

**INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN  
SECTION FOR COOPERATIVE WATER SUPPLY OPERATIONS  
ON THE POTOMAC RIVER (CO-OP)**

**FIRST QUARTER FY2024  
December 15, 2023**

**VIRTUAL MEETING  
ROCKVILLE, MD**

**DRAFT MINUTES**

**CALL TO ORDER:** Chairman Robert Sussman called the First Quarter FY2024 CO-OP Section Meeting to order at 8:30 a.m. on December 15, 2023. The following Commissioners, staff, and guests attended the meeting in whole or in part.

**Commissioners**

**United States**

Robert Sussman (Chair, Commissioner)

**District of Columbia**

Willem Brakel (Commissioner)  
James Tsai (Alt. Commissioner)  
Tiffany Potter (Commissioner)  
Hamid Karimi (Alt. Commissioner)  
Jeff Seltzer (Commissioner)  
Kimberly L. Jones (Alternate  
Commissioner)

**Maryland**

Catherine McCabe (Commissioner)  
Lee Currey (Alt. Commissioner)

**Virginia**

Scott Morris (Alt. Commissioner)  
Mark Peterson (Alt. Commissioner)  
Paul Holland (Commissioner)  
Del. Alfonso Lopez (Commissioner)

**West Virginia**

Mindy Neil (Alt. Commissioner)

**Pennsylvania**

Susan Weaver (Alt. Commissioner)  
Adam McClain (Alt. Commissioner)

**Staff**

Michael Nardolilli (Executive Director)  
Cherie Schultz (Dir., CO-OP Operations)  
Renee Bourassa (Director of  
Communications)  
Laurel Glenn (Director of Administration)  
Heidi Moltz (Director of Program  
Operations)  
Claire Buchanan (Director Emerita)  
Carlington Wallace (Associate Director,  
Water Resources)

**Guests**

Megan Jadrosich (USACE)  
Amy Guise (USACE)  
Anne Spiesman (Fairfax Water)  
Joel Caudill (WSSC Water)  
Rick Masters, (Acting General Counsel)  
Andrea Reese (Potomac Conservancy)

## **1. WELCOME, ROLL CALL, AND INTRODUCTIONS**

Commissioner Robert Sussman, Chair of the CO-OP Section, welcomed everyone to the meeting. Meeting attendees were instructed to record their attendance utilizing the “Chat” feature in TEAMS.

## **2. ADOPTION OR MODIFICATION OF DRAFT AGENDA**

Commissioner Sussman asked if there were any additions or modifications to the agenda that anyone would like to propose, and there were none. **Commissioner Holland made a motion to approve the agenda, and this was seconded by Commissioner Jones. All were in favor.**

## **3. MINUTES FROM SEPTEMBER 12, 2023**

Commissioner Sussman asked if there were any comments or corrections to the September minutes, which appear under Tab 3, Attachment 2 of the Commission Meeting Book. **A motion to adopt the September 12, 2023, minutes as circulated was made by Commissioner Holland and seconded by Commissioner Potter. All were in favor.**

## **4. OLD BUSINESS**

**A. Follow-up on September 2023 Action Items:** Dr. Schultz reported there were no September agenda items that required follow-up.

### **B. Section’s Quarterly Report**

Dr. Schultz reviewed the CO-OP Section’s First Quarter activities, which are described in detail in the Section’s Quarterly Report, available in Tab 3, Attachment 3 of the Commission Meeting Book. Highlights of Dr. Schultz’s brief were:

- Although Drought Operations officially ended on December 11, CO-OP is still very focused on the drought. There has been improvement in the past 30 days; CO-OP remains optimistic but concerned.
- There was a post-drought review meeting held on November 3 with water suppliers which was in lieu of a formal drought exercise.
- There was a CO-OP Committee Meeting with General Managers on Nov 17
- A second meeting was held with the National Park Service (NPS) on December 6 to discuss the effects of hydroelectric dams 4 and 5 on upstream river flow and the resulting substantial fluctuations.
- Dr. Schultz and Dr. Alimatou Seck, ICPRB’s Senior Water Resources Scientist, participated in a Spill Exercise sponsored by the EPA and DWSSP on October 24 and 25. Dr. Seck designed the scenario utilizing ICPRB’s new Spill Model Tool and Dr. Schultz presented on ICPRB’s spill modeling tools.

