



SUSQUEHANNA RIVER  
BASIN COMMISSION

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NY ■ PA ■ MD ■ USA

June 22, 2022

TO ALL CONCERNED:

At the June 16, 2022, Commission meeting, the draft minutes of the March 17, 2022, Commission meeting minutes were approved as written. Please attach this notice to your copy of the March 17, 2022 minutes.



SUSQUEHANNA RIVER BASIN COMMISSION  
4423 N. FRONT ST.  
HARRISBURG, PA 17110

**MINUTES OF THE  
SUSQUEHANNA RIVER BASIN COMMISSION  
June 16, 2022  
#2022-02**

The meeting was held at the Maryland Department of the Environment, Baltimore, Maryland. Commission Chair Pinchasin called the meeting to order at 9:07 a.m.

**ROLL CALL**

**Commissioners Present**

*Dr. Suzanne Dorsey*, Deputy Secretary, Maryland Dept. of the Environment (MDE)  
*Ms. Lisa Daniels*, Acting Deputy Secretary, Pennsylvania Department of Environmental Protection (PADEP) via Conference Call  
*COL Estee S. Pinchasin*, U.S. Army Corps of Engineers, (USACE) Baltimore District  
*Ms. Diane English*, Chief, Water Quality Management, New York State Department of Environmental Conservation (NYSDEC) via Conference Call

**Other Commissioners and Alternate Commissioners Present**

*Mr. Matthew Rowe*, Assistant Director, Water and Science Administration, MDE

**Staff Present**

*Mr. Andrew D. Dehoff*, Executive Director  
*Mr. Andrew J. Gavin*, Deputy Executive Director  
*Ms. Marcia Hutchinson*, Director, Administration & Finance  
*Mr. Jason Oyler*, General Counsel and Secretary  
*Mr. Gene Veno*, Director, Governmental Affairs & Public Advocacy via Conference Call  
*Mr. John W. Balay*, Manager, Planning & Operations via Conference Call  
*Mr. Jamie Shallenberger*, Manager, Monitoring & Protection via Conference Call

*Mr. Jeremy Hoffman*, Manager, Compliance via Conference Call  
*Mr. Todd D. Eaby*, Manager, Project Review via Conference Call  
*Mr. Mike Sweitzer*, Systems Administrator, Information Technology  
*Mr. Curtis Sebastian*, Assistant Counsel via Conference Call  
*Ms. Stacey Hanrahan*, Communications and Outreach Specialist via Conference Call

**1. Opening Remarks**

Andrew Dehoff, Executive Director, preceded the opening of the meeting by offering some remarks commemorating the 50<sup>th</sup> anniversary of the Tropical Storm Agnes flooding and providing an update on Commission activities. Commission Chair Pinchasin formally opened the

meeting by outlining the rules of conduct for the meeting. She noted that a public hearing was previously held on May 5, 2022, and the written comment period was open until May 16, 2022. The Commissioners introduced themselves.

## **2. Executive Director's Report**

As noted above, Mr. Dehoff offered introductory remarks prior to the official convening of the business meeting.

## **3. Hydrologic Conditions Report**

Manager of Planning and Operations John Balay provided an update on hydrologic conditions in the Susquehanna River Basin during the last quarter.

## **4. Election of Officers**

At the end of each fiscal year, the Commission elects its officers for the upcoming fiscal year.

By motion of Commissioner Dorsey and seconded by Commissioner Daniels, the State of New York was elected Chair and the Commonwealth of Pennsylvania as Vice-Chair of the Commission with a unanimous vote, effective for the fiscal year beginning July 1, 2022.

## **5. Minutes of March 17, 2022, Commission Meeting**

On a motion by Commissioner Dorsey, seconded by Commissioner Daniels, the minutes of the regular business meeting of March 17, 2022 were unanimously approved as written.

## **6. FY2023 Budget Reconciliation**

Director of Administration and Finance Marcia Hutchinson presented Resolution 2022-01 adopting the proposed budget reconciliation for Commission Fiscal Year 2023, which will cover the period July 1, 2022 to June 30, 2023.

