



Wild & Scenic White Clay Creek

Ours to *enjoy*. Ours to *protect*.

White Clay Creek Wild and Scenic Program Steering Committee Meeting Minutes

June 11, 2014, 1pm -3pm

New Garden Township Building, 299 Starr Road, Landenberg PA 19350

Attendees:

John Starzmann	Jane Waggoner	Marion Waggoner	Jeff Buler
Rick Mickowski	Al Wright	Susan Staats	Mark Schroeder
James Leitner	David Hawk	Katie McFadden	Kristen Travers
John Jackson	Erin McCormick	Jake Michael	John Goodall
Wes Horner	Martha narvaez	John Theilacker	Jerry Kauffman
Don Peters	April Schmitt	Beth Burnam	

Introductions: Shane noted that Beth Burnam will be replacing Wes Horner (who is retiring the end of June) and will be transitioning into John Theilacker's position on the Steering Committee. Additionally, Sue Staats was introduced and will be replacing Nick McFadden as the superintendent of White Clay Creek State Park and assuming Nick's position on the Steering Committee. Katie McFadden, a West Chester University student, was introduced as our new summer intern. She will be partnering with the Delaware Nature Society's summer intern on conducting stream sampling throughout the White Clay.

March Minutes were approved.

Second Quarter 2014 Statement of Financials.

Shane reviewed the \$4,664 Natural Lands Trust (NLT) invoice from June 2012. This invoice was partially paid back in June of 2012 and the second installment was not paid until May 2014 after being notified by NLT. These funds were available in the WCWA Open Space Budget Line. Shane also highlighted that this year alone, we have received over \$3000 in Delaware Taxpayer contributions to the White Clay Restoration Funds. At the next Restoration Subcommittee meeting we will discuss how to spend these funds, of which we currently have just over \$8,000.

Announcements

Certified Wildlife Habitat talk by Lori Athey at the Newark Library on Tuesday June 17 at 7:00pm. Delaware Nature Society is still in need of 29 residential gardens for certification in Newark to obtain the Community Habitat Certification points needed.

Local plants - summer program, hosted by April Schmitt (Friends of the PA Preserve) Saturday July 26, 1-3pm, meet at PA Preserve Office (rain date July 27) This is the second class in a four part series.

Presentation:

William Penn Foundation Support of New Riparian Buffer Ordinances and Municipal Assistance presented by Wes Horner and John Theilacker.

As part of the Brandywine Cluster, the Brandywine Conservancy was awarded William Penn Funding to develop and promote a voluntary model ordinance for protection riparian buffers. In short, trees are the tool being promoted as the best management practice to minimize impacts to water quality and water quantity. The newest science shows that streams are major processors of nutrients, and buffers can help filter out nutrients while also aiding in improving stream habitat. Forested Pennsylvania streams are broader and shallower than their unforested counterparts with more bottom area to support stronger biotic systems. The goal of William Penn Foundation is to convince as many municipalities to adopt this ordinance and put the science to work.

Currently, under Chapter 102, special protection waters (HQ, EV) have an established forested buffer requirement of 150 feet. The Conservancy would like to protect the additional nonclassified PA streams. Specifically, non HQ, non EV, blue streams (unimpaired) would be required to have a 100' buffer with a no disturbance area of 50' from the creek (zone 1) and another 50' area (zone 2) with only 20% allowed disturbance; whereas a red stream (impaired) would be required to have a 150' buffer. This ordinance would apply to all undeveloped and re-developed land, and commercial and agricultural permits requiring any type of zoning approval. Single-family buildings would be exempt from the reforestation requirement, but subject to the set back and zoning requirements. Wetlands and marsh areas would have a 50' buffer requirement. There is discussion with PA DEP to give municipalities credit for adopting the new ordinance. More information can be found on the Brandywine Conservancy's website and the PALTA (Pennsylvania Land Trust Association) website.

