

**INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN
FIRST QUARTER BUSINESS MEETING FY2025**

DECEMBER 17, 2024

**VIRTUAL MEETING
ROCKVILLE, MD**

DRAFT MINUTES

CALL TO ORDER: Executive Director Michael Nardolilli called the Business Meeting to order at 9:45am on December 17, 2024. The following Commissioners, staff, and guests attended the meeting in whole or in part.

Commissioners

District of Columbia

Willem Brakel, Commissioner
Tiffany Potter, Commissioner
Steve Saari, Commissioner
James Tsai, Alt. Commissioner
Kimberly L. Jones, Alt. Commissioner
Hamid Karimi, Alt. Commissioner

Maryland

Birthe Kjellerup, Commissioner
Catherine McCabe, Commissioner
Lee Currey, Alt. Commissioner

Pennsylvania

William Willis, Commissioner
Sue Weaver, Alt. Commissioner
Chris Kimple, Alt. Commissioner

United States

Robert Sussman, Commissioner

Virginia

Kathy Tran, Commissioner
Paul Holland, Commissioner
Scott Morris, Commissioner
Mark Peterson, Alt. Commissioner

West Virginia

Mindy Neil, Alt. Commissioner

Staff

Michael Nardolilli, Executive Director
Cherie Schultz, Dir. CO-OP Operations
Heidi Moltz, Dir. Program Operations
Mike Selckmann, Assoc. Dir. Aquatic Habitats
Laurel Glenn, Dir. Administration
Renee Bourassa, Dir. Communications
Alimatou Seck, Sr. Water Resources Scientist
Sarah Ahmed, Sr. Water Resource Engineer Analyst
Serena Moncion, Outreach Program Manager
Lily Bedwell, Administrative Coordinator
Renee Thompson, Water Resources Planner
Rick Masters, General Council

Guests

Maria Russo, West Virginia Rivers Coalition
Duke Adams, Pennsylvania DEP
Jason Minnich, Pennsylvania DEP
Anne Spiesman, Fairfax Water
Megan Jadosich, USACE
Joseph Chandler, USACE
Chris Penney, USACE
Joel Caudill, WSSC

1. ROLL CALL AND QUORUM CERTIFICATION

Executive Director Michael Nardolilli and Director of Communications Renee Bourassa asked participants to annotate their names and affiliations in the chat box of the Teams meeting for roll call. Mr. Nardolilli certified there was a quorum. He made the group aware that the meeting was being recorded for note-taking purposes. He also asked the group to notify their networks that ICPRB is looking to hire two interns and fill a position for an Ecological Technician. Ms. Bourassa greeted the group with a brief logistics rundown.

2. WELCOMING REMARKS

Chairman Morris welcomed everyone to the first quarter meeting of FY2025 and stated that he hoped to adequately fill the shoes of Commissioner Weaver who will be retiring.

3. PUBLIC COMMENT

West Virginia Rivers Coalition

Mr. Nardolilli introduced Maria Russo, who represented the West Virginia Rivers Coalition as the Clean Water Campaign Coordinator. She addressed the Commission regarding her Coalition's concerns over Mountain Pure Bottling Facility which is a proposed project in Jefferson County, West Virginia, which lies within the boundaries of the Potomac River Basin.

- **Ms. Russo shared her concerns about water quantity, water quality, and wetland habitat conservation.** She stated that the Mountain Pure Bottling Facility could extract up to 1.7 million gallons per day which could stress the groundwater resources, particularly considering recent seasonal variance and drought conditions of this Fall. Ms. Russo said the company plans to build on the site of a former 3M plant which may have contaminated groundwater from historical discharges. She added that initial drilling for well testing at the site violated the legal standards against damaging wetlands.
- **Commissioner Karimi inquired about past water quality issues in West Virginia referencing a spill related to a coal mining facility** and asked what kind of authority West Virginia's environmental programs have to address the potential impact. He also suggested the Commission send a letter to West Virginia authorities and provide appropriate guidance.
- **Commissioner Neil responded that the West Virginia Department of Environmental Protection (DEP)** does not have authority to limit large-scale withdrawals that a water bottling facility would require but it does collect data on withdrawals. She also stated that the law requires large quantity users to report their use after the fact but do not currently need to a permit to use the water, nor does the West Virginia DEP have the authority to restrict the use. The West Virginia DEP is responsible for water quality and certification of the safety of bottled water.
- Mr. Nardolilli suggested the issue be referred to the Executive Committee to discuss in January 2025 before the public hearing in February regarding the updated concept plan

for the facility (no formal vote was necessary to defer the matter to the Executive Committee). Commissioner Karimi suggested to Ms. Russo that the West Virginia Rivers Coalition prepare courses of action to address their concerns and present these options to the Commission for consideration in January 2025.