On a motion made by Commissioner Dorsey, seconded by Commissioner Daniels, Resolution 2022-01 (Exhibit A) was adopted unanimously.

## **7. Conowingo Watershed Implementation Plan Financing Authority**

Executive Director Andrew Dehoff shared that staff is currently working with member states to potentially develop agreements regarding the transfer, management and disbursement of funds targeted to projects in the Conowingo WIP and the process for soliciting, selecting and administering the projects. Any agreements developed were not ready for execution at this meeting, but staff expects to bring these agreements to a future business meeting. That being the case, Mr. Dehoff requested the Commission table this item.

On a motion made by Commissioner Dorsey, seconded by Commissioner English, the item was tabled by unanimous vote.

## **8. Contracts and Grants**

Director of Administration and Finance Marcia Hutchinson presented one grant agreement and three grant amendments for Commissioner approval.

### **a. Chesapeake Bay TMDL Grant (Pennsylvania Department of Environmental Conservation)**

Commission staff have been supporting TMDL development in Pennsylvania since 1999. Our role has evolved over the years, and now includes post-BMP-implementation monitoring, modeling of pollutant loading sources and their impacts, nutrient pollutant-reduction scenario models, and periodic updates to the inventory of pollutant-reduction opportunities identified in the Susquehanna River Basin. This grant amendment will continue the Commission's TMDL support. In FY-2023, efforts will focus on (a) supporting the multi-year Alternative Restoration Plan pilot in the extensively-impaired Chiques Creek watershed, and (b) assisting with evaluation and modeling in the Octoraro Creek watershed. This amendment adds one year of additional work and funding to the grant. PADEP will provide the total projected cost of \$159,000 for this project.

### **b. Chesapeake Bay Sediment & Nutrient Assessment Program (Pennsylvania Department of Environmental Protection)**

This grant amendment with the Pennsylvania Department of Environmental Protection (PADEP) will extend the grant for one year. The Commission's Bay Nutrient Monitoring Program and its Non-Tidal Network Monitoring Program are the backbone of the largest non-tidal monitoring programs in the Bay watershed. Staff will continue to collect, analyze and report New York, Pennsylvania, and Maryland non-tidal tributary monitoring data collected from 26 locations in the Susquehanna River Basin. Monitoring efforts include both monthly monitoring samples and targeted high flow water quality samples. PADEP will supply \$441,812 and SRBC will provide \$208,825 for a total projected cost of \$650,637.

### **c. Water Quality Protection and Pollution Prevention (U.S. Environmental Protection Agency)**

Through this grant, staff work to identify aquatic resources that are in need of protection or restoration and to coordinate with member state agencies on similar water resource management efforts aligned with the Clean Water Action Section 106 program. On-the-ground activities within the Basin include assessments and studies of small stream and large river systems, ongoing eel restoration efforts, dam removal impacts, abandoned mine restoration successes, and harmful algal bloom monitoring tools. Water quality, biological, and habitat data collected as part of these activities are provided to member state agencies and USEPA. Staff also coordinate source water protection efforts with member state agencies, assist member state agencies with data collection, use existing data as a resource to bolster new initiatives, and analyze data for climate change signals. Commission staff also participate in resource-agency sponsored programs, coalitions, and working groups, as well as public outreach and education events. This grant amendment extends the grant for one (1) year. USEPA will provide \$704,100 and SRBC will provide \$47,847 for a total projected cost of \$751,947.

**d. Surface Water Monitoring (Pennsylvania Department of Conservation and Natural Resources)**

This grant is a continuation of in-stream monitoring and related activities with the Pennsylvania Department of Conservation and Natural Resources (DCNR). Through this grant staff conduct monitoring at nine (9) sites located on Pennsylvania State forest and/or park lands. Monitoring is conducted using real-time continuous in-stream monitoring (CIM) equipment and through collection of grab samples and annual macroinvertebrate community surveys. During the first year of the grant staff will purchase and install needed equipment upgrades. The grant covers a five (5) year period starting July 1, 2022. DCNR will provide the total projected cost of \$170,000.

