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**FOR IMMEDIATE RELEASE**

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**Making a Case for “Rain Tax” Reforms**

*By Rep. Dan Moul (R-Adams)*

In August, at the annual Ag Progress Days event near State College, I participated in the joint House and Senate Agriculture and Rural Affairs Committee public meeting on conservation partnerships. Included on the panel of officials providing testimony to the committees, was Adam Ortiz, the federal Environmental Protection Agency’s (EPA) mid-Atlantic administrator.

Several years ago, the EPA imposed regulations aimed at preventing water pollution stemming from groundwater run-off that produces silt and sedimentation in our waterways. I told Ortiz that I have long taken issue with the EPA’s Municipal Separate Storm Sewer System Program, known as MS4, largely because of ambiguity in its implementation that is rendering it ineffective and a bureaucratic money grab.

The EPA established regulations creating the MS4 program and imposed those regulations on local governments through the state Department of Environmental Protection (DEP). Now, municipalities that are required to participate must create a Storm Water Management Program (SWMP) to minimize the impacts from runoff. The plan also requires municipalities to implement a fee structure and impose a so-called “rain tax,” to support the infrastructure improvements outlined in the plan. The trouble is, the EPA’s direction is unclear, leaving municipal leaders to decide how to implement it.

In some townships, the funding is being used for such things as new parks and playgrounds. While worthy projects, this is not how this taxpayer money is supposed to be spent and neither the EPA nor the DEP are following up to ensure the funding is used appropriately. Instead of paying to clear our water supply and ultimately the Chesapeake Bay of silt and sedimentation, these fees are going into a local government “slush fund” for pet projects at the discretion of our municipal leaders. This is wrong.

What’s worse is that these fees are being applied unfairly. The cities of Philadelphia and Pittsburgh and certain other municipalities are exempt from the program, leaving the rest of us to pay for it. The regulations are particularly onerous for farmers and other large landowners who are required to remit fees based on the level of ground water run-off they generate.

At the meeting, I told the EPA’s Ortiz that the MS4 program was poorly implemented, confusing, and is unfairly taxing our farmers and rural landowners. I implored him to exempt them and to provide participating municipalities with clearer direction on what the money is for and how it is to be used.

Everyone wants to drink clean water and breathe clean air, but when putting taxpayer money toward such projects, there must be clear direction, accountability and fairness.

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