

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

THIRD QUARTER 2016
BUSINESS MEETING
JUNE 7, 2016

POTOMAC RIVER FISHERIES COMMISSION
COLONIAL BEACH, VA

FINAL MINUTES

CALL TO ORDER: Chairman Kudlas called the Third Quarter 2016 Business Meeting to order at 10:15AM on June 7, 2016. The following Commissioners, staff, and guests were in attendance for all or part of the meeting.

Commissioners

West Virginia

Patrick Campbell (Alt. Commissioner)

District of Columbia

Hamid Karimi (Commissioner)
Willem Brakel (Commissioner)
Merrit Drucker (Commissioner)
Kimberly Jones (Alt. Commissioners)
Tiffany Potter (Alt. Commissioner)

United States

Darryl Madden (Commissioner)
Robert Sussman (Commissioner)

Maryland

Herb Sachs (Alt. Commissioner)
Robert Lewis (Commissioner)

Virginia

Scott Kudlas (Chair, Alt. Commissioner)
Brock Bierman (Commissioner)
Paul Holland (Alt. Commissioner)

Pennsylvania

Lori Mohr (Alt. Commissioner)

Staff and Guests

Staff

Carlton Haywood (Executive Director)
Robert Bolle (General Counsel)
Bo Park (Dir, Administration)
Curtis Dalpra (Communications Manager)
Cherie Schultz (Dir, CO-OP Section)
Jim Cummins (Dir, Living Resources)
Sherry Zandieh (Administrative Coordinator)

Guests

Chris Kimple (for Commissioner Moul)
Hank Gruber (NAD, USACE)
Virginia Kearney (MDE)

ADOPTION OF AGENDA: Commissioner Kudlas made a motion to correct a typo under #6A, 2nd bullet to read “March” not “December,” and also to add a line on the agenda after New Business, to present a recognition service gift to former Commissioner Roger Steele. **Commissioner Holland made a motion to approve the agenda as modified, which was seconded by Commissioner Jones. All were in favor.**

MARCH 1, 2016 MINUTES: Commissioner Brakel asked for clarification on page 4, under **Metrics for Website and Facebook** section, third line to read “1782 hits per month.” **Commissioner Sachs made a**

motion to approve the Minutes with the clarification, which was seconded by Commissioner Bierman. All were in favor.

SUMMARY FROM EXECUTIVE COMMITTEE CONFERENCE CALL: Chairman Kudlas announced the Executive Committee's recent approval of a contract for facilitation of some aspects of the basin-wide Comprehensive Plan process, which will be discussed later in the meeting.

OLD BUSINESS

Executive Director's Report: Mr. Haywood reported that there were no changes in staff. BG Graham has been officially appointed as an ICPRB federal commissioner. The official documents for the three DC commissioners who were appointed last November were finally received.

On the financial report, the contingency reserve account continues to be intact. Virginia, West Virginia, and Pennsylvania are up-to-date on dues payments. Maryland has paid 90% of their dues and the remaining balance is not expected to be received. The District of Columbia has not paid its FY2016 dues and the United States has not paid its FY2016 dues. A contract with the Virginia Department of Environmental Quality, for approximately \$58k, has been executed for the purpose of assisting DEQ develop an implementation plan to address bacteria impairments in tributaries to Goose Creek. Last Friday, a contract was executed with West Virginia Department of Environmental Protection for another season of algae monitoring. Both of these projects are already in the budget.

Mr. Haywood informed that he will attend the final session of the Virginia Natural Resources Leadership Institute. He has also attended the Association of Clean Water Administrators and the Interstate Council on Water Policy. In April, he attended the annual meeting of the EPA Region 3 Water Directors. On the federal appropriation efforts, no progress has been made. In March, Jo Ellen Darcy, Assistant Secretary of the Army, in testimony before the Senate Environment and Public Works Committee, proposed that the Corps meet its obligations by allowing the river basin commissions to apply for projects that require they put up half of the costs in cash or in in-kind. A response letter was sent to the Assistant Secretary of the Army that the proposal did not meet the requirement of the Water Resources Development Act and that it was inadequate. A copy of the letter was sent to the relevant House and Senate committees. So far, no response of the letter has been received. Commissioner Madden commended the effort and commented that it was done appropriately. Mr. Haywood advised that all possibilities have been explored. Next opportunity may exist after the election.

Commissioner Potter suggested discussing with a consultant familiar with Capitol Hill processes to advocate on behalf of the Commission. **Mr. Haywood will explore whether hiring a consultant is feasible.**

Financial Statements: Mr. Haywood reviewed the current finances at the Commission. The current cash flow and financial status are as expected for this time in the fiscal year.

Mr. Haywood reviewed the action items from the last meeting.

- A copy of the letter sent to Secretary Darcy was given to Commissioner Madden.
- Discussion points for the federal summit in August will be provided to the commissioners after this meeting.
- A follow-up with Commissioner Drucker was made on the next steps regarding his proposal for ICPRB involvement in spill prevention activities. Copies of the presentations on the state agencies and the EPA systems were provided to Commissioner Drucker. Commissioner Drucker would like to investigate whether improvements could be made and report at a future meeting.
Mr. Haywood will find an appropriate time for the report.
- A fact sheet on coal ash ponds in the basin was written by staff and a copy was given to the Executive Committee for review. Some changes were suggested and the Executive Committee

will review again after those are made. The fact sheet will be posted on the Commission's website after final Exec. Committee approval. Chairman Kudlas handed out Virginia's fact sheet.

