

**REGIONAL COMMITTEES, STATEWIDE COMMITTEE AND DEP
RESPONSIBILITIES UNDER ACT 220
WHO DOES WHAT?
11/16/03**

INTRODUCTION

Act 220, the Water Resources Planning Act, establishes the procedure for completing and adopting a new State Water Plan for Pennsylvania by March 16, 2003. It also describes several major committee and DEP obligations. The following responsibilities are categorized according to who is identified in the act as the lead organization. Virtually all obligations require coordination between DEP, the six Regional Committees and the Statewide Committee created under the act.

STATUTORY OBLIGATIONS

ALL

Cooperate and coordinate with appropriate compact basin commission and federal, interstate, state and political subdivisions, municipalities, public water supply agencies and other agencies for efficient planning for the maintenance and enhancement of the water resources of this Commonwealth. (3103)

DEP

In consultation with the Statewide Committee, the Department shall, to the extent practicable, enter into administrative agreements with appropriate compact basin commissions and federal, state, interstate, municipal and other agencies....(3104)

The Department shall draft and develop the State Water Plan, including regional plan components. (3111(A))

The level of detail within the State Water Plan and each regional plan may vary among watersheds and other hydrologic units. In consultation with the Regional Committees and the Statewide Committee, the Department shall establish with the approval of the Statewide Committee, priorities and guidelines for the level of detail appropriate for different areas, considering among other factors the current and projected future water demands in comparison to the safe yield of available resources in the area. (3111(B))

The Department shall draft a critical area resource plan. (3111(D))

In cooperation with the Regional Committees and Statewide Committee, develop a public participation process to encourage the input from persons interested in water resources issues throughout the process of developing and formulating regional plan components and the State Water Plan. (3114(C))

Propose regulations and policies under Act 220. (3114(C))

The following items must be developed by the Department in consultation with the Statewide Committee and may be adopted only upon approval by both the Statewide Committee and the Secretary: (3115(A))

- Policies and guidelines for preparing or amending the regional plan components and the State Water Plan.
- Policies and guidelines ensuring public participation in the development or amendment of the State Water Plan.
- Policies and guidelines for identifying Critical Water Planning Areas.
- Policies and guidelines for developing Critical Area Resource Plans.

Based upon the recommendations and guidance of the Regional Committees and consistent with the policies and guidelines established, the Department, in consultation with the Statewide Committee, shall prepare drafts of the initial regional plan components to be used in the development or amendment of the State Water Plan. (3115(B))

The Department, in conjunction with the Statewide Committee and the Regional Committee, shall hold at least one combined public meeting and hearing in each region to solicit input on the drafts of the initial regional plan components to be used in the development or amendment of the State Water Plan. (3115(B))

The Department, in ongoing consultation with the Statewide Committee, shall prepare a draft of the State Water Plan or amendments to the State Water Plan. (3115(B))

The Department, in conjunction with the Statewide Committee, shall make the draft of the State Water Plan available for public review to solicit input on the draft of the State Water Plan or amendments to the State Water Plan. (3115(B))

Upon adoption of the State Water Plan, the Department shall publish notice of the adoption or amendment of the State Water Plan in the Pennsylvania Bulletin and on the Department's World Wide Web site. (3115(C))

In cooperation with the compact basin commissions and federal, state and regional agencies with responsibilities relating to water resources management, the Department shall establish and maintain a statewide system to gather, process and distribute information on the availability, distribution, quality and use of water resources of this Commonwealth. (3117(A))

The Department, with advice from the Statewide Committee, shall establish reasonable fees to cover the expenses of making information from the statewide data system available to the public. (3117(C))

The Department will administer an interim water use registration system to initially

register significant water withdrawal and use by March 16, 2004. (3118(A))

The Department in consultation with the Statewide Committee shall recommend, and the Environmental Quality Board may adopt, regulations establishing requirements for the registration, periodic reporting and record keeping of withdrawals...(3118(B))

The Department shall establish and maintain a water resources technical assistance center to promote voluntary water conservation and to provide technical assistance on water resource issues...(3120(A))

The Department is authorized to provide grants for reimbursement of up to 75% of the cost of preparing a voluntary water use reduction plan; and for water resources education, technical assistance and water conservation, including the voluntary reduction of unaccounted for water loss. (3121(A))

REGIONAL COMMITTEES

With ongoing consultation with the Statewide Committee and the Department, each Regional Committee shall guide the development of and recommend to the Statewide Committee a regional plan component for review, approval and incorporation into the State Water Plan...(3111(A)), (3113(C))

