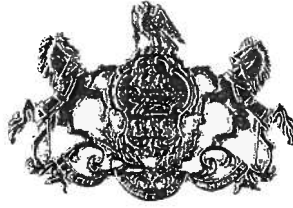


State Senator
Don White
41st Senatorial District

DEC 13 2010

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Senate of Pennsylvania

- SENATE BOX 203041
THE STATE CAPITOL
HARRISBURG, PA 17120-3041
717-787-8724
FAX: 717-772-1589
- 618 PHILADELPHIA STREET
INDIANA, PA 15701
724-357-0151
FAX: 724-357-0148
(TOLL FREE) 866-357-0151
- 109 SOUTH JEFFERSON STREET
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724-543-3026
FAX: 724-548-4856
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MURRYSVILLE, PA 15668
724-327-2422
FAX: 724-327-2436

TO: All Senators
FROM: Senator Don White **DUN**
DATE: December 13, 2010
RE: Co-sponsorship – PENNVEST funding expansion

In the coming weeks, I plan to re-introduce SB1422 that will enable the Pennsylvania Infrastructure Investment Authority (“PENNVEST”) to expand its capability to more effectively utilize federal monies provided by the Clean Water State Revolving Fund (“CWSRF”) to fund storm water management and non point source (“NPS”) remediation projects.

In 1992, PENNVEST’s enabling legislation was amended to encourage governmental units to come into compliance with the Storm Water Management Act (“SWMA”) by limiting the availability of funds to those governmental units in compliance with the planning requirements of the SWMA. The intent of the SWMA is to control storm water from developed areas to prevent downstream flooding. However, the current PENNVEST legislation, as amended in 1992, requires the application of these planning requirements statewide, regardless of whether or not a project affects storm water controls in an urban area.

Under the CWSRF, PENNVEST is allowed to fund traditional point source treatment projects under section 212 of the Clean Water Act (“CWA”) and certain non point source (“NPS”) projects as developed under Section 319 of the CWA. Pursuant to the CWA each state develops its own Section 319 plan subject to the Environmental Protection Agency approval.

The Commonwealth’s Section 319 plan is an evolving document and is intended to reflect the changing needs in the Commonwealth for the control of NPS pollution. **To effectively utilize the CWSRF for implementation of the Section 319 plan, we must change our current legislation.** The proposed changes will (1) continue to implement the original intent of PENNVEST’s enabling legislation by requiring compliance with the SWMA for projects designed to address urban runoff (2) allow PENNVEST to fund other NPS program activities that are identified under the Commonwealth’s Section 319 plan that cannot be easily funded under the current legislative language and (3) expand the universe of eligible applicants to include non-governmental entities such as nonprofit organizations and watershed groups.

It is for these reasons that I am asking for your support. If you would like to co-sponsor this legislation, please contact Allison Dutrey of my office at 7-8724 or adutrey@pasen.gov. Thank you.