



Delaware River Basin Commission

PO Box 7360
25 State Police Drive
West Trenton, New Jersey
08628-0360

Carol R. Collier
Executive Director

Robert A. Tudor
Deputy Executive Director

DRBC WATER MANAGEMENT ADVISORY COMMITTEE MEETING JULY 8, 2005

COMMITTEE MEMBERS PRESENT:

Bob Molzahn	Water Resources Association, Chair
William Gast	PA Department of Environmental Protection
Joseph Miri	NJ Dept. of Environmental Protection
George Kunkel*	Philadelphia Water Department (for Howard Neukrug)
Glen Stevens	Philadelphia Dist. US Army Corps. of Engineers
Stewart Lovell	Del. Dept. Natural Resources
Janet Bowers	Chester County WRA
Bruno Mercuri	Mercuri and Associates, Inc.
Mary Ellen Noble	Delaware Riverkeeper Network

*Denotes alternate or non-official member.

OTHER WMAC PARTICIPANTS:

Nancy Parker	Artesian Water Co.
Ronald Williams	Middlesex Water Corp.
Preston Luitweiler	Aqua PA
Jan Phillips	Consultant
Joe Hochreiter	BLSJ

DRBC STAFF:

Kenneth Najjar, Planning & Implementation Branch Head
William Muszynski, Project Review Branch Head
David Sayers, Planning & Implementation Branch
Jessica Sanchez, Planning & Implementation Branch

CALL TO ORDER:

The meeting was called to order at 9:45 am by Chairman Bob Molzahn.

REVIEW OF MINUTES / REVIEW AND APPROVAL OF AGENDA

The minutes from the February 16, 2005 meeting were reviewed and approved. Today's agenda was also reviewed and approved by the committee.

MEMBERSHIP:

The USGS in New York has shown an interest in having a representative on the WMAC. DRBC staff noted that NY State has not been able to send a representative to this committee in recent years, so additional input from someone from this area might be beneficial for the committee. Staff will follow up with the agencies involved.

PROJECT REVIEW / ADMINISTRATIVE AGREEMENTS:

Bill Muszynski, Project Review Branch Head and special projects coordinator for DRBC, gave a presentation based upon his recent examination of DRBC's current project review procedures and administrative agreements with the states. In general, the agreements for PA, NJ, and DE are similar, whereas NY is different. The administrative agreements date back to the mid-70's in many cases and therefore do not account for the many changes that have taken place since then regarding how DRBC and the states operate. Therefore, the agreements need to be modernized with the aim of making the project review process more efficient and streamlined. For example, a greater emphasis could be put on DRBC review for shared waters rather than in tributary waters; more effective use could be made of the combined resources of DRBC and the states. DRBC should continue to fill the gaps where states don't have certain regulatory authorities.

Mr. Muszynski noted that he is seeking feedback from the various DRBC committees and will then report his findings to the Commissioners at the July 20th meeting. Mr. Muszynski added that he will of course be meeting with the state agencies, but will not have time to do so before the Commission meeting; meetings with the states will occur over the coming weeks and months.

Responding to questions from committee members and the audience, Mr. Muszynski stressed that, for DRBC to be most effective, it is key that the Commission become engaged in review at the right time, which is typically the planning stage, rather than after the states have performed their own review.

The committee provided feedback to Mr. Muszynski highlighting the following issues:

- in some cases a second review is not redundant;
- reviews should be concurrent and not consecutive;
- it is important to receive the states input as early as possible;
- it is difficult for one agency to deny a permit once it has already been approved by another, or vice versa.
- transparency of review is important for the regulated community as is early notification of the requirements
- feedback from the regulated community will also be important in reshaping the agreements.

In general the committee was very supportive of efforts to review the procedures and develop a more efficient overall approach. It was noted that this is a very complex issue and is something that will take some time to fully explore; it was suggested that these issues be discussed with the individual states before the draft agreements are written and then presented back to the Committee.

As part of the discussion of revising the project review regulations, the issue of inter-basin and inter-watershed transfers was also raised. Staff handed out the current policy on this issue as set out in DRBC resolution 91-9 and copies of the relevant goals and objectives set forth in the Basin Plan. These goals are for the future and were developed by the Watershed Advisory Council with the assistance of the WMAC. DRBC staff noted that there were several objectives (1.1C – 1.1E) specified in the Basin Plan related to this issue and the WMAC identified it as one that it intends to address. Committee members were interested in understanding DRBC's current position regarding this issue and the direction in which it is heading. David Sayers noted that, apart from the Basin Plan objectives highlighting the issues, no additional work has been done by staff to set a direction for this issue, as it is expected this will most likely be a task for the Committee. For inter-basin

transfers the issue of scale is easily-defined, but for watershed transfers no conclusion has been reached as to the appropriate scale to consider. Mr. Hochreiter questioned the relevance of the basin boundary in the southern part of New Jersey for ground water issues. Mr. Muszynski responded that under our current procedures DRBC is required to review groundwater projects in this area and does so. It was agreed that further discussion will be required to address the many issues related to inter-basin transfers and that a dedicated sub-committee be set up to consider them. Volunteers for that sub-committee were as follows:

Jan Bowers, Chair
Joe Hochreiter
Bruno Mercuri
Mary Ellen Noble
Bob Molzahn
Joe Miri (or delegate)
Bill Gast
Glen Stevens
Preston Luitweiler (to be kept informed via email)

The WMAC will establish a sub-committee to consider the issue of inter-basin transfers and DRBC staff will support. It was suggested that a white paper on existing transfers is needed. Staff agreed to develop this.

WATER MANAGEMENT UPDATES

The agenda was shuffled slightly to accommodate the overrun of the first discussion item and members who had to leave early.

