



State Water Plan Update Statewide Committee Meeting

April 19, 2023
9:00 a.m. - 11:00 a.m.
Virtual Meeting via Microsoft Teams

Committee Members in Attendance:

Len Bradley	Heidi Moltz
Carol Collier	Trish Salvia
Andrew Dehoff	Heather Smiles
Sean Donnelly	Simeon Suter
Matthew Genchur	Susan Weaver
Andrew Gutshall	Tim Weston
Catherine Harper	Matthew Wolford
Richard Harrison	

Committee Members Not in Attendance:

Kelly Anderson	Kevin Moore
Theresa Eberly	Shannon Rossman
Patty Elkins	Michael Roth
Brian Eckert	Deb Simko
Jennifer Fetter	Steve Tambini
Daniel Gold	Jessica Trimble
Jeff Jumper	
Gary Merritt	

Others in Attendance:

James Horton – DEP	Bob Whitmore - Strategic Consulting Partners
Brian Chalfant – DEP	

Visitors:

Sandy Costello
Garret Kratina
Theodore Tesler

Welcome:

James Horton, DEP, welcomed everyone to the meeting and explained the meeting was being recorded and provided helpful hints on the use of technology. Attendance was recorded in the Microsoft Teams participant's log.

Election of Chair and Vice-Chair

The Statewide Committee bylaws state that annually the Committee is to elect a Chair and a Vice-Chair by a majority vote of the full membership. A motion to re-elect Tim Weston as Chair was made by Matt Wolford and seconded by Carol Collier. The motion was unanimously approved.

A motion to re-elect Kate Harper as Vice-Chair was made by Matt Wolford and seconded by Carol Collier. The motion was unanimously approved.

Meeting Summary

The meeting summary of the December 14, 2022, was reviewed and approved on a Len Bradley / Sim Suter motion.

Public Comment

Chair Weston opened the meeting for public comment. No public comment was offered.

Review of Bylaws

James (DEP staff) reviewed Article XI of the Statewide Committee Bylaws. The current bylaws state the following about amending the bylaws: "The By-Laws may be amended at any meeting of the Statewide Committee by two-thirds vote of the full voting Statewide Committee membership (16 voting members) provided that written notice of such change has been sent via email with a read receipt from each member at least two weeks prior to the meeting." James said internal review of the bylaws by legal counsel is asking this article to be amended to state a simple majority vote of the full Committee membership. The change will align the bylaws with Act 220. The legal opinion is this is a change to comply with the Act and does not need to be voted on by the committee as bylaws change.

Committee members discussed why legal counsel is suggesting the proposed change. The bylaws will be reviewed again at the October meeting. It was recommended that Chair Weston and Vice-Chair Harper meet with James and legal counsel to understand the proposed change. Committee members were also asked to provide other suggested changes to the bylaws. All proposed changes to the bylaws, if any, will be communicated to Committee members by the procedures outlined in the bylaws at least two weeks prior to the October Committee meeting.

DEP Summary of Activities:

James Horton, DEP, provided an overview presentation of the state water planning process and the direction forward.

- **Act 220** was passed as PA was exiting a drought in 2002. The act requires continual updates, water use reporting, identifying Critical Water Planning Areas (CWPAs), and voluntary water conservation.
- **The State Water Plan** Update of 2022 was formally completed early this year. The plan has over one hundred pages discussing Pennsylvania's Water Resources. A Digital Water Atlas was also released. Act 220 requires a five-year update cycle for the state water plan and the 2027 cycle starts now.

- **Act 220 mandated** the establishment of regional committees based on watersheds. Regional committees are formed based on their location.
- **Regional committees** provide unique perspectives based on their regions. The role of the regional committee is to create a regional component of the plan. The structure includes a narrative with priorities, region's uniqueness, climate change and stormwater recommendations. Between our April meeting and the meeting in October DEP will be laying out a standard format for the regional plans which will be used by each region, and we would like to have your input on structure. **Please email us with your thoughts or examples of formats you think would be appropriate.**
- **The Statewide committee** is focused on statewide concerns, and the legislative and policy objectives of the plan. Their review of regional components is constrained to this purview: that no parts of the plan conflict with other parts of the plan or existing law or regulatory practice. In prior iterations, the Statewide committee commissioned workgroups that focused on specific areas of concern identified by the committee. Included in their products was a narrative as well as explicit recommendations which included legislative and budget requests. CARPs, regional components, and the entirety of the plan are brought before the statewide for approval before being shared with the secretary of DEP for their approval.
- **The DEP** supports the committees by providing a venue, scheduling meetings, and providing meeting summaries prepared by our facilitators. DEP has final approval on documents with the Secretary's signature. DEP provides drafting support and assists with editing. All documents must meet DEP internal review, all edits are shared with the committee to promote transparency. DEP assists with education and outreach through speaking engagements, press releases, publicizing meetings via our website. The most important stakeholders in this process are Pennsylvanians at large, the people we are making this plan for.
- **Mandated by Act 220** of 2002, a **CARP** is like a hyper focused water plan based on a particular watershed which is at risk of water use outstripping water availability. The work to identify which areas may require such a plan the Act required that Critical Water Planning Areas be identified. Four CWPAs were identified using a screening tool created by DEP and USGS. This tool split PA up into fifteen square mile watersheds and tested water use against 50% of Q7-10 stream flows to determine areas that were at risk. There were three Critical Area Resource Plans or CARPs developed during the 2009 plan. Marsh Creek and Rock Creek were combined due to being geographically near one another and closely related hydrologically. We are trying to complete them during this cycle with an aim to complete Back Creek CARP this year and the others directly following it.
- **The CARP process** is required by Act 220 and has some explicit steps. Each CARP is required to have a public hearing along with a planning agency review. The Three CARPs are at distinct phases, and we are assessing their progress currently. It will be DEP and the regional committees to discuss where each of those CARPs land and what work will need to be done on them. In addition to this process a Critical Area Advisory Committee has been established for each CARP, the advisory committee

