

**Draft Minutes of the
March 14, 2007 Meeting
of the Water Resources Advisory Committee (WRAC)**

The regularly scheduled meeting of the WRAC committee was called to order at 9:34 a.m. by Chairperson Dave Anderson on March 14, 2007 in Room 105 of the Rachel Carson State Office Building, Harrisburg, PA.

The following committee members were present:

Buddy Beach, P.E.
Cory Miller, University Area Joint Authority
Don Bluedorn II, Esquire, Babst, Calland, Clements, Zomnir
Steve Rhoads, Pennsylvania Oil & Gas
Bob Wendelgass, Clean Water Action
Robert Cavett, Merck & Company, Inc.
Matthew Ehrhart, Chesapeake Bay Foundation
Brian Dempsey, Pennsylvania State University
Art Gazdik, P.E., Ross Township
Nick Pinizzotto, Western Pennsylvania Conservancy
Howard Neukrug, P.E., Philadelphia Water Department
David Anderson, P.G., Chairperson, Moody & Associates, Inc.
John Jackson, Stroud Water Research Center
Richard Wardrop, P.G., Shaw Environmental & Infrastructure
Edith Stevens, League of Women Voters of PA
Carol Collier, Delaware River Basin Commission

The following committee members were not present:

Gary Merritt, Inter Power Development Corp
Tim Schaeffer, Ph.D., Audubon Pennsylvania

The following DEP staff members were present:

Phil Consonery, Bureau of Water Standards and Facility Regulation (BWSFR)
Dean Auchenbach, Bureau of Watershed Management (BWM)
Tom Starosta, Sanitary Engineer, BWSFR
Jay Patel, Sanitary Engineer, BWSFR
Susan Weaver, Sanitary Engineer, BWM
Janis Dean, Citizen's Advisory Council
John Hines, Executive Director, Water Planning Office

The following non-members were also present:

Dan Snowden, PennDOT
Jeff McNelly, ARIPPA
Duane Mowery, Falling Spring Technologies
Matt Baxter, PennDot Central Office
Kathy Kunkel, First Energy
Toni Zawis, PennDot

General WRAC Business

The Committee reviewed the January 10, 2007 minutes and motion was made for approval, the members passed the motion unanimously.

Integrated Water Resources Initiative

Cedric Karper, Director, BWM, ckarper@state.pa.us presented the committee with an initiative to better integrate the different plans involving watersheds to make them more efficient in protecting our water resources. The Integrated Water Resources Management Initiative will include the following programs:

- State Water Plan
- Source Water Protection
- Water Allocation program
- Total Maximum Daily Loads
- Watershed Restoration Plan
- Watershed Action plans (Section 319)
- Flood Plan Management
- Act 537
- Wastewater Management
- Act 167
- Stormwater Management.

DEP will distribute a draft white paper in March with the goal of finalizing the document by the fall of 2007. It will serve as the framework for DEP's future direction.

NPDES Stormwater Initiatives

Cedric Karper also spoke on the improvements to the National Pollutant Discharge Elimination System (NPDES) Post Construction Stormwater Management permitting process. The Federal Clean Water Act increased the demand for stormwater permits issued by DEP over the last six years. New permitting requirements for sites less than five acres but greater than one acre, have doubled the workload of DEP staff responsible for reviewing NPDES Post-Construction Stormwater Permits.

To address these issues, including improving the quality of permit applications, roles of licensed professionals, and reducing review time of the permits, DEP considered four initiatives for which it requested a 30-day public comment period. DEP has finalized the initiatives and scheduled implementation of these four points:

- Encouraging the use of a simultaneous review process for Erosion and Sediment Control and Post-Construction Stormwater Management (PCSM) plans.
- Expediting permit review where applicants have municipal or county conservation district approval of the PCSM Plan if the plan has been sealed by a qualified licensed professional who has attended the Best Management

Practices (BMP) manual training and has demonstrated knowledge and experience in preparing PCSM Plans.

- Developing new General Permits and clarifying existing General Permits. DEP has developed a fact sheet that explains the permit requirements for the development of small home lots entitled “Soil Erosion & Sediment Requirements For Single-Family Residence, Individual Lot Construction & Minor Construction Project Activities.” The fact sheet can be found on DEP’s website at www.depweb.state.pa.us (DEP Keywords: “Erosion Control”).
- Soliciting qualified consultants -- including County Conversation Districts -- to assist applicants in preparing NPDES stormwater permit applications or facilitating the application development process.

Proposed Flood Mitigation Initiative

John Hines, Executive Director of the Water Planning Office, johines@state.pa.us discussed the Stormwater and Flood Planning Initiative. DEP submitted a Flood and Stormwater Management Revision Request to the Office of the Budget asking for funding for four major components: Stream Gauging Program, Response to the 2006 floods, Stormwater Planning (Act 167 & Flooding Issues), and the State Water Plan. After the review process the budget was announced and certain components of the request came through, subject to review by the legislature:

- The Environmental Program Management’s general operating procedures received 1.2 million dollars to be utilized for flood repairs that were done last June.
- The Governor’s Office received \$300,000 for outreach programs for communities with flooding issues. The Governor’s Office will create a position to coordinate an Inter-Agency Flood Review Team.
- Stormwater Management received 1.2 million in funds from the budget for Act 167 Planning.

These additional dollars will be used to focus on enhancing Integrating Stormwater and Flooding Initiatives.

Chapter 92, NPDES Permitting, Monitoring and Compliance

Tom Starosta, Sanitary Engineer, BWSFR, tstarosta@state.pa.us proposed to amend Chapter 92 by adding a section that would enable DEP to issue Watershed Permits. The permits would contain both an aggregate limit for a pollutant within a watershed and allocation loads for the existing discharges.

This regulation was proposed because some pollutants persist and accumulate in the watershed, resulting in a threat to water quality standards only after a threshold loading or concentration is reached at some point in the watershed. New methods and tools have enabled DEP to better determine when watershed-wide concerns apply when developing TMDLs or WQBELs (Water Quality-Based Effluent Limits), and to quantify appropriate limits to address the problem. The ability to issue watershed-based NPDES permits for

point source discharges will provide the implementation process to complement these watershed-wide assessments.

DEP is scheduled to present the proposed rulemaking to the WRAC members at the next meeting, May 9, 2007 and to the Environmental Quality Board June 19, 2007.

Motions made by Don Bluedorn:

- Encourage DEP to “slow down” the proposed timeframe for the Chapter 92 amendments related to watershed permits to allow for additional WRAC review and comments.
- Encourage Directors Cedric Karper from the Bureau of Watershed Management and Dana Aunkst from Water Standards and Facility Regulations to attend the next WRAC meeting, May 9, 2007, to discuss the Integrated Water Resources Initiative as it relates point source discharge and non-point source discharge issues.

Both motions passed unanimously by a quorum of members.

Other Business

Steve Rhoads made a motion to accept the by-laws of the Water Resources Advisory Committee as revised. The motion passed unanimously by a quorum of members.

Motion made to adjourn the meeting and passed unanimously by quorum.