

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

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
March 14, 2024
#2024-01**

The meeting was held at the Susquehanna River Basin Commission in Harrisburg, Pa. Commission Chair Buchheister called the meeting to order at 9:00 a.m.

ROLL CALL

Commissioners Present

Ms. Bevin Buchheister, Deputy Secretary, Water Programs, Pennsylvania Department of Environmental Protection (PADEP)

Mr. Matthew Rowe, Asst. Director, Water & Science Administration, Maryland Department of the Environment (MDE)

Ms. Lauren Townley, Chief, Watershed Management and Planning Section, New York State Department of the Environment via Zoom

Other Commissioners and Alternate Commissioners Present

Ms. Susan K. Weaver, Program Manager, Interstate Water Resources Management Division, PADEP via Zoom

Ms. Suzanne Dorsey, Deputy Secretary, MDE via Zoom

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 Zoom

Mr. John W. Balay, Manager, Planning & Operations

Mr. Jamie Shallenberger, Manager, Monitoring & Protection

Mr. Todd D. Eaby, Manager, Project Review

Mr. Brydon H. Lidle, III, Manager, Information Technology

Mr. Jeremy Hoffman, Manager, Compliance

Mr. Curtis Sebastian, Assistant Counsel

Ms. Stacey Hanrahan, Communications and Outreach Specialist

Federal and State Advisors Present

Mr. Joe Chandler, Biologist-Study Manager, Planning Division, U.S. Army Corps of Engineers via Zoom

Mr. Hoss Liaghat, Chief, State Water Plan Section, PADEP via Zoom

1. Opening Remarks

Commission Chair Buchheister formally opened the meeting by outlining the rules of conduct for the meeting. She noted that a public hearing was previously held on February 1, 2024, and the written comment period was open until February 12, 2024. The Commissioners introduced themselves.

2. Executive Director's Report

Andrew Dehoff, Executive Director, gave a brief update on staff activities in the last quarter. Mr. Dehoff shared that SRBC recently released a groundbreaking Groundwater Recharge Study focused on groundwater recharge potential in over-utilized areas with limited water availability.

SRBC has also launched a Story Map highlighting the monitoring of stream impairments and water quality in the Octoraro Creek Watershed. Research on the effect of de-icing road salts on freshwater streams has revealed a decline in ecological conditions in sites with elevated chlorine levels. Staff will continue to assess the impact of de-icing road salt over the coming year.

Staff has also been monitoring developments related to the Federal Energy Regulatory Commission filings by York Energy Storage associated with the possible development of new pump storage hydroelectric facilities in York County, Pennsylvania. It will be the first new hydroelectric project since the Commission was formed in 1970. The Commission must play a role in this effort. SRBC is planning to coordinate with our partner agencies to ensure all interests of the resource are being addressed by making ourselves available as a resource to both the public and elected officials as to how the process works and their opportunity to engage in it. As the project advances, it must be considered in the context of SRBC's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

Input is being collected from our member partners to develop the Water Resources Program for the next three fiscal years. This input enables SRBC to establish priorities, develop responsible budgets, and align our collective efforts. In the coming months, this will be released to stakeholders so we can also collect their input.

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. Minutes of December 14, 2023, Commission Meeting

On a motion by Commissioner Rowe, seconded by Commissioner Townley, the minutes of the regular business meeting of December 14, 2023, were approved as written by a vote of 3-0.

5. Contracts and Grants

Manager of Administration and Finance Marcia Hutchinson presented one grant agreement to be ratified.

Grant Agreement: Morris Run Acid Mine Drainage Treatment Plant Construction Grant (Pennsylvania Department of Environmental Protection)

Since November 2019, the Commission has been working, through a grant awarded by PADEP Bureau of Abandoned Mine Reclamation (BAMR), to design an active treatment plant (ATP) that will treat mine drainage impaired water from the five largest discharges impacting the Tioga River.

The grant award for the construction of this plant is the largest that the Commission has ever received – a total of \$68,255,481. Funding will cover all costs associated with the installation of the conveyance system and construction of the plant. The budget includes construction management and oversight costs, provided by a certified construction management company and by Kleinfelder, Inc., who designed the plant. At the request of BAMR, six months of operation and maintenance costs are also included.

On a motion made by Commissioner Rowe, seconded by Commissioner Townley, the Commission ratified this grant agreement with a vote of 3-0.

