pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

December 10, 2015

Mr. Shawn M. Garvin
Regional Administrator
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Dear Mr. Garvin:

Thank you for your letter dated September 4, 2015. As you noted, Pennsylvania (PA) has expressed a commitment to address the necessary nutrient and sediment reductions to get PA back on track to meet our Chesapeake Bay goals. The Department of Environmental Protection (DEP) has been working in cooperation with PA's Department of Agriculture, Department of Conservation and Natural Resources, and State Conservation Commission to develop an 18-month strategy to meet our commitment. The final 18-month strategy was submitted to the Environmental Protection Agency (EPA) for review and reflects PA's commitments to the Chesapeake Bay goals. I hope that EPA will be an active partner in its implementation.

The Chesapeake Bay Implementation grant (CBIG) and the Chesapeake Bay Regulatory and Accountability Program grant (CBRAP) are important parts of PA's Chesapeake Bay efforts. These two grants support Conservation District efforts to install best management practices (BMPs) by funding projects and staff; DEP inspectors who conduct inspections of small farm operations; data system development for point source permit programs; and many of the other diverse activities that encompass PA's Bay efforts. Unfortunately, the 18-month strategy was not completed prior to the EPA's July deadline for application processing and EPA chose to withhold a portion of these necessary funds.

PA is committed to addressing EPA's concerns and accelerating the pace of program implementation. We are particularly concerned about the $1.685 million of CBIG agricultural BMP funds EPA is withholding, as this funding is critical to help meet our water quality goals. DEP has modified the CBIG and CBRAP work plans to meet EPA's concerns and reflect many of the commitments made in the 18-month strategy. PA submitted a revised work plan on September 8, 2015 to address comments received from EPA on August 27, 2015. PA will address your September 4, 2015 comments in this communication and the work plan revisions.

The enclosure is a response to the comments received with your September 4, 2015 letter. This enclosure includes Pennsylvania's commitment to:

- Provide additional funds for water quality improvements. The 18-month strategy specifically recommends a new round of "Growing Greener" funding that will include a focus on compliance in the Chesapeake Bay Watershed;

- Develop a "culture of compliance" by implementing an Agricultural Compliance and Enforcement Strategy, establishing a framework that shows how PA will annually inspect over 10% of the farms in the Chesapeake Bay Watershed;
- Improve recordkeeping and data systems to provide better and more accessible documentation of progress made towards PA's restoration effort; and
- Increase the number of "Tier 1" and "Tier 2" nutrient management plans produced by the CBRAP grant.

DEP hopes that the enclosed information, our ongoing discussions with EPA staff, and the details of the 18-month strategy, will address EPA's concerns. PA also hopes that EPA will reconsider and award the $1.685 million for agricultural BMPs and the $1.2 million, including funding for conservation district staff, which EPA is currently withholding from the CBIG and CBRAP grants. Both sources of funds are critical for PA's Chesapeake Bay efforts.

I look forward to our continued discussions on these issues. If you have any questions, please do not hesitate to call.

Sincerely,

John Quigley
Secretary

Enclosure