



**WATER MANAGEMENT ADVISORY COMMITTEE (WMAC) MEETING
SEPTEMBER 25, 2002**

COMMITTEE MEMBERS PRESENT:

Janet Bowers	Chester County Water Resource Authority
William Gast	Pennsylvania Department of Environmental Protection
Bruno Mercuri	Mercuri & Associates, Inc.
Joseph Miri	New Jersey Department of Environmental Protection
Bob Molzahn	Water Resources Association
Frank Schaefer	U.S. Army Corps of Engineers
Ronald Sloto	U.S. Geological Survey
Ferdows Ali (for Sam Race)	New Jersey Department of Agriculture
John Mello	U.S. EPA Region 2
Mary Ellen Noble	Delaware Riverkeeper Network

OTHER ATTENDEES

Dave Jostenski

DRBC STAFF PRESENT

David Sayers	Planning and Implementation Branch
Jessica Sanchez	Basin Planner

CALL TO ORDER

Meeting was called to order by Chairman Mercuri at 9:30 a.m.

MINUTES OF PREVIOUS MEETING AND REVIEW AND APPROVAL OF AGENDA

1. Minutes from the July 18, 2002, meeting were reviewed. Mr. Gast motioned to approve the minutes as written. Ms. Bowers seconded the motion and the motion carried.
2. Ms. Bowers took the Chair of the Water Management Advisory Committee replacing Dr. Mercuri. Appreciation was given to Dr. Mercuri for his role as chairman of this committee over the past year and a half.

3. A motion was made to accept today's agenda. Mr. Miri motioned to approve the agenda as written. Dr. Mercuri seconded the motion, the motion carried.

IRP ISSUES -- COMMITTEE TO APPROVE AMENDED IRP GUIDELINES

1. Ms. Bowers noted that three sets of comments were received (in April 2002) from various interested parties regarding DRBC draft IRP guidance. Over the past few months the IRP Subcommittee has worked with DRBC Staff to develop responses to these letters and create a single document that would summarize responses to all the comments.
2. The IRP Subcommittee met and reviewed response documents prepared by DRBC staff. DRBC staff took the input from the subcommittee and revised the response documents accordingly. Based on comments received there will be three revisions made to the IRP guidance document.
3. The WMAC was asked to review these revisions which included (2) minor text changes and a flow chart. The committee agreed with the recommended revisions. Mr. Sloto suggested that an explanation of the acronyms used in the flow chart be incorporated on the page. Ms Bowers suggested adding a footer to the page with the name of the document and date. (These minor amendments were made by DRBC staff during the break for lunch.)
4. A motion was made by Dr. Mercuri that the committee approve the revisions and that they should be incorporated into the IRP Document. Mr. Sloto seconded the motion. Motion passed.

COMPREHENSIVE PLAN UPDATE AND REVIEW -- REVIEW PROGRESS OF THE SUSTAINABLE USE SUBCOMMITTEE AND REPORT ON OTHER COMP PLAN DEVELOPMENTS (SANCHEZ/SAYERS/ALL)

Ms. Sanchez presented the following overview:

1. A copy of the letter from Carol Collier to the Watershed Advisory Council explaining where we are in the Comprehensive Planning process was distributed and discussed.
2. Ms. Sanchez noted that most committees have nearly wrapped-up their assignments. A decision has been made to collect everything back from the various committees at whatever point they are at, to pull it back together again and try to cross-reference pieces, tie those linkages into other committees, and review it. The aim is to put this together and possibly have a revised draft of the goals and objectives document out at the end of November to the committees.
3. The next Watershed Advisory Committee meeting is scheduled for January 14th and 15th. Ms. Sanchez noted that DRBC needs to look over the plan to satisfy requirements set out in the Compact for DRBC's own Comprehensive Plan. Ms. Noble questioned whether this plan was a plan for the Basin or a plan for DRBC. Ms. Sanchez replied that originally she understood there would be two separate plans. Now it seems DRBC is hoping that the one plan will serve the two purposes. This confused committee members. Dr. Miri noted that such a change had not been communicated in writing, adding that bringing the overall plan to reality obviously involved more than just DRBC and, therefore, there needed to be a distinction between what is to be done by DRBC and what to be done by others. Mr. Gast requested input from Ms. Bush or Ms. Collier to clarify the situation. Ms. Bowers understood that the Committees were working on the development of a Basin-wide Comprehensive Plan which is a voluntary policy setting document that all stakeholders in the Basin, including DRBC, look towards to revise their own policies. The request was made to relay these comments back to DRBC Management. Ms. Bowers requested research on the initial resolution from the Commissioners establishing the WAC and the direction for the Comprehensive Plan. Further discussion on this topic was postponed.