New Business for Discussion:

The projected budget for FY2014 is \$99,000*

**This was reduced by \$4,000 by NPS on 6.12.14 - the new budget is \$95,000*

Shane noted the difficulties in establishing the budget under the new Cooperative Agreement rules. David Hawk and Shane will be meeting with Julie following the Steering Committee Meeting to discuss how to close out the old cooperative agreement budget and move forward with the cooperative agreement while simultaneously complying with the new rules.

Shane brought up the need to plan for the future, in particularly the need to review and discuss the operating structure of the Wild and Scenic Program. She briefly summarized the Strategic Planning Document (finalized in March 2013) highlighting the areas of weaknesses and the areas of strength. She pointed out that we have made progress in reaching some of the goals set forth from the planning such as being more present in the Pennsylvania municipalities and project implementation, but that we are still vulnerable with one funding source. She suggested merging the Steering Committee with the

Watershed Board since there is overlapping membership to work together more on planning, fundraising, and reinvigorating new and existing membership. Shane will send out a survey to the existing board members of both W&S and WCWA to gather both the pros and cons of 'merging' boards so we can accomplish more and grow as a viable non-profit. She will summarize the feedback and add this as a topic of discussion at the September Steering Committee Meeting.

Subcommittee Reports

Education/Outreach

- Martha noted the 'Christina Basin Education Group' met twice this past winter/spring with an attendance of about 20-30 stakeholders. She is waiting to hear back from DuPont about the Clear Into The Future grant, which we applied for to get seed funding for the initial marketing and research strategy.
- Shane reported no new information regarding the planned Christina River Basin Symposium to be held at WCU (Fall 2014), but also noted that the Delaware River Basin Coalition is planning to host it's 2nd annual watershed forum on October 21-22 in Bethlehem, PA.
- Shane reported that two schools were awarded educational programming at Stroud. Transportation was provided as part of the educational award. Fourteen students from Maclary Elementary (Newark, DE) and 52 students from Holy Angels (Newark, DE) attended a 4.5 hour stream study at Stroud Water Research Center on separate dates this past spring. Shane also noted that Tara Muenz is the new Stroud educator replacing Christina Medved.

Research and Restoration

- Shane reminded the Committee that the final Freshwater Mussel Report was submitted by PDE (Partnership for the Delaware Estuary) late March and is posted to the website. In summary, 119 mussels were deployed in the White Clay and 81 survived the first year (68% bed retention).
- Shane reported that we are continuing bacteria monitoring at 12 sites this summer. There are 4 new sites needed to complete the watershed assessment by PA DEP in which both fecal coliform and *E. coli* will be sampled. PA DEP has also offered to fund qPCR testing at selected sites to help determine what the bacteria source and all fecal coliform analyses. All twelve sites will be tested for *E.coli* and paid for with Wild and Scenic funding. Our intern, Katie McFadden, has borrowed a probe from Delaware Nature Society to record additional parameters such as conductivity and temperature. Time permitting she and the intern from DNS, James Leitner, will also do a macroinvertebrate sampling at each of the 12 sites.

- Shane reported no new news on the Chester County Conservation Districts proposed Grassed Waterway and Level Spreader; they are still awaiting news from the NFWF grant, as the project is contingent upon that funding.
- Martha reported that Jerry met with a representative from the Philadelphia Water Department to discuss linking into the existing Source Water Alert System for the Delaware Basin.
- Martha noted that the WRA along with The Nature Conservancy (DE chapter) is using William Penn Foundation funding to work on baseline feasibility study of funding options for watershed projects. They met with their advisory panel in May to go over some of the potential options. This will be a yearlong process and they plan on including more stakeholders in the discussion once they have more information.
- Martha noted that they have permission to remove the dam at Delaware Park, but will have to wait for golf season to end before starting construction. This should take place some time after Labor Day 2014.

