

**CAPITAL REGION WATER BOARD (CRWB)**  
Minutes of May 21, 2008 Board Meeting  
City of Lebanon Water Authority – Lebanon, PA

Meeting called to order at 11:10AM.

Everyone in attendance introduced themselves. Present were:

Roger Karsnitz, CRWB  
Hoss Liaghat, PA DEP  
Walter Lyon, CRWB  
Marshall Goulding, CRWB  
Edward McCarney, Dauphin County Planning Commission  
John Seitz, York County Planning Commission  
Jon Beers, City of Lebanon Authority  
Jeff Hines, York Water  
Susan Boynton, Administrative Staff

Minutes of the March 19, 2008 Board meeting were reviewed; no changes were requested.

**Motion/Second:** Roger Karsnitz/Edward McCarney  
**Motion (passed):** To approve the March 19, 2008 minutes as presented.

**TREASURER'S REPORT**

Marshall Goulding reported on the membership dues payments received and deposited to date. A check from the City of Harrisburg had been received and was given to Susan Boynton for deposit to Commerce Bank account.

Marshall noted that a sufficient time had passed for other members to have paid their dues and requested a second dues statement be mailed by certified return mail return receipt to members who had not paid.

Marshall has reviewed past financial records and found no irregularities with the entries. Marshall reported that the physical transfer of the checkbook had not occurred and that he would schedule a meeting with John Hollenbach to initiate the transfer.

**UNFINISHED BUSINESS**

After a brief discussion of the response letter received from the PA DEP concerning staffing shortages, Walter Lyon and Marshall Goulding indicated they would collectively formulate a follow-up response.

Marshall Goulding provided a review of HB2266 and indicated he would provide printed copies for the next Board meeting. Walter Lyon noted that he did not see any concerns with the provisions of the Bill, but indicated it was one more addition to the plethora of dozens of conflicting and contradictory laws that govern land and water management in Pennsylvania.

Walter reminded the Board that it had on 5/16/02 sponsored a workshop with regional planning agencies which highlighted the problem of multiplicity of conflicting land and water laws; and on 5/15/05 at a public hearing presented the problem to the Lower Susquehanna Regional Advisory Committee with the recommendation that in connection with the implementation of Act 220 a draft Pa Land and Water Management Code be prepared.

The Board found that DEP did not prepare a summary of the testimony at this hearing nor did the Advisory Committee develop an agenda item or discussion of this recommendation by the Capital Region Water Board.

It is important to point out that this topic has been discussed at two National Workshops of the AWRA In 2006 and 2007 and that other states are beginning to address this problem.

### **NEW BUSINESS**

Marshall Goulding indicated that he provided 'personal' testimony at the SRBC hearing on Consumptive Water Use Mitigation fees. He noted that he felt conflicted, as he was identified with the CRWB. Marshall reported that most people are concerned with the magnitude of the overall proposal.

Walter Lyon discussed his viewpoints on the program and noted that he felt the program was under funded. He submitted his testimony as an individual; not representing the CRWB. The program proposed rate increases from \$.14 to \$.28, which were to be deposited into an escrow account. Marshall Goulding indicated he would draft a letter on behalf of the CRWB regarding support of the proposed program.

**Motion/Second:** Walter Lyon/Edward McCarney

**Motion (passed):** That the CRWB support the Consumptive Water Use Mitigation Fee program.

(Jeff Hines of York Water Company abstained from voting. Hoss Liaghat also abstained from voting; he indicated that he did not know the PA DEP's position on this issue.)

Walter Lyon discussed the SRBC 2008 Water Resources Program, which he noted is available on the web. Walter recommended the CRWB closely review the content of the document and subsequently share and submit the Board's comments in writing at the Commission's hearings. John Seitz encouraged the Board to comments on the SRBC's 15-year Comprehensive Plan. Marshall encouraged everyone in attendance to review the new 2008 Water Resources Program document. Walter also noted that the SRBC has authority to regulate groundwater; and that the PA DEP does not have this authority.

The next item to be reported on by Walter Lyon was the Chesapeake Bay Tributary Strategy (CBTS). He indicated that he has further researched related documents and facts and believes that the CBTS lacks credibility and is not based on sound , scientific facts. He noted that the EPA Chesapeake Bay Program is based on a voluntary partnership, comprised of Maryland, Pennsylvania and Virginia legislators, that provide advice to the Legislatures. Walter believes that the Washington-Baltimore metropolitan area is the major source of Bay pollution. Walter's findings, with respect to the nutrient issue, are that the USGS states the reduction to be due to the ban of phosphates from laundry detergents and modifications in municipal waste treatment plants. Walter believes that the reductions are due to the reduction in acres being farmed and the growth in No-Till farming, as well as other farm conservation measures. The Chesapeake Bay Commission stated that the Commonwealth of PA should reduce phosphate levels by 40%. Current data indicates the Commonwealth has achieved a 30% reduction. Further findings include:

Walter's believes that the oxygen sag is below Baltimore due to pollution from the Baltimore area and that one of the hot spots for fishing in PA was in the Susquehanna (as reported by the Fishing Commission). It was noted that the Susquehanna is the only Bay tributary with a sampling location at the mouth of the stream; all others are tested upstream of the major pollution sources. It was noted that there was a rent event of a Chladophera algae bloom on the Susquehanna north of Harrisburg. Walter recommended that the CRWB begin communicating the scientific and legal credibility of the CBTS to all appropriate organizations.

In other new business, Walter Lyon reported that a model land and water code may be an appropriate step for the Commission to include in its Comprehensive plan. Walter suggested the CRWB invite attorneys to future Board meetings to include in the discussions of this topic.

Marshall Goulding noted the next CRWB Board meeting would be held on July 16, 2008 at a location yet to be determined. Marshall thanked John Beers for hosting the May meeting at the Lebanon Water

Authority building and for providing a tour of their new facilities. He noted that the Board would like to meet at the Lebanon facility again in September or November. The September meeting of the CRWB is scheduled for the 17<sup>th</sup> and will most likely be in Harrisburg.

The Board meeting and lunch (graciously provided by the Lebanon Authority) adjourned at 12:15; a tour of the Lebanon Water Supply Treatment Plant followed.