4. ADOPTION OR MODIFICATION OF AGENDA

Chairman Morris asked Executive Director Nardolilli to report on proposed amendments or changes to the agenda.

- Mr. Nardolilli noted that the agenda contained a typographical error where a seventh item number was missing, and he asked the group to please ignore that.
- The Executive Committee decided to remove the Land Acknowledgement Statement item from the agenda, item 8B. The Executive Committee asked the DEIJ Committee to please reconsider the language of the statement and report back at an appropriate juncture in the near term.
- The Executive Committee removed item 8D [“Anticipating Federal Policy Changes”] from the agenda. Commissioners should independently contact their representatives on the Executive Committee with any concerns they may have regarding anticipated federal policy changes with the incoming administration.

Chairman Morris asked for any other proposed amendments to the agenda. Hearing none, he asked for a motion to approve the agenda. **Commissioner Karimi made a motion to approve the agenda, as amended, which Commissioner Holland seconded.** There was no opposition or abstention. Hearing none, the Chairman announced that the agenda was approved.

5. DRAFT MINUTES FROM SEPTEMBER 10, 2024

Chairman Morris asked for any changes to the minutes as circulated. Hearing none, he asked for a motion to approve the minutes. **Commissioner Karimi made a motion to approve the minutes from the September 10, 2024, meeting, which Commissioner Potter seconded. All were in favor.**

6. NOTES FROM EXECUTIVE COMMITTEE CONFERENCE CALLS

Mr. Nardolilli reported on the two Executive Committee conference calls. He reported as follows from the November 12th, 2024, call:

- The Executive Committee changed the date of the Annual In-Person Meeting to September 8th, 2025, for the Executive Committee Meeting and September 9th, 2025, for the CO-OP and Business Meetings.
- He highlighted the Land Prioritization project and the previous survey of all parcel data in the Potomac River Basin that staff rated based on their importance to public drinking water sources.

- He also noted that ICPRB had submitted a draft Memorandum of Understanding (MOU) to the Drinking Water Source Protection Partnership (DWSPP) to formalize the relationship between the two organizations. ICPRB awaits a response from DWSPP.

Mr. Nardolilli reported the following from the December 16th, 2024, call:

- The Executive Committee reviewed the draft of the Land Acknowledgement Statement and sent it back to the DEIJ Committee for revisions.
- The Executive Committee discussed the upcoming changes in the Pennsylvania Commission positions. Duke Adams is serving as the new Coordinator of the Pennsylvania River Basin Commissions and Jason Minnich will be replacing Sue Weaver as the DEP Secretary's Alternate ICPRB Pennsylvania Commissioner.
- Mr. Nardolilli briefed the group on the House passage of bill S4367, also known as WRDA2024 (Water Resources Development Act 2024), as reported in the CO-OP Section Meeting. Mr. Nardolilli highlighted the change in the cost share for the feasibility study from 50/50 to 90% federal and 10% non-federal. Disaster assistance requests and funding on behalf of farmers and ranchers are complicating the continuing resolution to fund the government.

Chairman Morris asked meeting attendees if there were any questions related to the Executive Committee Meetings. There were none, so he directed attention back to Mr. Nardolilli for the Executive Director's Report.

