



WATER QUALITY ADVISORY COMMITTEE MEETING  
JULY 11, 2001

**ATTENDEES:**

NEW YORK STATE DEC	Alan Fuchs, Chief Estuary
PENNSYLVANIA DEP	Ed Brezina, Gov. Prog. Mgr.
U.S. EPA	Larry Merrill, Region III Wayne Jackson, Region II
DUPONT	Alfred Pagano, Env. Consultant
CITY OF WILMINGTON	Sean Duffy, Water Div. Dir.
DELAWARE DNREC	John Schneider, Program Manager
DRBC	Thomas Brand, Branch Head, Project Review Patricia McSparran, Water Resources Engineer Todd Kratzer, Water Resources Engineer Lance Miller, Acting Branch Head, Pl & Imp David Pollison, Senior Advisor Jonathan Zangwill, Water Resources Planner
DELAWARE RIVERKEEPER NETWORK	Maya van Rossum, Riverkeeper

Meeting was called to order by Chairman John Schneider at 9:30 a.m. The agenda was reviewed and no changes were made.

**1. Discussion of Revised (6/11/01) White Paper ("Project Review Related Aspect of Changes to the Water Quality Regulations") and Anti-degradation (per 6/7 Uses and Criteria Subcommittee)**

Patricia McSparran reported on Project Review Related Aspects of Changes to the Water Quality Regulations (HANDOUT GIVEN). The purpose of this document is to reduce redundancy between State and DRBC reviews. If certain projects are exempted from DRBC review the issue of the water conservation requirements (PA) needs to be addressed. Some mechanism would need to be put in place to ensure that the water conservation requirements were going to be met by the applicant. It was recommended that a once a year resolution adopting all those projects into the Comprehensive Plan occur.

Patricia McSparran discussed effluent limits in the inter-state waters, i.e. color, temperature and the interpretive guidelines. Explanation involved requirements that need to be looked at and discussed, and the possibly of giving them to the Uses & Criteria Subcommittee. Then a decision would be made as to whether the effluent guidelines should be kept or not.

Ed Brezina objected to the language in the White Paper requiring States to demonstrate that DRBC review was not necessary. Maya van Rossum would want DRBC to maintain the ability to conduct independent reviews on a case-by-case basis to look at watershed impacts of a project.

The Committee felt the regulations should layout the process for project review. DRBC staff will prepare a regulation to reflect the discussion and present it at the next Committee meeting.

## **2. Uses & Criteria Subcommittee Report**

Lance Miller stated that the majority of the Uses & Criteria Subcommittee focused on the DO data at two monitoring sites, Chester and the Benjamin Franklin Bridge. Discussion involved what changes should be made to the criteria for DO and what should the standard be changed to. Additional discussion involved having criteria, and monitoring that criteria.

The Subcommittee discussed whether there has been a change in the Philadelphia Sewerage Treatment Plants. Propagation (how to define) was also discussed, including the information supplied by the fishery experts on where propagation is occurring. A subcommittee meeting is scheduled for August 6th to answer the follow up questions on DO. Alan Fuchs identified the other parameters that still need to be addressed; odor, radioactivity, turbidity and temperature.

Ed Santoro provided information that monitoring is not being done in the shallows and that there are no data sets for the shallows. The recommendation by the Subcommittee was to possibly get some portable meters to use during the more critical periods in the shallows.

Lance Miller described the anti-degradation issue which involved a difference of approach between Pennsylvania and New Jersey. EPA approved both programs. Lance Miller gave a handout containing information on acute and chronic metal criteria developed by USEPA to the Committee. Recommendation was to ask the Toxics Committee to look at these metal criteria.

The Committee asked the Uses and Criteria Subcommittee to wrap up their work by the October meeting if possible and no later than the December meeting.

## **3. Comments on Administrative Manual Regulations (Al Pagano's comments forwarded on 6/8)**

Al Pagano stated the purpose of this handout was to raise the issue of DRBC versus State rules. The specific changes requested will be considered by the Uses and Criteria Subcommittee and then reviewed by the WQAC.

