



**STATEMENT OF JEREMY ROWLAND,
BION ENVIRONMENTAL TECHNOLOGIES, INC., REPRESENTING THE
COALITION FOR AFFORDABLE BAY SOLUTIONS
BEFORE THE LOWER SUSQUEHANNA REGIONAL
ADVISORY COMMITTEE MEETING REGARDING
THE PENNSYLVANIA STATE WATER PLAN**

January 6, 2021

Thank you to the Regional Advisory Committee for the opportunity to testify today. My name is Jeremy Rowland, and I work for Bion Environmental Technologies, and I am speaking today on behalf of the [Coalition for Affordable Bay Solutions](#). Bion is a founding member of CABS.

Stormwater Costs are Untenable and Unnecessary to Achieve Water Compliance

Nitrogen reduction requirements placed upon Municipal Separate Storm Sewer Systems (MS4) across the Commonwealth, particularly within the Chesapeake Bay watershed, are an inefficient use of tax- and ratepayer investments. The [PA DEP proposal to reduce 195,000 pounds of nitrogen to the Bay from stormwater at a cost of \\$78.5 million annually](#) thru 2025 or approximately \$470 million in total is insane, particularly when compared to solutions presented by the private sector that can accomplish more for only \$2 million annually. Enabling low-cost private sector solutions for nitrogen would allow communities to address their sediment and flooding issues at significantly less cost and on a timeframe that is economically sustainable. CABS has presented these accessible taxpayer savings to [Pennsylvania legislators](#) in the recent past, but as of yet only the [Senate](#) has embraced its responsibility to utilize low cost alternatives. The House has failed on multiple occasions to act while the administration and the DEP have basically been absent at best relative to the fight for these lower cost compliance alternatives

Similar levels of cost-savings enabled by private investments can also be found for the Conowingo Dam nutrient release overages that have recently been in the news. In fact, the Pennsylvania legislature's own [Legislative Budget & Finance](#) Committee has twice affirmed that innovative private sector technologies can provide Chesapeake Bay nitrogen credits at savings to taxpayers of up to 90%. Even better, these nutrient reductions to Pennsylvania's waterways are accomplished in a manner that is

measurable and verifiable and can provide for a host of ancillary benefits such as reduced odors, reduced nitrate contamination in groundwater, and reduced greenhouse gas emissions.

CABS efforts to date have been focused on legislation that would establish a bid-based program. This legislation sponsored by [Senator Yaw](#) has been passed by the Senate on multiple occasions only to die from inaction in the House. Opposition has come from many of the same status quo stakeholders participating in this process whose job is to advocate to maintain the status quo funding for their particular entity. Their opposition is understandable since adoption of low cost/large scale solutions would negatively impact many existing stakeholders. Rather than protect entrenched interests, the legislature, administration and the DEP have a responsibility to advocate on behalf of taxpayers and the environment to ensure that solutions are cost effective and alternatives are considered.

Using the DEP's present credit calculation methodology, manure technologies can provide verified Bay nitrogen reductions at \$8-\$10 per pound. For five years CABS has lobbied the DEP to modify its one size fits all credit calculation model to scientifically account for the significantly greater impact of ammonia nitrogen. Using the [CAST model](#), the projected number of credits would double, thereby reducing costs of credits to taxpayers by 50% or greater. Over five years the DEP has failed to address this opportunity. Why? There are a lot of stakeholders that are not interested in a potential re-allocation of funds to more efficient approaches. Favored BMP funding, which is clearly useful and has its place, is not effective at mitigating reactive ammonia loss. Yet the DEP's mitigation strategy continues to recommend the same BMP's, which do not effectively address the nitrogen issue.

To achieve the enormous financial and environmental benefits outlined above, the DEP needs to (1) agree to eliminate the nitrogen portion of the Bay stormwater mandate, (2) reach a science-based resolution for ammonia nitrogen credit calculation methodology that significantly reduces cost while maximizing environmental benefits, and (3) execute contracts with low cost manure technology or BMP providers (in lieu of more expensive stormwater nitrogen reductions) that agree to finance projects and to be paid only after the credits have been delivered and certified by the DEP.

CABS is requesting that all water quality stakeholders, including private and state agency watchdogs such as the Commonwealth Foundation, Auditor General and Attorney General offices, who believe that it is not government's role to maintain the status quo at the expense of taxpayers and their environment, to support our efforts to solve a significant portion of Pennsylvania's Chesapeake Bay mandate with low-cost private sector solutions.