

**WATER QUALITY ADVISORY COMMITTEE
JULY 30, 2008**

ATTENDEES:

| | |
|--|--|
| NY Not in attendance | DE DNREC Dave Wolanski, Environmental Scientist |
| EPA Denise Hakowski, EPA Region III Izabela Wojtenko, EPA Region II (Alternate) | PA DEP Bonita Moore (Alternate) |
| NJ DEP Debra Hammond, Water Quality Standards & Assmt. | Academia Representative Not in attendance. |
| Environmental Organization Representatives Maya van Rossum, Riverkeeper Tracy Carluccio (Alternate) | Regulated Community Representatives Alfred Pagano, DuPont, Env. Consultant Bob Hoke, DuPont, Env. Toxicologist Mary Neutz, City of Wilmington |
| DRBC Carol Collier, Executive Director Dr. Jessica Sanchez, River Basin Planner, Liaison John Yagecic, Supervisor, Stds. & Assmt., Liaison Dr. Kenneth Najjar, Head, Plan & Information Tech. Dr. Thomas Fikslin, Head, Modeling Monitoring Assmt. Namsoo Suk, Supervisor, Modeling Bob Limbeck, Watershed Scientist, Stds. & Assmt. Ed Santoro, Monitoring Coordinator, Stds. & Assmt Erik Silldorff, Aquatic Biologist, Stds. & Assmt. | Other Attendees: May Johnson, Connectiv Kendall Wilson, Valero Jason Cruz, Philadelphia Water Gregg Rackin, Del. River. Greenway Larry Sandeen, Rohm and Haas Allan Ambler, National Park Service Jack Gibbs, USGS |

The meeting was called to order at 9:45 am by Dr. Kenneth Najjar (DRBC).

Committee Membership / Anticipated Additions

The committee decided that the chairperson should alternate annually (based on fiscal year) between the states/federal representatives and the other members. There was a unanimous vote for Al Pagano (DuPont) to serve as chairperson. Also voted in unanimously as vice-chair was Dave Wolanski (DNREC). It was also agreed that after serving a term as vice-chair, that member would then become the next committee chair person. There was some discussion about trying to match the government agency chair or vice chair to coincide with the chair of the Commission. The possibility of scheduling this will be explored by staff.

DRBC staff has been in contact with New York for a DEC representative on this committee. New York is still discussing this matter internally and will get back to us. The Academy of Natural Sciences has not responded to our request for a representative,

leaving a vacancy for an “Academia/Science” member. Suggestions were made to contact David Brandis, John Davis, Ben Sweeney, Dan Charles, Tom Cahill (Consultant) and Jonathan Sharp regarding interest in participation. Each of the two new subcommittees should have a chair that is a member of the WQAC.

DRBC staff is considering adding two members to the committee; Allan Ambler requested that the Wild and Scenic River be represented by either USGS or the National Park Service.

For informational purposes, the DRBC organizational chart was distributed. The Committee was informed that Dr. Jessica Sanchez is now the DRBC liaison for the Committee and Ms. Victoria Lawson is the general contact for meetings and coordination.

Results of DRBC 2008 Integrated Assessment (John Yagecic)

Powerpoint presentation was given, and handouts distributed. Discussion topics included:

- DO monitoring and assessment options – one participant recommended use of percent saturation, although new percent saturation criteria would need to be developed;
- suggestion to use three sub-areas within Zone 5 (DuPont);
- A participant indicated that issues with the quality of continuous monitoring data caused assessment problems in another location (not in the basin);
- the need for a natural conditions provision in the water quality regulations;
- the need for a review of existing (e.g. temp, pH) and setting of new (toxics) criteria; additional monitoring in Zone 1, and criteria in Zone 6 (NJ).

3-year Plan for DRBC Water Quality Criteria Revisions (Ken Najjar)

An excel spreadsheet of the Proposed 3-year Water Quality Criteria Revisions was distributed. This matrix is also included as part of the DRBC Water Resources Program. for FY 2008-2013.

Suggestions and points of discussion included:

- 1) Carol Collier stated that the Commissioner’s retreat this year will focus on water quality issues/policy issues
- 2) SPW subset of tasks requires several revisions, including the review of USGS’s data/evaluation and the setting of BCPs and ICPs in the Upper and Middle Delaware SPW segments (under 2nd row)
- 3) Nutrient Subcommittee to review pH
- 4) Another WQAC meeting should be scheduled in the 4th quarter
- 5) Policy discussions, should initially be held between DRBC and states

Development of Charge to the Nutrient Management Subcommittee (NMS) (Jessica Sanchez)

Nutrient strategy document was distributed to attendees. The following are recommended as members of the NMS:

| | |
|---------------------------------|--|
| Bill Brown, PADEP | TBD, NJDEP |
| Jonathan Sharp, UDEL | Mark Barath, EPA3 |
| Robin Brightbill, USGS | Chris Crockett, PWD |
| Kent Crawford, USGS (alternate) | David Wolanski, DNREC |
| Bart Ruiter, DuPont | Maya van Rossum, Del.Riverkeeper Network |
| Joe Greenfeld, Valero | TBD, Agricultural rep |
| Isabella Wojtenko, EPA2 | TBD, New York |
| Debra Hammond, NJDEP | |

It was decided that the chair for the committee should be a representative on both the WQAC and the NMS. The following charge for the Nutrient Management Subcommittee was discussed, drafted, and unanimously accepted by the WQAC:

Charge to the Nutrient Management Subcommittee

The Nutrient Management Subcommittee shall work on behalf of the Water Quality Advisory Committee, in concert with the Monitoring Advisory Committee. The Nutrient Management Subcommittee is tasked to

- evaluate and recommend interim protective measures,
- determine designated uses to be protected,
- review current monitoring and identify needs,
- review options and approaches for establishing effects based nutrient criteria or other management options, and
- report back to the Committees.

The Nutrient Subcommittee is expected to hold its first meeting before the end of October. The suggested dates for this meeting were the week of September 29th (Mon., Wed., or Fri.) or the week of October 6th (Mon., Wed., or Fri.).

Update on Special Protection Waters Program (Ken Najjar)

The new Special Protection Waters rule was passed at the Commission Meeting in July 2008. The latest version of Resolution #2008-09 is posed on the DRBC website with the water code.

Dr. Kenneth Najjar discussed the changes that were made to the existing water quality tables, and the definition of existing water quality, which will add 26 tables to the document. Also, “substantial alterations/additions” now has been defined. The SPW guidance manual will also be prepared along with a comment and response document.

The need for an expert panel or subcommittee to review BDT requirements will be discussed by DRBC staff and recommendations will be given at the next WQAC meeting.

Update on Water Quality Standards Implementation Plan for PCBs (Tom Fikslin)

Dr. Thomas Fikslin gave a powerpoint presentation, along with handouts on this topic.

Development of Charge to Biological Subcommittee (Jessica Sanchez)

This will be discussed at the next WQAC meeting. In the interim, Bob Limbeck will send out a list of potential members for this committee. Plans are for the Biological Subcommittee to meet before the end of September.

Meeting Adjournment

Meeting adjourned at 3:35 pm. The suggested dates for the next WQAC meeting are October 14th-17th or 28th-30th.

The meeting handouts will be attached as part of the permanent meeting record.