

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

**FOURTH QUARTER 2018
BUSINESS MEETING
AUGUST 28, 2018**

**ICPRB OFFICE LOCATION
ROCKVILLE, MD**

DRAFT MINUTES

CALL TO ORDER: Chairman Karimi called the Fourth Quarter 2018 Business Meeting to order at 9:45AM on August 28, 2018. The following commissioners, staff, and guests were in attendance for all or part of the meeting.

COMMISSIONERS

District of Columbia

Hamid Karimi (Chair, Commissioner)
Willem Brakel (Commissioner)
Tiffany Potter (Commissioner)
Kimberly Jones (Alt. Commissioner, by phone)
James Tsai (Alt. Commissioner)
AnneMargaret Connelly
(Alt. Commissioner, by phone)

Maryland

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

Pennsylvania

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

Virginia

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

United States

Robert Sussman (Commissioner)
Darryl Madden (Commissioner)

West Virginia

John Wirts (Alt. Commissioner)

STAFF AND GUESTS

Staff

Carlton Haywood (Executive Director)
Robert Bolle (General Counsel)
Bo Park (Dir, Administration)
Cherie Schultz (Dir, COOP Operations)
Curtis Dalpra (Communications Manager)
Claire Buchanan (Dir, Program Operations)
Renee Bourassa (Communications Specialist)

Guests

Heather Cisar (USACE, Baltimore, by phone)
Valerie Cappola (USCOE, NAD)
Rhonda Manning (PA, DEP)
Saeid Kasraei (MDE)
Mary Jane Bolle (Visitor)

ADOPTION OF AGENDA: Commissioner Kearney made a motion to approve the agenda, which was seconded by Commissioner Madden. All were in favor.

June 5, 2018 DRAFT MINUTES: Commissioner Hausrath asked for a modification on page 2, to omit “Committee” from “EC Committee” to read “EC”. Commissioner Brakel asked for an insertion on top of page 3, line 2 to read, “represents what we believe to be a broad...” **Commissioner Kudlas made a**

motion to approve the Minutes as amended, which was seconded by Commissioner Orr. All were in favor.

SUMMARY FROM EXECUTIVE COMMITTEE CONFERENCE CALL (Tab 2): Mr. Haywood reported that the discussions were general in nature and no decisions were made by the committee.

EXECUTIVE DIRECTOR'S REPORT

Mr. Haywood summarized the ED report found in Tab 6, Attachment 1.

- The Virginia House of Delegates presented to ICPRB a resolution, initiated by Del. Kaye Kory, commending the Commission for its work in the basin. Mr Haywood read key portions of the resolution to the Commissioners and stated that it will be displayed in a suitable location in ICPRB's offices.
- There were several staff changes in the last quarter. Jim Palmer retired end of July and Zachary Smith resigned as of last week. Dr. Erfaneh Sharifi joined the Commission mid-July, to replace J. Palmer. Recruitment for Z. Smith is in progress.
- Action items
 - As follow-up on Comprehensive Plan opportunities, staff is in discussion with the USGS to participate in a pilot study for a new water use database.
 - Comprehensive Plan Advisory Committee members were thanked for their participation in the process by letter.
 - Public release of the Comprehensive Plan was done through a press release and via social media applications. There was no response to the press release from media outlets but several environmental organizations have inquired about receiving briefings.
 - Commissioners are encouraged to look for opportunities for presentations by staff or themselves. Materials can be provided for briefings.
 - Strategic Plan Workgroup update will be done later in this meeting.
- Financial report
 - All jurisdictional dues have been collected with the exception of Maryland's 10% short payment.
 - The accounts receivables are current.
 - The revenues and the budget are roughly on track although a budget amendment is required because net changes have exceeded the \$20k trigger for Commission approval.
 - There were no withdrawals from the Contingency Reserve account.
- Grants & Contracts:
 - A contract with PolicyWorks was executed for \$15,248 to facilitate the Drought Exercise in November.
 - An agreement with Susquehanna River Basin Commission (SRBC) was executed to assist with Pennsylvania WIP 3 project in two counties.
 - An umbrella agreement with the Maryland Department of the Environment is near execution. This agreement will span five years and will cover various projects as tasks under the agreement. ED plans to have discussions with PA DEP to explore similar arrangement.

