have chosen to continue municipal specific permit applications but have undertaken many of the tasks related to program goals on a regional basis. Regionalization solidified partnerships between municipalities and cooperating agencies.

Regionalization increased our effectiveness in attaining grant funds to undertake planning aspects of the program. Creating a regional Blair County Total Maximum Daily Load Plan, as funded by the Chesapeake Bay Foundation through the Blair County Planning Commission, saved countless dollars and time for our individual municipalities. A Stormwater Financing Document, grant funded and prepared with the Environmental Finance Center, served as the groundwork for the formalization of the Blair County Intergovernmental Stormwater Committee participation and cost allocation. Work with the Alliance for the Chesapeake Bay, through a National Fish and Wildlife Foundation Grant funded Green Infrastructure demonstration projects and the creation of the CleanBlairWater Website. The Blair County Conservation District received nearly \$500,000 to set up water sampling stations and to fund green infrastructure projects related directly to the MS4 area.

January 1, 2017 saw the formal creation of the Blair County Intergovernmental Stormwater Committee on a 2-year trial basis. A Department of Community and Economic Development, Municipal Assistance Program (MAP) Grant was received to hire Blair County's first Stormwater Coordinator, hosted by the Blair County Conservation District to serve the ISC. Effective January 1, 2019, the ISC was reauthorized for a 5-year time period through 2023 with all permitted municipalities (other than those that sought and attained waivers) in the current NPDES MS4 permit cycle.

The regional approach has worked in Blair County! However, each and every Blair County Municipality impacted by the MS4 regulations, has participated in the effort and has expended time, administrative funds and most recently started contributing project funds for permit compliance. Regionalization maximized efficiency for the program in Blair County but it did not eliminate the burden for the individual municipalities. Rural municipalities and small Boroughs can easily become overwhelmed by the enormity of the permit requirements. Larger entities will struggle with the cost to implement Pollution Reduction Projects.

Ms. Ergler will speak to the cost of implementation in Blair County, but before she does, I would like to address two logistical issues related to Stream Restoration Projects, as may be included in Pollution Reduction Plans in Blair County and across the Commonwealth. As I'm sure you have heard from constituents, there are countless streams that are severely degraded and are contributing significant sediment pollution, losing many feet of sediment with every high flow event. Streambank stabilization projects can achieve significant sediment reductions. However, there are challenges to implementing stream restoration projects, as they are classified for MS4 reporting. We understand that a true stream restoration must be designed and implemented in accordance with a Chesapeake Bay Expert Panel Report. Many of the degraded streams in Blair County which appear to be a significant source of sediment to the bay and commonwealth waterways cannot be restored according to the expert panel guidelines. Providing riparian buffers and connection of floodplains are not always possible for streams located in highly developed urbanized areas, as we have in Blair County. We would respectfully request that DEP provide more guidance on acceptable design for stream projects where the expert panel report cannot be followed. We are completing streambank stabilization project across Blair County and feel that credit for the sediment reductions could and should be captured.

Let's talk permits. As a Conservation District I am a regulating authority as are the Municipalities within the ISC. We understand regulations and we understand that we are required to get a Chapter 105 permits from DEP for projects that impact streams. Again, we would respectfully

request that the PA DEP consider a priority permit review procedure for stream projects that are being conducted as part of an approved MS4 pollution reduction plan.

Finally, I believe that we can all agree that stormwater and stormwater pollution deserves attention across the Commonwealth. **I believe that Blair County Municipalities will comply to the best of their abilities; however, the responsibility for the MS4 permitting administration is high. The cost of implementation is a far greater issue as it relates to the Municipal General Funds.**