

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

**THIRD QUARTER 2019
BUSINESS MEETING
JUNE 4, 2019**

**THE LODGE AT LITTLE SENECA CREEK
BOYDS, MD**

DRAFT MINUTES

CALL TO ORDER: Chairman Kearney called the Third Quarter 2019 Business Meeting to order at 9:52 a.m. on June 4, 2019. The following commissioners, staff, and guests were in attendance for all or part of the meeting.

Commissioners

United States

Robert Sussman (Chair, Commissioner)
Amy Guise (Alt. Commissioner)

District of Columbia

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

Maryland

Virginia Kearney (Alt. Commissioner)

Virginia

Paul Holland (Commissioner)
Scott Kudlas (Alt. Commissioner)
Mark Peterson (Alt. Commissioner)

West Virginia

John Wirts (Alt. Commissioner)

Pennsylvania

Ronald Stanley (Commissioner)
Jennifer Orr-Greene (Alt. Commissioner)

Staff

Michael Nardolilli (Executive Director)
Robert Bolle (General Counsel)
Bo Park (Dir, Administration)
Cherie Schultz (Dir, COOP Operations)
Curtis Dalpra (Communications Manager)
Claire Buchanan (Dir, Program Operations)
Heidi Moltz (Assoc. Dir, Water Resources)
Dorothy Hunter (Administrative Coordinator)
Renee Bourassa (Outreach Program Manager)

Guests

Valerie Cappola (USCOE, NAD)
COL. John Litz (USCOE, Baltimore District)
Chris Kimple (Rep. Del. Moul, PA)
Jeff Seltzer (DC, DOE)
Mary Jane Bolle (Visitor)

ADOPTION OF AGENDA: Commissioner Kudlas made a motion to approve the agenda, which was seconded by Commissioner Potter. All were in favor.

March 5, 2019 DRAFT MINUTES: Commissioner Brakel made a change to the Minutes on page 2, under ED Report, Action items, first bullet paragraph, from “two-pager” to “two-page” document. With the change, Commissioner Tsai made a motion to approve the March 5, 2019 Meeting Minutes, which was seconded by Commissioner Karimi. All were in favor.

SUMMARY FROM EXECUTIVE COMMITTEE CONFERENCE CALL (Tab 2): Mr. Nardolilli summarized that the conference call made on May 5 mainly involved the approval of the initial performance expectations of the Executive Director (ED), as pursuant to the agreement set forth in the ED goals for the year.

OLD BUSINESS

Executive Director's Report

Action Items from the March 5, 2019 meeting and the ED Report were summarized by Mr. Nardolilli.

- Action Items:
 - Discussions on continuing Loudoun Water's participation in the CO-OP Operational meetings.
 - The status of pursuing federal funding of \$650k is pending as a follow-up letter was sent to the COE.
 - The FY2018 audit was completed with no management recommendations ("clean audit").
 - At the Executive Committee meeting on Monday, June 3, the committee decided to transition back to the regular order of ICPRB officers. As a result of Commissioner Kearney retiring from MDE at the end of this month, Vice Chair, John Wirts will take over in September as chair and someone from Pennsylvania will become vice chair. The following year, PA will appoint a chair in the rotation.
 - The September meeting will be held at the ICPRB Headquarters in Rockville, MD.
- Executive Director Activities are listed in Tab 6 of the meeting book. Among other meetings, this past quarter the new ED met with various agencies for introduction.

Contracts and Financial Report

Ms. Park gave an overview of the grants and contracts. She also provided an update on the financial activities as of April 30, 2019.

- Grants and Contracts:
 - MOU in the amount of \$135k with MDE was executed in March to continue the TMDL support project.
 - EPA 106 was amended for additional \$376k for a total of \$604k funding. This is \$6k less than expected and requested. However, EPA has made an across-the-board cut to all recipients. The Commission is currently in communications with EPA Region 3 to understand the cut and to discuss earlier notification so as to prepare operationally with less funding.
- Financial Activities:
 - There were no withdrawals from the Contingency Reserve account. It contains more than \$605k. In the General account, there is a balance of \$1.58M.
 - The jurisdictions are up-to-date on signatory dues. Maryland has paid 90% of its dues.

Project Status Summary

Unit heads from each department gave an overview of the notable activities in the last quarter. More detailed information was provided to the commissioners in the meeting book.

