
WUC

Water Utility Council of the
PA-Section, American Water
Works Association (PA-AWWA)



GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

200 North 3rd Street ♦ Suite 1500 ♦ Harrisburg, PA 17101 ♦ Phone: 717-232-5322 ♦ Cell: 717-574-3963 ♦
Erik A. Ross, Associate ♦ www.millirongoodman.com

Harrisburg, PA

Erik@millirongoodman.com

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*PA- Section, American Water Works Association
National Association of Water Companies
Water Works Operators' Association of Pennsylvania*

DRBC Lifts Basinwide Drought Watch - Commission Urges Water Efficiency and Compliance with State-Issued Drought Watches and Warnings

On January 18, 2017, the Delaware River Basin Commission (DRBC) announced the termination of its drought management special permit in effect since Nov. 23, 2016, when the basin was placed in a drought watch.

"Due to recent precipitation and snow melt, combined storage in three large upper basin reservoirs has achieved and sustained a sufficient level for five consecutive days to result in automatic termination of the basinwide drought watch," said DRBC Executive Director Steve Tambini.

"Although upper basin reservoir storage has rebounded in recent weeks automatically ending the drought watch operations, other indicators such as groundwater levels, stream flows, precipitation, soil moisture, and local reservoir storage have not all recovered," said Tambini. "As a result, various state-issued drought watches and warnings based on

those indicators remain in effect across most of the basin."

"DRBC continues to urge all water users to maximize water efficiency wherever possible and to fully cooperate with requests by the basin states to curb water use where drought watches and warnings have been issued based on local conditions," added Tambini. "The importance of a coordinated response by all water users cannot be overstated."

The DRBC's primary drought management objective, which complements the basin states' drought response efforts, is to provide for conservation of regional reservoir storage for purposes of water supply and flow augmentation in the Delaware River and salinity control in the Delaware Estuary (i.e., the tidal river and bay).

The upper basin reservoirs which determine DRBC drought stages are located in the Catskill Mountains at the headwaters of the Delaware River in New York State. These three New York City reservoirs provide about half of the city's water supply and support a minimum flow target in the Delaware River at Montague, N.J. established by the U.S. Supreme Court Decree of 1954. Storage, releases, diversions, and flow targets in the DRBC drought management plan are determined in advance and must have the unanimous concurrence

of the parties to the decree, which include the four basin states and New York City.

Combined storage in the three upper basin reservoirs had been as low as 39.3% of capacity in late November 2016. The reservoirs are currently at about 58% of capacity, which is approximately 70 billion gallons below normal for this time of the year.

By transitioning out of the drought watch stage, out-of-basin diversions to New York City and portions of New Jersey established by the decree will return to normal levels. In addition, the Delaware River flow objective at Montague and a second flow objective at Trenton, N.J. will also return to the normal targets of 1,750 cubic feet per second (cfs) and 3,000 cfs, respectively.

The purpose of the Trenton flow objective is to control the movement of the "salt line" or "salt front" in the tidal Delaware River. Adequate freshwater flowing downstream is needed to repel the upstream migration of "salty" or "brackish" water from the Delaware Bay to keep it away from drinking water intakes serving residents in Philadelphia and New Jersey, as well as industrial intakes along the river.

As of Jan. 16, thanks to increased downstream flows, the salt front was located at river mile 73, which is four miles upstream of the normal January location. The salt front reached river mile 90 in late November-early December, which was well above the normal location but still 20 miles downstream of water supply intakes in Pennsylvania and New Jersey.

"Cooperation from the states, from New York City, and from water users and managers has been effective during the basinwide drought watch period," said Tambini. "Although recent trends in storage volume and the location of the salt front have been positive and DRBC is required to move from 'drought watch' status back to 'normal' status, the volume of water in the reservoirs and other indicators suggest additional cooperation and water efficiency are still needed."

