

DELAWARE CLEAN WATER ADVISORY COUNCIL
 ADVISORY COUNCIL TO THE
 DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

QUARTERLY NEWS

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DELAWARE CLEAN WATER COUNCIL HONORS DEPARTING CHAIR—JOSEPH J. (BUTCH) CORRADO, SR.

The Delaware Clean Water Advisory Council and the citizens of Delaware are indebted to Chairman Joe Corrado's dedication to the wise and efficient use of federal, state and municipal funds to plan, design, and construct new and improved wastewater and surface water management infrastructure throughout Delaware.

Recognized as an innovator in the fields of construction and real estate development for well over 30 years, Joe has been a member of the Delaware Clean Water Council since its creation in 1995.

Appointed Chair in 1998, Joe inspired the Council and DNREC's Division of Water Resources' support staff with that same innovation and energy. Under his leadership the Council approved over \$222 million in loans and grants to upgrade and replace outdated municipal wastewater treatment and disposal systems with state of the art treatment technology.

As Chair, Joe encouraged the Council to approve the combination of the State's share of EPA revolving loan funds with other agricultural cost share funds to



implement non-point source best management practices. Delaware became

Continued Pg 3

ROGER ROY -NEW CHAIR OF CLEAN WATER COUNCIL

The Clean Water Advisory Council welcomes former Representative Roger Roy as it's newly appointed Chairman. He was appointed by Governor Ruth Ann Minner on March 27, 2007 and approved by the Senate. Representative Roy served as a member of Governor Minner's Task Force on Surface Water Management in 2005.

Representative Roy served as a member of the Delaware General Assembly from 1976 thru 2006 when he elected to retire after 30 years of service. In his capacity as a member of the General Assembly, Roger Roy concentrated many of his efforts in the area of

technology, transportation and infrastructure finance.

Rep. Roy, who was instrumental in the deregulation of utility company rates in Delaware, has co-chaired the Capital Bond and Infrastructure Committee since 1984 and served as both a member and chair of the House Transportation Committee from 1977 to 1996.

Since 1996 until his retirement he chaired the Telecommunications, Internet and Technology Committee. In addition Mr. Roy was named to the Information Services Task Force by Governor Ruth Ann Minner in 2001, which made the recommendations



to create a new Department of Technology & Information (DTI).

Roger Roy's legislative experience does not stop

Continued Pg 3

2007 CLEAN WATER ADVISORY COUNCIL MEETINGS

Delaware Clean Water Advisory Council meetings are held the third Wednesday of each month or as necessary at Delaware Technical and Community College-Terry Campus, on South DuPont Highway in Dover at 9a.m. Meetings are open to the public.

- July 18, 2007
- August 15, 2007
- September 19, 2007
- October 17, 2007
- November 14, 2007
- December 19, 2007

INSIDE THIS ISSUE:

FINANCE OPTIONS	2
CORRADO, CON'T	3
ROY, CON'T	3
COUNCIL HISTORY	3
COUNCIL MEMBERS	4
SUBCOMMITTEES	4
COUNCIL ROLE	4

WASTEWATER FUNDING NEEDS

Based on the Council's projections, the Dialogue determined that \$84 million in State funded grants and loans will be needed from 2007 to 2011 to ensure Delaware's citizens access to effective and affordable wastewater treatment. Annualized, this gap is estimated at \$16.8 million per year.

STORMWATER FUNDING NEEDS

The Dialogue estimated existing, current capital funding annually from the 21st Century Fund, miscellaneous funding, and current local funding, at \$11 million. Thus, the gap is estimated at between \$13.5 million to \$30.5 million annualized. This range occurs because of the preliminary nature of the research and the uncertainty as to the number of projects these entities can implement within a specific time given their limited resources.