Open Space (Land Preservation and Recreation)

- John Goodall noted that the property they were working on easing in London Grove Township this past 18 months fell through. The landowners felt it was not what they wanted to do at this point in time and pulled out of the agreement just before signing, accruing \$5000 in expenses that will be pursued by the County. However, the owner of a 100 acre parcel North of the farm that we helped close last year is now interested in easing their property.
- John G. also noted that he has been in conversations with Tom Hubbard about combining open space conservation with cryptosporidium restoration projects. Wes H. stated that he met with Tom H. to ID specific projects in conjunction with open space conservation that would have maximum crypto benefit specifically targeting farming operations involving cattle. They may have a candidate in the headwaters of the East Branch in London Grove Township.
- Jake reported that the Western PA Conservancy Survey indicated several sensitive habitat areas in Southern Chester County so the mapping will be delayed until October. Jake plans to tie in the new trail mapping of Chester County with information he can obtain from Delaware (DNREC). Jake will also be working on reviewing municipal natural resource ordinances in the White Clay throughout the summer.
- Don Peters noted that there would be a workday this weekend planned at the site of the old Hendrickson House in New Garden Township. Shane noted that there is an @3000 square foot area where the house once stood that needs to be cleared of existing debris and replanted. She and Don will meet on site to discuss. Don also noted that the New Garden Open Space Review Board is working on two additional easements in the White Clay multi-municipal trail loop.
- Phil G. reported that 127 acres slated for commercial development and high density residential off of Rt. 896 in Franklin Township were preserved under

agricultural easement. He noted that 25% of Franklin Township is now preserved open space.

Management Plan Coordinator Report

- Attendance at Creek Fest was up to 1300 (up 300 from last years estimate). We also had 4 food trucks, 5 vendors, 25 exhibitors, and 6 sponsors (including Matt Slap Subaru, White Clay Fly Fishers, Friends of White Clay Creek State Park, and United Water. The new hike down to the creek was also well attended with about 20 individuals present.
- Two rain basins at Goddard Park in London Grove Township were planted on May 17 with volunteer labor. Both basins were @ 5600 sq. ft. combined. 112 flats of plants totaling \$6500 were purchased and installed with funds from DNREC (\$5000) and United Water (\$1500). The City of Newark donated 50 cu. yd. of leaf mulch to London Grove Township for the project. London Grove Township supplied the labor to prep the basins and was on site the morning of the planting to predrill holes, and water in the plants. The plugs were planted with the assistance of 70 volunteers. Shane and Claudia West (Northcreek Nurseries) will host a workshop on July 9 (9am-noon) entitled 'Plant based solutions to stormwater management'. The workshop will be held at London Grove Township Building and neighboring townships (and volunteers), as well as HOAs in London Grove Township will be invited to attend.
- New Garden Township has a newly formed Communications Committee of which Shane Morgan is a founding member. The digital newsletter will provide information to township residents including a section devoted to watershed information and stormwater issues in every quarterly issue. The inaugural issue will be published this summer. The first watershed article is entitled 'What's in your watershed?' and is intended to educate residents about their watershed address, as well as the national status of the White Clay. It will link back to our website pointing to 10 simple things residents can do to improve water quality. This quarterly publication will help township meet is MCM 1&2 requirements for public education and outreach contained in their NPDES permit requirements.
- The Curtis Mill signage has been completed and sent out to the printer. The sign will be placed at the site of the new park in Newark, DE by the end of the summer. The renewed logo for the White Clay Wild and Scenic Program has also been updated, and we are moving forward with developing a graphic ID for the watershed to be used on all print and web based publications.
- We still have not received the final Growing Greener Grant contract for the New Garden Park restoration project.
- Shane provided a brief summary on the status of the proposed Artesian well in New Garden Township. In January, Steve Allaband contacted Shane about the well. He explained the existing township ordinances, which Artesian would be violating if they were to export water out of the township or erect a commercial pumping station. The land is currently zoned residential and a pumping station is not an approved land use. Furthermore, the Township has a Water Exportation

Ordinance that does not allow for water to be withdrawn and exported out of the Township.

