

**INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN**

**SECOND QUARTER 2019  
BUSINESS MEETING  
MARCH 5, 2019**

**ICPRB HEADQUARTERS  
ROCKVILLE, MD**

**DRAFT MINUTES**

**CALL TO ORDER:** Chairman Kearney called the Second Quarter 2019 Business Meeting to order at 10:22AM on March 5, 2019. The following commissioners, staff, and guests were in attendance for all or part of the meeting.

**COMMISSIONERS**

**District of Columbia**

Hamid Karimi (Commissioner)  
Willem Brakel (Commissioner)  
Kimberly Jones (Alt. Commissioner)  
James Tsai (Alt. Commissioner)

**Maryland**

Virginia Kearney (Chair & Alt. Commissioner)  
Robert Lewis (Commissioner)

**Pennsylvania**

Ronald Stanley (Commissioner)  
Rhonda Manning (Alt. Commissioner)

**Virginia**

Scott Kudlas (Alt. Commissioner)  
Paul Holland (Alt. Commissioner, via Phone)  
Del. Alfonzo Lope (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)  
Heidi Moltz (Assoc Dir., Water Resources)  
Michael Mallonee (WQ Data Manager)

**Guests**

Valerie Cappola (USCOE, NAD)  
Jeff Seltzer (DC, DOEE)  
Chris Kimple (for D. Moul, PA)  
Mary Jane Bolle (Visitor)  
Will Willis (Visitor, Mercersburg Academy)  
Michael Nardolilli (Incoming ED)

Chairman Kearney noted that this is the last meeting of the retiring Executive Director, Carlton Haywood. The Commission thanked Mr. Haywood for his leadership during his tenure. Also, the incoming ED, Michael Nardolilli, was introduced. He will start on March 18, overlapping with Mr. Haywood for two weeks, and then taking on the ED role effective April 1.

**ADOPTION OF AGENDA:** Commissioner Madden asked for a modification to the agenda to add under New Business, "Item #B, Audit Committee". **Commissioner Lewis made a motion to approve the agenda as modified, which was seconded by Commissioner Kudlas. All were in favor.**

**December 4, 2018 DRAFT MINUTES: Commissioner Karimi made a motion to approve the Minutes, which was seconded by Commissioner Lewis. All were in favor.**

**SUMMARY FROM EXECUTIVE COMMITTEE CONFERENCE CALL (Tab 2):** Mr. Haywood reported that the EC conference call consisted of follow up action items from the December meeting as well as agenda items for the March meeting. More information is in Tab 2 from that conference call.

The EC also met last night and discussed the plan for bringing the new ED up to speed and, by end of May, to develop an agreement on expectations for Mr. Nardolilli's first year. The EC approved having ICPRB sign onto a Memorandum of Understanding between federal agencies, states, and other entities in the Chesapeake Bay Program regarding using citizen and non-traditional partner monitoring data. With concurrence from the EC, the document will be signed and sent to the Bay Program.

There also was a discussion on the process of selecting the Executive Committee member from each jurisdiction. Mr. Haywood initiated this discussion because it seemed to him that the jurisdictions have not been consistently following the process defined in ICPRB Bylaws. The Executive Committee agreed that each signatory delegation should caucus once a year, at or within 30 days following the annual meeting, to select its Executive Committee member. The EC membership will be reported to the Commission staff and documented in Executive Committee meeting minutes for the record.

### **EXECUTIVE DIRECTOR'S REPORT**

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

- Commissioners: WV Commissioner Harold Michael has resigned from the Commission in December. There has been no replacement as of yet. Del. Alfonzo Lopez from Virginia representing District 49, Arlington, has been appointed by virtue of his office to the Commission. The expected appointment of Jeff Seltzer from DC DOEE is still pending. MG. Jeffrey Milhorn of the USACE North Atlantic Division, has been appointed a Federal Commissioner by the President. His Commission has been given to Ms. Valerie Cappola for delivery to the Major General.
- Staff: no changes
- Action Items:
  - Information about the FY2019 program plan and budget has been made into a two-pager document. It was uploaded onto our website and also handed out at this meeting. Commissioner Brakel added for future reference, that he is in favor of revising the vision statement to be more inclusive and sustainable.
  - Generalized Commission presentation material, e.g. a Powerpoint, is available for any commissioner's use. Interested commissioners should contact Curtis Dalpra, Communications Manager, who can prepare material customized for specific uses. Staff are looking for new ways, for example ESRI Story Maps, to present material to the public on our website.
  - A list of DC government contacts present at the spill exercise in October 2018 was sent to Commissioner Karimi, as requested.
- Financial Activities:
  - There were no withdrawals from the Contingency Reserve account. It contains approximately \$600k. In the General account, there is a balance of \$1.55M.
  - Pennsylvania, Virginia, and West Virginia are up-to-date on signatory dues. Maryland has paid 90% of its dues for the year. DC has yet to pay their dues.
- Grants and Contracts:
  - A contract with Chesapeake Watershed Protection was executed in the amount of \$60k to assist with the water quality data analysis project with MDE. The contract approval was obtained from the Chair prior to awarding. The contract was awarded through a

