

**Minutes of the
September 19, 2018 Meeting of the
Water Resources Advisory Committee (WRAC)**

Call to Order, Introductions and Attendance - John Jackson chaired the meeting in the absence of a chairperson due to the resignation of Robert Cavett from WRAC. He called the meeting to order at 9:35am. Participation in this meeting of 13 members represents a quorum.

The following committee members were present:

Harry Campbell, Chesapeake Bay Foundation
Jenifer Christman, Western Pennsylvania Conservancy
Shirley Clark, Pennsylvania State University
Kent Crawford
Andrew Dehoff, Susquehanna River Basin Commission
Jeff Hines, York Water Company
John Jackson, Stroud Water Research Center
Gary Merritt, NSG
Stephen Rhoads
Steve Tambini, Delaware River Basin Commission
Charles Wunz, Wunz Associates

The following committee members were present (via phone):

Myron Arnowitz, PA Clean Water Action
Kevin Gilmore, Bucknell University

The following committee members were not present:

Theo Light, Shippensburg University
Cory Miller, UAJA
Dean Miller, Pennsylvania Water Environment Association
Jeff Shanks, Waste Management
Sara Whitney – Pennsylvania Sea Grant

The following DEP staff members were present:

Roger Adams, Bureau of Waterways, Engineering and Wetlands
Timothy Bruno, Office of Water Resources Planning
Sean Gimbel, Office of Water Programs
Hoss Liaghat, Office of Water Resources Planning
Ken Murin, Bureau of Waterways, Engineering and Wetlands
Lee McDonnell, Bureau of Clean Water
Jennifer Orr, Office of Water Resources Planning
Keith Salador, Citizens' Advisory Council
Tim Schaeffer, Office of Water Programs
Cheryl Snyder, Bureau of Clean Water
Steve Taglang, Bureau of Clean Water
Diane Wilson, Bureau of Clean Water

The following guests were also present:

Beth Kern, Chesapeake Energy
Ankita Mandelia, Chesapeake Bay Foundation
Matthew Rindfuss, PA House
Bryan Ruhl, PennDOT

Review and Approval of Minutes - Stephen Rhoads made a motion to approve the minutes of the May 9, 2018 meeting, as amended, with additional information regarding the agricultural enforcement discussion. Andrew Dehoff seconded the motion. The minutes were approved by unanimous vote

Flow Management Issues in the Delaware River – Jennifer Orr, Office of Water Resources Planning – gave a presentation on flow management in the Delaware River basin where water uses affect New York City, New Jersey, Pennsylvania and Delaware. A history of water usage and agreements was discussed. New York City, during its expansion in the late 1800’s and early 1900’s, needed drinking water sources and went outside the city boundaries to the Delaware River basin. As water uses increased, downstream flows decreased. In 1954, a court case between New Jersey and New York City came before the Supreme Court regarding low flows affecting New Jersey because of large amounts of water taken from the river by New York City. The resulting decree allowed for water diversions for both New York City and New Jersey to better control water usage. Other agreements were developed through the years with the most recent being a flexible flow management plan signed in 2018. This plan concentrates on water releases, storage, diversions and sea level rise. It will be reevaluated in 2023. Habitat and temperature management is a concern in the upper basin while flow volumes and water quality are important in the lower basin near the salt front to prevent contamination of drinking water supplies. Future concerns in the basin include water diversions, flows, flood mitigation, drought, climate change and water conservation.

Renewal of PAG-05 (Pennsylvania General Permit 05) – Lee McDonnell, Bureau of Clean Water - discussed Pennsylvania General Permit 05 (PAG-05). PAG-05 is a general permit for use with petroleum product contaminated ground water remediation systems. There are 53 active permits. The general permit will expire December 28, 2018. It was published in the July 28, 2018 PA Bulletin for public comment. Notice of Intent fees are projected to increase from \$100 to \$500. Annual report templates as well as termination and other procedures will be added. Upon approval, the revised general permit will be issued as final.

Pennsylvania Lake Erie Phosphorus Reduction Domestic Action Plan – Timothy Bruno, Office of Water Resources Planning – presented an overview of the PA Lake Erie Phosphorus Reduction Domestic Action Plan including a history about Lake Erie and partnerships and agreements that exist. The Great Lakes Water Quality Agreement of 1972 is between the United States and Canada and works to restore and protect Great Lakes waters and ensures chemical,

physical and biological integrity of the Great Lakes. The Environmental Protection Agency coordinates the U. S. activities, lake partnerships and annex subcommittees. Pennsylvania is active on two subcommittees – the Action and Management Plan Subcommittee (#2) and the Nutrients Subcommittee (#4). A new Domestic Action Plan was developed in 2018 between the U.S. and Canada that includes phosphorus reduction targets for Lake Erie. Since Pennsylvania is in the central basin of Lake Erie, the only target of concern is minimizing the hypoxic zone by achieving a 40% decrease in total phosphorus. Pennsylvania data is lacking for the area so loadings were determined through modeling use of a reference watershed. Pennsylvania's contribution is very small and most likely already meets the 40% decrease in phosphorus goals. Pennsylvania will develop a domestic action plan by 2021 which will be updated every five years. Pennsylvania will work with partners on projects and will measure progress by reporting phosphorus loadings, report on phosphorus contributions and reductions and develop a tracking database. Other concerns are that Lake Erie's western basin affects the central basin by 80-90% with the Detroit River being a big nutrient influence on the western basin, which in turn affects the nutrients in the central basin. The presence of Cladophora algae is also a problem in the lake. Pennsylvania continues to work on planning with partners and public participation.

Chapter 105 ePermitting Effort – Ken Murin, Bureau of Waterways, Engineering and Wetlands - updated the status of the Chapter 105 ePermitting effort. The Governor's Office determined that permitting upgrades were needed in DEP programs to facilitate quicker permit actions and reduction of permit backlogs. The Chapter 105 program was identified as an area in need of an upgrade. ePermitting for Chapter 105 general permits is being developed. It will be web-based and will coordinate with other DEP programs including eFACTS and PNDI. Registration will be done through DEP's GreenPort. Webinars and staff training are taking place and the webinars are recorded so they are available on the Bureau's webpage. ePermitting should allow for more complete applications to be submitted for review and cut back on backlogs. During the transition, both paper and electronic applications will be used while working out the bugs. The system will go live by early October 2018.

General Discussion – Members had comments on the Agricultural Operations Inspections presentation done at the May 9, 2018 meeting. They have concerns about the lack of enforcement during farm inspections and feel that inspections are needed statewide, not just in the Chesapeake Bay watershed. They requested that DEP provide an update at the next WRAC meeting.

Public Comment – No comments from the public.

Gary Merritt motioned to adjourn the meeting. The motion was seconded by Kent Crawford.

The meeting adjourned at 12:13pm.