

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

THIRD QUARTER MEETING

June 9, 2009

Adams County (PA) Agricultural and Natural Resources Center Gettysburg, Pa

Draft Minutes

CALL TO ORDER: Vice Chairman Reiger, in the delayed attendance of Chairman Hines, called the Third Quarter Business Meeting to order at 10:00AM at the Adams County (PA) Agricultural and Natural Resources Center, Gettysburg, Pa. **Roll call** of attendees was conducted with the following Commissioners, guests, and staff present for some or the entire meeting:

Commissioners

Virginia

Scott Kudlas (Alt. Commissioner)
Walter Alcorn (Commissioner)
Dann Sklarew (Alt. Commissioner)

West Virginia

William Brannon (Alt. Commissioner)

District of Columbia

John Wennersten (Alt. Commissioner)

Pennsylvania

Ronald Stanley (Commissioner)
Roger Steele (Alt. Commissioner)
John Hines (Commissioner)
Lori Mohr (Alt. Commissioner)

United States

Howard Graeffe (Alt. Commissioner)
George Reiger (Commissioner)

Maryland

Robert Summers (Alt. Commissioner)

Staff

Robert Bolle (General Counsel)
Curtis Dalpra (Communications Manager)
Joseph Hoffman (Executive Director)
Carlton Haywood (Director, Program Operations)
Bo Park (Administrative Officer)
Sarah Ahmed (Water Resources Engineer Assistant)
Cherie Schultz (AD, Water Resources)
Sherry Zandieh (Administrative Assistant)
Jim Palmer (Hydrogeologist)

Guests

COL. Peter DeLuca (Commander, North Atlantic Division, US Army Corps of Engineers (NAD COE))
Peter Doukas (NAD COE)
Robert Pace (COE, Baltimore)
Maria Franks (COE, Baltimore)
Michael Stratton (WV, DEP)
Chris Kimple (for Commissioner Moul, PA)
John Booser (PA, DEP)
Peter Hill (for Commissioner Karimi)
Mark Berg (Adams County Watershed Alliance)
Pat Naugal (Adams County Resident)
Jim Gilles (NRCS Staff)

ADOPTION OF AGENDA: Acting Chairman Reiger asked for any modifications to the agenda. Hearing none, he asked for an adoption of the agenda. **Commissioner Graeffe made a motion to adopt the agenda. Commissioner Kudlas seconded the motion, which was adopted.**

APPROVAL OF MINUTES: Chairman Reiger asked for an adoption of the December 9, 2008 Meeting Minutes (March meeting did not attain a quorum). **Commissioner Kudlas made a motion to adopt the December 9, 2008 Meeting Minutes. Commissioner Graeffe seconded the motion. All were in favor.** For the record, Chairman Reiger asked for an adoption of the March 10, 2009 Meeting Notes. **Commissioner Graeffe made a motion to adopt the March 10, 2009 Meeting Notes. Commissioner Kudlas seconded the motion. All were in favor.**

GENERAL COUNSEL'S REPORT: Mr. Bolle, General Counsel, reported that the activities involved routine legal matters, primarily contract reviews. There were no significant matters to report.

FINANCIAL REPORT: Mr. Hoffman advised that the interest in the reserve account continues to be accrued. The accounts receivables are operational and routine. The EPA Section 106 grant was now fully funded at \$617,000. The WRDA related funding through Congressional budget process for FY2009 and the US Army Corps of Engineers is expected to be received in the very near future. COL DeLuca, Commander of the North Atlantic Division, US Army Corps of Engineers, advised that they expect to sign the funding letter this week. The EPA Section 117 grant has not been received for the next funding year, which starts on this day. But it is expected to be received, in the near future as there are no known adverse issues.

OLD BUSINESS

A. Program/Projects Update: Mr. Haywood reported that the projects are on schedule. The stimulus bill projects in which ICPRB is working with several states are in development. The WRDA related projects and program operation continue in planning stages since no funds were received as of yet.

