



Delaware River Basin Commission

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Carol R. Collier
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 Deputy Executive Director

**MINUTES
 WATER QUALITY ADVISORY COMMITTEE
 SEPTEMBER 15, 2009**

ATTENDEES:

NY Not in attendance	DE DNREC (via telephone) Dave Wolanski
EPA Denise Hakowski, EPA Region III Izabela Wojtenko, EPA Region II	PA DEP (via telephone) Thomas Barron (Committee Vice-Chair)
NJ DEP Debra Hammond, Water Quality Standards & Assmt.	Academia Representative John Jackson, Stroud Water Res. Cntr. (Committee Chair)
Environmental Organization Representatives Maya van Rossum, Delaware Riverkeeper Network	Regulated Community Representatives Alfred Pagano, E.I. DuPont Mary Neutz, City of Wilmington (Alternate)
National Park Service Allan Ambler, Biologist	Local Watershed Organization Not in attendance
DRBC Jessica Sanchez, Basin Planner John Yagecic, Supervisor, Stds. & Assmt. Kenneth Najjar, Manager, Planning & Information Tech. Thomas Fikslin, Manager, Modeling, Monitoring & Assmt. Erik Silldorff, Aquatic Biologist, Stds. & Assmt. Ed Santoro, Monitoring Coordinator	Other Attendees: Colleen Arnold, City of Wilmington Jack Gibs, US Geological Survey Josef Kardos, Philadelphia Water Dept. Richard McNutt, Tidewater Gateway Partnership Bonita Moore, PA DEP (via telephone) Bart Ruitter, E.I. DuPont Larry Sandeen, Rohm and Haas Steven Segal, Tidewater Gateway Partnership

The meeting was called to order at 9:45 am by Committee Chair, John Jackson.

Approval of Agenda & Minutes

The agenda was approved by the committee.

Minutes from the July 21, 2009 meeting were approved by the WQAC with the following changes:

- **Approval of minutes:** (page 1) Information regarding 2010 Integrated Assessment shall read as follows: “The 2010 Integrated Assessment portion of the agenda was removed and a separate public meeting will be conducted; the WQAC, TAC, and MAC members will be invited.”

WQAC Practice and Procedures

A revised Practice and Procedures document was presented to the WQAC. The document was unanimously accepted with the following changes:

- **Membership** – 4th bullet shall be “the environmental community working on water quality issues in the basin.”
- **Meeting Frequency** – Delete “with the approval of the Executive Director.”

Action: Revise, finalize, and distribute Practices and Procedures document to WQAC.

Nutrient Management Measures (Erik Silldorff)

Interim Protective Measures

Erik Silldorff presented the WQAC with the following recommendations from the Nutrient Management Subcommittee:

Nutrient Management Subcommittee Recommendation	Subcommittee Vote
1. DRBC should require nutrient effluent monitoring for all appropriate point-source dischargers throughout the Delaware River Estuary Watershed (exclusive of basin above Trenton) by December 31, 2009	Unanimous
2. DRBC should work with the state permitting programs to address nutrients through their anti-degradation programs, with an evaluation of feasibility by March 31, 2010.	Unanimous
3. DRBC should develop and require technology-based nutrient limits for new point-source facilities	Majority (1 abstention, 1 against)
4. The DRBC should work with the Delaware Estuary states to update the non-point source loading estimates throughout the basin by March 31, 2010.	Majority (1 abstention)
Nutrient Subcommittee will reevaluate the interim protective measures program by June 30, 2010.	Unanimous

After discussions on each recommendation, the WQAC proceeded to vote on 2 issues:

The first issue: A motion that the WQAC vote on the recommended interim measures as a slate, rather than each individual measure. This motion was passed by a margin of 7 to 2.

The second issue: A motion to accept the recommended interim measures and present these recommendations to the Commission at the December 2009 meeting. This motion was passed by a margin of 8 to 1.

Members voting against either of these motions were advised that, according to the Practice and Procedures approved earlier in the meeting, they have the privilege of filing a minority report for consideration by the Commission. The voting record is included as Attachment 1.

Action: The WQAC Chair, John Jackson, will present the recommendations to the Commissioners at the December 2009 meeting.

Action: The WQAC also requested that the Nutrient Management Subcommittee report back by September 2010 on its evaluation of the Interim Protective Measures program.

Expert Panel

The WQAC discussed the development of an expert panel. Funding is one of the main issues of having an expert panel. For the Fisheries portion of the panel, DRBC anticipates needing funding of approximately \$50,000. The modeling portion will require funding of \$200,000 or more. The Riverkeeper Network discussed possible grant opportunities for the Fisheries portion.

Action: DRBC will meet with The Riverkeeper Network to discuss possible grant opportunities.

Other Business

Mr. Richard McNutt of Tidewaters Partnership addressed the committee regarding SPW designation in the Delaware Estuary and a mobile monitoring program called Shimadzu. This program and software makes available instant water testing/monitoring results. Mr. McNutt was also advised to present this information to the Monitoring Advisory Committee (MAC).

Meeting Adjournment

Meeting adjourned at 1:30 pm. The next WQAC meeting will be November 17, 2009, at 9:30 am, at the DRBC offices in West Trenton, NJ.

Attachment 1

**Voting Record for
Water Quality Advisory Committee Meeting
September 15, 2009**

1. **MOTION:** A motion that the WQAC vote on the recommended interim measures as a slate, rather than each individual measure. Motion was seconded.

Individual voting was as follows:

INTEREST GROUP	NAME	YES	NO	ABSTAIN
State of Delaware - DNREC	Dave Wolanski	X		
State of New Jersey – NJ DEP	Debra Hammond	X		
State of New York	Absent	***	***	***
Commonwealth of Pennsylvania – PA DEP	Thomas Barron	X		
U.S. Environmental Protection Agency	Denise Hakowski	X		
Academia representative	John Jackson	X		
Environmental Organization representative	Maya van Rossum	X		
Regulated Community representative	Alfred Pagano		X	
Regulated Community representative	Mary Neutz		X	
National Park Service representative	Allan Ambler	X		
Local Watershed Org. representative	Absent	***	***	***

RESULTS: Motion carried

YES VOTES = 7

NO VOTES = 2

ABSTAIN = 0

2. **MOTION:** A motion to accept the recommended interim measures and present these recommendations to the Commission at the December 2009 meeting. Motion was seconded.

Individual voting was as follows:

INTEREST GROUP	NAME	YES	NO	ABSTAIN
State of Delaware - DNREC	Dave Wolanski	X		
State of New Jersey – NJ DEP	Debra Hammond	X		
State of New York	Absent	***	***	***
Commonwealth of Pennsylvania – PA DEP	Thomas Barron	X		
U.S. Environmental Protection Agency	Denise Hakowski	X		
Academia representative	John Jackson	X		
Environmental Organization representative	Maya van Rossum	X		
Regulated Community representative	Alfred Pagano		X	
Regulated Community representative	Mary Neutz	X		
National Park Service representative	Allan Ambler	X		
Local Watershed Org. representative	Absent	***	***	***

RESULTS: Motion carried

YES VOTES = 8

NO VOTES = 1

ABSTAIN = 0