



WATER MANAGEMENT ADVISORY COMMITTEE
February 17, 2000
MEETING SUMMARY

The Water Management Advisory Committee meeting began at 9:30 a.m. at the Commission (DRBC) office in West Trenton, NJ. The meeting agenda is attached [[see Attachment 1](#)].

MINUTES

Dr. Miri raised a question with regard to the calendar year specified in the minutes for reporting of unaccounted for flows. The Committee decided to table this concern until later in the meeting.

The Minutes of the November 4, 1999 meeting of the Committee were approved unanimously without addition or correction.

COMMITTEE PROCEDURES AND SELECTION OF CHAIR AND VICE CHAIR

The meeting began with a discussion led by Dr. Featherstone of Committee Procedures presented in Attachment 2 of the November 4, 1999 Minutes.

Voting. Dr. Featherstone asked whether the Committee wanted to establish a minimum number of votes to carry a motion. Dr. Mercuri suggested that if two-thirds of the members --14 members -- are required to hold a vote, a simple majority be the minimum required to carry a motion. Mr. Palmer questioned whether it was realistic to expect that two-thirds of the members would come to a meeting.

Dr. Mercuri questioned the value of e-mail voting if a member wasn't there to discuss the subject of the motion. Dr. Miri and Mr. Gast agreed. Mr. Lavery added that e-mail voting addressed the need to vote in an emergency, but that he did not foresee this committee holding votes often and issues would be discussed many times before a vote. Minutes would notify members of a pending vote. Dr. Featherstone added that eliminating e-mail voting would provide an incentive for members to come to a meeting. Mr. Lovell agreed. Mr. Neukrug stated that there should be an ability to reopen discussions at meetings following a significant vote. A motion -- to remove e-mail voting from the Committee Procedures -- was unanimously approved.

Dr. Featherstone noted that an e-mail address group would be established for Committee correspondence.

Term and Rotation and Selection of Committee Chair and Vice Chair. Dr. Miri commented that the Committee Procedures state that term and rotation of Chair and Vice Chair were to be determined at this Committee meeting. Ms. Bowers asked whether voting procedures should apply to voting for the Chair. Members were in general agreement that the voting procedures should be the same. Dr. Mercuri asked whether Basin State representatives should be excluded from voting since they excluded themselves as Chair. Mr. Gast replied that this did not exclude them from voting.

Mr. Lavery suggested that a Chair be selected to serve one year. A Vice Chair also would be selected to serve one year and then the Vice Chair would become Chair for one year. In effect, a new Vice Chair would be selected each year.

Dr. Mercuri asked whether four Committee meetings was a sufficient term and how other committees

operated. Dr. Featherstone replied that some committees had one Chair for the life of the Committee, while other Committees rotated Chairs. The Toxics Committee, for example, established a rotation between agency and interest groups.

Mr. Lavery asked for an explanation of the duties of the Chair. Dr. Featherstone read from the Committee Procedures that the responsibilities of the Chair include: conducting meetings, consulting with Commission staff on meeting agendas, and reporting to the Commission once a year. Mr. Lavery stated that one year seemed to be a sufficient term given the level of responsibility.

Ms. Bowers raised for discussion rotation between agency and non-agency members. Mr. Lavery suggested that the overall concern should be fair representation over a period of time and that the Committee Procedures should note this. He added that the Committee Procedures should be clarified to state that the State members excluded from serving as chair are only those members from agencies who represent governors on the Commission. There was general agreement with regard to Mr. Lavery's suggestions. Mr. Palmer noted that the other members would not likely allow the Chair to steer the Committee in any one direction.

A motion -- that the term of the Chair and Vice Chair be one year and that the Vice Chair then assumes the role of Chair -- was unanimously approved.

Dr. Featherstone took motions for the position of Chair. Mr. Palmer motioned that he be Chair. The motion was seconded and unanimously approved. Mr. Palmer assumed the role of Chair and took motions for position of Vice Chair. Dr. Miri nominated Dr. Mercuri. The motion was seconded and unanimously approved.

Designees: Ms. Bowers raised for discussion the option of a member giving proxy to another member for one meeting. Dr. Mercuri stated that he preferred that a designee not be a Committee member. Mr. Palmer stated that including both options would provide more flexibility. Mr. Lavery stated that giving proxy would imply that a member can have two votes. Mr. Gast added that one member would also count as two people in satisfaction of a quorum. A motion -- to not alter the Committee Procedures with regard to designees with the understanding that it includes proxy -- was unanimously approved.

[Please see [Attachment 2](#) for a revised version of Water Management Advisory Committee Procedures.]

