

**Summary**  
**BASIN PLAN - PUBLIC COMMENT PERIOD**  
**January - March 2004**

From January 20 through April 2, 2004 DRBC solicited comments to the Basin Plan Public Draft. Written comments have been summarized in the table below. Staff recommended responses to comments and suggestions are included. Sources have been identified only by agency or sector affiliation. Comments have been placed into 2 groups depending on whether staff recommends a change (Table #1) or no change (Table #2) to the Plan. All page numbers refer to the Public Review Draft dated January 2004, unless otherwise noted.

**Table 1: CHANGES RECOMMENDED**

<b>COMMENTS &amp; RECOMMENDED CHANGES</b>					
<b>#</b>	<b>ISSUE</b>	<b>COMMENT</b>	<b>SOURCE</b>	<b>STAFF RECOMMENDATION</b>	<b>REFERENCE DOCUMENT</b>
1.1	Plan neglects out-of- Basin areas dependent on Basin water (NYC+NJ)	Should be a "Plan for the Basin & its Service Area"	Member- NY State Water Resources Planning Council	Plan is for the Basin and entities with jurisdiction within the Basin. <ul style="list-style-type: none"> <li>▪ Add map showing primary export distribution system in NY &amp; NJ</li> <li>▪ Add water use graphic showing amounts exported thru NY &amp; NJ systems – p. 13 "<i>Projecting water needs</i>" discussion</li> </ul>	Revisions to Map
1.2	Security & water resources	Plan neglects homeland security issues	Member –NY State Water Resources Planning Council DRBC staff	Add 2 <i>NEW</i> Objectives <b>1.3.H: Develop detection &amp; warning systems, flow &amp; transport models, and tools to track large-scale accidental and intentional contaminant releases to 1) assess the impacts to water intakes and basin water resources and 2) direct emergency response actions.</b>  <b>1.3.I: Develop water supply contingency plans to address critical water needs in the event of the loss of usable source water and water intake or distribution</b>	Goals & Objectives Matrix

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				infrastructure.	
1.3	Baseline conditions	Define term to include range of possible states (status) of system	Consultant	Add to Introduction and Glossary – definition & short discussion.	NEW Introduction p.13 Glossary changes/additions
1.4	Integrated Management	Important concept used in varied contexts. List specific definition context of each KRA; add table in Intro	Consultant	Add to glossary and reference the explanatory text in each KRA	Glossary changes/additions
1.5	Implications of TMDLs	Concern for requiring some action far upstream of an impacted stream segment	County, NY	Refine definition & discussion of TMDLs in glossary & text.	Glossary changes/additions
1.6	Suitable Quality	Needs further detail	NJ Dept. Ag	Include definition in Glossary: <b>suitable quality: water quality that is protective of the existing and designated uses of a water body.</b>	Glossary changes/additions
1.7	Climate change	Plan neglects issues relating to climate change. Add new KRA for Emerging Challenges focusing on climate change & homeland security	Member NY State Water Resources Planning Council	Insert minimal text in KRA 4 describing emerging challenges, such as climate change, and the need for cooperative analysis and solutions.	New section in KRA 4 on <b>Emerging Challenges</b>
1.8	Goal 3.2 -Performance standards	Define or elaborate. No one set for entire Basin	NJ Dept. Ag	Enhance definition in Glossary to include “regionally and/or locally appropriate”	Glossary changes/additions

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1.9	Uncertainty	Guiding Principles should acknowledge <b>inevitable uncertainty</b> ; seek and apply ways of dealing with it.	Consultant	Planning as an iterative process is meant to ensure response to changing conditions.  Include with short discussion of climate change and emerging challenges in KRA 4.	NEW section in KRA 4 on <b>Emerging Challenges</b>
1.10	Roles & Responsibilities discussion weak.	Expand "Roles & Responsibilities" to include list of lead or responsible entities – or add for each objective in Matrix	WAC	Enhance section on Use of Plan in Introduction. Enhance Roles & Responsibilities and move to end of Plan.  Add a table to KRA 4 illustrating types of actions appropriate for governmental and non-governmental actors. See added text p.4-5 and p	NEW Introduction pp 10-12  [Table under construction]
1.11	Navigation & Port Operations	Does Plan include a Goal or Objective relating to maintaining navigability of ports?	Industry	Add New Objective under Goal 3.4 <b>3.4.D Maintain and improve navigable waterways and port facilities.</b>  <b>Milestone: Ongoing: Continued management of current waterway infrastructure and assessment of prudent improvements to the port system.</b>	Goals & Objectives Matrix
1.12	Map & HUCs	How do areas relate to USGS HUCode? To NRCS HUCode? What criteria used for grouping? What should be used for regional planning and Plan	Member NY State Water Resources Planning Council	Add statement to Introduction re Map development & use  Improve sidebar re HU Codes, p.12 <b>Defining the Appropriate Scale for Watershed Assessments</b> <del>Water Budgets</del>	NEW Introduction p. 7  Side bar KRA 1 p12

