

**INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN
THIRD QUARTER BUSINESS MEETING FY2025
JUNE 17, 2025**

**VIRTUAL MEETING, ROCKVILLE, MD
APPROVED MINUTES**

Call to Order: Executive Director Michael Nardolilli called the Business Meeting to order at 9:45am on June 17, 2025. The following commissioners, staff, and guests attended the meeting in whole or in part.

Commissioners

District of Columbia

Willem Brakel (*)
Tiffany M. Potter
Kimberly L. Jones (a)
Hamid Karimi (a)
James T. Tsai (a)

Maryland

Catherine R. McCabe
Randy K. Rowel, Jr. (a)
Birthe V. Kjellerup
D. Lee Currey (a*)

Pennsylvania

William Willis
Jason Minnich (a)
Chris Ann Kimple (a)
Adam McClain (a)

United States

Robert Sussman (*)
Darryl J. Madden
Amy M. Guise (a)

Virginia

Del. Kathy Tran
W. Weedon Cloe III (a*)
Mark E. Peterson (a)

Staff

Michael Nardolilli, Executive Director
Renee Bourassa, Director of Communications
Cherie Schultz, Director of CO-OP Operations
Heidi Moltz, Director of Program Operations
Laurel Glenn, Director of Administration
Claire Buchanan, Director Emerita
Michael Selckmann, Assoc. Dir. Aquatic Habitats
Alimatou Seck, Senior Water Resources Scientist
Renee Thompson, Water Resources Planner
Megan McClaugherty, Ecological Technician
Serena Moncion, Community Outreach Manager
Lily Bedwell, Administrative Coordinator
Alyssa Freedman, Water Resources Intern

Guests

Joe Chandler, U.S. Army Corps of Engineers
R. Brian Paul, U.S. Army Corps of Engineers
Duke Adams, Pennsylvania DEP
Christina Davis, Loudoun Water
Anne Spiesman, Fairfax Water
Joel Caudill, WSSC Water
Kenneth Pavol, Ret. MD DNR

(a) - Alternate Commissioner
(*) – Executive Committee

1. Review of Participant List and Quorum Certification

Executive Director Nardolilli certified there was a quorum after he asked participants to identify their name and affiliation in the Teams chat box.

2. Welcoming Remarks from Chair Brakel

Vice Chair Brakel substituted for Chair Neil in her absence. Chair Brakel called the business meeting to order at 9:48am. He congratulated Commissioner Madden's recent appointment to Chair of the District of Columbia's District Waterways Advisory Committee. Chair Brakel additionally noted that the Drought Coordination Technical Advisory Committee will meet on the afternoon of June 17 and ICPRB will recommend lifting the drought watch that was declared last July. He thanked the staff for their work on that and moved to the next item.

3. Public Comment

Chair Brakel asked if there were any requests for public comment and Mr. Nardolilli introduced Mr. Ken Pavol, a fisheries biologist who previously worked with the Maryland Department of Natural Resources (MD DNR). He is now retired and works as a fishing guide on the North Branch Potomac River downstream of the Jennings Randolph Dam (operated by the United States Army Corps of Engineers, USACE). He spoke on behalf of the Western Maryland Fishing Guide Association and shared that frequent heavy rains have negatively affected reservoir level management this season which have made guided fishing tours especially challenging and nearly impossible at times. Guides have lost thousands of dollars in income because of these challenges. The guides believe there is an opportunity to relieve stress on the dam, anglers, and recreators by increasing overnight flow and reducing daytime flow of the Jennings Randolph and Savage River Dams, providing safer tours for anglers downstream. This would accommodate recreational users and strengthen economic security in the North Branch communities. The Association asserts the importance of the regulation of flow, citing the estimated value of trout fisheries in the North Branch at \$3,000,000 annually in 2010. To have this impact, however, guides need assurances that trout fishing will be available to those who visit, including important local stakeholders. Chair Brakel asserted that we are sympathetic to Mr. Pavol's concerns and suggested that he further discuss this matter with USACE.

