

MINUTES
CITIZENS ADVISORY COUNCIL MEETING
May 16, 2018

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT:

Cynthia Carrow, Allegheny County
Bill Fink, Bedford County
Duane Mowery, Cumberland County
John St. Clair, Indiana County
Jim Sandoe, Lancaster County
James Schmid, Delaware County
Thad Stevens, Tioga County
John Walliser, Allegheny County
Don Welsh, Chester County
Jim Welty, Cumberland County
Tim Weston, Cumberland County

CITIZENS ADVISORY COUNCIL (CAC) MEMBERS PRESENT VIA PHONE:

Jerome Shabazz, Philadelphia County

CALL TO ORDER:

Chairman Don Welsh called the meeting to order at 10:10 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, with a quorum.

DEP REPORT:

Secretary McDonnell provided a brief update on the following:

Executive Director Vacancy

With the recent departure of Executive Director Lee Ann Murray, Secretary McDonnell met with the Executive Committee of the CAC to discuss filling of the position in an expeditious manner.

MS4 Clarification

DEP is working to provide clarification and assistance on a number of issues that MS4 communities have been dealing with as they come into compliance with permit requirements. Three areas the Department will be concentrating on are mapping, intermunicipal agreements, and offsetting. Additional information will be forthcoming shortly.

Grant Programs

DEP has a grant opportunity stemming from the \$6 million Sunoco civil penalty. This special grant is only available for water quality projects in municipalities along the route of the Mariner East II pipeline. Additional information can be found on DEP's website.

The Driving PA Forward grant program coming out of the \$118 million VW settlement will incorporate a number of different programs, including electric vehicle infrastructure, tugboat and ocean-going vessels, and on-road and off-road engines, specific programs that address diesel.

Joint Hearing on Flooding

On April 25, the Secretary testified during the Joint Hearing on Flooding with PEMA and the Fish & Boat Commission. The hearing was merely informational, but was motivated by recent flooding events during the past winter. Secretary McDonnell's testimony outlined the services that DEP provides to citizens during and after flood events.

Audit of Chapter 102 and Chapter 105 Programs

DEP is working with the Joint Legislative Committee on audits of the Erosion and Sedimentation (Chapter 102) and the Water Obstruction and Encroachment (Chapter 105) programs.

Audit of River Basin Commissions

The Department is working with the Auditor General on an audit of the Susquehanna and Delaware River Basin Commission.

Joint State Government Commission

The Commission was tasked with analyzing and identifying which environmental laws and regulations of the Commonwealth have more stringent standards than federal law requires. The report found that most of Pennsylvania's environmental law statutes adhere to the federal regulations and are no more stringent than their federal counterparts. The areas of greatest deviation were in clean water, safe drinking water, hazardous waste, and mineral extraction. The report also identified which areas are not covered by federal law.

APPROVAL OF MARCH 20, 2018 MEETING MINUTES:

Chairman Welsh solicited additions or corrections to the March 20, 2018 Minutes. Hearing none, Chairman Welsh requested a motion to adopt the Minutes.

**Tim Weston moved to approve the March 20, 2018 meeting Minutes.
James Schmid seconded the motion, which was unanimously approved.**

CHAIRMAN'S REPORT:

The Executive Committee met to discuss the Executive Director vacancy. The determination was made that the path forward would be to request that Human Resources refresh the list of candidates from one year ago. The Executive Committee intends to review the list of names and select individuals to interview, working in coordination with the Department, and will update the full Committee as that work moves forward. A suggestion was made that perhaps the Executive Committee should look at the list of qualified individuals who expressed interest in the Executive Director vacancy for the Environmental Justice Advisory Board as well.

A draft of CAC's 2017 Annual Report has been circulated to the members. Comments were received from several members, which will be incorporated into the draft, and a final will be submitted for approval at the June meeting. Chairman Welsh requested that any additional comments by the members be submitted as soon as possible.