The DRBC is a federal/interstate government agency responsible for managing the water

resources within the 13,539 square-mile Delaware River Basin without regard to political boundaries. The five commission members are the governors of the basin states (Delaware, New Jersey, New York, and Pennsylvania) and the commander of the U.S. Army Corps of Engineers' North Atlantic Division, who represents the federal government.

More information, including links to basin state drought pages, updates about water resource conditions, and water savings tips, can be found via the links on the right.

Source: DRBC Press Release, 1/18/2017

EPA Awards \$12.7 Million to Assist Small Drinking Water and Wastewater Systems

EPA awarded \$12.7 million in grants to help small drinking and wastewater systems and private well owners. Water systems staff will receive training and technical assistance to improve operations and management practices, promote system sustainability, and better protect public health and the environment.

More than 97 percent of the nation's 157,000 public water systems serve fewer than 10,000 people, and more than 80 percent of these systems serve fewer than 500 people. Many small systems face unique challenges in providing reliable drinking water and wastewater services that meet federal and state regulations. These challenges can include a lack of financial resources, aging infrastructure, and high staff turnover. Since 2009, EPA has provided \$95 million in technical assistance grants to assist small drinking water and wastewater systems and private well owners.

Learn [more](#).

Source: Water Headlines from EPA, 1/19/2017

EPA Administrator Gina McCarthy Highlights

Progress Made Towards Protecting America's Waters

By Gina McCarthy, EPA Administrator

There's no doubt that we've made tremendous progress in recent years. During President Obama's administration, we've funded water infrastructure that provides essential public health services. We've dramatically reduced pollution in our nation's waterways. We've also strengthened the resilience of our water sources as utilities and communities prepare to withstand the threats of climate change.

To highlight the progress we've made in the water sector, EPA unveiled an interactive story map. I encourage you to explore the story map to see how EPA made a difference in your community. Also, please be sure to read about the advancements we've made through common-sense regulations, support for communities, investments in projects, and support for innovation and technology, all in a way that will carry us forward.

Read [more](#).

Source: Water Headlines from EPA, 1/19/2017

EPA Updates Human Health Benchmarks for Pesticides in Drinking Water

EPA has updated its Human Health Benchmarks for Pesticides in drinking water to reflect the latest scientific information. The benchmarks are levels of certain pesticides in drinking water or source waters for drinking water at or below which adverse health effects are not anticipated from one-day or lifetime exposures.

First developed by EPA in 2012, the benchmarks are intended to be used for informational purposes by states, tribes, water systems and the public to help interpret monitoring data for pesticides for which there are no drinking water standards or health advisories.

These revised benchmarks incorporate updated toxicity assessments from the pesticide registration process and exposure assumptions derived from the EPA's Exposure Factors Handbook.

Learn [more](#).

Source: Water Headlines from EPA, 1/19/2017

EPA Releases Sampling Guidance for Unknown Contaminants in Drinking Water

EPA released an updated version of its Sampling Guidance for Unknown Contaminants in Drinking Water. The guidance provides procedures for conducting routine and baseline monitoring in response to a triggered event and sampling in support of remediation or decontamination efforts. It brings together recommendations for collecting, storing, preserving and transporting samples of potentially contaminated water. It also provides recommendations to support the detection and identification of many types of contaminants in drinking water. This guidance can be used to support routine sample collection, in response to a contamination incident or during remediation or decontamination efforts.

The recommendations provided in this guidance are not mandatory and may be modified and leveraged as needed to meet the needs of individual utilities, responders and laboratories. The recommendations provided in this document are intended to aid coordination between the utility, emergency response and laboratory communities during the response to a contamination incident.

Learn [more](#).

Source: Water Headlines from EPA, 1/19/2017

EPA Releases Guidance for Sampling and Field Testing

During Water Contamination Incidents

To aid drinking water utilities in preparing for sampling and field testing that could occur during water contamination incidents, EPA released, "Guidance for Building Field Capabilities to Respond to Drinking Water Contamination." The guidance outlines basic and advanced field response activities and also provides information pertaining to staffing, quality assurance, and other procedures. Additionally, the document contains useful resources; downloadable and customizable report forms and templates; supplemental information on the application; and relative costs of field testing instrumentation and test kits.