Act 220 Support:

Ken Najjar provided an update to the Committee: In accordance with Act 220, the DRBC, SRBC & Potomac Commission received support funds through the Pennsylvania legislature to conduct work in FY2005/06. DRBC has received \$250,000 and is currently working with PA DEP to construct a scope of work for the coming fiscal year. Over the past year, staff have been working on tasks developed during the first round of funding, the largest piece of which was the demand forecasting study, which started in the beginning of 2005. The research has been completed and a draft study has been received from the contractor, CDM, detailing proposed demand projection methodologies. DRBC gave comments on this study, and it is in the process of being revised. The methodology needs to be tested in a pilot study which will focus on the Lehigh Basin. This work has started over the last month, and it will take until the end of the summer to test this methodology and develop results.

David Sayers provided an update on a separate Act 220 work effort, DMR Data Collection: As part of the agreement with PA for FY 2005, DRBC is tasked with collecting discharge monitoring report (DMR) information as reported through NPDES. This work will develop a dataset to support the discharge assessments used in a watershed screening tool under development by USGS. The SRBC has developed a database structure for collecting the data in a standardized format. The database is pre-populated with existing data from the PADEP eFACTS system; however, this is very incomplete. DMR reports are stored primarily as paper copies at the PADEP regional offices, and DRBC has met with the southeast and northeast offices to review their filing system and discuss a procedure for DRBC interns to work at the offices entering the data into the database. The data collection efforts by DRBC will be confined to the DRB.

DRBC / USGS Water Budget / Groundwater availability Studies:

A groundwater availability study is now being completed and prepared for publication. In addition, the results from the pilot water budgets study are now being published. Amongst other benefits, these studies will help us to determine the extent of inter-watershed transfers and will help to inform any discussions thereof.

WATER ACCOUNTABILITY:

David Sayers began discussion of this issue with a brief round-up of progress since the committee last met. A beta version of the water audit software (Excel-based) was developed by the AWWA committee. Mr. Sayers helped with the design and development of the software. In April, it was released for testing to a small group of about 20 water purveyors. The group has approximately one month to evaluate the software and report results and feedback to the AWWA committee. Mr. Sayers welcomed George Kunkel of Philadelphia Water Department, who led a discussion on the results of the software testing and a demonstration of the software itself. Mr. Kunkel noted that not all of the results had been received at this time, but he was hopeful that more would follow soon. On the whole the feedback was very positive. The software is aimed at smaller purveyors who are still developing their understanding of water loss issues. The software has been designed to be relatively simple, and therefore it is user-friendly. Stewart Lovell noted that you cannot enter real losses directly into the software. Mr. Kunkel confirmed this is the case, a value for real losses is calculated based on other inputs to the software. Mr. Najjar asked if it is total real loss that we are concerned with. Mr. Kunkel responded that it may be a big part from a water resources perspective but that there are other benefits too. What the software enables you to determine is “real demand;” a certain portion of the water withdrawn has no beneficial use, and that is what the software helps you to determine and then hopefully eliminate or reduce. This is why confidence in metering accuracy is such a key element of a water audit. Mr. Kunkel went on to note that the UARL calculation is based on theoretical factors that have been developed from international studies on best-practice water loss management. These studies have helped developed a formula to set a benchmark water loss value based on certain characteristics of the water system, such as length of mains, pressure, and number of connections. It would not include an “allowance” for the age of the system. Mr. Kunkel concluded the presentation noting that the software should be on the website by the end of September.

INTEGRATED RESOURCE PROGRAM: IRP

At the previous WMAC meeting the members had requested an update on developments with the DRBC’s IRP process and progress with the prototype IRP being developed in Montgomery County, PA. Jon Zangwill of DRBC staff presented an update to the committee. This project was divided into two phases: Phase I was funded by DRBC through a William Penn grant; it was headed-up by the Montgomery County Planning Commission (MCPC) and was primarily a data gathering effort using readily available data to lay the groundwork for the planning process of the Integrated Resource Plan. At the end of the Phase 1 process, a draft report was received from MCPC. Issues of concern with this phase of the project were that the characterizations were primarily based on readily available data which were, in many cases, inadequate. Also, the issue of determining required instream flows, in particular examining aquatic life uses and habitat issues as they relate to instream flows, may be too complex a task for this type of effort. The science of developing instream flow requirements is very complex and still in its infancy. A public version of the Phase I report will be available soon. Phase II work has already started. The Perkiomen Watershed Association is heading up this effort, this time with a grant directly from the William Penn Foundation; Spotts, Stevens, and McCoy Inc. continue to be the consultant. The grant is for

18 months and will end in Fall of 2006. DRBC's role in Phase II will be more of overview and review. A "how-to" document will be developed based on the experience of developing this IRP; this will also include feedback on the DRBC's IRP guidelines. Phase II will seek to fill in some of the data gaps found in Phase I and come up with more accurate results. They are also trying to put together a hydrologic model to get a better understanding of groundwater flows and impacts of actual and potential withdrawals. Ms. Bowers appreciated the review for the benefit of the Committee; she was concerned that the work has become focused on the watershed association, whereas it should be the municipalities that are leading the water supply planning effort, as that was the original intent of the IRP, but it seems that although we have pushed for this it is not happening. Ms. Bowers also questioned who would be the owner of the guidance document being developed as part of Phase II. It was recommended that the guidance document undergo review by DRBC staff. The scope of work for Phase II was distributed in a handout to the Committee.

MEETING ADJOURNED:

The next meeting of the WMAC will be October 25th 2005.

The Inter-basin transfer sub-committee meeting will be September 27th 2005 (1/2 day) and October 24th (full day).