Shane followed up with calls to the DRBC (Delaware River Basin Commission) and they were not aware of any new status on the project since no application had been filed. Furthermore, the DRBC noted that they only regulate quantities of >100,000gpd (It is suspected that Artesian will be pumping >100,000gpd). Shane spoke with a representative from the PA DEP (John Fabian) and they too have not received an application from Artesian, but will be involved with permitting should they receive one since the PA DEP regulates potable drinking water. Shane also spoke with Jan Bowers of the Chester County Water Resources Authority (CCWRA) and Jan Bowers is following up with USGS and the DEP geologist assigned to well.

To date, a pump test was performed in April 2014 (an NPDES permit was obtained from DEP to conduct the pump test only). A pump test is conducted before a permit application can be filed. The analysis of the pump test is not complete and will be made public to the New Garden Board of Supervisors first.

Shane had a phone conference with John Thaeber, Joe DiNunzio, and Joanne Rufft (of Artesian) about their intentions. Their intentions are to use the water from this well for existing development in New Garden Township currently being served by water from Delaware, and new undeveloped parcels in the area. Shane presented this information at the May 8, Save Our Water meeting in which 70 people attended. Denis Newbold (of Stroud) was present and is willing to review the application if and when it is submitted. Shane suggested a public forum at the Township with all parties when there is an application to review. She noted that the Wild and Scenic Steering Committee does not hold any regulatory authority, but suggested we could make recommendations to DEP based on the pump test and the application. Shane noted that Tom Zawislak also had a conversation with Artesian in which Artesian noted that they are estimating a total withdrawal of 150,000 gpd.

Marion and Jane Waggoner of Save Our Water were present to provide the latest update from their group. At this point they are up to 950 signatures on their petition to urge DEP to oppose Artesian Water's application (should an application go forward). John T. suggested working with State representatives to voice opinion to DEP. Marion stated that they have the support of Andy Dinniman and are working on getting Chris Ross. Jerry K. pointed out that the water currently being provided to the existing New Garden Township development is coming from Delaware and that the township has no problem with importing water from other areas. Julie B. noted that as a signatory to the MOU between the National Parks Service and the White Clay Watershed Association, the PA DEP should follow the guidance in the Watershed Management Plan and take our feedback into consideration.

River Manager Report

- Julie updated the Committee about the Partnership Wild and Scenic Rivers (PWSR) Conference held on April 10-11 in Beach Lake, Pennsylvania along the Upper Delaware. Representatives from all the Northeast Region PWSRs were present as well as National Park Service staff. Representatives of each Partnership River presented information on their particular river, and presented challenges as well as accomplishments to the group. Shane noted that she found this conference extremely beneficial in terms of networking with other Partnership Rivers and learning about their successes and challenges.
- Current/Open Section 7 Reviews:
 - Julie noted that there is a road embankment stabilization project that National Park Service is reviewing in Franklin Township off of Creek and Chesterville roads. The applicant is requesting funding from FEMA and the area in need of stabilization is 50' away from any tributary to the White Clay, hence this is not a Section 7 review. The area of concern is subject to flooding and erosion during heavy rain events. It was noted that this area is a migratory corridor for the bog turtle.
 - The Park Service reviewed and approved a project located on the CDG Goddard School property years ago, but work never began and the permit expired. Now the permit applicant wants to begin work on Valley Road in Hockessin to upgrade the road and access to the property. This is currently being reviewed at DNREC. DNREC is likely to request some changes to the original proposal.
 - The National Park Service couldn't issue a determination on the Metro Business Park (Newark, DE) property because of a lack of information. The Army Corps withdrew the permit application and the applicant is planning on doing additional surveys of the property to get more information on critical habitat and whether state species of concern are using the area.