4. Adoption or Modification of Agenda

Vice Chair Brakel asked if there were any modifications to the agenda. **Hearing none, Commissioner Karimi made a motion to adopt the agenda as circulated, and Commissioner Currey seconded the motion. All were in favor and the agenda was approved.**

5. Draft Minutes from March 18, 2025

Chair Brakel asked for comments or modifications from the second quarter meeting minutes as circulated. **Hearing none he asked for a motion to approve the minutes. Commissioner Karimi made a motion to approve, and Commissioner Potter seconded the motion. All were in favor and the minutes were approved.**

6. Notes from Executive Committee Conference Calls

Mr. Nardolilli reported on the Executive Committee meeting of April 29 (Minutes under Tab 2 of the Meeting Book). At that time, the Committee met in closed session to receive legal advice from General

Counsel Rick Masters about a recent communication from USACE requesting that the Delaware River Basin Commission (DRBC) approve compliance with the recent executive orders regarding DEI and climate change. The ICPRB Executive Committee passed a resolution that asserted there is no “sufficient legal justification to adopt a suggested resolution for the minutes sent to ICPRB for its awareness and consideration by the Army Corps of Engineers,” and furthermore, the Executive Committee suggested Mr. Masters communicate its position to USACE.

At the meeting of the Executive Committee on June 16, Mr. Nardolilli shared with the Committee that the Susquehanna River Basin Commission (SRBC) and DRBC passed resolutions with similar language on June 4 and June 11. Mr. Masters asserted our strong legal standing to USACE. Mr. Nardolilli elaborated that we are not a Federal interstate compact like the other two. ICPRB is an interstate compact, and the Federal government is not a signatory as it is for the other two river basin commissions (RBCs), giving only the states authority over ICPRB, not the Federal government. ICPRB has never been in the USACE budget, despite requests, and USACE funds only *projects*, not programs such as ICPRB. Our congressional appropriations come directly from Congress. Commissioner Guise clarified that SRBC did not pass a resolution but included a statement that Federal spending will be in line with the guidelines of Federal executive orders.

Mr. Nardolilli shared that bill H.R. 3428 would subject the three RBCs to a Government Accountability Office (GAO) audit. All three RBCs were unsuccessful in modifying the bill. The GAO usually audits Federal programs of which ICPRB is not a part of, as explained earlier. The aim of H.R. 3428 was directed to DRBC and their regulatory powers over hydraulic fracking in Pennsylvania. ICPRB was swept into this legislation despite our lack of regulatory authority. Both SRBC and DRBC have language in their compacts that give GAO the express authority to conduct an audit of them, but ICPRB does not. Only the states have auditing power in our compact agreement. Our meetings and meeting documents are open to the public and our annual audit report is sent out to roughly 40 congressional offices and committees. The Executive Committee decided that the Commission would not take any action on this matter. Commissioner Karimi asked for clarification if this should be passed into law, would the Commission need to anticipate or plan for any future action. Mr. Nardolilli responded that ICPRB is hopeful that amendments will narrow the bill substantially. GAO may ask questions that do not apply to ICPRB. This audit would burden ICPRB staff and negatively influence our ability to secure a secondary water source for the Capital Region.

The Executive Committee discussed the USACE feasibility study and that Congresswoman Norton has requested an additional \$2.5 million for that study in the House. Mr. Nardolilli requested \$650,000 from Senator Van Hollen’s office and Congressman Raskin’s office for the Federal obligation to support ICPRB. Senator Van Hollen’s Congressional Directed Spending requests do not go public until June 25, but we were told to be confident that he will submit our request to the Senate Appropriations Committee.

The Executive Committee recommended (1) approval of the appointment of the Nominating Committee, (2) approval of the Standing Committee on Outreach, Education, and Workforce policy statement, and (3) the updated donation policy. Mr. Nardolilli pledged to comment further on these three matters during the Executive Director’s report.

7. Old Business

A. Executive Director's Report

Commissioner/Staff Changes

Mr. Nardolilli shared that Chesapeake Bay Program Data Manager Mike Mallonee announced his retirement from ICPRB after 17 years of service. His last day will be September 30, 2025. Senior Environmental Scientist Andrea Nagel also announced her retirement from ICPRB after 24 years of service. Her last day was May 28. We have begun the process of hiring their replacements.

Mr. Nardolilli stated that because we discussed compact funding for ICPRB, the proposed USACE restrictions on earmark funding, H.R. 3428, and the Supplemental Storage Feasibility Study during his report on the Executive Committee meetings, he would move on to the next item after giving Commissioners an opportunity to ask questions.

