

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

**FOURTH QUARTER 2017
BUSINESS MEETING
AUGUST 29, 2017**

**ICPRB LOCATION
LOWER LEVEL CONFERENCE ROOM**

DRAFT MINUTES

CALL TO ORDER: Chairman Sussman called the Fourth Quarter 2017 Business Meeting to order at 9:33AM on August 29, 2017. The following Commissioners, staff, and guests were in attendance for all or part of the meeting.

Commissioners

West Virginia

Patrick Campbell (Alt. Commissioner)

District of Columbia

Tiffany Potter (Alt. Commissioner) Conf Call
Annemargaret Connelly (Alt. Comm) Conf Call

United States

Robert Sussman (Chair, Commissioner)
Darryl Madden (Commissioner)

Maryland

Robert Lewis (Commissioner)
Virginia Kearney (Alt. Commissioner)
Aruna Miller (Commissioner)
Nancy Hausrath (Alt. Commissioner)

Virginia

Scott Kudlas (Alt. Commissioner)
Paul Holland (Alt. Commissioner)

Pennsylvania

Jennifer Orr (Alt. Commissioner)
Ronald Stanley (Commissioner)

Staff and Guests

Staff

Robert Bolle (General Counsel)
Bo Park (Dir, Administration)
Curtis Dalpra (Communications Manager)
Claire Buchanan (Dir, Program Operations)
Cherie Schultz (Dir, COOP Operations)
Heidi Moltz (Assoc Dir, Water Resources)
Zachary Smith (Aquatic Ecologist)

Guests

Valerie Cappola (USACE, NAD)
Heather Cisar (USACE, Baltimore)
Chris Kimple (for D. Moul, PA)
Kristin Rowles (Policy Works)
Mark Masters (Policy Works)
Greg Prelewicz (Fairfax Water)
Steve Walz (MWCOG)
Lisa Ragain (MWCOG)
John Wirts (WV, DEP)

Chairman Sussman recognized the commissioner changes that took place in the last couple weeks. Mr. Campbell will be retiring and will be replaced by Mr. John Wirts, effective September 1. Commission presented Mr. Campbell with a gift for his service. Mr. John Wirts was welcomed with an ICPRB pin. Ms. Nancy Hausrath was appointed by Maryland as an Alternate to Aruna Miller, effective June 1, 2017. Ms. Hausrath was welcomed with an ICPRB pin. Mr. Brock Bierman informed the Commission on August 24 that he is officially resigning from the Commission. In his absence from the meeting, he was recognized for his service to the Commission with a gift that will be sent out to him.

ADOPTION OF AGENDA: A couple of items were added to the agenda, Commissioner Changes after the Roll Call and the Election of FY18 Officers as a first item under New Business. **Commissioner Lewis made a motion to approve the agenda, which was seconded by Commissioner Madden. All were in favor.**

June 6, 2017 DRAFT MINUTES: Commissioner Brakel (in absence and in advance) asked for a modification on page 2, second paragraph to read, “Commissioner Brakel added that there also is a broader question of whether the ICPRB should more systematically review and comment publicly on major proposed infrastructure projects with interstate and basin-wide ramifications, when appropriate. Article II (E) of the 1970 Compact explicitly empowers the Commission to do this, at its discretion, for any plans relating to water or associated land resources. The Advisory Committee for the Comprehensive Plan discussed this issue, but has not come to any final conclusion.” This paragraph is to replace, “Commissioner Brakel added that there also is a broader question on the role of ICPRB taking on an interstate basin-wide look at major infrastructure projects to determine a mechanism for a systematic approach to assess the impact on the basin caused by those projects. The Commission as written in the Compact has the authority to respond to such basin-wide projects. In the context of the Comprehensive Plan, this issue was discussed and that the Comprehensive Plan could be a platform to address such projects.” **Commissioner Kudlas made a motion to approve the Minutes with the changes, which was seconded by Commissioner Orr. All were in favor.**

EXECUTIVE DIRECTOR’S REPORT

Ms. Park summarized the ED report found in Tab 6, Attachment 1.