PRESENTATIONS:

Tim Schaeffer, Deputy Secretary of the Office of Water Programs, provided an overview of the Water Programs, including:

- Chesapeake Bay Office (Veronica Kasi, Director)
- Bureau of Waterways Engineering & Wetlands (Roger Adams, Acting Director)
- Bureau of Clean Water Resources Planning (Lee McDonnell, Director)
- Bureau of Safe Drinking Water (Lisa Daniels, Director)

Tim mentioned the names of DEP staff who have provided outstanding assistance to him as he works to get up to speed on DEP's water programs.

Lisa Daniels, Director of the Bureau of Safe Drinking Water, provided a comprehensive presentation on DEP's Safe Drinking Water program, including objectives of the program, safe drinking water facts regarding population, the number of public water systems, the population served by public water systems, and the various types of public water systems; program components including operations, monitoring/reporting, permitting, response to water supply emergencies, and training and technical assistance; upcoming safe drinking water regulations; emerging/unregulated contaminants; general update and fees; and challenges facing the Safe Drinking Water program.

COMMITTEE REPORTS:
EXECUTIVE COMMITTEE

A quarterly meeting was recently held with the Secretary. The Secretary indicated his willingness to have the CAC members join in the Department's three-day regional meetings. The Executive Committee members expressed to the Secretary their belief that the regional meetings had been extremely successful in the past.

Some CAC members are receiving Cabinet in Your Community notices when those events are taking place, some are not. Chairman Welsh requested that all CAC members be added to the master email list so members have the option to attend the events and report back to the full membership.

The Secretary prioritized several items on the CAC Issues list drafted by Lee Ann Murray where the Council might get involved more deeply: 1) work with the Environmental Council of the States (ECOS) on Departmental efficiencies and metrics; 2) energy and climate issues; and 3) environmental justice.

EQB

The EQB adopted two proposed rulemakings: a fee package for oil & gas unconventional wells raising the permit application fees from \$5,000 to \$12,500 to meet the costs of running that program; and a package to amend the coal mining regulations to bring them into harmony with the federal regulations.

AD HOC BUDGET

Members of the subcommittee are Jim Welty, John Walliser, Don Welsh, and Jim Sandoe. One conference call has been held; no Chair has been elected. The subcommittee is awaiting information from the Department, which will provide the subcommittee with a starting point.

POLICY & REGULATORY OVERSIGHT

A Doodle poll has been sent out to join a conference call regarding an Air Quality regulation that needs to be presented to the CAC. Chairman Welsh requested that the members who have not participated in the Doodle poll do so.

AGGREGATE ADVISORY

The coal mining program has gone through the e-permitting process; the non-coal mining program is just beginning. It was determined that the members of the Aggregate Advisory Committee and the CAC members should be involved in an analysis of the permitting steps. A permit fee package will be coming forward, with a start date for those fees of 2020. A discussion was held about legacy abandoned mine sites and the need for contractors to work on some of these projects.

NEW BUSINESS:

Chairman Welsh questioned the placement of Public Comment on the monthly agenda. Simultaneously with moving Public Comment to the middle of the schedule, there have been no public commenters. The Chairman will move Public Comment back to the beginning of the agenda for the June meeting to determine if that makes a difference. The website needs to be updated and perhaps could be used to invite public comment online.

A draft of CAC Issues has been distributed to the members, which issues are items at which the members might want to consider taking a broader look. Items will be added to the list at the end of each monthly meeting in order to manage the list and make it operational.

Chairman Welsh asked that DEP staff locate the previous transition document and suggested that Council members begin to provide a list of issues worthy of being on a new transition document in this election year.

NEXT MEETING:

The next meeting of the Citizens Advisory Council will be June 19, 2018.

ADJOURNMENT:

With no further business, Chairman Welsh requested a motion for adjournment. Thad Stevens moved to adjourn the meeting, which was seconded by Tim Weston, and all were in favor. The May 16, 2018 meeting of the CAC was adjourned at 1:10 PM.