STATE REPORTS

Mr. Palmer asked each Basin State member to present reports on water use database needs, service metering status and unaccounted-for-water.

Mr. Lovell reported that the State of Delaware has collected all data listed in the handout, DRBC Water Use Needs, through 1999 with few exceptions. These data will shortly be entered into a database. With regard to unaccounted-for-water, Delaware has data on 8 of the 10 large public water suppliers for 1990 through 1999.

Dr. Featherstone asked what the trends show. Mr. Lovell replied that the trends were a little ambiguous. Overall there was a decline, but individual suppliers had ups and downs and some had dramatic increases. Some of these changes can be explained by increases in loss through leakage others by different calculation methods. In Wilmington, there was an increase in unaccounted-for-water from 1990 through the mid 1990's, so they undertook an aggressive 10 year program to retrofit all service meters in service area and unaccounted-for-water has started to decline. Dr. Featherstone asked Mr. Lovell to discuss a district metering program that was implemented to identify distribution system leaks. Mr. Lovell said that, so far, the program has been implemented in only one suburban district and not in older areas. Mr. Lovell stated that he would not support increasing the reporting time for unaccounted-for-water; it is necessary to continually monitor the progress so there wouldn't be backsliding.

Mr. Palmer asked when the data would be submitted to DRBC. Mr. Lovell responded that the data for 1997 through 1999 would be available in electronic format in several months.

Dr. Miri reported that last year, Evelyn Borbely of the Commission staff met with Diane Zalaskus of the Bureau of Water Allocation and obtained much of the data listed in the handout, DRBC Water Use Data Needs, electronically through 1996 with the exception of certain items. All withdrawal information being requested is available through 1998 with the exception of "population served" and "metered (Y/N)". These two items are available in paper files only. With regard to the service area information being requested, Dr. Miri stated that little information is available electronically and some is available in paper files. Dr. Miri stated that New Jersey can provide 1997 and 1998 data shortly to the Commission, similar to the data provided for 1990 through 1996. Mr. Palmer asked whether it would be available by May 1st. Dr. Miri replied that he'd have to get back to him.

Dr. Featherstone explained that the Basin State members were asked to give reports on unaccounted-for-water in order to re-evaluate the Commission's leak detection & repair (LD&R) regulations. The regulations require that a LD&R plan be submitted every three years. At the last meeting, there was a discussion on whether to consider changing the requirement to five years if unaccounted-for-water was decreasing.

Dr. Miri stated that New Jersey stopped obtaining unaccounted-for-water data several years ago. New Jersey will attempt to gather the information again, but would need until the summer to collect the information from the purveyors in the Basin. Mr. Gast asked whether any information was available in paper files. Dr. Miri stated that although some information was available in paper files, the information is sporadic and represents different points in time, rather than one year. Mr. Gaston asked why New Jersey has stopped collecting the data. Dr. Miri responded that the data are important and explained that there is a shortage of staff to do this work.

Dr. Miri reported that with regard to service metering implementation, some of the information may be available in paper files in the Bureau of Safe Drinking Water.

Mr. Palmer stated that the Committee should identify what the Basin States have and don't have and move forward. DRBC can get bogged down to the point of not being able to move without having this information.

Ms. Siskind explained the purpose for collecting the data based on the presentation she gave at the previous Committee meeting. The data would be used to monitor the effectiveness of conservation programs, determine trends of future water use and assess potential flow needs. The data now available to the Commission staff is mostly withdrawal data. There is a need to look at how water is used within the service area of the public water suppliers amongst residential, commercial and industrial users. Commission staff have been trying to gather these data by reviewing paper files, but it is an onerous task. The list of DRBC Water Use Data Needs was developed to determine whether the missing information is available electronically and if not, whether States can be asked to provide this information in the future.

Mr. Lavery reported that the New York State Department of Environmental Conservation and Department of Health do not collect much of the information requested. The Commission would have to ask New York State to collect the data for the Basin. He explained that there is a lack of staff resources.

Mr. Palmer asked what New York City collects. Mr. Lavery responded that the City is an exception and they collect more than anyone in the State. Mr. Palmer stated that even though we don't have New York State data, New York City data is important data that the Commission can use. Mr. Lavery noted that the portion of New York State in the Basin accounts for only a small percent of basin water use. Mr. Palmer commented that certain information will not be able to be obtained and the Commission should do the best it can with the information it has.

