

**Minutes of the  
May 9, 2018, Meeting of the  
Water Resources Advisory Committee (WRAC)**

John Jackson called the meeting to order at 9:30 a.m. on Wednesday, May 9, 2018, in Room 105 of the Rachel Carson State Office Building, Harrisburg, PA.

**Call to Order, Introductions and Attendance -**

**The following committee members were present:**

Harry Campbell, Chesapeake Bay Foundation  
Kent Crawford  
Andrew Dehoff, Susquehanna River Basin Commission  
Jeff Hines, York Water Company  
John Jackson, Stroud Water Research Center  
Theo Light, Shippensburg University  
Gary Merritt, NSG  
Steve Rhoads  
Chuck Wunz, Wunz Associates

**The following committee members were not present:**

Myron Arnowitz, PA Clean Water Action  
Robert Cavett, Merck & Co  
Dean Miller, Pennsylvania Water Environment Association  
Cory Miller, UAJA  
Jeff Shanks, Waste Management  
Steve Tambini, Delaware River Basin Commission

**The following DEP staff members were present:**

Roger Adams, Bureau of Waterways, Wetlands and Engineering  
Sid Freyermuth, Bureau of Waterways, Wetlands and Engineering  
David Goerman, Bureau of Waterways, Wetlands and Engineering  
Doug Goodlander, Bureau of Clean Water  
Sean Gimbel, Office of Water Programs  
Kevin Hess, Office of Water Resources Planning  
Hayley Jeffords, The Policy Office  
Ken Murin, Bureau of Waterways, Wetlands and Engineering  
Lee McDonnell, Bureau of Clean Water  
Tim Schaeffer, Office of Water Programs  
Cheryl Snyder, Bureau of Clean Water  
Steve Taglang, Bureau of Clean Water  
Jesse Walker, Office of Chief Council  
Diane Wilson, Bureau of Clean Water

**The following guests were also present:**

Beth Kern, Chesapeake Energy  
Aaron Maurer, Waste Management

Daniel McCurdy, TDC  
Rohan Menon, Waste Management  
Daniel McCurdy, TDC  
Byron Ruhl, PennDOT  
Trisha Salvia, Chesapeake Bay Foundation

**Review and Approval of Minutes** – Harry Campbell made a motion to approve the minutes of the January 25, 2018 meeting. Jeff Hines seconded the motion. The minutes were approved by unanimous vote.

**Improving Wetlands Mapping Layers** – David Goerman, Bureau of Waterways, Engineering and Wetlands – gave an overview of DEP’s project to improve wetland maps. Pennsylvania’s current wetland maps were insufficient, and the old National Wetland Inventory (NWI) maps needed updated. The project got started because the Chesapeake Bay workgroup did an updated wetlands layer and map for the Chesapeake Bay Watershed. The new maps will be in GIS and storable. More wetlands are showing up on the new maps because current technology allows for broader coverages. An app is currently under development. The project may also result in the development of other geospatial tools.

**Simplified Water Obstruction and Encroachment General Permit Process** – Sid Freyermuth, Bureau of Waterways, Engineering and Wetlands – discussed the simplified Water Obstruction & Encroachment General Permit (GP). As of March 2018, DEP requires that the GP registration be done on-line. The registration form has been refined to eliminate redundancies which expedites the method DEP uses to determine if the impact areas trigger an Army Corps of Engineers (ACOE) review. The eight-page Fee Calculation Worksheet is no longer needed nor is the Reporting Criteria Checklist. The Bog Turtle Screening that is required in the 15 counties with bog turtle habitat can now be done when conducting the Pennsylvania Natural Diversity Inventory (PNDI) search. The PNDI receipt is required when submitting the GP. If after reviewing the GP, its determined the project isn’t covered by a GP, the applicant would still need to submit a complete permit. The new GP registration form eliminated unnecessary information and was developed with input from regional staff, ACOE staff and central office program staff.

**Agricultural Operations Inspections** – Doug Goodlander, Bureau of Clean Water, presented an update of the agricultural operations inspections in the Chesapeake Bay Watershed in Pennsylvania. Doug briefly discussed the agricultural requirements of the Clean Streams Law (1970’s), Nutrient Management Act (1990’s) and the Chesapeake Bay TMDL (2010). Any farming operation greater than 5000 square feet needs E&S plans and manure management plans implemented. The Nutrient Management Act requires high density animal operations (CAO’s) to be permitted and have nutrient management plans. In 2016, agricultural inspections were expanded in the Chesapeake Bay watershed (42 counties) because agriculture contributes to the loadings in the Bay and the TMDL has load reduction obligations.

The more active and aggressive compliance inspections were done by both DEP staff and Conservation District staff. If Conservation District staff find farms out of compliance, they refer them to DEP for enforcement action. There are approximately 33,000 farms in the PA Chesapeake Watershed with a goal of 10% inspection. 3,000 were inspected. Small farms, often not the target of inspection, were inspected. The first phase is to see if the farms have plans, the second phase is to see if plans are implemented and if not to work with the farms for compliance. The third phase is to recheck for compliance. Out of 2800 operations, 80 lacked plans resulting in 74 Notices of Violation (NOV's). Nine failed after the NOV's so DEP initiated field orders. To date, one penalty has been assessed to one farmer. The majority are complying which exceeded federal expectations. Staff are engaging the agricultural community to work towards compliance. The inspections are only occurring in the Chesapeake Bay watershed because of lack of money and resources to expand beyond the Bay watershed. York and Lancaster counties have the most inspections and money available to help farmers. Implementation will be reassessed in ten years.

Some committee members expressed concern that the Department's agricultural programs were not adequately addressing Clean Water enforcement activities. There was concern that inadequate enforcement of agricultural E&S and manure management activities were creating water treatment challenges for downstream public drinking supplies and users, particularly during the spring runoff. The committee members suggested that a ten-year program to simply inspect E&S and manure management plans was entirely too long of a time period, especially if it did not incorporate a robust enforcement effort to address agricultural run-off upstream of public drinking water supplies. They suggested that the Department and County Conservation Districts dedicate more resources to prioritize agricultural enforcement specifically upstream of water supply areas. Mr. Goodlander suggested that he get together with the Drinking Water Program to review potential issues between the Clean Water program and the Drinking Water program.

**Chesapeake Bay Program Update** - Veronica Kasi, Chesapeake Bay Program Office- provided an update on Chesapeake Bay goals. Currently the program is making progress on local goals at the county level. There are action items, milestones, and timelines. "Local" was determined by looking at rivers, counties, basins, etc. and it was decided to use the county level for local.

Draft planning targets include nitrogen and phosphorus reduction with tiered reduction goals. The first tier is 25% reduction and the second tier is an additional 25% reduction. Although reduction is occurring, there still needs to be more reduction to meet the goal. Some reduction has happened through permitting and compliance but there needs to be more. Help through state and local technical and financial assistance to do more projects is needed to get more reductions. Urban storm water also needs to be addressed.

Pennsylvania is a source of opportunity. Many partners are working together on projects. Effective outreach by Conservation Districts and acquisition of funds has allowed many things to happen in some of the counties. The counties of Lancaster, York, Adams and Franklin have done many Bay-related projects because they have been able to get funding and work with partners. Other Bay outcomes are related to Brook Trout, fish habitat, wetlands and climate. These will be addressed.

**General Discussion** – No general discussion from members.

**Public Comment Period** – No comments from the public.

Theo Light motioned to adjourn the meeting. The motion was seconded by Steve Rhoads.

The meeting adjourned at 12:00 p.m.