EPA Funding Levels

Mr. Nardolilli reported that our EPA project manager for our grant under Section 106 of the Clean Water Act requested that "climate change" and "DEI" references be removed from our work plan, and we accommodated this request. EPA operates on a reimbursement time table: ICPRB submits our work plan for approval and once it is approved, we carry out the agreed upon work and periodically submit for reimbursement. The new EPA Terms and Conditions require ICPRB to make certifications that we will not carry out operations promoting diversity, equity, and inclusion that violate any applicable Federal anti-discrimination laws. Mr. Masters advised the Executive Committee that we do not violate any anti-discrimination laws, and we can certify that in our requests for reimbursement. Our two big grants are EPA Section 106 and EPA Section 117. We received an incremental award of \$134,000 on June 13 from Section 106 and we hope that we can continue the same funding levels for FY2026. Our Section 117 grant funds this year and next year and operates as a six-year competitive grant. We are on track to receive this funding however the grant is subject to congressional cuts.

Commissioner Karimi asked if there have been any attempts to reduce funds allocated to the Chesapeake Bay program. Dr. Heidi Moltz responded that she is not aware of any reductions at this time.

Commissioner Karimi recommended that the Commission stay cautious as funding is increasingly ambiguous. Commissioner Tsai asked if DEI and climate change references were removed or replaced in the workplan submitted to EPA. Dr. Moltz shared that the changes were semantic, and DEI terms were shifted to highlight communication and outreach. Since the Section 106 grant is a Clean Water Act program, the topics do not directly relate to climate change or DEI. Chair Brakel reminded the Commission that we continue to adhere to our mission outlined in the Strategic Plan, enhancing public health, the environment, all sectors of the economy, and quality of life. He asserted that our principles remain the same, however we continue to respect the sensitivities of EPA.

B. Report on the Standing Committee

Committee's Draft Policy Statement

Commissioner Tsai reported that the Standing Committee was charged with two items: renaming itself and considering a new policy statement which was previously the policy statement on DEI. The Committee met on April 8 and created a proposal for the Executive Committee and presented it on April 29. The Committee is now called the Standing Committee on Outreach, Education, and Workforce

(SCOEW). The Committee met again on May 13 to discuss the new policy statement. Commissioner Tsai presented the final draft:

“The mission of the Interstate Commission on the Potomac River Basin (ICPRB) is to protect and enhance the waters and related resources of the Potomac River basin through science, regional cooperation, and education. In its efforts to address the evolving complexities of basin water use by more than six million residents, ICPRB affirms the importance of connecting with communities and all peoples that rely on, benefit from, and enjoy the Potomac River basin. The purpose of the volunteer-led committee on Outreach, Education, and Workforce is to broaden educational messaging to all areas of the Potomac River basin, support water-related careers, and support long-term stewardship. Making progress in these areas will help ICPRB achieve its broader mission.”

Chair Brakel asked for a motion to adopt the new policy statement. Commissioner Karimi made a motion to adopt, and Commissioner Potter seconded the motion. All were in favor and the statement was adopted. Chair Brakel thanked the committee for their work on this progression. Commissioner Tsai announced openings on the SCOEW and that they are looking for representation from West Virginia, Virginia, and Federal Commissioners.

C. Next Steps Regarding the LFAA

Finalization of LFAA

Commissioner McCabe shared that the proposed modifications to the LFAA have passed legal review in all governing bodies except for USACE because of their longer review process. It is now in the hands of the North Atlantic Division lawyers. She asked if anyone in the group had anything to add and Commissioner Guise shared that USACE will meet next week to discuss the review process.

Collaborative Process Summary

Commissioner Sussman shared that significant progress has been made and that they are moving forward on implementation of the Collaborative Process. Water Suppliers demonstrated their support of our roadmap of the Collaborative Process and Framework, so the Potomac River Environmental Flow-By Task Force met for the first time on June 9. The Task Force elected Gregory Busch of Maryland as Chair and has begun forming the Technical Advisory Committee (TAC) on Ecological Flows. This TAC will analyze and examine the current flow-by and whether it needs to be revised.

Mr. Nardolilli made a clarification regarding a document he submitted to the meeting book. The members of the Task Force, Jayne Brown and Rese Cloyd, represent the DC government, not DC Water.