Mr. Haywood announced his retirement, effective March 31, 2019. He has discussed his retirement with the Executive Committee and will be announcing it to the staff shortly after the meeting. Chairman Karimi will work with the incoming Chair on the recruiting process. **Commissioner Orr made a motion to form an ED Search Committee.** Chairman Karimi suggested limiting that committee to one representative from each jurisdiction. Former Commissioner Pat Campbell has passed on his files from the last search to Commissioner Wirts, who will forward those on to the Commission. The search process will be documented and shared with the commissioners in the near future. Commissioner Sussman added that selecting the ED Search Committee members should be done by the incoming Chair. **The motion**

was clarified to approve the formation of a search committee under the direction of the incoming Chair. Commissioner Kearney seconded the motion. All were in favor.

Potomac Basin Comprehensive Plan: Mr. Haywood distributed a table, or crosswalk, of Comprehensive Plan milestones and FY18 and FY19 projects which showed that the ICPRB workplan already is addressing recommendations of the Plan in all topic areas.

Supplemental Storage Workgroup: Commissioner Sussman gave an update on the Supplemental Storage Work Group which is facilitating coordinated action among the CO-OP utilities, ICPRB, and MWCOG, on Travilah quarry and other options for water security and drought resilience. The Work Group held a conference call in mid-July and a mission statement has been adopted. A member of WSSC's government relations office indicated that a base of support among the state and local governments is critical before asking for funding from the federal government. The group needs to be prepared to answer fundamental questions such as whether Travilah's owner will consider selling the property. WSSC is currently in the process of hiring a consultant to advise on negotiations with the property owner. The Washington Aqueduct would like to participate in hiring the consultant but contract arrangements have proved difficult. Additional dialogue will be taking place in the fall. WSSC is working also on developing a scoping study that can be used to support requesting funding from Congress. All the CO-OP utilities support the process and direction, with the expectation that WSSC and WAD would be more active since Travilah would have the most direct impact on their operations. **Commissioner Brakel asked that the agreed mission statement be shared with the Commission. ED will provide the statement to the commissioners.**

NEW BUSINESS

FY2018 Budget Amendment #3: Mr. Haywood requested approval of an amendment to the FY18 budget. The main increase in expenditure is due to an overlap in new hires and departing staff. There also were some changes in project revenues, including a \$15k cut in the EPA 106 grant. **Commissioner Stanley made a motion to approve the FY2018 Budget Amendment #3, which was seconded by Commissioner Tsai. All were in favor.**

FY2019 Budget Amendment #1: Mr. Haywood presented the FY2019 budget and program plan for the upcoming year. He described how the program relates to the current Strategic Plan. In the interest of saving time during the meeting, he did not show a powerpoint summary of the program plan but **he will send the powerpoint to the commissioners.** Revenues are roughly equally split between jurisdictional dues, the EPA 106 grant, COOP, and project specific grants. The budget shows full funding by each jurisdiction although we are aware that Maryland and Pennsylvania are likely to provide less than the amount requested. The budget also indicates \$650k from the Federal government, which is unlikely. Regardless of any shortfall in payment, the full amount requested from signatories and the Federal government has to remain in the budget with shortfalls reflected as accounts receivables. **Commissioner Stanley made a motion to approve the FY2019 Budget #1, which was seconded by Commissioner Potter. All were in favor.**

Report of the Audit Committee: Commissioner Madden, Chair of the Audit Committee, reported that the committee has reviewed the audit with the auditor, Clifton Larson Allen (CLA), and found the audit to be clean. He commended the staff for their work. On behalf of the Audit Committee, **Commissioner Madden recommended acceptance of the audit report. Commissioner Kudlas made a motion to accept the audit report, which was seconded by Commissioner Holland. All were in favor.**

Options for Strategic Plan Renewal: Commissioner Tsai led a volunteer group of Commissioners reviewing the 2015 Strategic Plan and he had written a memo, circulated to all the commissioners prior to the meeting, which summarized the group's thoughts regarding changes to the strategic plan. The range of options on how to proceed from here are: 1) leave as-is; 2) create a task force to make technical changes

or substantial changes to bring in line with the new Comprehensive Plan language. He recommended that a full range of change is not necessary at this time and that perhaps minor changes could be done to align with the Comprehensive Plan. Commissioner Holland recommended that a substantial change to the Strategic Plan be delayed until a new Executive Director is in place. In the meantime, minor changes could be done. Mr. Haywood added that both commissioners and staff should be on the committee.