- There were no staff changes in the last quarter.
- There were three commissioner changes as mentioned earlier.
- **Grants and Contracts:** There were several contracts that were executed.
 - MDE awarded a contract for MS4 Data Assembly for \$30k, which was executed in June and is expected to be completed in November.
 - A contract was executed with Worldview, who has a contract from VA DEQ, to convert existing water quality standards spatial dataset to higher resolution. ICPRB is providing quality assurance checks on the water quality standards spatial dataset developed by Worldview. That contract amount is for \$25k, ending in December.
 - There was a reduction of \$11k in the current EPA 106 grant due to Congressional rescission of the FY17 EPA appropriation. This amount is reflected in the budget amendment to be discussed at this meeting.
 - An application for FY18 for the EPA 106 grant was submitted for \$645k.
 - There were three letters of agreements between ICPRB and the COE, Baltimore District: 1) Comprehensive Plan; 2) Review of Jennings Randolph Lake Water Control Plan; 3) LFAA Review. The three agreements require ICPRB to provide 50% of the cost as in-kind contribution. These agreements end on September 30.
- **Financial Report:** As of July 31, the ICPRB contingency reserve account remains intact and has a balance of \$587,864. The general account contains approximately \$1.16M. The signatory dues are up-to-date. The accounts receivables are current. Referring to the Income Statement, Ms. Park commented that the negative net amount of \$354k was due to the EPA 106 grant not releasing funds to ICPRB until August. Since then, the Commission was able to bill against the grant.
- **FY2018 Staff Holidays and Meeting Dates:** The FY2018 meeting dates have been set in conjunction with Susquehanna River Basin Commission and Delaware River Basin Commission. The staff holidays and meeting dates are listed in Tab 6, Attachment 3 of the meeting book. The next ICPRB meeting is set for December 5.
- **Project Status Summary:** The project reports are in Tab 7 of the meeting book.

UPDATE ON LOW FLOW ALLOCATION AGREEMENT (LFAA) AND WATER SUPPLY COORDINATION AGREEMENT (WSCA) REVIEWS:

Chairman Sussman noted that the Commission is involved in an independent review of both agreements. On the LFAA agreement, funding sources have been secured from the signatories of the LFAA: US, MD, DC, VA. The Executive Committee met yesterday to meet with a leading candidate and to approve the action to proceed with a contract for the review of the LFAA for \$60k. At the conclusion of the interview, a decision was made to contract with the John Cruden Group.

On the WSCA, an agreement among the water utilities does not cover Loudoun Water, which is becoming a large water supplier in the metropolitan area. Loudoun has an interest in becoming a member of the COOP, but for that to occur, a re-examination of the cost-share formula is required. The water utilities have formed a workgroup to address possible changes in the WSCA agreement, including Loudoun Water. The first meeting will be held on August 31.

Commissioner Kudlas noted efforts made to appoint a Low Flow Allocation Agreement Moderator, which has been vacant for some time. The moderator can intervene to ensure that the agreement is implemented. As governing parties, the signatories to the LFAA ensure that there is an individual in that role. The governing parties have come up with a number of candidates that were systematically evaluated. A candidate was selected, and the paperwork necessary for final signoff is being circulated. A new moderator should be in place in 30-60 days. Mr. Burrell added that it is the District of Columbia's turn, in rotation, to appoint a standby moderator. That person has been appointed.

NEW BUSINESS

Election of FY2018 Officers: Commissioner Kearney reported that the committee included commissioners Orr and Kudlas. With P. Campbell retiring and considering the upcoming needs of the Commission, the committee recommends H. Karimi as Chair, as DC is next in line, and V. Kearney as Vice Chair. **Commissioner Kearney made a motion to elect H. Karimi as Chair and V. Kearney as Vice Chair. Commissioner Kudlas seconded the motion with all in favor.**

FY2017 Budget Amendment #5: Ms. Park gave an overview of the budget amendment #5. A revised budget (from the version in the meeting book) was handed out as an error was found in one of the projects. The changes in the budget mainly reflect an adjustment as the fiscal year is coming to an end. The overall change in the revenues is a decrease of approximately \$59k. In the expenditures, salary and wage changes are due to staff being on an extended leave. The overall change in the expenditures is a decrease of approximately \$67,600. The net change in the budget from the last amendment is \$8,690.

