

**INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN**

**FOURTH QUARTER 2016  
BUSINESS MEETING  
AUGUST 30, 2016**

**ICPRB HEADQUARTERS  
LOWER LEVEL CONFERENCE ROOM**

**FINAL MINUTES**

**CALL TO ORDER:** Chairman Kudlas called the Fourth Quarter 2016 Business Meeting to order at 10:15AM on August 30, 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)

Kimberly Jones (Alt. Commissioners)

Tiffany Potter (Alt. Commissioner)

Annemargaret Connelly (Alt. Commissioner) (via phone)

**United States**

Darryl Madden (Commissioner)

Robert Sussman (Commissioner)

**Maryland**

Robert Lewis (Commissioner)

Virginia Kearney (Alt. Commissioner)

**Virginia**

Scott Kudlas (Chair, Alt. Commissioner)

Jackson Miller (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)

Jim Cummins (Dir, Living Resources)

Claire Buchanan (Dir, Program Operations)

Renee Bourassa (Communications Specialist)

**Guests**

Chris Kimple (for Commissioner Moul)

Herb Sachs (Guest)

John Wirts (WV DEP)

Jutta Schneider (VA DEQ)

**ADOPTION OF AGENDA:** Commissioner Kudlas made changes to the agenda to add special recognitions for retired Commissioner Sachs and staff member Jim Cummins to item #2b; move "Recent Algae Monitoring Activities to #6a; and add "Reinstating the Potomac River Basin Reporter" to #7d; and change item #7f, "FY2017 Holidays and Business Meeting Dates" to approval. **Commissioner Kearney made a motion to approve the changed agenda, which was seconded by Commissioner Jones. All were in favor.**

**SPECIAL RECOGNITIONS:** Chairman Kudlas recognized recently retired Commissioner Sachs, who has served the basin for 54 years in various capacities. The former commissioner will continue to serve the Commission as a member of the Comprehensive Plan Advisory Committee. Staff member Jim Cummins was also recognized for his service at the Commission. He will be retiring on September 30, 2016.

**JUNE 7, 2016 DRAFT MINUTES:** Commissioner Brakel asked for a modification on page 2, under “Executive Committee Conference Call” to read “Chairman Kudlas announced the Executive Committee’s recent approval of a contract for facilitation of some aspects of the Basinwide Comprehensive Plan process, which will be discussed later in the meeting.” Commissioner Mohr made a correction of name on page 4, under “Commissioner’s Time” to Jen Orr. **Commissioner Madden made a motion to accept the changes, which was seconded by Commissioner Holland. All were in favor.**

**SUMMARY FROM EXECUTIVE COMMITTEE CONFERENCE CALL:** Commissioner Brakel, based on the By-Laws, Section XII, asked that the summaries of Executive Committee meetings be provided to Commissioners within 10 days. Staff will implement the 10-day reporting.

### **OLD BUSINESS**

**Executive Director’s Report:** Mr. Haywood summarized the activities at the Commission for the last quarter.

- Financial Statements: Currently, the Commission is operating in positive cash flow. All financial activities are as expected. The accounts receivables are up-to-date. No withdrawals have been made from the contingency reserve account.
- The Federal Agency Coordination Meeting was held yesterday and will be discussed under New Business.
- One staff member is currently on an extended leave, due to return in December.
- Commissioner Kearney was recently appointed by the Maryland Governor to replace Mr. Herb Sachs. Ms. Amy Guise (USACE) was appointed by BG Graham as his alternate to the Commission.
- On grants and contracts, a contract was executed with Riverside to continue their on-going support for the Low Flow Forecast System for COOP. Another contract was executed with Policy Works LLC for the facilitation of the advisory committee for the Comprehensive Plan. A contract with Elgin Perry was also executed as a component of the Chesapeake Bay Program grant.
- The Commission was awarded a new grant by West Virginia Department of Environmental Protection, for another year of algae monitoring. On the Chesapeake Bay Program project, the grant is in its final year of a six-year grant. An RFP for another grant term is expected to be received.
- The Executive Director continues to be involved in the Comprehensive Plan, Drinking Water Source Protection, and the Spill Implementation Plan. He also has been involved with the CO-OP Section working with the state and utilities on the Water Supply Alternatives Study. On federal appropriation efforts, various letters have been written and conversations have been held with General Semonite and BG Graham. The river basin commissions have decided to wait until after the presidential election, as the current government is on hold until then.
- Mr. Haywood highlighted the activities that the Commission has been working on during the fiscal year. The project information will be put up on the website for commissioner resources.
- Reviewing the action items from June 7<sup>th</sup> meeting:
  - The coal ash fact sheet will be sent to Pennsylvania for their review next. **The DC commissioners would like to see the latest version of the fact sheet.**
  - Commissioner Drucker is doing further investigations regarding the spill prevention plan he proposed last December and will report back to the Commission at some future date.

