January 20, 2021

Dana Aunkst, Director
US EPA Chesapeake Bay Program
410 Severn Avenue Suite 112
Annapolis, MD 21403

Dear Mr. Aunkst:

We write to provide our comments on the draft Conowingo Watershed Implementation Plan, or CWIP, which intends to address the sediment discharges to the Chesapeake Bay from the Conowingo Dam.

The Pennsylvania State Association of Township Supervisors represents Pennsylvania’s 1,454 townships of the second class and is committed to preserving and strengthening township government and securing greater visibility and involvement for townships in the state and federal political arenas. Our members cover 95% of Pennsylvania’s land mass and represent more residents — 5.5 million Pennsylvanians — than any other type of political subdivision in the commonwealth.

While we support the actions that the Chesapeake Executive Council made when they agreed to address the Conowingo Dam pollution loads collectively rather than allocating pollution responsibility through existing state-based WIPs, we believe that additional and urgent attention needs to be given now to how these collective costs will be covered, especially since doing targeted installation of BMPs in certain areas leads to greater savings for all.

This conversation on funding is critically important for the state’s affected municipal and agricultural communities in general, but especially for those in the south-central part of the state where the CWIP intends most of the required BMPs to be implemented.

As the CWIP notes, the most cost-effective approach to mitigating the adverse water quality impacts of a “full” Conowingo reservoir pool is by pooling resources (no pun intended!) to pay for pollutant reduction practices in the most effective locations (i.e., the locations with the most influence on Bay water quality), which, as the CWIP notes, just happen to be in the rich agricultural areas of south-central Pennsylvania.

Considerations should be given to developing policies now that will encourage downstream jurisdictions, other permit holders, and the philanthropic public at large to participate in the financing (and securing proportional nutrient credits) of the needed urban and agricultural BMPs envisioned by the CWIP.
Specifically, the CWIP calls for the implementation of additional urban forest planting and forest buffer requirements along with nitrogen-reducing management practices to be targeted to those Land-River Segments (LRSs) within the Susquehanna River basin that are most effective at delivering nitrogen to the Chesapeake Bay and, therefore, offer the best opportunity to efficiently improve conditions in the Bay by reducing nitrogen loads.

However, as this shared-responsibility approach implies, additional funding is needed in order for both the affected municipalities and agricultural communities in these areas be able to pay for the installation of these needed BMPs.

Further, as the CWIP notes, pollutant reduction practices placed in the most effective areas will limit both the overall load reductions needed, and consequently, the overall cost. In fact, by targeting the investment in these additional urban and agricultural BMPs in these land-river segments, it will only take the removal of 6 million pounds of nitrogen to mitigate the water quality impacts of Conowingo Reservoir.

However, if implementation of the required BMPs were directed watershed-wide, or not targeted in the most-effective sub-basins, the total pollution reduction needed would require the removal of an additional 1.28 million pounds of nitrogen, a nearly 22% increase in effort and possibly costs. The collective savings of targeted implementation are clear; now the investment and cost-sharing arrangements need to be made as clear, as well.

In order that the affected municipalities and agricultural communities be supported in these efforts, we ask that the US EPA Chesapeake Bay Program work to support the creation of a wider menu of cost-effective financing options, including the development of robust credit trading and offsetting policies by all jurisdiction to maximize the reduction in pollutants and sediments being deposited into our waterways without bankrupting our communities and shutting down economic growth.

This menu should give municipalities, and their private-sector partners, the freedom to work together to creatively share the burden of compliance. Further, any effort to impose reductions in nutrient or sediment discharges, as in this case, should again equitably allocate responsibility between point and non-point sources on a proportionate basis to their discharges.

We welcome the opportunity to address any questions you might have on these matters. Please feel free to contact me.

Sincerely,

[Signature]

David M. Sanko
Executive Director