8. OLD BUSINESS

A. Executive Director's Report

- The Potomac River dropped below 2,000 cubic feet per second at Point of Rocks, MD, and the CO-OP section initiated daily drought monitoring for the second time this year. The Drought Coordination Technical Committee kept the drought watch in effect. Mr. Nardolilli urged for continued wise water usage. Recent rains have allowed CO-OP to pause the daily monitoring, and the river is now at the 129-year median level. Winter recharge levels will be checked in Spring 2025.
- Mr. Nardolilli stated that the Supplemental Storage Feasibility Study will need additional appropriations from the federal government.
- Mr. Nardolilli has been briefing Commonwealth of Pennsylvania Legislators to make the case that ICPRB should receive its full funding from one source in the Commonwealth. Currently, half the ICPRB funding comes from the DEP and the other half comes from the Legislature's Direct Appropriations. Mr. Nardolilli plans to visit each jurisdiction in 2025 to press the case for increasing Signatory Assessments that have remained fixed since 2010. The Executive Committee has approved this course of action.
- The Potomac River Conference "Reeling in Invasive Species" was well attended at Occoquan Regional Park. For lunch, ICPRB served blue catfish and snakehead fish

(recently renamed by Maryland to Chesapeake Channa), two invasive species in the region, so as to “eat our way out of invasive species.”

- The annual DWSPP meeting held at Loudoun Water included a tour of their treatment plant and a visit to Reservoir Park, which is a joint project between Loudoun Water and the Northern Virginia Regional Park Authority. Jayne Brown, the Associate Director of Inspection and Enforcement of The Department of Energy and Environment (DOEE), was elected the new Chair of DWSPP.
- Mr. Nardolilli met with representatives of Amazon to inform them of the vulnerability of the drinking water supply in Arlington where they have their secondary headquarters. They pledged to assist ICPRB in making the case for a secondary drinking water source.
- ICPRB hosted the first “Walk in the Woods” event in Pennsylvania on November 19th; and Mr. Nardolilli stated he was hopeful to plan similar events in all the Basin jurisdictions.

Mr. Nardolilli asked if there were any questions and there were none. Chairman Morris directed the attention to the next item on the amended agenda.

B. Report of the DEIJ Committee

- Commissioner Tsai reported that the committee met on November 12th with good attendance. He noted that the land acknowledgement statement had been removed from today’s agenda.
- The Committee selected Commissioner Kjellerup to serve as Vice Chair for the fiscal year 2025.
- The Environmental Justice (EJ) Screening Tool link was posted in the Teams chat for anyone interested in exploring the software.
- Commissioner Tsai stated that the DEIJ Committee looked forward to hosting a webinar for the public in 2025, led by Serena Moncion. They plan to set a date for February or March on a weekday at noon.

Commissioner Tsai asked for any questions and there were none. Chairman Morris congratulated the Committee on the new Chair and Vice Chair.

C. Next Steps Regarding LFAA

- Commissioner McCabe shared that the governing parties’ review is progressing well thanks to the USACE Baltimore District Office who recently completed their review of Modification #3. All parties have completed their first level legal reviews with minor technical changes but no major revisions. She stated that the document’s first round of reviews is approaching completion.
- Chairman Morris asked meeting attendees if they had any questions on the LFAA status. Hearing none, he then briefed the Commission on the status of the Collaborative Process. Chairman Morris stated that the Executive Committee independently met with all water

suppliers and discussed their concerns regarding the drafted framework and the Committee approved the proposed changes. A decision tree was incorporated into the document with the intention to present the finalized draft to Water Suppliers and gain a consensus to move forward. After receiving input from the water suppliers, he said the draft will be presented to the Executive Committee and finally to the ICPRB Commission.

Commissioner Sussman confirmed the report from Chairman Morris. The Chairman asked for any questions. Hearing none he moved on to the next item.

D. Anticipating Federal Policy Change

The Commission amended the agenda to remove this item, as described in section 4 of this document.

E. Operations Report

Mr. Nardolilli stated that the meeting was on track but reminded the group that the Spotlight Presentation by Mike Selckmann would take a significant amount of time. He moved on to present the contract and financial reports.

