

June 2, 2009

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Peter R. Wilshusen, Ph.D.

«Name»
«DEP_House_Senate»
«PO_Box_Address»

Dear «Formal_Sal»:

The Department of Environmental Protection (DEP) announced earlier this year that it has insufficient monies to meet the obligations of the Sewage Facilities Enforcement Grants program. The Citizens Advisory Council¹ (CAC) to DEP recognizes that difficult choices need to be made in these challenging economic times, but this program is far-reaching in terms of both local economic and environmental impact. **The CAC encourages you to ensure that sufficient funds are secured to reimburse local agencies as per Section 6 of Act 537 and the regulations laid out in Section 72.44 of Chapter 25 of the Pa Code.**

Local agencies and joint local agencies are charged with administering the on-lot sewage permitting program and for enforcing the Act 537 (sewage management) program. They are expected to charge reasonable fees to cover the costs of the activities conducted, and may seek monies from the state to eliminate the deficit amount for the enforcement program. Due to budget cuts in previous years, DEP had insufficient monies to meet the 2007 reimbursement obligations of the Sewage Enforcement Grants program, which necessitated the use of monies from the sewage facilities administration fund. The reimbursement of 2008 expenditures seems to be even more uncertain.

The Governor's budget proposal maintains the current, yet unfortunately insufficient level of funding, and SB 850 eliminates funding for both sewage enforcement grants, and sewage facilities planning grants. Program staff estimated that at least \$7.7 million is needed in the 09-10 budget for the enforcement grant reimbursement program and \$2.26 million for the planning grant reimbursement program, as demand for reimbursement is expected to increase. In addition, the CAC is encouraging

¹ The Citizens Advisory Council was legislatively created in 1971 to advise the Pennsylvania Department of Environmental Protection on environmental issues and laws, and on the work of the Department. The Council consists of 18 appointed citizen volunteers and the Secretary of Environmental Protection.

DEP to evaluate what proportion of program costs is borne by each local agency, and, where appropriate, to encourage those local agencies not bearing their fair share to increase local fees so that there is equity across the state.

We are concerned that local agencies may be considering court action to mandate the legislated payment. An adversarial response to declining state support will further exacerbate funding shortfalls for both local and state governments; we hope that this can be avoided and that funds are spent to address environmental responsibilities rather than for court action and defense.

While these line items are small in the context of the Commonwealth's overall budget, it is wide-reaching in terms of the impacts of the reduced funding on the local governments responsible for implementing Act 537, and ultimately on water quality, as inadequate funding will result in less attention being brought to the planning, designing, installing, managing, reconstruction and generally oversight and maintenance of sewage facilities systems.

Environmental programs such as this create and maintain jobs, benefit communities, and generate real economic returns. Clean water and air, a restored environment and environmentally sustainable solutions to our society's growing demands are the keys to our future. Reducing or eliminating state support for these programs will adversely impact both the environment and the local economy.

Thank you for your attention to our concerns. Please call Sue Wilson, Council's Executive Director at (717) 787-4527 if you have any questions.

Respectfully,



Richard Manfredi
Chair, Citizens Advisory Council



Thaddeus Stevens
Chair, Administrative Oversight Committee

cc: John Hanger, Secretary
John Hines, Deputy Secretary for Water Management
Dana Aunkst, Director, Bur. of Water Standards & Facility Regulation
Keith Hite, PSATS, Executive Director
Ken Klothen, DCED, Dep. Sec., Community Affairs and Development
Ed Troxell, PSAB, Director of Government Affairs
Doug Hill, CCAP, Executive Director