Commissioner Kearney, as incoming Chair, asked Commissioner Tsai to serve on the committee and asked for two more volunteers along with staff, appointed by ED. Commissioner Hausrath and Ms. Manning volunteered to be on the committee. Staff will be appointed by the ED at a later time.

Electon of FY19 Officers: Commissioner Kudlas, Chair of the Nominating Committee, reported that the Bylaws specify an order of rotation of officers among the jurisdictions but there also has been a policy that the Chair should have at least one year of experience on the Commission. Commissioner turnover has disrupted the specified rotation for several years, including for FY18 and FY19. The recommended slate of Commissioner Kearney, MD, for Chair and Commissioner Wirts, WV, for Vice Chair puts ICPRB closer to the regular rotation, which should have WV filling the Chair in FY20. **Commissioner Madden made a motion to accept the motion to approve the nominations, which was seconded by Commissioner Orr. All were in favor.**

Stream Health in the Chesapeake Bay Watershed: Dr. Buchanan gave a presentation on the stream health goal for the Chesapeake watershed. As the Chesapeake Bay Program (CBP) pivoted from tidal waters to the Bay's watershed in the 2000 Chesapeake Bay Agreement, state partners agreed a Stream Health goal was needed. The CBP Non-Tidal Water Quality Workgroup led the ensuing effort, recognizing stream biological communities as the best measure of stream health and selecting benthic macroinvertebrates as the indicator group. All the jurisdictions and several urban counties monitor this group and had developed indices of biotic integrity (IBIs) to evaluate their data; however, differences in how the IBIs were used in assessments prevented a simple compilation of 303d listing results. Several studies, including ICPRB's efforts in the early 2000's to develop a Potomac basin-wide IBI, showed that data sets from different agencies could be successfully combined and used to develop IBIs as long as field and laboratory methods were comparable. ICPRB, with state and CBP assistance, developed a Chesapeake IBI prototype in 2008 and completed the first "Chesapeake Basin-wide Index of Biotic Integrity," or Chessie BIBI, in 2011. Built from the ground up with the raw data from 28 agencies and organization, the BIBI proved sensitive to stream disturbance, poor water quality, high nutrient concentrations, and flow alteration. The Chessie BIBI was selected as the CBP Stream Health Indicator in 2015 and in 2017, ICPRB updated the underlying database and validated and refined the Chessie BIBI.

CBP proposed stream health goals in the meanwhile settled in 2014 on "Continually improve stream health and function throughout the watershed. Improve health and function of ten percent of stream miles above the 2008 baseline for the Chesapeake Bay watershed." The vagueness of the goal was impetus for ICPRB to convene the "2008 Baseline" workshop in April 2018. Representatives at the workshop from federal, state, county, and volunteer agencies and organizations decided to use 2006 – 2011 as the "2008 baseline," to use the Chessie BIBI's family-level, bioregion-based sub-indices as the biological measure, to use the proportional watershed rating method to avoid bias caused by uneven sampling, and to use results of a Predictive Model developed by USGS Leetown Science Center to fill in data gaps. The workshop participants recommended other follow-up actions to be implemented by stream monitoring programs, the CBP, the Stream Health Workgroup, the USGS and ICPRB. The full workshop report is available on the ICPRB website. ICPRB will continue to assist future efforts to evaluate stream health across the Chesapeake Bay watershed.

Next ICPRB Meeting: The next Commission meeting will be on December 4, 2018 at Leetown Science Center, a USGS facility near Shepherdstown, WV. Depending on the weather at that time, a tour of the facilities is in the plans.

FOR THE GOOD OF THE ORDER

Commissioner Holland added that there is a draft EA (Environmental Assessment) by the National Park Service for a boathouse in Arlington. A final publication of the EA is expected in September. This is another opportunity to increase access to the river south of Key Bridge.

ADJOURNMENT: Commissioner Lewis made a motion to adjourn the meeting at 11:58am, which was seconded by Commissioner Madden. All were in favor.

Minutes Draft By: Bo Park, Director, Administration

Minutes Reviewed, Approved, and Submitted by: H. Carlton Haywood, Recording Secretary