Contracts and Financial Report

- #617 National Fish and Wildlife Grant provided \$419,250.70 to various entities involved in the coalition including ICPRB to bring eels back to the upper reaches of the Potomac River with eel ladders around dams four and five.
- No withdrawals from the ICPRB Contingency Reserve account that contained \$676,562.63 including cash plus investments. General funds totaled \$1,615,537.35 including checking accounts and investments at Janney Montgomery.
- Mr. Nardolilli presented the breakdown of assets and liabilities of FY2025 as of now.
- Commissioner Karimi raised concerns of potential actions of the Office of Management and Budget (OMB) including the possibility of sweeping non-obligated funds. He asked Mr. Nardolilli about ICPRB's plans to prepare for these potential challenges in 2025, particularly referencing federal funding and legislative actions with the incoming administration.
- Mr. Nardolilli emphasized the importance of balancing federal and state contributions and shared that he would file a request for a Congressional earmark. Mr. Nardolilli noted that ICPRB is well-positioned to weather any reductions in EPA funding (Section 106 of the Clean Water Act) because of the organization's reserves. Additionally, he noted that the 18 months of free rent that ICPRB receives at the new location (401 N. Washington Street) will cushion potential financial challenges in 2025.

Move to 401 N. Washington Street

ICPRB's Director of Administration, Laurel Glenn, positively reported on the move from 30 W. Gude Drive to 401 N. Washington Street in Rockville and shared that it went smoothly.

- She noted that the physical footprint is smaller with less square footage and some staff sharing offices. Downtown Rockville is within walking distance from the new location as well as the Metro station. The new location offers amenities that the previous location was lacking.
- Renee Bourassa, ICPRB Director of Communications, noted that ICPRB has extra artwork in the office since the move. Mr. Nardolilli pointed out that much of it may have been donated to ICPRB in the past. Mr. Nardolilli asked that Commissioners contact him if they believe they have donated artwork that they would like to retrieve.
- Mr. Nardolilli shared that ICPRB hosted two successful events since the move (the CO-OP Operations Committee meeting and the annual Holiday Party and Open House), receiving positive reviews of the amenities in the building conference center and lounge.

Ms. Glenn welcomed ICPRB's new Administrative Coordinator, Lily Bedwell, who commenced employment at ICPRB on November 4th, 2024, just two weeks before the move. Ms. Bedwell is a 2024 graduate of Dickinson College in Carlisle, Pennsylvania, with a Bachelor of Arts in Environmental Studies.

Spotlight Program Presentation: Mike Selckmann, Associate Director of Aquatic Habitats at ICPRB, presented a detailed PowerPoint on "Eel Passage in the Potomac Mainstem Beyond the Confluence."

Commissioner Questions re: Unit Reporting

There were no questions for Unit Directors.

9. NEW BUSINESS

A. Resolution Commending Sue Weaver for Service

- Mr. Nardolilli commended the service and positive impact of Sue Weaver, Alternate Commissioner of the Commonwealth of Pennsylvania, who retires at the end of December 2024. **Commissioner Willis made a motion to approve the Resolution of Appreciation for Service of Sue Weaver which Commissioner Karimi seconded with no opposition. Chairman Morris announced the approval.**
- Sue Weaver thanked the Commission members for the pleasure of serving two and a half years on the Commission. She said she enjoyed learning about the Potomac River Basin comparing it to the Delaware River Basin with which she is also familiar. She reminisced on the annual in-person meetings and how they helped get the Commission together.

- Mr. Nardolilli added his personal appreciation for the guidance Ms. Weaver had provided during her tenure and their good working relationship as Executive Director and Commission Chair.

Chairman Morris directed the attention to the next item.

B. FY2025 Budget Amendment #1

Mr. Nardolilli said that the Commission needed to approve Budget Amendment #1 because at the previous September 10th meeting, the National Fish and Wildlife Federation Grant in the amount of \$419,250.70 had not been finalized. Since this grant is greater than \$20,000, the Commission must approve a Budget Amendment. **Commissioner Tsai made a motion to approve Budget Amendment #1 which Commissioner Potter seconded. All were in favor and the motion passed.**

10. NEXT MEETING: March 18, 2025 (Held Via Teams)

The annual in person meeting location is yet to be determined, but it will be held in the Commonwealth of Virginia.

11. FOR THE GOOD OF THE ORDER AND ADJOURNMENT

Chairman Morris requested a motion to adjourn. **Commissioner Karimi made a motion to adjourn which Commissioner Potter seconded. Chairman Morris announced the meeting ended at 11:41 a.m.**

- **Minutes drafted by Lily Bedwell, Administrative Coordinator**
- **Minutes edited by Laurel Glenn, Director of Administration**
- **Minutes edited and approved by Michael Nardolilli, Executive Director**