Learn [more](#).

Source: Water Headlines from EPA, 1/19/2017

EPA to Host Green Infrastructure Best Practices Webinar Jan. 25

EPA will be hosting a webinar on January 25th at 3:00pm (ET) to cover one of the best practices from the 2015 end of year report. Region 6 will be presenting on how they revitalized a Main Street corridor with green infrastructure.

Join [here](#).

Source: Water Headlines from EPA, 1/19/2017

Bradford named chairman of State Government Committee

State Rep. Matt Bradford will serve as the Democratic chairman of the House State Government Committee during the 2017-18 session, according to Democratic Leader Frank Dermody.

"I'm honored to be asked to lead this important committee and I look forward to getting to work quickly on a wide array of issues," Bradford said. "I also hope to work with the majority chairman to promote productive discussions among all committee members."

Bradford noted the committee handles many hot-button issues such as voting rights, discrimination, redistricting, government reform, lobbying disclosure, state agency procurement and labor agreements, campaign finance and election laws.

"Many of the questions considered in the State Government Committee come down to protection of people's most basic rights. I'm committed to standing up for what's right," Bradford said.

"This is a new role for Matt on a key legislative committee," Dermody said. "I know he's well prepared for it and will provide valuable leadership."

Bradford, an attorney, has served in the House since 2009 and represents the 70th District which includes Norristown, East Norriton and Worcester townships, and part of Plymouth Township.

Source: Rep. Dermody Press Release, 1/19/2017

DRBC: Amendments to the Rules of Practice and Procedure Concerning Regulatory Program Fees and to the Basin Regulations – Water Supply Charges Concerning Rates

The Delaware River Basin Commission announced they have amended its Rules of Practice and Procedure and Basin Regulations—Water Supply Charges to adopt a new project review fee structure and provide for automatic inflation adjustments. The full regulation is available in the Pennsylvania Bulletin.

Questions should be directed to Richard C. Gore, Director of Administration and Finance, 609883-9500, ext. 201.

Source: PA Bulletin, [1/21/2017](#)

DCNR: Community Conservation Partnerships Program Grants Available

The Department of Conservation and Natural Resources announced the 2017 open application period for the Community Conservation Partnerships Program Grants will be from January 23, 2017 to April 12, 2017 at 4 p.m. Applications will be accepted from eligible municipalities and nonprofit organizations.

For application instructions and further details, visit <http://www.dcnr.state.pa.us/brc/grants> . For assistance with applying online, contact Grants Customer Service Center, (800) 326-7734, DCNR-Grants@pa.gov .

Source: PA Bulletin, [1/21/2017](#)

DEP Offers Funding for Stormwater Management Projects

The Pennsylvania Department of Environmental Protection (DEP) is offering grants up to \$200,000 to local entities in the Chesapeake Bay watershed for stormwater management projects that implement best management practices (BMP) to reduce the amount of nutrients and sediment pollution in local waterways.

The program is available to counties, cities, boroughs, townships, incorporated towns and municipal authorities. Stormwater projects must be located in Blair, Cumberland, Dauphin, Franklin, Lackawanna, Lancaster, Lebanon, Luzerne, Lycoming and York counties.

"The department continues to work toward one of the top goals of this administration: improving local water quality and ultimately cleaning up the Chesapeake Bay," said DEP Acting Secretary Patrick McDonnell. "This grant program achieves that by offering financial assistance to local governments that share in that goal and they are encouraged to apply as we work together in this important environmental initiative."

Read [more](#).

Source: DEP News, 1/20/2017

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This newsletter provides general information, not legal advice as to any specific matter. It should not be used as a substitute for appropriate legal advice.