advises DEP and the regional committee and submits recommendations to the regional committee. It is the regional committee who votes on the plan.

- **Five-year plan:**

- **2023** – This year is all about getting the committees, particularly those that struggled achieving quorum, back to full strength. This is coupled with outreach to targeted stakeholders which will help prepare us for the next phase of the Plan. Additionally, we are looking to review the 2022 State Water Plan, particularly those elements that were commented on by the public to decide what elements we can pursue. Over this time, we are also going to work as hard as we can to bring the Back Creek CARP to fruition. I anticipate no more than two meetings this year unless more are needed to manage CARPs.
 - **2024** – Building on the work of the prior year and in accordance with the Path Forward from the 2022 Update work begins on looking at each actionable element of the state water plan and establishing who is responsible for what item and what metrics could be used to measure success for each actionable element. This will include working through logic models for each of the regional committees as well as the topic specific workgroups. I anticipate only two meetings this year as well.
 - **2025** – Workgroup formation will take place at the end of 2024 having identified key issues that will require further development in the upcoming plan as well as new areas of focus. Workgroups will be established and begin, with DEP, updating 2022 Plan documents, researching, and assessing the previous plan. This may also include drafting whole new documents as needed. This will require some more work from the committees, I am anticipating three meetings this year for each committee.
 - **2026** – This year will involve completing the regional components of the document and holding hearings to discuss them. We will be completing work on each of the workgroup contributions and compiling them toward the end of the year in preparation for the thirty-day public review period to begin at the end of the year. During this year the Statewide committee will have four meetings and the regional committees will require three, one of which will be a public hearing.
 - **2027** – With regional committee work completed and fresh feedback from the public we will revisit plan elements and consider any final edits to the plan before formally signing and completing it by the end of the year. In the final year, the statewide will have 2-3 meetings and the regions will have only one a piece.
- **Membership** is critical. We need to fill committees with new membership. Regional members serve for three-year terms. Statewide members serve four-year terms. When a term concludes members hold their spot until a replacement is found meaning there is no need to formally reapply for membership though if you would like to resubmit, you may. Skill set is not the only consideration. Regional committee

members must work or live within their respective region if applying for regional membership.

Committee members discussed the proposed implementation process by James and how this plan aligns with the Path Forward in the recently approved State Water Plan. Carol Collier stated she would like to see the IWRM work group continue their work. She also commented that during the 14 years the previous state water plan was in effect there was no analysis of changes and trends impacting water availability. She feels the workgroup committee should continue to work on IWRM concerns.

Kate Harper commented that she feels DEP's role should be to coordinate education and outreach and that Committee members should support the education and outreach activities. A regular email cycle sent to members informing them of outreach and education opportunities could be sent to all committee members and volunteers identified to support these activities.

Comments in Chat

- Information on committee vacancies can be found at
<https://www.dep.pa.gov/Business/Water/PlanningConservation/StateWaterPlan/Committees/Pages/default.aspx>
- Drew Dehoff SRBC - We here at SRBC are quite concerned about possible drought conditions!

Next Steps

Next meeting – October 18, 2023

Action and Next Agenda Items Identified by the Committee

- Committee leaders are willing to meet with the DEP Secretary to discuss how priorities of the state water plan can be advanced with the PA legislature.
- It is important for DEP and Committee members to be working on legislative and funding priorities now with the legislature before the adoption of the new fiscal year budget.
- Would like to have representatives from various DEP water departments in DEP participate in the Committee meeting and identify problems and challenges that should be addressed.
- Statewide Committee members feel the Statewide Committee has knowledge, expertise, and connections to move the state water plan forward and are willing to take an active role in education and outreach.
- Keep the IWRM work group intact and collaboratively work with DEP and other agencies on issues. Committee should prioritize the most important data sets.
- The financial disclosure documents link was included in James's last email. Disclosure statements are required for individuals in a decision-making role versus those who are included in advisory roles.

- Requests for DEP to keep committee members up to date on potential drought conditions in Pennsylvania. Sue Weaver stated the Drought Taskforce has not been convened but DEP is continuously tracking drought conditions.
- Committee members asked James to let them know of member openings on both statewide and regional committees and gaps that need to be filled.

The meeting was adjourned at 10:25 on a Sean Donnelly / Kate Harper motion.