



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

February 25, 2016

Representative Martin Causer, Majority Chair
Pennsylvania House Agriculture Committee
41B East Wing
PO Box 202067
Harrisburg, PA 17120-2067

Representative John Maher, Majority Chair
Pennsylvania House Environmental Committee
113 Ryan Office Building
Harrisburg, PA 17120-2040

Representative Michael B. Carroll, Minority Chair
Pennsylvania House Agriculture Committee
300 Main Capitol
PO Box 202118
Harrisburg, PA 17120-2118

Representative Greg Vitali, Minority Chair
Pennsylvania House Environmental Committee
38 East Wing
PO Box 202166
Harrisburg, PA 17120-2166

RE: CBF comments on the Pennsylvania House Agriculture & Rural Affairs and Environmental Resources & Energy joint informational meeting on Pennsylvania's Chesapeake Bay Restoration Strategy

Dear Representatives,

On behalf of The Chesapeake Bay Foundation (CBF) and its more than 200,000 members, we thank the Pennsylvania House Agriculture & Rural Affairs and Environmental Resources & Energy Committees for holding a joint informational meeting on Pennsylvania's Chesapeake Bay Restoration Strategy.

CBF is the largest non-profit organization dedicated to the protection and restoration of the Chesapeake Bay, its tributaries, and its resources. With the support of our members, our staff of scientists, attorneys, educators, and policy experts works to ensure that policy, regulation, and legislation are protective of the quality of the Chesapeake Bay and its watershed, the largest tributary of which is the Susquehanna River.

In December of 2010—after decades of failure to achieve commitments by the partners in the Chesapeake Bay cleanup effort—the Environmental Protection Agency (“EPA”) exercised its Clean Water Act (“CWA”) authorities and set enforceable pollution limits for nitrogen, phosphorus, and sediment pollution in the Chesapeake Bay. Subsequently, the six Bay states and the District of Columbia released their plans to meet those limits by 2025. Together, the pollution limits (“Total Maximum Daily Load” or “TMDL”) and the states’ Watershed Implementation Plans (“WIP” or “WIPs”), combine to form the Chesapeake Clean Water Blueprint (“Blueprint”) for the Chesapeake Bay and importantly for roughly half of the rivers and streams in Pennsylvania.

While important clean water gains have been made and efforts to clean up Pennsylvania’s rivers and streams and the Chesapeake Bay have begun to show tangible results, there is still important work to be done. Recent assessments by EPA and others have all concluded that Pennsylvania’s efforts to achieve the requirements of the Blueprint are fundamentally behind. In fact, EPA estimates that of the current 29 million pound nitrogen shortfall in meeting the 2017 interim deadline, Pennsylvania is responsible for roughly 80 percent (23 million pounds) of that lack of progress, with 81 percent (18.7 million pounds) from Pennsylvania agriculture alone.

On March 11th of last year at the House Appropriations Committee hearing, then Acting Department of Environmental Protection Secretary John Quigley acknowledged that the Commonwealth was off-target for achieving its Chesapeake Bay commitments and that a new strategy to “reboot” the Commonwealth’s efforts was required. Subsequently, on May 4, 2015 letter to the Department of Environmental Protection, the EPA identified six deficiencies Pennsylvania needed to address. Most notably, EPA identified the need for improved compliance with agricultural regulatory programs, accelerated implementation of “high priority” pollution reduction practices, and improvement in urban and suburban stormwater pollution reduction efforts.

The new strategy, released on January 21st, was developed jointly by the departments of Agriculture, Conservation and Natural Resources, and Environmental Protection, as well as the State Conservation Commission and sets forth programmatic changes and identifies a number of resource needs, including staff for key agencies. The new plan was developed in response to the six deficiencies identified by the EPA. It does not replace Pennsylvania’s WIPS but rather augments them.

Since 1983, Pennsylvania and the other states in the Bay watershed have agreed five times to reduce the amount of pollution entering the rivers and streams the drain into the Chesapeake Bay, and developed increasingly sophisticated plans to achieve that. The most recent of these plans have been the Phase 1 and 2 WIPs in 2011 and 2012, respectfully, and subsequent 2-year implementation milestones.

Consistently, however, what has lacked in each instance is sufficient levels of investment necessary to achieve implementation of these plans. We recognize the significant challenges Pennsylvania’s economy and state budget face. Nonetheless, adequate funding and technical assistance for Pennsylvania’s family farmers along with urban and suburban communities, as well as with

sufficient support for the Commonwealth's resource agencies, is critical to the success of this plan and for the Commonwealth to live up its clean water commitments.

Clean water counts in Pennsylvania. Healthy families, strong communities, and a thriving economy depend on it.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Campbell". The signature is fluid and cursive, with a prominent initial "H" and a long, sweeping underline.

Harry Campbell, Pennsylvania Executive Director
Chesapeake Bay Foundation