B. Water Resources Project (ICPRB/COE/TNC): Mr. Hoffman summarized the joint effort between the Corps of Engineers, The Nature Conservancy (TNC), and ICPRB. Out of the reconnaissance study of the Middle Potomac Watershed, performed several years ago, a number of potential feasibility studies were considered. The Nature Conservancy (TNC) has partnered with the US Army Corps of Engineers (COE) to look at flow management issues. A Military Interdepartmental Purchase Request (MIPR) was executed with the Baltimore Corps of Engineers for \$131,000 to fund ICPRB staff efforts to begin the Middle Potomac flow management and watershed assessment study. Also, ICPRB is the prime contractor with The Nature Conservancy to work on literature review and develop a flow-management conference. Subcontracts will be awarded to George Mason University and the Leestown Aquatic Center of the U.S. Geological Survey for additional work with the work for The Nature Conservancy because we submitted a joint proposal.

Mr. Pace, Planning Chief for the US Army Corps of Engineers (COE), Baltimore District, gave an overview presentation of the TNC/COE project, the Potomac River Sustainable flow and Water Resource Analysis. The Potomac River Basin has been designated by Congress as a priority basin for the COE to prepare a watershed and river basin assessment. Cost-sharing for the assessment is 75% federal/25% non-federal. COE is the lead Federal agency in partnership with The Nature Conservancy and the ICPRB as a major technical partner. The assessment will focus on the Middle Potomac basin with the primary purpose of identifying a range of ecologically sustainable flows at several locations in the study area. The work will have a strong science basis and strong stakeholder involvement and will be a foundation for future comprehensive basin-wide water resources planning. The first workshop involving stakeholders is planned for September 2009, a workshop on flow ecology is planned for December 2009 with additional flow workshops in early 2010 and 2011 on the

mainstem and tributaries, respectively. A final report is planned for release in December 2011 and it is expected that a scope of the full, basin-wide comprehensive plan will be developed by early 2012.

The Potomac has been designated by Congress as a priority basin allowing the 75% federal share expenditure on this project that has a primary purpose of developing a report identifying a range of ecologically sustainable flows at several locations in the study area. The work will have a strong science basis and strong stakeholder involvement and will be a base for future comprehensive basin-wide water resources planning. The first workshop involving stakeholders is planned for September 2009, a workshop on flow ecology is planned for December 2009 with additional flow workshops in early 2010 and 2011 on the mainstem and tributaries, respectively. A final report is planned to be release in December 2011 and it is expected that a scope of the full, basin-wide comprehensive plan will be developed by early 2012.

Commissioner Summers added that Susquehanna River Basin Commission works on basin-wide comprehensive plan as part of their on-going work. He asked if a comprehensive plan for the Potomac River would be considered. Mr. Hoffman replied that it is not a requirement in the Potomac as in the Delaware and Susquehanna river basins as they deal with regulatory and permitting process, but that has been one of the long-standing discussions for the Potomac at the Commissioner level for which funding has not been available. It is intended to lead into that effort with this project.

C. 2009 River Ramble: The upcoming River Ramble is from 6/26-6/28 on flat waters in the Potomac, including the Monocacy River. This is an opportunity for environmental education and stewardship. The presentations will be hands-on on non-point source pollution, intersex bass issues, and topical actions led by tributary teams and county teams. The registration form is now available.

Mr. Hoffman passed out a hardcopy of a press release from USGS on the “Fish Health in Potomac and Shenandoah Rivers” that is timely for the Ramble.

NEW BUSINESS

A. Budget Amendment FY2009: Mr. Hoffman presented a budget amendment for FY2009, which reflects staff changes and updates on project activities. Also included is the federal support funding at 50% (\$325,000) of the expected contribution for this year, since we are so late. Due to the timing of the payment, full expenditure of the federal funding is not realistic. Subsequently, when/if an FY10 federal appropriation is received, it also is planned to be staggered to reflect the timing of receipt. Unspent federal dollars will be carried over to the next fiscal year as it is not tied to any period of time or specific project deadline.