Dialogue Participants

Lt. Governor John Carney
 Representative Roger P. Roy
 Mayor Robert Mooney
 Sec. John A. Hughes
 Lee Ann Walling
 Tom Cook
 Joseph J. Corrado, Sr.
 Josef A. Burger
 David W. Singleton
 David Baird
 Robert McCleod
 Robert Stickels
 Kash Srinivasan
 Jennifer Cohan
 Lorraine Fleming
 Richard Heffron
 Steven Lefebvre
 John H. Taylor, Jr.
 Tom DeLormier
 Jeff Bross

OPTIONS FOR WATER INFRASTRUCTURE FINANCING

In the fall of 2005 the Delaware Public Policy Institute (DPPI) was asked to convene a policy dialogue on financing wastewater and stormwater infrastructure for the 21st Century to help guide and provide new ideas to the Administration, the Department of Natural Resources and Environmental Control (DNREC), and the Clean Water Advisory Council (the Council) in discharging their responsibilities. The goal of the dialogue was recognition of the need to identify predictable sources of funding for both wastewater and surface water and within that statewide need, addressing regional differences in both needs and resources.

With the assistance of Lt. Governor John Carney, Chair of the Livable Delaware Advisory Council, the Governor's Office, and DNREC staff, DPPI organized and convened a policy dialogue of stakeholders from across the state.

The Dialogue was organized around three key questions:

- ◆ *What are the current and future statewide challenges facing wastewater and stormwater infrastructure?*
- ◆ *Is a dedicated, longer-term funding source for wastewater and stormwater infrastructure needed?*
- ◆ *If such a funding source were established, what mechanisms might be used to provide those funds?*

DIALOGUE RECOMMENDATIONS

The Dialogue developed the following recommendations, organized for their intended audience and in order of priority. The Council assigned a ranking of H-High, M-Medium, L-Low, C-Completed, and Y-Multi-year at its December 13th, 2006 meeting.

RECOMMENDATIONS TO THE STATE OF DELAWARE

A1: (High) - The State of Delaware should establish a dedicated source of statewide wastewater and stormwater funding.

A2: (Completed) - The State of Delaware should rename the Stormwater and Wastewater Advisory Council (SWAC) the Clean Water Advisory Council (CWAC).

A3: The State of Delaware should, in consultation with the Division of Public Health, Office of Drinking Water, reallocate \$5 million in allocated funds for drinking water infrastructure for financing wastewater and stormwater infrastructure projects.

A4: (High) - The State of Delaware should optimize leveraging of existing capital funds and Revolving Loan Fund repayment streams. This includes leveraging the Water Pollution Control Revolving Fund as well as cross collateralizing the Water Pollution Control Revolving Fund and Drinking Water Revolving Fund – and any future dedicated funding sources

A5: (Medium) - The State of Delaware should establish funding that is adequate and predictable from Abandoned Properties collections dedicated to wastewater and stormwater infrastructure. These funds should be, if possible, leveraged for additional capital bonding abilities.

A6: (High) - The State of Delaware should consider establishing a statewide builder's permit fee.

A7: (Low) - The State of Delaware should consider establishing a statewide clean water fee.

RECOMMENDATIONS TO THE CLEAN WATER ADVISORY COUNCIL (CWAC) AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

B1: (Medium, Multi-Year) - The Clean Water Advisory Council shall provide for and DNREC should develop detailed watershed plans for all of Delaware's waters.

B2: (High) - The Clean Water Advisory Council shall encourage and provide for increased education on stormwater management.

B3: (Medium) - The Clean Water Advisory Council should review and refine projected stormwater infrastructure capital and operations and maintenance funding gaps.

B4: (High) - The Clean Water Advisory Council should detail the public benefit provided by its funding assistance to counties and municipalities.

B5: (Low) - The Clean Water Advisory Council should continue to fund projects related to on-site wastewater systems, when appropriate.

RECOMMENDATIONS TO MUNICIPALITIES AND UTILITIES

C1: (High) - Counties and Municipalities should review their current impact and other fees related to development of growth-related wastewater and stormwater infrastructure.

C2: (Medium) - Stormwater utilities should be created and implemented, when possible, to provide for a consistent, coordinated, clear, comprehensive and funded approach to stormwater management.

C3: (High) - Delaware's wastewater utilities should be, to the greatest extent possible, self-supporting.

The Dialogue was facilitated by Patrick Field of the Consensus Building Institute.

OUTGOING CWAC CHAIRMAN CORRADO, CONTINUED

the first state in the nation to use EPA revolving loan funds in this way. The Council expanded its management of non-point sources to include leaking underground storage tanks and the repair & replacement of failing on-site septic systems for individuals with limited resources.