For the project status summary provided in Tab 7 of the meeting book, there were no comments or questions from the commissioners.

Update on Basinwide Comprehensive Plan: Updates on the comprehensive plan will be an on-going item at each ICPRB meeting until the project is completed. There are 17 people who have agreed and committed to being on the advisory committee, including Commissioners Sachs and Brakel. A contractor has been engaged for a two-year term to facilitate the advisory committee process. ICPRB staff will write the final plan, with input from the advisory committee. Commissioner Sussman would like to see an on-going progress report for the commissioners and he would like to see a list of the advisory committee members. Mr. Haywood will be working with the contractor to assess the range of the committee members and identify any gaps. **Mr. Haywood will provide a copy of the list to the commissioners as well.**

Federal Team Update: Commissioner Sussman reported that discussions continue with the Federal Office Directors group (FOD) in the Bay Program to have that group serve as a liaison to federal agencies and to have their help in arranging for senior officials to attend a federal summit, currently planned for the August meeting. An agenda for the summit will be formalized and forthcoming.

NEW BUSINESS

Audit Committee on FY2015: Commissioner Madden reported that the audit committee met with the auditor, Clifton Larson, and was pleased with a clean audit and the positive comments received from the auditor. **Commissioner Karimi made a motion to accept the audit, which was seconded by Commissioner Holland. All were in favor.**

FY2017 Framework Budget: Mr. Haywood presented the framework budget for FY2017. This budget includes member contributions, including the U.S., at the same amounts as were requested for FY2016, plus currently known grant income. ICPRB is expecting to receive its normal funding level, \$656k, for the EPA 106 grant, which is \$100k less than FY2016 allocation, when the Commission received additional funding for certain projects requested by the EPA. Project #300, Comprehensive Plan project, is funded entirely by ICPRB. There is a gap of about \$350k required to balance the budget. Mr. Haywood explained that a revenue gap is typical at this stage in the budget process, although the gap is larger than usual. An updated budget, presumably with additional revenue identified, will be presented to the Commissioners at the next meeting. The Framework Budget will be used for planning and as the basis for invoicing the member jurisdictions. **Commissioner Karimi made a motion to approve the FY 2017 Framework Budget, which was seconded by Commission Jones. All were in favor.**

Manual of Operations: Some changes have been made to the MOO to reflect the changes in the federal guidance and also to streamline some internal processes. **Commissioner Brakel made a motion to accept the MOO as presented in the meeting book but also for the staff to review again the MOO in its entirety to reflect the current times in terms of diversity, family leave, and other issues that may not have been brought up-to-date. Commissioner Lewis seconded the motion. All were in favor.**

Nominations Committee for FY2017: The normal rotation of officers has the U.S. delegation providing a Chair and WV providing the vice chair. Commissioners Sachs, Karimi, and Heffner volunteered to be on the nominations committee with Commissioner Karimi leading the committee. **Commissioner Karimi made a motion to accept the committee membership, which was seconded by Commissioner Holland. All were in favor.**

Potomac River Fisheries Commission: Mr. Martin Gary, Executive Secretary, Potomac River Fisheries Commission, provided an overview of the organization including its history and current issues. The PRFC

regulates commercial and recreational fisheries in the mainstem tidal Potomac. It has eight commissioners who are appointed by the Maryland and Virginia governors.

Shad Restoration Project: Mr. Cummins gave a presentation on the history of the American shad fishery and its restoration. American shad were an important food source during Colonial times and up through the 19th century but were nearly wiped out due to over fishing, pollution, and damming of rivers that closed off its nursery habitat. In the 1990s the Little Falls dam was modified to allow fish to climb it and ICPRB, with several partner agencies, began a shad stocking program. The result has been an increase in American shad sufficient to meet the Atlantic States Marine Fisheries Commission (ASMFC) population target, and sufficient for the Potomac shad to provide eggs to restore populations in other rivers. A component of this program engaged elementary and middle school students from DC, MD, and VA in raising and then releasing shad fry. This project has thus provided significant environmental education services as well as leading to the restoration of the American shad in the Potomac and other rivers.

COMMISSIONER'S TIME: Commissioner Mohr reported that Ms. Jen Orr has filled the position at PA DEP that the late Mr. Andrew Zemba held as Director of Compacts and Commissions.

On behalf of former Commissioner Roger Steele, Ms. Kimple accepted a recognition service gift.

DATE & LOCATION FOR JUNE MEETING: The next meeting is scheduled for August 29-August 30 in Rockville, MD. The federal summit is planned for August 29. If anything changes, Mr. Haywood will inform the commissioners.

ADJOURNMENT: Commissioner Sachs made a motion to adjourn the meeting, which was seconded by Commissioner Karimi. All were in favor. Meeting adjourned at 2:03PM.

Minutes Draft By: Bo Park, Director, Administration

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