

**State Water Plan Update
Delaware Water Resources Regional Committee Meeting**

April 11, 2023
9:00 a.m. - 11:00 a.m.
Virtual Meeting via Microsoft Teams

Committee Members in Attendance:

Ed Boscola	Susan Myerov
Mark Bowen	Mark Nemitz
Becky Bradley	Chad Pindar
Carol Collier	Jane Rowan
Kate Harper	Peter Rykard
Irvil Kear	Nathan Walker
Gary Kribbs	

Committee Members Not in Attendance:

Kelly Anderson	Christopher Norris
Patrice Dume	Dave Ritter
Andrew Frankenfield	Christopher Uhland
James McCarthy	Eliza Walbridge
Bill Royer	Elaine Paul Schaefer
Joe Buczynski	

Others in Attendance:

James Horton – DEP	Bob Whitmore - Strategic Consulting Partners
Susan Weaver – DEP	

Visitors:

Paula Schuetrum – Schuylkill Headwaters

Welcome

James Horton, DEP, welcomed everyone to the meeting, explained the meeting was being recorded, and provided helpful hints on the use of technology.

Election of Chair and Vice-Chair

The Delaware regional committee is required to appoint/reappoint the committee's Chair and Vice-Chair on an annual basis. A Kate Harper / Carol Collier motion was unanimously approved to reappoint Chad Pindar as committee Chair. A Carol Collier / Kate Harper motion was unanimously approved to appoint Susan Myerov as committee Vice-Chair.

Meeting Summary

The meeting summary of the October 11, 2022, meeting was reviewed. Irvil Kear identified several incorrectly spelled words and grammatical errors to be corrected. An Irvil Kear / Sue Myerov motion to approve the meeting summary with the corrections was approved.

Public Comment

Paula Schuetrum of Schuylkill Headwaters introduced herself to the committee. No other public comment was offered.

Bylaws

James (DEP staff) reviewed Article XII of the Delaware Committee Bylaws. The current bylaws state the following about amending the bylaws: “the By-Laws may be amended at any meeting of the Regional Committee by two-thirds vote of the full Regional Committee membership (15 voting members).” James said internal review of the bylaws by legal is asking this article to be amended to state: “the By-Laws may be amended at any meeting of the Regional Committee by a simple majority vote of the full Regional Committee membership (11 voting members).” This change will align the bylaws with Act 220. The legal opinion is this is a change to comply with the Act and does not need to be voted on by the committee as bylaws change.

The committee discussed the proposed change and decided the change should be voted on by the committee and should be properly communicated to committee members as defined in the bylaws. The bylaws will be reviewed again at the October meeting.

DEP Update

James Horton, DEP, provided an overview presentation of the state water planning process and the direction forward.

- **Act 220** was passed as PA was exiting a drought in 2002. The act requires continual updates, water use reporting, identifying Critical Water Planning Areas (CWPAs), and voluntary water conservation.
- **The State Water Plan** Update of 2022 was formally completed early this year. The plan has over one hundred pages discussing Pennsylvania’s Water Resources. A Digital Water Atlas was also released. Act 220 requires a five-year update cycle for the state water plan and the 2027 cycle starts now.
- **Act 220 mandated** the establishment of regional committees based on watersheds. Regional committees are formed based on their location.
- **Regional committees** provide unique perspectives based on their regions. The role of the regional committee is to create a regional component of the plan. The structure includes a narrative with priorities, region’s uniqueness, climate change and stormwater recommendations. Between our April meeting and the meeting in October DEP will be laying out a standard format for the regional plans which will be used by each region, and we would like to have your input on structure. **Please**

email us with your thoughts or examples of formats you think would be appropriate.