- Communications & Education: Mr. Dalpra reported that the Drinking Water Source Partnership (DWSP) is a dynamic group with active participants. The group is making efforts to reach out to the small utilities and is addressing unregulated contaminants, spills and other threats to sources of drinking water. In the Communications department, he noted that spring and summer allow staff to promote stewardship one-on-one with the public through the Arakawa Sister River Program and attendance at water events such as the Maryland Green Schools Summit, and other opportunities to meet people as a part of community outreach.
- Water Quality: Dr. Moltz summarized that water quality projects involve several units, drawing on skills from various staff members on projects with MD, VA, and PA. In MD, projects are

underway to compile data to evaluate BMPs in MS4s and to develop TMDLs and associated modeling methodologies. The salt management strategy is the main project underway in VA. That effort is approximately at the half-way point. The Broad Run project has been placed on hold for the time being. In PA, our involvement in the Phase 3 WIP process is complete and included. assisting in the development of the County Action Plans for Franklin and Adams counties.

- Aquatic Life: Dr. Buchanan pointed out that most ICPRB projects are interdisciplinary in nature. The Commission has built-in flexibility in forming teams to successfully perform and complete these projects because it has staff with diverse skills and expertise. Staff in the Aquatic Life unit continues to implement data management at CBP offices in Annapolis, survey filamentous algae in West Virginia, and develop basin-wide indicators of aquatic health. They are also working on projects in the Commission's COOP, Water Resources, and Water Quality sections.
- CO-OP Section: Dr. Schultz reported that the staff is working on the water supply and demand study and the new PAS (Project Assistance to the States) project with the COE (Corps of Engineers). The 2020 Water Supply Study is done every five years. The new PAS project is focusing on the Travilah quarry. At a recent conversation with COE, the focus has shifted from COE to The Department of Defense.

Commissioner Karimi expressed that ICPRB's expertise is a niche that can be capitalized. Mr. Nardolilli added that as part of his role as the new ED, he will be looking at staff capabilities and exploring value-added fees for data analyses. Chairwoman Kearney also added that potential projects may be possible at the local level. Commissioner Tsai expressed his concern for data that was funded with government funds to be an item for double charging. Mr. Nardolilli added that the charge would be based on work performed to manipulate the data, which requires additional staff time.

Chairwoman Kearney asked for feedback from commissioners on how best information could be presented for promoting the Commission and what they would like to see from the staff on project presentations, etc. **Commission Sussman would like to get feedback from the customers/grantors from jurisdiction representatives to make aware opportunities to convey staff qualifications to the agencies and identify targets of opportunities.** Commissioner Jones would like to hear more about the projects at the Commission meetings in addition to the project reports included in the meeting book in Tab 7.

Supplemental Storage Work Group

Commissioner Sussman provided an update on the progress of the work group, a joint workgroup with ICPRB and water suppliers. The work group took a step back as the COE has expressed an interest in exploring their role in pursuing the Travilah quarry. WSSC has met with the quarry owner and the owner has indicated a willingness to sell contingent on the offer price. The owner has asked for an MOU from WSSC, details unknown to the work group, but with a confidentiality clause. With the new development, the Commission should take a step back and re-evaluate going forward considering the type of public engagement. Commissioner Guise encouraged reconvening the Supplemental Storage Work Group and getting together a set of diverse stakeholders earlier than later. Getting an MOU or studies underway prematurely could preclude some funding opportunities. The COE has a funding stream process to look at funding alternatives and a logical process to get to a result. Starting early without considering funding options could cut off particular funding paths, Commissioner Guise commented.

NEW BUSINESS

FY2020 Framework Budget

Ms. Park presented the framework budget for FY2020. The jurisdictional dues remain the same, including the federal dues of \$650k. The grants and contracts in the budget are either continuation of current projects or those that are expected. Projects that are still in early stages are not included and will be

included in future budget amendments. There is a new project, #380, for the 80th Anniversary Planning, which will be expensed in FY20. The remaining revenue and expenditures will be incurred in FY21, when the actual event is held. The expenditures for FY20 are related to the projects listed in the framework budget. **Commissioner Kudlas made a motion to approve the FY20 Framework Budget, which was seconded by Commissioner Stanley. All were in favor.**