DRAFT Goals and Objectives assigned to the Sustainable Use Group

Italic = added work; ~~strikeout~~ = word removed

The committee agreed the KRA1 language looked appropriate.

GOAL No. 1

The Committee approved the goal language and language from objectives 1.1.A to 1.1.D.

The committee worked on the following text for 1.1.E, which was an outcome of previous meetings:

Maintain or reduce volume of imports to and exports from the Basin and **among** component watersheds.

Dr. Miri was not happy with this objective language and did not wish to get this promulgated as having the blessing of the committee. Mr. Gast added that this language was probably too restrictive for the Commission to adopt -- using these words the Commission would have to decline many applications from public water suppliers. Dr. Mercuri noted that, as the objective currently reads, it is inconsistent with the IRP guidelines which encourage the consideration of transfers of water between watersheds as an option for augmenting supplies. Dr. Miri stated that the goal of trying to maintain the integrity of every watershed was okay but that we can't just go "cold turkey" on the issue of transfers. Ms. Bowers noted that we don't want to rule out transfers and therefore need to put more flexibility in the language.

The committee revised the wording to: ***Implement a program to manage future and expanded imports to and exports from the basin and also its component watersheds to minimize environmental impacts.***

The committee noted that the issue of scale is an obstacle to finding the appropriate wording for this objective. The committee asked if the water budget scale applied to other references to watersheds.

GOAL No. 2

Consensus of the committee was to break up these objectives 1.2.A and 1.2.B into three steps which were:

1. Determine the requirements;
2. Develop the targets (it is likely that targets are not the same as requirements);
3. Implement the strategies to achieve the targets.

1.2.A By 2004 have determined the instream flow and estuary freshwater inflow requirements to the extent feasible (quality, quantity and timing, duration, frequency and rate-of-change of flows) to support healthy aquatic ecosystems.

1.2.B By 2010, develop and implement achievable flow targets (based on requirements determined in 1.2.A) to meet, ***to the extent possible***, instream flow and freshwater inflow requirements of aquatic ecosystems. (Note: there may be some circumstances in which implementation cannot be achieved by 2010.)

The committee members agreed to leave the re-wording of the objectives to the DRBC staff. DRBC will work on these objectives and will then later (December) present this re-wording to this Committee.

Ms. Noble asked about the Instream flow meeting involving Mr. Leroy Young from the Pennsylvania Fish and Boat Commission. There will be meeting on Friday 9/27/02, at DRBC with Mr. Young, and representatives of all the States, and Cornell University. The committee asked Mr. Sayers to email to the group the minutes from the meeting.

GOAL No. 3

The committee approved the goal language and made the following amendments to the objectives:

1.3.A ensure that adequate supplies of water are available for projected public water supply and self-supplied domestic, commercial, industrial, recreational and agricultural **irrigation** water demands under normal hydrologic conditions through 2030 while protecting aquatic ecosystems.

1.3. B For future droughts ensure the equitable apportionment of water supplies for essential domestic, municipal, industrial, agricultural uses and aquatic ecosystems and strengthen coordination among the four

states, *Federal Agencies*, and DRBC.

The committee noted some ambiguity in the language of objective 1.3.D:

Implement best practices to reduce per capita water demand, giving priority to projects that do not take water from and return water to the same source (i.e., watershed transfers and withdrawals with substantial consumptive use).

The committee asked staff to reword the objective. (The reworded language is shown in the attached goals and objectives sheet.) Furthermore, the committee pondered the distinction between consumptive and depletive water use; DRBC staff was tasked with investigating this issue. (See Clarification Issues document.)

1.3.E By 2020, increase the beneficial use of reclaimed water by 250 million gallons per day.

The committee suggested that DRBC staff review this target and date. Another suggestion included a glossary for terms that will be used in the Comp Plan.

LUNCH 12:15 p.m. - 12:45 p.m.

Jessica Sanchez presented the committee with copies of information that had been sent out to council members to address questions relating to Comp Plan and advisory committee purpose. Included in this was the cover letter from Carol Collier, the resolution from the Commissioners establishing a Watershed Advisory Council, the role of the Council, scope of the development process, and a copy of the ground rules.