Mr. Gast explained that the Commission doesn't regulate New York City. If the purpose of collecting the data is to monitor the effects of water conservation, how the conservation program is working in New York City is somewhat irrelevant. Mr. Palmer stated that if New York City is diverting a large amount of water, they are not irrelevant. Even though DRBC does not have a regulatory hammer, partnership is important; it is best to get the data by a spirit of cooperation, rather than regulatory clout. Mr. Gast responded that it was important not to excuse New York State from providing the data because New York City is providing it. Mr. Lavery agreed. He suggested that, for the short term, New York State and Commission staff could contact the largest public water suppliers to get the majority of the data.

Mr. Gast reported that Pennsylvania maintained a database of all of the requested information through 1996. However, with cutbacks, they no longer have staff to input the data, although the State still collects it and it is available in paper form. Mr. Palmer asked whether a transcriber could be hired to input the data. Mr. Gast stated that his agency has recently been allowed to refill a few positions, but that the Commission may also need to provide some staff.

Mr. Gast further explained that the data being requested is not similar to data required by the Safe Drinking Water Act. It is data specific to the needs of water resources management programs. Recently, droughts have raised awareness of the importance of this information.

Dr. Featherstone noted that when the metering and LD&R regulations were adopted, the thinking was that the Commission should not obtain data from purveyors if the Basin States were already doing so. Rather, the Commission would specify its data needs to the States and the States would collect and computerize it. In the meantime, staff resources have diminished and perhaps the Committee should reconsider whether it would like the Commission to collect the data. He also noted that the Commissioners, at their recent meeting, were very excited that this effort was being undertaken.

Mr. Lavery suggested that the Commission staff develop a web page reporting process and the States ask purveyors to report the data electronically. Mr. Gast added that Pennsylvania was going in the direction of electronic submission. Smaller companies have responded that they do not have the capability, but this may change with the emergence of the internet.

Dr. Miri suggested that a subcommittee be formed, consisting of the four Basin State members and DRBC staff, to address DRBC's water use data needs. Mr. Palmer agreed.

Mr. Palmer stated that the data can be generated with little controversy and that the Committee should expedite the gathering of data through its contacts.

Mr. Neukrug expressed disappointment that the data weren't being gathered by the States or DRBC. He suggested that the focus be on getting data from the largest water suppliers. Mr. Gast responded that this approach is reasonable for flow management issues which is looking at the basinwide picture. However, this Committee was established to evaluate issues on a smaller watershed basis and therefore needed data for areas other than where the largest suppliers were located.

The Committee agreed to form a subcommittee with the four members from each Basin State (Mr. Gast, Mr. Lavery, Mr. Lovell and Dr. Miri), Dr. Mercuri and Mr. Neukrug.

WATER CONSERVATION

Ms. Siskind stated that at the last meeting, a number of water conservation efforts were proposed to get feedback from the Committee on whether they were worth pursuing and how they should be prioritized. She also stated that the tasks primarily related to monitoring the implementation and assessing the effectiveness of the regulations that had been put in place in the late 1980's and 1990's.

Mr. Palmer stated that DRBC staff should determine which projects to pursue. If the Committee did it, it would be micromanaging. Dr. Featherstone responded that the purpose of proposing these efforts was to get ideas on the table and a sense from the Committee on what should be pursued. He also commented that the Committee could decide to postpone discussion on the proposed efforts until the water use data were available to evaluate the existing program.

Mr. Palmer stated that conservation pricing was a controversial issue. Dr. Mercuri stated that conservation pricing is not a new issue to DRBC. He has had some experience with conservation pricing and has not seen a significant difference. He stated that existing prices were ensuring that conservation including leak detection was being put in place. He emphasized that the water use database was an indispensable tool needed to make judgments.

Ms. Bowers suggested that a white paper be written on conservation pricing to give more information to the Committee so it can make a decision. She further suggested that it would be useful if DRBC staff prepared a paper on the conservation program including the status of the existing program and the proposed efforts. There was general agreement that these two suggestions should be pursued.

Mr. Palmer stated that the general consensus was that DRBC should not move forward on the water conservation efforts until the database was in place. DRBC staff would be encouraged to pursue certain items that didn't require data.

INTEGRATED RESOURCES PLANS (IRPs)

Ms. Bowers suggested that a subcommittee be formed to address IRP issues and the Discussion Draft Guidelines that were prepared by DRBC staff. There was general agreement that a subcommittee be formed.

Dr. Featherstone gave a brief presentation on the IRP requirements of the Southeast Pennsylvania Ground Water Protected Area Regulations (GWPA). Mr. Cavallo and Ms. Siskind gave a brief overview of the Discussion Draft Guidelines for developing an IRP. Ms. Siskind stated that the intent of the Guidelines was to elaborate on the nine requirements under the regulations and to explain the types of information DRBC would require to evaluate the plans. It was not intended to be a comprehensive document describing the steps to complete an IRP since this type of information is available in the literature.