- **The Statewide committee** is focused on statewide concerns, and the legislative and policy objectives of the plan. Their review of regional components is constrained to this purview: that no parts of the plan conflict with other parts of the plan or existing law or regulatory practice. In prior iterations, the Statewide committee commissioned workgroups that focused on specific areas of concern identified by the committee. Included in their products was a narrative as well as explicit recommendations which included legislative and budget requests. CARPs, regional components, and the entirety of the plan are brought before the statewide for approval before being shared with the secretary of DEP for their approval.
- **The DEP** supports the committees by providing a venue, scheduling meetings, and providing meeting summaries prepared by our facilitators. DEP has final approval on documents with the Secretary's signature. DEP provides drafting support and assists with editing. All documents must meet DEP internal review, all edits are shared with the committee to promote transparency. DEP assists with education and outreach through speaking engagements, press releases, publicizing meetings via our website. The most important stakeholders in this process are Pennsylvanians at large, the people we are making this plan for.
- **Mandated by Act 220** of 2002, a **CARP** is like a hyper focused water plan based on a particular watershed which is at risk of water use outstripping water availability. The work to identify which areas may require such a plan the Act required that Critical Water Planning Areas be identified. Four CWPA's were identified using a screening tool created by DEP and USGS. This tool split PA up into fifteen square mile watersheds and tested water use against 50% of Q7-10 stream flows to determine areas that were at risk. There were three Critical Area Resource Plans or CARPs developed during the 2009 plan. Marsh Creek and Rock Creek were combined due to being geographically near one another and closely related hydrologically. We are trying to complete them during this cycle with an aim to complete Back Creek CARP this year and the others directly following it.
- **The CARP process** is required by Act 220 and has some explicit steps. Each CARP is required to have a public hearing along with a planning agency review. The Three CARPs are at distinct phases, and we are assessing their progress currently. It will be DEP and the regional committees to discuss where each of those CARPs land and what work will need to be done on them. In addition to this process a Critical Area Advisory Committee has been established for each CARP, the advisory committee advises DEP and the regional committee and submits recommendations to the regional committee. It is the regional committee who votes on the plan.
- **Five-year plan:**
 - **2023** – This year is all about getting the committees, particularly those that struggled achieving quorum, back to full strength. This is coupled with outreach to targeted stakeholders which will help prepare us for the next phase of the Plan. Additionally, we are looking to review the 2022 State Water

Plan, particularly those elements that were commented on by the public to decide what elements we can pursue. Over this time, we are also going to work as hard as we can to bring the Back Creek CARP to fruition. I anticipate no more than two meetings this year unless more are needed to manage CARPs.

- **2024** – Building on the work of the prior year and in accordance with the Path Forward from the 2022 Update work begins on looking at each actionable element of the state water plan and establishing who is responsible for what item and what metrics could be used to measure success for each actionable element. This will include working through logic models for each of the regional committees as well as the topic specific workgroups. I anticipate only two meetings this year as well.
- **2025** – Workgroup formation will take place at the end of 2024 having identified key issues that will require further development in the upcoming plan as well as new areas of focus. Workgroups will be established and begin, with DEP, updating 2022 Plan documents, researching, and assessing the previous plan. This may also include drafting whole new documents as needed. This will require some more work from the committees, I am anticipating three meetings this year for each committee.
- **2026** – This year will involve completing the regional components of the document and holding hearings to discuss them. We will be completing work on each of the workgroup contributions and compiling them toward the end of the year in preparation for the thirty-day public review period to begin at the end of the year. During this year the Statewide committee will have four meetings and the regional committees will require three, one of which will be a public hearing.
- **2027** – With regional committee work completed and fresh feedback from the public we will revisit plan elements and consider any final edits to the plan before formally signing and completing it by the end of the year. In the final year, the statewide will have 2-3 meetings and the regions will have only one a piece.
- **Membership** is critical. We need to fill committees with new membership. Regional members serve for three-year terms. Statewide members serve four-year terms. When a term concludes members hold their spot until a replacement is found meaning there is no need to formally reapply for membership though if you would like to resubmit, you may. Skill set is not the only consideration. Regional committee members must work or live within their respective region if applying for regional membership.

Comments in the Chat

- Can you distribute the current list of Delaware members and their areas of expertise/appointment?
- DRBC has recently published groundwater availability for the DRB. We are currently working on a surface water availability analysis.

- https://www.nj.gov/drbc/library/documents/DRB_Rpt_GW_Availability_dec2022.pdf
- Maybe DRBC could present that at the next committee meeting?
- James will be speaking at the PEC/POWR statewide watershed conference in October.
- I have a slot open for James on June 19 at PWEA's Penn Tec in Hershey.

Next Steps

Next meeting – October 10, 2023

The meeting was adjourned at 10:33 on an Irvil Kear / Sue Myerov motion.