A motion was made by Commissioner Dorsey and seconded by Commissioner Daniels to ratify the grant agreement and the three grant amendments. The agreement and amendments were ratified with a unanimous vote.

**9. Revision of Commission By-Laws**

General Counsel Jason Oyler presented Resolution 2022-02 amending the Commission By-Laws. Chapter 4 – Budgets and Financial Procedures, is being amended to reflect the current schedule regarding adopting Commission expense budgets.

A motion was made by Commissioner Dorsey and seconded by Commissioner English to adopt Resolution 2022-02 (Exhibit B) amending Chapter 4 of the Commission By-Laws. The resolution was adopted unanimously.

**10. Water Resources Program 2022-2024**

Deputy Executive Director Andrew Gavin presented proposed updates to the FY2022-2024 Water Resources Program for adoption by the Commission in accordance with the requirements of the Compact.

A motion was made by Commissioner English and seconded by Commissioner Dorsey adopting the proposed updates to the FY2022-2024 Water Resources Program. The Resolution 2022-03 (Exhibit C) was adopted unanimously.

**11. Waiver Requests – 6-month Deadline for Submittal of Renewal Applications**

Cargill Meat Solutions Corporation, Newport Borough Water Authority, and Regents’ Glen Country Club have requested that the regulatory requirement for submittal of relevant renewal applications six months prior to expiration be waived.

With a motion by Commissioner Dorsey, seconded by Commissioner English, the staff recommendations were accepted in regard to these three requests.

## 12. Docket Actions

Project Review Manager Todd Eaby presented a staff memorandum containing details and recommendations regarding the following list of project applications:

1. Blackhill Energy LLC, Bradford County, Pa. (Exhibit D1)
  2. Village of Canisteo, Steuben County, N.Y. (Exhibit D2)
  3. Chesapeake Appalachia, L.L.C., Wyoming County, Pa. (Exhibit D3)
  4. Chesapeake Appalachia, L.L.C., Bradford County, Pa. (Exhibit D4)
  5. Chesapeake Appalachia L.L.C., Susquehanna County, Pa. (Exhibit D5)
  6. Corning Incorporated, Steuben County, N.Y. (Exhibit D6)
  7. East Cocalico Township Authority, Lancaster County, Pa. (Exhibit D7)
  8. Golf Acres, Inc., Berks County, Pa. (Exhibit D8)
  9. Hydrage, LLC, Schuylkill County, Pa. (Exhibit D9)
  10. Town of Kirkwood, Broome County, N.Y. (Exhibit D10)
  11. Lykens Valley Golf Course & Resort Inc., Dauphin County, Pa. (Exhibit D11)
  12. Municipal Authority of the Township of East Hempfield, Lancaster County, Pa.
  13. New Enterprise Stone & Lime Co., Inc., Huntingdon County, Pa. (Exhibit D12)
  14. New Enterprise Stone & Lime Co., Inc., Huntingdon County, Pa. (Exhibit D13)
  15. Patrick Hoopes Trucking, Inc., Potter County, Pa. (Exhibit D14)
  16. Repsol Oil & Gas USA, LLC, Bradford County, Pa. (Exhibit D15)
  17. Borough of Shrewsbury, York Co., Pa.
  18. Suez Water Pennsylvania, Inc., Cumberland County, Pa.
  19. SWN Production Company, LLC, Susquehanna County, Pa. (Exhibit D16)
  20. Vulcan Construction Materials, LLC, Harford County, Md. (Exhibit D17)
  21. Lebanon Valley College, Lebanon County, Pa. (Exhibit D18)
- Highlight** = Tabled

Commissioner Dorsey moved and Commissioner Daniels seconded a motion that the Commission adopt the recommendations of staff for the 20 project applications, including one out-of-basin diversion, one Commission-initiated approval modification and three tabled projects. The motion was approved unanimously.

## ADJOURNMENT

Commissioner Dorsey moved and Commissioner English seconded a motion to adjourn the meeting. Commission Chair Pinchasin adjourned the meeting at 9:55 a.m.

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September 15, 2022

Date Adopted

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Jason E. Oyler

Secretary to the Commission