Mr. Drew Shaw of Montgomery County raised issues related to the size of the study area - the subbasin - outlined in the IRP regulations and the need to consider larger areas such as neighboring subbasins and pipelines being built. Mr. Palmer commented that it was important that the plans evaluate tertiary treatment. Mr. Neukrug commented that the IRP regulations emphasize stormwater and ground water, but only touch on surface water. He expressed concern that the IRP would become one more plan alongside numerous other plans and the TMDL process. The IRP process should instead provide the opportunity to bring all plans together into one plan. Dr. Featherstone commented limited staff resources required a less comprehensive approach initially and hopefully resources would be obtained to expand the concept both in terms of what would be addressed and to other areas of the Basin.

Mr. Gast commented that the purpose of the IRP regulations is to allow municipalities to make a request to DRBC to change regulated withdrawal limits. He would be hesitant to establish requirements to make plans so comprehensive and expensive that they would discourage municipalities from coming to DRBC with the basic information needed to make decision. Another concern when the regulations were written was that DRBC should not be a land use manager. Ms. Bowers stated that the regulations provide an opportunity to broaden what would be included in an IRP and are the perfect umbrella to bring all other plans together. Mr. Neukrug stated that if the IRPs were not broadened, there would be a question as to whether they would be IRPs.

There was general agreement that the subcommittee should further review these issues and the Discussion Draft Guidance. The subcommittee would consist of Ms. Bowers, Mr. Gast, Mr. Neukrug, Mr. Sloto, and Mr.

Young. Mr. Shaw of Montgomery County was invited to participate.

INSTREAM FLOW ANALYSIS

Dr. Featherstone introduced Mr. Young stating that the presentation he was about to give on instream flow needs was critical to many DRBC initiatives including the integrated resources planning effort.

Mr. Young presented the results of the Pennsylvania/Maryland Instream Flow Study which used the Instream Flow Incremental Methodology (IFIM) to assess impacts of changes in flow on fish habitat. IFIM estimates the effects of changes in stream flow on suitable fish habitat by evaluating depth, velocity, substrate and cover of stream segments. Prototypical study sites (over 60 streams) were selected based on physiographic region and stream length, and geology. A hydraulic model was created based on field data gathered for each study site. The model results provided weighted usable area vs. flow for different fish species and life stages. In general, for adults and juveniles, as flow increases, habitat increases. For fry, as flow increases, habitat decreases due to high velocity. These habitat vs. flow curves were then used to assess habitat loss due to proposed withdrawals.

Mr. Young explained that for the Ground Water Protected Area (GWPA), there is the issue of how to apply the methodology to warmwater fisheries and to very diverse geological conditions. Since these fisheries are more biologically diverse, it is important to look at the health of the community as a whole. As part of the Clarion River Study, an index of dissimilarity is being utilized to address community level effects. Mr. Young further stated that to do a study of the GWPA, stream flow data would be needed.

Dr. Featherstone stated that the question that needed to be answered is: what is an acceptable level of impact, particularly on high quality and exceptional value streams? Mr. Gast stated that PADEP was about to issue draft guidance that addresses this question.

Dr. Featherstone asked Mr. Young what his recommendations were for the next steps and whether it was necessary to wait for the results of the Clarion River Study. Mr. Young responded that he would need to ascertain the geology and other characteristics of the streams to determine how to design the study.

Ms. Bowers asked whether the IRP subcommittee should address the issue. Mr. Gast stated that it may not require the same individuals. Dr. Featherstone stated that DRBC staff would meet with Mr. Young to outline a course of action and potential resource needs.

Mr. Lovell commented that Delaware performed a similar analysis. The analysis was very difficult and they didn't learn much. Mr. Gast responded that in tidal areas the study is more difficult. Mr. Young added that the technology has improved since the time of the Delaware study.

Mr. Neukrug asked about the implications on water quality issues including TMDLs. Mr. Young responded that the IFIM only addresses physical issues.

SPRAY IRRIGATION

Mr. Palmer asked the Basin State members to report on spray irrigation policies and regulations in their respective States. Mr. Lavery reported that in New York State there are four spray irrigation permits, mostly for golf courses. There are no regulations specifically governing spray irrigation. Dr. Miri reported that in New Jersey regulations haven't changed, but policies have somewhat and water allocation applications are now required to include an investigation of spray irrigation. New Jersey is also considering issuing conditional permits.

OTHER

Agenda items related to water usage terminology and stormwater were tabled for the next meeting. Dr. Miri suggested that a future item for discussion by the Committee be developing indicators for water resource

management.