Commissioner Kudlas made a motion to adopt the budget amendment. Commissioner Stanley seconded the motion. All were in favor.

B. Budget Adoption FY2010: The FY10 budget is presented with a description of the projects tied to appropriate strategic goals. With funds being available, new projects that benefit the basin are in the plans for next fiscal year. Nutrient trading is a new project that will be explored to seek out project sites that may produce nutrient credits that can be sold, which can then come back as revenue. By getting involved in the forefront of the process, an on-going project may be possible. **Commissioner Alcorn made a motion to adopt the FY10 Budget as presented. Commissioner Stanley seconded the motion. All were in favor.**

C. Framework Budget FY2011: Mr. Hoffman advised that the framework budget includes jurisdictional dues for the jurisdictions to use for their budgeting process. The jurisdictional contributions are not changed from previous years. Mr. Hoffman stated that he would like to see an increase in state contributions and get back to the regular funding formula. Commissioner Summers added that with Maryland budget cuts, the amount in the budget may hold up. He suggested that the Commission’s request be based on needs, but reflect reality on the budget. Commissioner Kudlas further added that if the financial conditions on the state

level improve, the budget can then be modified. **Commissioner Stanley made a motion to adopt the Framework Budget for FY2011. Commissioner Alcorn seconded the motion. All were in favor.**

D. Proposed Amendment, Manual of Operations: The proposed amendment is to clarify the financial section as well as moving expenses for new hires. The allowed moving expense amount for new hires has not been updated to reflect the current cost of such moves. Mr. Hoffman added that an Executive Committee Email review was held to receive a temporary authorization to increase the limit for moving expenses up to \$5,000 for a recent new hire. He suggested that the Manual of Operations be amended to adopt this level of available amount when needed as noted in the proposal. **Commissioner Kudlas made a motion to approve the amendment. Commissioner Wennersten seconded the motion. All were in favor.**

At this time, Chairman Hines, who arrived earlier, chaired the rest of the meeting.

ICPRB ADAMS COUNTY ACTIVITIES

Staff members, Cherie Schultz, Jim Cummins, and Jim Palmer gave a joint presentation entitled "The Upper Monocacy River Basin: Addressing Water Resources Challenges in Adams County, Pennsylvania". The presentation described ICPRB's past work in Adams County, including biological stream monitoring in Marsh & Rock Creeks, support for Adams County's recently organized Water Resources Advisory Committee (WRAC), and two ICPRB studies on water availability in the upper Monocacy basin. One of the water availability studies made estimates of seasonal water budgets and the other used a ground water/stream flow model to estimate percentage of losing stream miles under various hydrologic conditions.

EXECUTIVE DIRECTOR'S REPORT

Mr. Hoffman referred to the Executive Director's report included in the meeting packet. He reported that two new staff will be starting employment on July 6. The September's meeting will be in West Virginia.

A new Chair and Vice Chair need to be elected for next year. The next in line are a Federal member as Chair and Virginia as Vice Chair. Chairman Hines asked for volunteers to serve on the Nominating Committee. Commissioners Summer, Brannon, Hines/Mohr volunteered to be on the committee with Commissioner Hines or Mohr to be the Chair of the committee.

COMMISSIONER'S TIME

Commissioner Steele gave a copy of the Adams County Conservation District 2008 Annual Report. Commissioner Sklarew announced that George Mason University partnering with county schools in Virginia received a grant for bay watershed education training for Prince William County students. There may be an opportunity for others with similar interest. If interested, contact Commissioner Sklarew for more information.

ADJOURNMENT

Chairman Hines asked for a motion to adjourn the meeting. **Commissioner Wennersten made a motion to adjourn the meeting. Commissioner Sklarew seconded the motion. All were in favor. The meeting adjourned at 2:24 PM.**

Respectfully Submitted,
Joseph K. Hoffman
Commission Secretary