DRBC Flow Management Study

Dr. Tortoriello of DRBC staff presented the following report:

1. Dr. Tortoriello wishes to make everyone aware of what the Flow Management Committee will be getting involved with in the future. He noted that the Flow Management Strategy Report which has been ongoing for a couple of years is near to completion of a final draft.
2. Dr. Tortoriello outlined the involvement of the Flow Management Committee in the Comprehensive Plan and with The Nature Conservancy.
3. To the Flow Committee, flow management has been focused on water supply and drought operation issues -- more than instream needs for aquatic life. Therefore, it is important that the Flow Management Committee and WMAC work together to look at all the issues. The Nature Conservancy has expressed a desire to work together with the committees and the Commission.
4. The Flow Management Study looked at a total of 13 reaches, which included the upper basin and the lower basin including the estuary (reaches that are described in the matrix presented).
5. Dr. Tortoriello stated that Irene Brooks had asked the Flow Management Committee to come up with a flow chart to see what issues arising from this report could be looked at and/or considered by the Flow Management Committee. Dr. Tortoriello thought that WMAC should be invited to participate in this process.
6. Some of the major issues in the upper basin, besides water supply, are minimal flows, fishery issues, habitat issues and recreational issues. (Matrix handout was discussed.) These issues will probably be recommended to be looked at by the Flow Management Report (preliminary report).
7. Part of the next step is to determine where this committee, as well as Flow Management, thinks we should be going, and when. A suggestion was made for a joint meeting between the WMAC and Flow Management Committee on the objectives.
8. Discussion ensued regarding what help the WMAC can provide for these issues.
9. Ms. Bowers asked the committee if they would like to have part of the WMAC agenda in December be a discussion/presentation on the Flow Management Report and have some opportunity for discussion on these issues.

4. Management Strategies

The following Management Strategies were reviewed by the committee:

1.1.A

Some amendments were made to the existing language (see the accompanying management strategy document). The committee agreed that further management strategies (or steps) were necessary to meet the water budget objective.

Ms. Bowers noted that a further step should be added: ***Complete and publish the water budgets, make available on the web.***

A further step is to: ***develop and maintain the water budget database.*** This effort should be coordinated with DRBC Information Services branch.

Discussion of management strategies paused while Ms. Bush of DRBC staff responded to some of the Committees concerns regarding the purpose of the Comp Plan.

DISCUSSION:

The committee asked Ms. Bush to give her understanding of the purpose of the Comp Plan. Ms. Bush said that the document the committees are working on is a guidance document for all entities in the basin, from which they can take policy guidance -- "one point of light." This could serve as both the basin wide and also the DRBC Comp Plan. Ms. Bush added that the WAC was created because the Commission needed guidance in what its comprehensive plan should look like if it's to guide the Commission for the next 20 or 40 years. Ms. Bowers noted that that interpretation was different to that which she heard at the initial meetings, which was that this is not the DRBC Comp Plan - this is a plan for the basin - a guiding document for others to use to guide their own policy direction, but not to adopt as their own Comp Plan. Ms. Bowers added that it appears, to the committee, that there has been a change of purpose in the intended function of this plan. Ms. Bush used the example of Cornog Quarry to illustrate her point. If the Commission had not approved the project what could they have pointed to in their current CP? Very little in the CP is inconsistent with the Cornog project. The Comp Plan in development is more comprehensive than DRBC's current Comp Plan and, therefore, the DRBC may wish to adopt this.

In general the committee was skeptical of the single plan approach. Ms. Bowers urged Ms. Bush to take back the comments of the committee to DRBC staff and clarify the situation. Ms. Bowers added that DRBC should make sure it is communicated and clear to everybody else who is involved in the process what the intent is now. Ms. Bowers thanked Ms. Bush for her participation in today's meeting.

Ms. Bowers noted that there were three significant technical issues not yet addressed in the plan:

- when we should use surface water and when we should use ground water. Ms. Bowers believes there is too much of an emphasis on going to surface water when ground water is completely viable.
- a requirement for doing an objective alternatives analysis, and then choose best one.
- effects of cumulative impacts.

Mr. Gast noted that efforts are made to look at cumulative impacts through issues such as passby flow requirements.

It was suggested to add two strategies under 1.1.D:

- ***Develop guidance and criteria for developing ground water versus surface water versus conjunctive use.***
- ***Develop a methodology for evaluation of alternatives for new sources.***

Consideration needs to be given to cumulative impacts of total withdrawals, which have not been made explicit.

DRBC staff will make additional changes for review by the committee at the next meeting. This includes drafting some management strategies for objective 2.3.I -- enhancement of stream base flows.

5. Other Business and Next Meeting (all)

The next meeting of the Water Management Advisory Committee will be held on December 18, 2002, at 9:30 a.m. The meeting of the WMAC for October 16, 2001, has been cancelled. Mr. Sayers will e-mail committee members regarding this cancellation and clarification of the next meeting date. The meeting was adjourned at 2:45 p.m.

Questions?



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