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		implementation?			
1.13	Terminology GOAL 2.3, narrative p 22	Abundance of natural communities does not equal appropriate.	Regional groundwater management committee- PA	Agree. Revision, Goal 2.3, narrative p 22 – section header:  <b><i>Defining flow regime and water quality criteria to support <span style="color: red;">healthy diverse and abundant aquatic and riparian communities.</span></i></b>	KRA 2 p 22
1.14	Incorrect statement GOAL 2.3 narrative p22	Dam removal is not a “simple” form of restoration nor always desirable.	Consultant Regional groundwater management committee- PA NJ Dept. Ag	Agree. Revision, Goal 2.3 narrative p. 22; <b><i>Employing restoration techniques...: Although some forms of physical restoration, such as the removal of obstructions to enable fish passage, might appear to be simple, the majority of restoration actions are very complex, especially those involving ecological restoration such as replacement of fresh water wetlands and riparian forests. Restoring hydrological and ecological functions requires investments in research and projects, but can provide substantial benefit to water resources and habitat.</i></b>	KRA 2 p 22
1.15	KRA 5	Much more being done through SCDs than indicated in Plan	NJ Dept. Ag	Add Soil Conservation District offices to Roles and Responsibilities narrative and to KRA 5 narrative.  Baseline development & reporting is next step. Very glad we will have your input!	NEW Introduction p 11
1.16	Indicators	Indicators necessary	Member NY State Water	Enhance section on Measuring Progress	See NEW Intro p10

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		Indicators soft & unquantified	Resources Planning Council DRBC Staff	Add short list of illustrative indicators for measuring progress toward each Desired Result in each relevant section.	See last page of each KRA

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**TABLE 2: NO CHANGE RECOMMENDED**

<b>No CHANGES RECOMMENDED</b>				
<b>#</b>	<b>ISSUE</b>	<b>COMMENT</b>	<b>SOURCE</b>	<b>STAFF RECOMMENDATION</b>
2.1	30 yr time horizon	Increase from 30 to 50 yrs. -- to 2050 to adequately account for project lead times	Member NY State Water Resources Planning Council	No action necessary. Time horizon set at outset of process by consensus.
2.2	Inadequacy of participation – WAC & committees	Lack of involvement by NYS-WRPC, NYC-DOH, NJAg	Member NY State Water Resources Planning Council County - NY NJ Dept. Ag	No action necessary The WAC and advisory committees represent a broad spectrum of public and private interests across the Basin. It was not possible to include every agency and organization within the Basin and some of those invited chose not to participate.
2.3	Relationship to existing documents	Include discussion of how this Plan relates to 1954 Supreme Court Decree, DRB Compact, DRBC Com. Plan and the Good Faith Agreement.	NPS- DWG	No action at this time. This Plan is meant to engage a wider audience than DRBC partners. Relationship of the Plan to existing legal instruments related to DRBC will be addressed through revisions to DRBC Comprehensive Plan. Also, the Plan should be viewed as an instrument for changing and improving water resources management.
2.4	BIAS	Appears that key decisions will be biased towards those living downstream of NY	County - NY	No action necessary. The Plan encourages upstream and downstream communities to respect their relationship within the Basin system and work together for regional solutions to problems.
2.5	Lack of specific goals and actions	Plan too generic, doesn't give specific plan for actions There is little in this draft for decision-makers to use to direct their steps.	County CD, PA	No action necessary. It is acknowledged that the Plan is a first step and sets direction for water resource policy and management. Actions and priorities should be set based on local context and conditions.
2.6	BIAS	Appears that plan for economic prosperity	County - NY	No action necessary. Plan focus is on basin-wide issues of water-related

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		is predetermined as recreation & tourism.		recreation & tourism planning. Range of appropriate or inappropriate economic activity should be discussed & included in regional & local plans.
2.7	Guiding Principle #5. p.6: <i>Avoid shifts in pollution...</i>	Growth Management & water budgets may force growth elsewhere, thereby shifting pollution	County - NY	No action necessary. Growth management, appropriate development & resource management are addressed in the Plan.
2.8	No clear reason for separate KRAs 2 & 3	All KRA2 Goals (flooding, recreation, biodiversity) require action beyond corridor to be effective.  Collapse KRA 2 & 3 into one.	Member NY State Water Resources Planning Council	No action necessary.  Corridor distinction serves to focus in a specific scale & function immediate to waterway as well as the connectivity for habitat needs.  A change would make one very large KRA and create difficulties distinguishing between actions for the corridor and its riparian/aquatic habitat and those related to the larger development issues across a watershed landscape.
2.9	KRA 3, Goal 3.1: <i>Preserve and restore natural hydrologic cycles in the Basin's watersheds.</i>	"Restoration of natural hydrologic cycles" is an oversimplification and problematic. Qualify with "to the extent practicable." Preserving "soil health" may not be possible.  Much more being done in stormwater management that credited in Plan	NJ Dept.Ag	No action. Many of the Goals in the Plan are "stretch" goals: perhaps not 100% attainable, but worth striving for.  Qualifications of feasibility apply to all Goals and is covered in the Guiding Principles (#s 5 & 12).  Acknowledge that much being done regarding new development and discussion in Plan is necessarily limited and general.  Goal is also inclusive of issues from existing development.
2.10	Lack of focus on specific data needed for local decision making	Add objectives: <ul style="list-style-type: none"> <li>▪ Develop low cost stream gaging technology</li> <li>▪ Develop models for estimating recharge supported by readily available data</li> <li>▪ Fund ground water monitoring &amp;</li> </ul>	Regional groundwater management committee- PA	No action necessary.  Plan includes development of water budgets.  Objectives in KRAs 1, 3, 4, 5 relate to acquiring, distributing and using low flow or base flow and water budget information for a variety of issues.

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		water budget programs to predict sustainable land use development		Plan does not specify types of research or monitoring programs.  These would be good suggestions for an action plan developed for a number of existing Goals & Objectives.
2.11	P 28 reference to irrigation under " <i>Considering direct &amp; indirect impacts to natural systems...</i> "	Concern that example will unnecessarily target agriculture for further regulation	NJ Dept.Ag	Pumping for irrigation covers a wide array of land uses and no single use was identified for this example. The example is one of three to illustrate direct and indirect effects of which decision makers should be aware when writing regulations and permitting projects.  Equitable allocation is covered in KRA 1.

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