Commissioner Stanley made a motion to approve the budget, seconded by Commissioner Madden. All were in favor.

Comprehensive Plan Discussion: Dr. Moltz and Ms. Rowles from Policy Works presented a progress report on the development of the Comprehensive Plan. The report consisted of information gathered from the Advisory Committee and the challenges that need to be answered. Any discussions and suggestions made by the commissioners will be used to direct the next step in the Comprehensive Plan development.

Chairman Sussman suggested creating an ad hoc group with interested commissioners. After the next Advisory Committee meeting, the group would hear about the feedback from the meeting and receive other relevant documents to ensure deeper involvement by the Commission. Ms. Rowles concurred that a follow up conference call with interested commissioners would be beneficial. Currently, five commissioners serve on the Advisory Committee.

Commissioner Kearney made a motion to establish an ad hoc committee to focus on development of the Comprehensive Plan and provide a mechanism for positive and constructive feedback to the Advisory Committee in the shaping of the final report. Commissioner Madden seconded the motion. All were in favor.

Chairman Sussman asked for volunteers to be involved in the ad hoc group. Commissioners Kearney, Holland, Lewis, Kudlas, Stanley, and Sussman volunteered.

Ms. Rowles noted that federal agency involvement in the process has taken a similar approach as the first meeting of the federal agencies hosted by ICPRB. A second meeting took place at the Advisory Committee meeting and third is through the COE's assistance to the states. The COE has been collecting information on how the federal agencies can support the Comprehensive Plan. **Ms. Cisar added that the COE has put together some forms, taking a similar approach as SRBC, to identify the challenges and specify what the federal agencies are doing in the basin. The forms will be coming from ICPRB. Ms. Cisar will follow up with Carol Cain to see if she can participate in the ad hoc group as well.**

MWCOG Water Supply Resiliency Study: Mr. Steve Walz, Director of Environmental Programs, MWCOG gave a presentation on the COG's Water Supply Planning and Resiliency Study. The study was conducted with other regional partners including water utilities and ICPRB. The purpose of the study is to evaluate the region's water systems to withstand emergencies and identify improvements for overall resilience and reliability of water supply.

Long Term Water Quality Trends in Region 3: Dr. Buchanan and Mr. Zachary Smith, gave a presentation on water quality trends in EPA Region 3 (mid-Atlantic).

The ICPRB staff assembled and analyzed ambient water quality data from non-tidal stream and river stations for long-term trends in the region. The purpose was to evaluate the broad-scale direction of water quality trends since the 1970s, when the Clean Water Act, Clean Air Act, and other pollution-related legislation were enacted by the US Congress. Water quality parameters selected for study are those important to aquatic life and influenced by anthropogenic disturbance. Data were downloaded from the [STORAGE and RETRIEVAL \(STORET\) Legacy Data Center](#) and the [Water Quality Portal](#) (WQP).

ICPRB identified more than 800 sites in Region 3 with records for one or more water quality parameters collected in the 44-year period between 1972 and 2015. The risks inherent in drawing conclusions about water quality trends from set time periods, with uneven data densities and spatial coverage, using data with sometimes unknown quality, eventually dissuaded ICPRB staff from applying anything more than a step-trend analysis to the data. This simple trend method clearly showed the significant progress that has been made in accomplishing the 1970s legislative objectives.

An interactive, flexible online "data explorer" was developed using a variety of visualization tools. The intention was to help future analysts and decision-makers evaluate watershed-specific changes in land and water uses as they affect water quality. Users would be able to explore the data characteristics at individual monitoring sites, review seasonal patterns, and actual and flow-normalized time series in the data, and decide for themselves if connections should be made to management actions.

FOR THE GOOD OF THE ORDER

Commissioner Madden commended the staff for a refresh on the ICPRB logo.

Commissioner Campbell gave a farewell message to the Commission, commending the commissioners and staff. He encouraged the Commission to continue its mission as best as it could.

ADJOURNMENT: Commissioner Kearney made a motion to adjourn the meeting at 12:47 PM, which was seconded by Commissioner Madden. All were in favor.

Minutes Draft By: Bo Park, Director, Administration