competitive procurement process and the award was approved by the Chair, per the Manual of Operations.

- Executive Director Activities are listed in Tab 6 of the meeting book. There have been frequent discussions and meetings with the water suppliers and the Corps regarding off-Potomac storage resources and regarding revisions to the Water Supply Coordination Agreement. The ED has been dealing with many spill events, all CSOs (combined sewer overflows) and SSOs (sanitary sewer overflows) as result of high rainfalls. The transfer of his knowledge about the spill model to other staff will be an important task before he leaves. Much of Mr. Haywood's time has been allocated to preparing for the handover to the new ED.

**Supplemental Storage Work Group:** Commissioner Sussman reported that it appears that the Corps, at senior levels, has developed a keen interest in the supplemental storage problem. The Commission, very soon, will execute a cost-share agreement with the Baltimore District of the Corps in which the Corps will explore procedural options for Corps participation in developing new supplemental storage and ICPRB will provide technical assistance. Tomorrow, there is a meeting at WSSC, with representatives from WSSC, the Corps, and ICPRB staff and Commissioners to discuss next steps for advancing new off river storage.

Regarding the WSCA, a companion agreement to allow Loudoun Water to participate in operational activities in CO-OP and coordinate management of Loudoun Water and CO-OP existing resources has been drafted by Dr. Schultz and will be reviewed and discussed by all the parties. The next regular CO-OP Operations Committee meeting will be on March 25 and this proposed agreement with Loudoun Water will be on the agenda. Beyond that, the water suppliers have not been able to reach agreement on other changes, such as a new cost share formula. For future reference, Dr. Schultz is developing a summary paper capturing the positions of different utilities.

Chairman Kearney commended the work group on the effort, recognizing commissioners Madden, Kudlas, and Sussman, for their contributions.

**Project Status Summary:** Mr. Haywood summarized current activities of the staff, organized around the goals of the current Strategic Plan and also by the focus areas and recommendations of the Comprehensive Plan. The presentation included showing where revenues come from and how they are allocated. The revenue can be divided into four approximately equivalent slices comprising of the EPA Section 106 grant, jurisdictional dues, other grants and contracts, and COOP. The expense allocation was summarized as water quality 31%, COOP 23%, water resources 14%, aquatic life 13%, and communications/education 19%.

## **NEW BUSINESS**

**FY2019 Budget Amendment #2:** Mr. Haywood reviewed the budget amendment that lists current projects and associated expenses. While there were additions and reductions to multiple projects, the net change was a positive \$11,000 and the budget remains positive at plus \$12,000. **Commissioner Kudlas made a motion to approve Budget #2, which was seconded by Commissioner Lewis. All were in favor.**

**Audit Committee:** Commissioner Madden raised the question of rotating the audit committee members. The current members have served on the committee for three years or longer and for best practice purposes, it may be prudent to rotate the committee membership. The current committee members are commissioners Madden (Chair), Kudlas, and Potter. Chairman Kearney asked that any interested commissioners should contact the Chair or Commissioner Madden by email or phone. She also asked the current committee to serve one last time to finish this audit season, which is near complete. The new committee members would then serve starting the next audit cycle.

**NEXT MEETING, JUNE 4, 2019:** Chairman Kearney announced that the June meeting will take place on Tuesday, June 4, at The Lodge at Little Seneca Creek in Boyds, MD, which is local to ICRPB.

**FOR THE GOOD OF THE ORDER:** Commissioner Lopez asked regarding the federal appropriation in the ICRPB budget. Mr. Haywood will follow up with Commissioner Lopez and provide the details of the efforts that have taken place for restoring the federal appropriation.

**ADJOURNMENT:** Commissioner Stanley made a motion to adjourn the meeting at 12:09 PM, which was seconded by Commissioner Jones. All were in favor.

Minutes Draft By: Bo Park, Director, Administration

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