Under Joe's leadership, Council accomplishments included commitment and support to improving municipal wastewater infrastructure planning by means of a matching planning grant program and the development and implementation of the Council's wastewater project

evaluation criteria incorporating total maximum daily load (TMDL) priorities, State Investment Strategies and Livable Delaware priorities while tallying measurable reductions in nutrients. The Council uses these criteria as its basis for establishing Delaware's annual wastewater "Project Priority List".

A forward thinker, Joe successfully advocated offering additional grant funds to publicly-owned wastewater treatment plants if the latest wastewater treatment technologies were installed to eliminate additional funding requests when future permit

limits change. This grant offer was used first by the town of Laurel which enabled it to be the first community in the 64,000 square mile Chesapeake Bay Watershed to meet much lower nutrient limits adopted by Maryland, Virginia, District of Columbia, Pennsylvania, New York, West Virginia and Delaware as part of the Chesapeake Bay Tributary Strategies.

More recently, Chairman Corrado oversaw the expansion of the Council's membership, roles and responsibilities. In response to recommendations from the Governor's Surface Water Task

Force, the Council was expanded from 7 to 12 members in 2005 and given additional responsibilities. The new tasks include providing guidance to State agencies in improving customer service and reviewing local work plans and policy advice to Governor Minner and DNREC's Secretary Hughes in the statewide effort to develop funding options related to drainage, stormwater management and flood control; and standardizing processes and procedures for identifying and putting priorities on watershed-based solutions.

INCOMING CWAC CHAIRMAN ROY, CONTINUED

with the Delaware Legislature. Through multiple national organizations he has worked with legislatures throughout the country. Rep. Roy served as a member and past chair of the National Conference of State Legislators (NCSL's) Transportation

Committee. He is also past chair of the Eastern Region of the Council of State Governments (CSG) and past Chair Elect of CSG's Executive Committee. Rep. Roy also served on the American Legislative Exchange Council (ALEC's) Telecommunica-

tions & Information Technology Task Force.

In the private sector Mr. Roy serves as Executive Director of the Transportation Management Association of Delaware. In addition, he is Senior Director of Government Relations for The Burriss

Firm. In 1992 Mr. Roy retired as Budget Director of the Information Services Department from E. I. DuPont de Nemours. He received a BA in mathematics from the University of Maine.

HISTORY OF THE CLEAN WATER COUNCIL

July 1994

Legislation signed into law creating a Wastewater Facilities Advisory Council to serve in an advisory capacity to the Governor, the Secretary of DNREC and the Director of Water Resources.

January 1995

Michael Sprague, P.E. was appointed the first Chairman of the Council.

May 1998

Joseph Corrado, Sr., president of Corrado-American was appointed Chairman.

April 2005

Governor Minner's Task Force on Surface Water Man-

agement issues report in response to Executive Order No.62.

August 2005

Governor Ruth Ann Minner announced the implementation of key recommendations from the Surface Water Management Task Force – including almost \$1 million in funding, three new positions and the signing of related legislation. One of those bills was House Bill 239, which expands the existing Wastewater Facilities Advisory Council to include responsibilities relating to stormwater management, drainage and flood control. The expanded council provided guidance and policy advice in Statewide efforts to develop funding

options for capital and maintenance programs and a more effective and coordinated response to surface water problems. The seven-member council expanded to twelve members and was renamed the Wastewater Facilities and Surface Water Management Advisory Council.

Fall 2005

Delaware Public Policy Institute (DPPI) convened a policy dialogue on wastewater and stormwater infrastructure financing to help guide and provide new ideas to the Administration, DNREC, and Council.

June 2006

The Council was renamed the

Clean Water Advisory Council.

Between 1998 and 2006, Council approved over \$222 in grants and loans to update outdated wastewater systems with state of the art technology.

January 2007

Joseph Corrado ended his term as Chairman.

March 2007

Former State Representative Roger Roy was appointed as Chairman of the Clean Water Advisory Council.