Recommend to the Statewide Committee and the Department the identification of critical water planning areas. (3113(C))

A Regional Committee may, in advance of the formal adoption of a regional plan or the State Water Plan and if justified by evidence developed in the planning process, recommend the designation of a critical water planning area. (3111(D))

In preparing a critical area resource plan for a critical water planning area, the Regional Committee shall establish a critical area advisory committee. (3111(D))

The Regional Committee shall, in consultation with a critical area advisory committee, guide the development of and recommend to the Statewide Committee and Secretary and the Department shall draft a critical area resource plan. (3111(D))

The Regional Committee may recommend to the Department the engagement of county or regional agencies or expert consulting firms to assist in the process of preparing a critical area resource plan. (3111(D))

Consult with, advise and make recommendations to the Department and the Statewide Committee prior to and throughout the process of preparing the regional plan components of the State Water Plan and amendments to the regional plan component of the State Water Plan. (3113(C))

Advise the Statewide Committee and the Department regarding the engagement and

selection of consultants or experts to assist in the preparation of the regional component of the State Water Plan. (3113(C))

Utilize an open process, including public notice and at least one combined public meeting and hearing, to solicit comments from interested persons on water resources planning issues related to the preparation of the regional plan component of the State Water Plan. (3113(C))

Meet as necessary to accomplish the purposes of this chapter. (3113(C))

Adopt bylaws and procedures for conducting business. (3113(C))

Each Regional Committee shall hold at least one combined public meeting and hearing within its region to solicit input on water resources management and water resources planning within the region. (3115(B))

Make recommendations to the Department and the Statewide Committee on the development or amendment of the State Water Plan. (3115(B))

Make recommendations on the identification of critical water planning areas within the region. (3115(B))

Following public participation and the combined public meeting and hearing, each Regional Committee shall select, by a majority vote, the planning alternatives and provisions to be recommended as part of the regional plan component to the Statewide Committee. (3115(B))

Each Regional Committee shall provide to another Regional Committee any proposed regional plan components recommendation that may affect any other region for review and comment prior to recommendation of the regional plan component to the Statewide Committee. (3115(B))

Each Regional Committee shall, by majority vote, recommend the regional plan components to the Statewide Committee...(3115(C))

STATEWIDE COMMITTEE

The Statewide Committee shall guide the development of, approve and recommend to the Secretary approval and adoption of the State Water Plan. (3111(A))

In approving, recommending and adopting the State Water Plan, the Statewide Committee and Secretary shall provide serious and deliberate consideration to regional priorities, objectives and recommendations expressed by the Regional Committee, reconcile differences or conflicts among regional plans and assure that the regional plans and statewide plan adequately consider and reflect federal, state and compact basin commission policies, plans, objectives and priorities of national, statewide or interstate

importance. (3111(C))

Upon recommendation from a Regional Committee, the Statewide Committee and Secretary may designate the area for the development of a critical area resource plan for any watershed or watersheds within a critical water planning area....(3111(D))

The purpose of the Statewide Committee is to coordinate the development of the State Water Plan, recommend policies and guidelines for and oversee the development of the State Water Plan, and in continuing consultation and collaboration with the Regional Committees and the Department and with full opportunity for public review and comment, approve and recommend to the Secretary approval and adoption of the State Water Plan....(3114(A))

Recommend to the Secretary the approval and adoption of the State Water Plan, including regional plan components, following consultation with the Regional Committees, the Department, compact basin commission and other appropriate agencies and after the public comment and hearing (3114(C))

Assist the Department, in cooperation with the Regional Committees, with the development of a public participation process to encourage the input from persons interested in water resources issues throughout the process of developing and formulating regional plan components and the State Water Plan. (3114(C))

Recommend approval by the Secretary of policies and guidelines for the preparation and development of regional plans and the State Water Plan....(3114(C))

Review and comment upon regulations and policies proposed by the Department under Act 220. The Statewide Committee shall be given a reasonable opportunity to review and comment on regulations promulgated under this chapter affecting water resources prior to the submission to the Environmental Quality Board for both initial and final consideration. (3114(C))

Following consultation with Regional Committees, the Statewide Committee shall approve and recommend to the Secretary, approval and adoption of regional plan components and the State Water Plan....(3115(C))

CRITICAL AREA ADVISORY COMMITTEE

The critical area advisory committee shall evaluate policy, program and management alternatives and advise the Regional Committee and Department throughout the critical water area planning process. (3111(D))