## **4. Update on Comprehensive Water Resources Plan - Review of Goals Paper**

Lance Miller explained the purpose and process for the new Comprehensive Plan, which involved the following:

- Establishing the Watershed Advisory Council.
- Council met in May for a two day workshop; it asked DRBC to develop a goals document, which has been accomplished.
- Development of these goals will undergo iterative process with input from the Advisory Committees, the Council reacting to that, and then going back to the Advisory Committees for more input and modification.
- Next meeting of the Council will be held on July 24th, with the purpose of working on the goals document (Lance requested if committee members have any input on the goals document to submit them to John Schneider before the 24th so that he can present them at the Council meeting).
- Input from the July 24th meeting will be put into a revised draft, which will be submitted to members of

the Council.

- Another meeting will be held in September, when the goals will be reviewed again.
- The goals document will be provided to this Committee for review and comments in advance of the September meeting (give comments again to John to take to next meeting).
- Set of public meeting will be held around the basin, possibly in November, where the goals will be presented. The public's input and opinion on the goals will be requested.
- The Council will meet in a December Workshop and take the input of the meetings and finalize its recommendations to the Commissioners for their consideration and initial acceptance of goals.
- The Commissioners will then forward the goals to the Advisory Committees for the development of management strategies to achieve the goals (this would commence in 2002).
- These strategies would be given back to the Council in the Fall of 2002.
- Another set of public meetings will take place on the purposed management strategies that are being considered.
- Advisory Committee will analyze the input from the public meetings, make any changes they feel necessary, then give them back to the Council.
- Council will submit the management strategies to the Commissioners for their consideration.
- The goals, objectives and management strategies would then be incorporated into a Comprehensive Plan. This would take place between the 2nd through 4th quarter of 2003.
- There would be another set of public meetings in the fall of 2003, and then final Council action by the end of 2003. The Commissioners would then consider adoption in early 2004.

Goals document was presented and explained (handout given). The term "Key Result Areas" was chosen to identify the broad themes to organize the Comprehensive Plan around.

Five KRAs were chosen:

- Manage the Water Resources of the Delaware River Basin for Sustainable Use.
- Waterway Corridor Management.
- Land Management for Water Resources Protection.
- Institutional Coordination and Cooperation for Water Resources Management.
- Education for Water Resources Management.

Under each key result area there is a desired result list that identifies the outcome that is looking to be achieved in that area. A series of goals (no time frame associated) is listed. Under the goals is a list of measurable objectives.

The terms "Management Strategies and Performance Indicators" which are the next steps of the process will be used once the goals and objectives are agreed to. The Management Strategies will identify the specific actions needed to achieve the goals and Performance Indicators will identify the measures to be used to determine progress in achieving the goals/objectives or the implantation of the strategies.

## **5. Petition for Special Protection Water Designation (sent 6/8)**

A map (handout) was presented to members of the Committee showing the areas of the Lower Delaware that received Wild and Scenic River designation. David Pollison gave the specifics on this petition, as well as background information on the Commissioner's decision to request the Water Quality Advisory Committee review and provide their input/advise on this issue.

Lance Miller asked for clarification as to what is being petitioned. Maya van Rossum explained for the record that the wording in the petition "Furthermore, we request" points 1 and 2 are part of the petition. The wording "Lastly, we suggest that" is more of a suggestion and not part of the formal petition.

Robert Limbeck, Todd Kratzer, and Tom Brand of DRBC gave their opinions on various issues including river segments, criteria, water quality, discharges, and non-point sources.

Lance Miller stated the importance of understanding what is the goal of the petition.


Maya van Rossum asked what are the next steps to move this petition forward and the decision components needed.

It was agreed that a White Paper will be prepared on the petition identifying the challenges this petition presents and the possible solutions. A meeting will be held with DRBC and the Riverkeeper to discuss the outline for the White Paper. Once the White Paper is completed a meeting with New Jersey and Pennsylvania will needed to occur. The Riverkeeper asked to be able to attend any meetings with the States on the petition. This was taken under advisement.

### **Next Meeting**

The next meeting of the Water Quality Advisory Committee will be held on October 10th from 9:30 a.m.-2:30 p.m. The following meeting of the Water Quality Advisory Committee will be held on December 12th from 9:30 a.m. - 2:30 p.m. Both meetings will be held at DRBC.

*Questions?*

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