DELAWARE CLEAN WATER ADVISORY COUNCIL
*ADVISORY COUNCIL TO THE
DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL*

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**CLEAN WATER
ADVISORY COUNCIL
SUBCOMMITTEES**

The Advisory Council has assigned four subcommittees. All subcommittees meet on an as needed basis and report back to the full Advisory Council. Subcommittee meetings are open to the public

- ◆ **Wastewater**
Chair: **Lee Beetschen**
- ◆ **Surface Water**
Chair: **Jeff Bross**
- ◆ **Public Outreach**
Chair: **Andrew Manus**
- ◆ **Finance**
Chair: **David Singleton**

**CLEAN WATER
ADVISORY
COUNCIL MEMBERS**

1. **Roger P. Roy, Chairperson**
Appointed: March 27, 2007
2. **Jeffrey M. Bross, P.E., Vice-Chairperson. – New Castle County**
Appointed: March 14, 2002
Expiration: March 16, 2008
3. **Lee Beetschen, P.E. – Kent County**
Appointed: June 25, 1995
Expiration: June 28, 2008
4. **Gary L. Burcham – Delaware Institute of Planning and Design**
Appointed: November 8, 2005
Expiration: November 8, 2008
5. **Josef A. Burger, (Andy) – Conservation Districts**
Appointed: August 29, 2000
Expiration: March 16, 2008
6. **Manubhai (Mike) Karia – No Affiliation**
Appointed: June 25, 1997
Expiration: June 28, 2008
7. **Andrew T. Manus – The Nature Conservancy**
Appointed: November 8, 2005
Expiration: November 8, 2008
8. **Brian M. McGlinchey – City of Wilmington**
Appointed: November 8, 2005
Expiration: November 8, 2008
9. **Christopher M. O’Keefe – ACEC**
Appointed: November 8, 2005
Expiration: November 8, 2008
10. **David W. Singleton – Delaware Association of Counties**
Appointed: November 8, 2005
Expiration: November 8, 2008
11. **Robert L. Stickels – Sussex County**
Appointed: March 27, 2007
Expiration: June 24, 2007
12. **Michael R. Wyatt**
Appointed: March 27, 2007
Expiration: November 8, 2008

ROLE OF THE CLEAN WATER ADVISORY COUNCIL

The Delaware Clean Water Advisory Council, formerly the Wastewater and Surface Water Management Advisory Council is authorized and established in Delaware Code Title 29, Chapter 80 in 1994.

In 2005, legislation was passed by the General Assembly to expand the membership and responsibilities of the Council to include surface water management issues. The current Advisory Council’s name is reflective of the broader mission it addresses today and was changed by legislation in 2006.

The Council serves in an advisory capacity to the Governor, the Secretary of the DNREC and the Directors of the Divisions of Water Resources and Soil and Water Conservation in matters related to wastewater and surface water management issues.

In the wastewater area, Council evaluates, establishes, recommends and adopts a long-term plan for funding wastewater facility capital projects that shall cover a period of not less than 6 years. This plan is updated annually and is incorporated into DNREC’s

annual capital budget request to the Governor. A copy of this adopted plan is submitted to the members of the General Assembly on or before November 15 of each year.

In the surface water management area, the Council assists the Governor and DNREC to develop funding options for capital and maintenance programs related to drainage, stormwater management and flood control.

The Council provides additional assistance to DNREC in the establishment of a central response unit to handle public calls related to drainage, stormwater and flood control. The Council also is assisting DNREC in the development and evaluation of criteria for watershed-based plans for surface water management. This plan may include options for private-public partnerships for infrastructure improvement and regional solutions.

The Council is composed of 12 members appointed by the Governor with the advice and consent of the Senate. The Governor designates the Council chairperson who serves an unlimited term at the pleasure of the Governor.

The Advisory Council includes at least one member who is a resident of New Castle County, one who is a resident of Kent County, one member who is a resident of Sussex County, and one member who is a resident of the City of Wilmington.

The Advisory Council includes at least one representative of the following organizations: the Delaware Association of Conservation Districts, the Delaware League of Local Governments, the American Council of Engineering Companies, the Delaware Institute of Planning and Design, and a not-for-profit environmental organization. Those members registered in either major political party shall not exceed the other majority party by more than one. At least four of the members shall have technical or financial expertise in wastewater facility issues.

The term of each member, excluding the chairperson who serves at the pleasure of the Governor, is three years. Members of Council are not full-time employees of the State of Delaware and serve without compensation.