6. Adoption of General Permit (GP-03) Cooperative Fish Nursery

General Counsel Jason Oyler presented General Permit GP-03 Cooperative Fish Nurseries (Exhibit A) and Resolution 2024-01 (Exhibit B) adopting the permit.

A motion was made by Commissioner Townley and seconded by Commissioner Rowe to adopt Resolution 2024-01, which adopts General Permit GP-03. The motion was approved to adopt General Permit GP-03 via Resolution 2024-01 by a vote of 3-0. The General Permit will become effective as of June 1, 2024.

7. Motion to Release Proposed Rulemaking for Procurement Procedures for Public Comment

Mr. Oyler presented a draft of a rulemaking. Mr. Oyler asked for approval to release this draft to the public for comments before bringing the rulemaking before the Commission for adoption at a future meeting. This rulemaking would amend the regulations of SRBC to provide rules for agency procurement and bid protest procedures. This rulemaking also updates the general policies of the Commission to include climate change and environmental justice considerations, revises the procedures for adopting the comprehensive plan, and adds language memorializing the Commission's Dry Cooling Resolution.

By a motion made by Commissioner Rowe and seconded by Commissioner Townley, staff was approved to release this draft rulemaking to the public for comment by a vote of 3-0. The draft rulemaking will be released for at least a 45-day public comment period.

8. Docket Actions

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

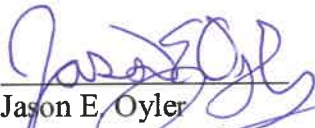
1. ADLIB Resources, Inc., Susquehanna County, Pa. (Exhibit C1)
 2. Beech Resources, LLC, Lycoming County, Pa. (Exhibit C2).
 3. Cherokee Pharmaceuticals, LLC, Northumberland County, Pa. (Exhibit C3)
 4. Chesapeake Appalachia, L.L.C., Wyoming County, Pa. (Exhibit C4)
 5. Chesapeake Appalachia, L.L.C., Bradford County, Pa. (Exhibit C5)
 6. Conestoga Country Club, Lancaster County, Pa. (Exhibit C6)
 7. Dauphin County General Authority, Dauphin County, Pa. (Exhibit C7)
 8. East Cocalico Township Authority, Lancaster County, Pa.
 9. East Hempfield Township, Lancaster County, Pa. (Exhibit C8)
 10. Golf Enterprises, Inc., York County, Pa. (Exhibit C9)
 11. Greater Hazleton Community-Area New Development Organization, Inc., Luzerne County, Pa. (Exhibit C10)
 12. Greylock Production, LLC, Genesee Forks, Potter County, Pa. (Exhibit C11)
 13. Greylock Production, LLC, Pine Creek, Potter County, Pa. (Exhibit C12)
 14. Hegins-Hubley Authority, Schuylkill County, Pa. (Exhibit C13)
 15. Keystone Potato Products, LLC, Schuylkill County, Pa. (Exhibit C14)
 16. New Enterprise Stone & Lime Co., Inc., Luzerne County, Pa. (Exhibit C15)
 17. New Holland Borough Authority, Lancaster, Pa. (Exhibit C16)
 18. Newport Borough Water Authority, Perry County, Pa.
 19. Post Consumer Brands, LLC, Columbia County, Pa. (Exhibit C17)
 20. PPG Operations, LLC, Clearfield County, Pa. (Exhibit C18)
 21. Rich Valley Golf, Inc., Cumberland County, Pa. (Exhibit C19)
 22. Seneca Resources Company, LLC, Tioga County, Pa. (Exhibit C20)
 23. Shadow Ranch Resort, Inc., Wyoming County, Pa. (Exhibit C21)
 24. Sugar Hollow Water Services, LLC, Susquehanna County, Pa. (Exhibit C22)
 25. SWN Production Company, LLC, Susquehanna County, Pa. (Exhibit C23)
- Highlight = Tabled

Commissioner Townley moved, and Commissioner Rowe seconded a motion that the Commission adopt the staff recommendations for the 25 project applications, including two tabled projects. A vote of 3-0 approved the motion.

ADJOURNMENT

Commissioner Rowe moved, and Commissioner Townley seconded a motion to adjourn the meeting, which passed with a vote of 3-0. Commission Chair Buchheister adjourned the meeting at 9:36 a.m.

June 13, 2024
Date Adopted


Jason E. Oyler
Secretary to the Commission