### **C. Effort to secure Federal funding for supplemental storage.**

Executive Director Nardolilli briefed meeting attendees on the progress that the Supplemental Storage Workgroup (SSWG), working with a coalition of partners including COG and the water suppliers, has made to secure Federal funding for supplemental water storage for the District of

Columbia. He stated that the Senate Appropriations Committee has approved its version of the Water Appropriations bill (S2443) but the House version (HR 4394) is still pending. The primary difference between the two versions of the bill is that the Senate version includes \$500,000 for the Supplemental Storage Study, whereas the House version does not. To support this endeavor, Nardolilli briefed that ICPRB is working to finalize two briefing papers to present to Congress by January 19<sup>th</sup>. They are related to: 1) the Economic Impact to Region and 2) National Security Implications. The economic impact report is complete, except for adding a cover note on diversity that includes details on how disadvantaged communities may suffer more proportionately if water supply issues are not appropriately addressed in the future. The national security report is also near completion, with incorporation of water suppliers' input still needed. The plan is to use these reports for follow-up briefings with Congressional staff members prior to January 19<sup>th</sup>, which is the designated date that Congress is expected to vote on these bills. Prior to dissemination, Mr. Nardolilli emphasized that the briefing papers would remain confidential, as much as possible.

Commissioner Tsai asked if the diversity cover note on the economic impact report could be forwarded to the DEIJ Committee for review and Mr. Nardolilli confirmed this would be done.

Regarding the USACE feasibility study, Chairman Sussman asked how the state cost share would play out. Discussion ensued on the costs of the study. Mr. Nardolilli explained that the ICWP has testified to Congress about modifying the current cost share agreement which currently mandates 100% indemnification for the States. He elaborated that ICPRB is working to get that changed. COG has taken the lead, and it will be up to them, working closely with USACE, to collect fees from non-Federal partners. The study is estimated to cost 3 million dollars over the next three years and although the SSWG is optimistic about obtaining \$500,000 from Congress in January 2024, it's evident that the remaining expense is a large sum to expect non-Federal partners to pay. Mr. Nardolilli said the ultimate goal is for jurisdictions, water suppliers, states, and local governments to share the cost of the study. He added that when the SSWG next meets on January 24, it's anticipated that the \$500,000 will be approved by Congress at that juncture and then the group will be able to focus on the cost-share question as well as the scope of work and creating a roadmap to implementation.

Commissioner Seltzer stated that the cost of the study is past the point of affordability, and it will be a "hard ask" to expect the jurisdictions to pay. Mr. Nardolilli responded that it's always been ICPRB's position that the Federal government should pay and, historically, it's been their responsibility to provide water to the District of Columbia and the Pentagon.

#### **D. LFAA next steps**

Commissioner McCabe briefed that the LFAA final report and resolution that was approved by the Commission in September will be sent to all signatories with a transmittal letter for the governing parties to sign. Mr. Nardolilli said that the logistics of identifying specific individuals to send the letters will be finalized after the meeting today. Chairman Sussman stated that the goal is to get all governing and member parties to sign the agreement prior to the Annual

Meeting of LFAA which convenes in April of 2024. Commissioner McCabe mentioned that although the water suppliers (as member parties) are not required to sign the new agreement, they will be encouraged to do so. Regarding the final LFAA agreement, Commissioner Seltzer requested that a condensed document be prepared that identifies the substantive issues at a high level and Dr. Schultz agreed to do this.

#### **E. Financial Statement**

Dr. Schultz stated that CO-OP is on budget and on track. She also briefly discussed the CO-OP reserve fund and shared that, over the past year, there has been a substantial decrease in these funds due to the use of contractors to support CO-OP studies and a 2022 billing error from the USGS. She added that, despite this drawdown, the reserve fund is still substantial.

#### **5. NEW BUSINESS**

No new business was presented.

#### **6. ADJOURNMENT**

With no further business to transact, **Commissioner Jones moved to adjourn the meeting. Commissioner Karimi seconded the motion. All were in favor.** The meeting was adjourned at 9:28 a.m.

- Minutes drafted by Laurel D. Glenn, Director of Administration
- Edited by Cherie Schultz, Director, CO-OP Operations
- Approved by Michael Nardolilli, Executive Director