Report of the Audit Committee for FY2018

On behalf of Commissioner Madden, Chair of the Audit Committee, Commissioner Kudlas presented the audit report for FY2018. There were no findings. He commended the staff for obtaining a clean audit. **Commissioner Kudlas made a motion to approve the audit for FY2018. Commissioner Stanley seconded the motion with all in favor.**

Volunteers for New Audit Committee

Chairwoman Kearney appointed commissioners Karimi, Holland, and Guise to serve on the new Audit Committee. **Commissioner Stanley made a motion to approve the appointments, which was seconded by Commissioner Jones. All were in favor.**

Tuition Assistance Policy

Mr. Nardolilli presented a new policy to be approved by the Commission. The tuition assistance policy allows ICPRB to invest in the staff, encouraging advancement of career and increasing staff retention. The reimbursement will be limited to tuition only contingent on acceptable grades with a proof of completion. The amount was included in the budget for next year. **Commissioner Stanley made a motion to approve the Tuition Assistance Policy, which was seconded by Commissioner Holland. All were in favor.**

80th Anniversary Celebration Update

Mr. Nardolilli announced that the 80th anniversary celebration will be held on October 10, 2020 on the Cherry Blossom boat on the Potomac River. There is a “Top 12” list for publication that staff has been developing. He asked for comments from the commissioners so that the document can be finalized by the end of summer. Commissioner Holland added that another important accomplishment is that the Commission has established science and technology to drive policy decisions over the years. He will send the appropriate language for the draft to staff. Chairwoman Kearney asked the commissioners to spread the date and actively seek out interested donors such as engineering firms, etc. and forward the contact information to the ED. Mr. Bolle asked how the donors would be recognized. Mr. Nardolilli noted that the donors will be recognized through publication listings, ICPRB website, and at the event. **Commissioner Sussman asked for a fundraising strategy document outlining the information on cost and other factors that are important to the process. Mr. Nardolilli will provide a draft at the mid-point Executive Committee meeting between now and September.** Commissioner Brakel added that there is a timeline that was done for the 75th anniversary that could be updated. Also, in the past there was a discussion on proclamations and declarations from governors, mayors and federal officials to highlight the anniversary celebration. Mr. Nardolilli discussed this matter with the Executive Committee. It was requested that commissioners assist with that process at various jurisdictions.

Appointment of Strategic Planning Committee

Chairwoman Kearney appointed commissioners Brakel, Tsai, Wirts, Peterson, and herself or her successor to the Strategic Planning Committee. **Commissioner Stanley made a motion to accept the appointments of the committee. If Commissioner Kearney’s replacement is not appointed in due time, other current Maryland commissioners will be asked. Commissioner Karimi made a motion, as modified, which was seconded by Commissioner Jones. All were in favor.**

Nominating Committee for FY2020 Officers

Chairwoman Kearney appointed commissioners Karimi, Kudlas, Sussman, and Orr-Greene to the Nominating Committee. **Commissioner Kearny made a motion to approve the appointment, which was seconded by Commissioner Tsai. All were in favor.**

Comprehensive Plan One Year Update

Dr. Heidi Moltz provided a detailed presentation on the status of the implementation of the Comprehensive Plan as this month represents the one-year anniversary of the plan's adoption by the Commission. Dr. Moltz's comments were based on the summary provided in Tab 6, Attachment 3 of the meeting book.

NEXT MEETING, SEPTEMBER 10, 2019

The next meeting will be held on September 10, 2019 at the ICPRB Headquarters in Rockville, MD.

FOR THE GOOD OF THE ORDER

In recognition for her service to ICPRB, Chairwoman Kearney who is retiring from MDE as of the end of the month, was presented with a gift from the Commission. She was appointed by Maryland Governor Hogan on January 21, 2015 and has been the chairwoman since October 1, 2018.

ADJOURNMENT

Commissioner Karimi made a motion to adjourn the meeting at 11:46 a.m. It was seconded by Commissioner Potter. All were in favor.

Commissioners and staff adjourned to Black Hill Regional Park for a pontoon ride on Little Seneca Lake, hosted by WSSC.

Minutes Draft By: Bo Park, Director, Administration

Minutes Edited, Approved, and Submitted by: Michael Nardolilli, Recording Secretary