- Commissioner Potter and Executive Director Haywood continue to have discussions about opportunities for ICPRB to promote market-based solutions for water quality/quantity problems.
- General Counsel Bolle advised against engaging a consulting firm to help navigate Capitol Hill. Commissioner Potter clarified that her suggestion at the June meeting was only to get advice on how ICPRB should proceed.
- Several sections of the Manual of Operations that are outdated will be revised in the next year. Revised sections will be submitted to the commissioners for approval.
- **Update on Basinwide Comprehensive Plan:** The advisory committee member selections have been completed. The project is on target and set to complete in summer 2018.

## NEW BUSINESS

**Review of August 29 Federal Agencies Meeting:** The meeting with the federal agencies was productive and positive. Chairman Kudlas noted that he would like to see some sort of structure for future meetings or conversations with the federal agencies that prioritizes the many issues that were articulated at the meeting. He asked the commissioners for suggestions and ideas. It was suggested that a future Commission meeting include a field trip to a National Park Service (NPS) or the Department of Defense (DoD) facility to further develop a relationship with these agencies. Water supply issues are a high priority for the federal government and may present a unique opportunity for collaboration. The USACE, as a member of ICPRB, can be a conduit for coordinating with other federal agencies. Additionally, ICPRB's Comprehensive Plan may be a good vehicle for involvement and collaboration. There was an underlying support among federal agencies for the Comprehensive Plan and its potential value for guiding future programs. The next step for the Commission is to develop a mechanism for engaging the agencies on an on-going basis. There was general agreement that the federal agencies meeting should be repeated periodically, perhaps every one or two years.

Chairman Kudlas added that the Comprehensive Plan covers a wide range of topics and there needs to be a focus on higher priorities that lead to meaningful actions. Mr. Sachs added that the Water Supply Alternatives Study may be the highest priority in the DC area and an opportunity for action before the Comprehensive Plan is complete. Chairman Kudlas asked for volunteers to advise the Executive Director on next steps for engaging the Federal agencies. **Commissioners Holland, Kearney, Madden, Jones, and Brakel volunteered to be on the workgroup. Commissioner Sussman made a motion for the workgroup and the Executive Committee to develop a strawman proposal for following-up on yesterday's meeting integrating the federal agencies into the Comprehensive Plan process and otherwise advancing the relationship with them going forward. Commissioner Holland seconded the motion with all in favor. Commissioner Guise will be invited to join, as she was not able to attend the meeting.**

**Election of FY2017 Officers:** The Nominating Committee consisting of commissioners Karimi (chair), Heffner, and Sachs nominated commissioner Sussman as chair, and Campbell as vice chair. **Commissioner Karimi made a motion to accept the nominations, which was seconded by Commissioner Madden. All were in favor.**

**FY2016 Budget Amendment #3:** Mr. Haywood informed that the submitted budget includes no significant unexpected expenses or revenues and is the best estimate for how costs and programs will proceed in the final two months of the fiscal year. There are no concerns to report. **Commissioner Madden made a motion to approve the budget, which was seconded by Commissioner Lewis. All were in favor.**

**FY2017 Budget:** The FY17 budget has a \$100k deficit if one factors in a potential nonpayment of dues by the U.S. The budget includes \$100k in revenues from projects not yet determined, but the Executive Director pointed out that this is typical for ICPRB at the beginning of a fiscal year. The budget allocates

approximately \$100k for the Comprehensive Plan, which is funded solely by the Commission. As new projects are sought out and contracted, the budget will be amended as appropriate. **Commissioner Lewis made a motion to approve the budget, which was seconded by Commissioner Madden. All were in favor.**

**Reinstating the Potomac River Basin Reporter:** Mr. Dalpra announced that the Reporter newsletter will be launched on the website and social media end of October. The new Reporter will delve into Commission projects, news worthy stories and other water related topics relevant to the Potomac basin. The Reporter will be released quarterly on electronic platform.

**FY2017 Holidays and Business Meeting Dates:** The FY17 meeting dates will be December 6, 2016, March 6-7, 2017, June 5-6, 2017, and August 28-29, 2017. When two days are listed, the business meeting is on the 2<sup>nd</sup> day while the 1<sup>st</sup> day should be held for possible field trip activities. **Commissioner Lewis made a motion to accept the meeting dates, which was seconded by Commissioner Karimi. All were in favor.**

**COMMISSIONER'S TIME:** Commissioner Madden noted that yesterday's federal meeting was excellent. Commissioner Brakel informed the Commission that he had represented ICPRB at a panel discussion with a delegation visiting Washington from the Mekong River Commission and that he learned a lot about ICPRB while preparing for the event. For the commissioners who have the opportunity to talk about the Potomac, the Commission has resources and presentation materials available. Commissioners can see Mr. Dalpra for more information. Next July, Maryland is hosting the national Envirothon gathering, with four days of activities ending with a crab feast at Sandy Point National Park.

**DATE & LOCATION FOR JUNE MEETING:** The next meeting will be held, one-day only, on Tuesday, December 6, in the Rockville area. The meeting will be held with the general managers of the utilities. Mr. Haywood will work with the new chairs, Commissioners Brakel and Sussman, on the logistics of the meeting.

**ADJOURNMENT:** Commissioner Karimi made a motion to adjourn the meeting at 1:07 PM, which was seconded by Commissioner Lewis. All were in favor.

Minutes Draft By: Bo Park, Director, Administration

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