D. Revised Donation Guidelines

Chair Brakel shared that with the uncertain status of Federal funding moving forward, the Commission decided to evaluate donations as another source of funding. Mr. Nardolilli elaborated that the document revisions included guidelines regarding sponsorships by individuals and that sponsors would not receive anything in return for their support. The Commission would like to move aggressively towards securing sponsors for Commission activities such as the Walk in the Woods series and the annual Potomac River Conference. **Chair Brakel asked for a motion to approve the revised Donation Guidelines document.**

Commissioner Madden made such a motion and Commissioner Willis seconded the motion. All were in favor and the revisions were approved.

E. Operations Report

Mr. Nardolilli shared that there were no new contracts this quarter, therefore there will be no budget amendment at this meeting for the FY2025 budget. ICPRB is financially fit, and Mr. Nardolilli reiterated from the Old Business report that we hope for continuation of our Federal funding. There were no questions about the revenue or expenditure summaries.

F. Spotlight Presentation

Water Resources Planner and Drinking Water Source Protection Partnership Coordinator, Ms. Renee Thompson, made a presentation on the ICPRB Land Use Webinar Series.

G. Unit Reporting

Chair Brakel explained that Tab 7 of the Commission Book gives Commissioners a chance to read, in depth, the status of each project that ICPRB staff has worked on during the fiscal year, and that now would be the time to ask questions about the reports. Hearing no questions, Chair Brakel shared his continued interest in reading the Unit Reporting updates each quarter.

8. New Business

A. Nominating Committee for FY2026 Officers

Mr. Nardolilli directed the attention to Tab 5 of the Commission Book. Commissioner Karimi, Commissioner Cloe, and Commissioner Minnich previously volunteered to sit on the nominating committee. Although Commissioner Karimi will act as Chair, he will not be attending the in-person Commission Meeting on September 9, so someone else will report in his place. Mr. Nardolilli invited Commissioner Karimi to speak. He shared that the Committee has already met, and he will provide the slate of names of nominees to the Chair and Vice Chair in the next few days. Mr. Nardolilli shared that the nominations will reflect the regular order of jurisdiction rotation. **Chair Brakel asked for a motion to approve the members of the Nominating Committee. Commissioner McCabe made a motion to approve, and Commissioner Madden seconded the motion. All were in favor of the nominations.**

B. FY2026 Framework Budget

Mr. Nardolilli shared that each June meeting, ICPRB drafts a framework budget for the next fiscal year and presents it to the Commission including a comparison to the current fiscal year's budget. The framework budget accounts for a decrease in FICA though the salaries will increase. The increase in the cost of rent is explained by the 18-month free rent period ending in FY2026. The Supplies & Office line increased as well because we included our contract with RSM there, as they provide reliable and consistent IT services to staff. The Meeting Expense line significantly decreased because we will hold the annual in-person meeting locally in the Rockville office. We will also be hiring a company to conduct a compensation study, and that anticipated cost is reflected in the Contracts line. **Chair Brakel asked for a motion to approve the Framework Budget. Commissioner Potter made a motion to approve the framework budget and Commissioner McCabe seconded the motion. All were in favor and the FY2026 Framework Budget was approved.**

C. Presentation of Audit

Mr. Nardolilli noted that all Commissioners received the audit report as supplemental to the Commission Meeting Book. Commissioner Madden reported that it was a "clean" audit as there were no reportable items, no material weaknesses, and that all required communications have been met. **Mr. Nardolilli**

asked for a motion to accept the audit. Commissioner Tsai made such a motion to accept the audit report and Commissioner Willis seconded the motion. Commissioner McClain asked about the separation of duties comment on the report and Mr. Nardolilli stated that our current explanation of the separation of duties sufficed because of the small size of the organization. **All were in favor and the audit report was accepted.**

9. Possible Field Trip During In-Person Annual Meeting

Mr. Nardolilli asked the Commission for comments about scheduling a field trip to the Travilah Quarry during the In-Person Annual Meeting in September 2025. The Commission supported the trip and ICPRB staff will move forward in scheduling it. If a trip to Travilah Quarry cannot be arranged, we will consider a nearby water treatment plant as a second option.

10. For the Good of the Order and Adjournment

Vice Chair Brakel asked for a motion to adjourn. Commissioner Karimi made the motion and Commissioner Potter seconded the motion. All were in favor and the meeting was adjourned at 11:50am.

These minutes were written by Ms. Lily Bedwell, and revised and approved of by Mr. Michael Nardolilli.