Mr. Gast suggested that, given the huge agenda of the Committee, meetings be held six, rather than 4, times per year. Mr. Palmer agreed suggesting that the next meeting be held in April. The next meeting will be held on Monday, April 17th at 9:30 a.m. in the DRBC office in West Trenton.

WATER MANAGEMENT ADVISORY COMMITTEE

February 17, 2000

Members Present

- | | |
|--------------------|--|
| 1. Janet Bowers | Chester County Water Resources Authority |
| 2. Bernard Dworsky | New Castle Water Resources Agency |
| 3. William Gast | Pennsylvania DEP |
| 4. John Gaston | Stony Brook Regional Sewerage Authority |
| 5. Peggy Haskin | League of Women Voters |
| 6. Warren Lavery | New York State DEC |
| 7. Stewart Lovell | Delaware DNREC |
| 8. Bruno Mercuri | Mercuri & Associates |
| 9. Joseph Miri | New Jersey DEP |
| 10. Howard Neukrug | Philadelphia Water Department |
| 11. William Palmer | Water Resources Association |
| 12. Samuel Race | New Jersey Department of Agriculture |
| 13. Ronald Sloto | US Geological Survey |
| 14. Leroy Young | Pennsylvania Fish & Boat Commission |

DRBC Staff present

1. Evelyn Borbely
2. Greg Cavallo
3. Jeffrey Featherstone
4. Esther Siskind

Others in Attendance

1. Joseph Gavin Army Corps Of Engineers

2. Hal Haskin
 3. Gerald Kauffman New Castle Water Resources Agency
 4. Jim Quigley Student, University of Pennsylvania
 5. Haley Sankey Kleinschmidt Associates
 6. Drew Shaw Montgomery County Planning Commission
-

Attachment 1

AGENDA WATER MANAGEMENT ADVISORY COMMITTEE

Delaware River Basin Commission

February 17, 2000

9:30 a.m.

- 1. Minutes, Selection of Chair, Committee Procedures**
 - 2. State Reports**
 - **Water Use Database Needs : Availability of Information**
 - **Service Metering: Implementation Status**
 - **Unaccounted for Water**
 - 3. Water Conservation - Next Steps**
 - 4. Ground Water Protected Area**
 - **Integrated Resources Planning**
 - **Instream Flow Analysis - How to do?**
 - 5. Water Usage Terminology**
 - 6. Spray Irrigation**
 - **States to report position on golf courses and State regulations/permitting requirements**
 - 7. Stormwater - David Steil letter and possible transfer session**
 - 8. Next Meeting**
-

Attachment 2

WATER MANAGEMENT ADVISORY COMMITTEE PROCEDURES

- **Voting.** Decisions will be made by consensus, whenever feasible. When a consensus cannot be reached, a vote will be taken. At least 2/3 of the members - 14 members - are required to hold a vote. Decisions that will require a vote include Committee recommendations on which the Commission

would need to take action. For recommendations on staff activities with no Commission action required, only a consensus and/or vote of members present will be required. The Committee Chair will prepare a report expressing the opinions of the dissenters including reasons why a consensus could not be reached.

- **Quorum**. No quorum is needed to hold a meeting.
- **Committee Chair**. Responsibilities of the Chair include: conducting meetings, consulting with Commission staff on meeting agendas, and reporting to the Commission once a year. The Committee will have a Chair and Vice Chair. The Vice Chair will carry out the responsibilities of the Chair when the Chair is not present. Members of State agencies representing the Governor on the Commission will not serve as Chair or Vice Chair. The term of the Chair and Vice Chair will be one year. After completion of the Chair's term, the Vice Chair will assume the role of Chair and a new Vice Chair will be selected. The Committee will endeavor to ensure that, over time, members elected to the positions of Chair and Vice Chair represent all member interests.
- **Designees**. Members may send designees to Committee meetings. However, a member may only assign a designee for a specific meeting and must do so by writing a letter to the Committee Chair. The designee will have the same privileges as the member including voting rights.
- **Meeting Schedule**. Meetings will be held four times a year, unless the Committee decides otherwise

[Hydrologic Info](#) | [News Releases](#) | [Next DRBC Meeting](#) | [Other Meetings](#) | [Publications](#) | [Basin Facts](#) | [Contact Info](#) | [Your Comments Welcomed](#)

Commission Member Links: [Delaware](#) | [New Jersey](#) | [Pennsylvania](#) | [New York](#) | [United States](#) |



[DRBC Home Page](#)

P.O. BOX 7360, West Trenton, NJ 08628-0360

● *Voice (609) 883 - 9500* ● *FAX (609) 883 - 9522*



croberts@drbc.state.nj.us