

**INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN
SECTION FOR COOPERATIVE WATER SUPPLY OPERATIONS
ON THE POTOMAC RIVER (CO-OP)**

**FIRST QUARTER 2022
NOVEMBER 30, 2021**

**VIRTUAL MEETING
ROCKVILLE, MD**

**MINUTES
AS APPROVED**

CALL TO ORDER: Chairman Seltzer called the First Quarter 2022 CO-OP Section Meeting to order at approximately 8:30 a.m. on November 30, 2021. The following Commissioners, staff, and guests attended the meeting in whole or in part.

Commissioners

United States

Robert Sussman (Vice Chair, Commissioner)
Darryl Madden (Commissioner)

District of Columbia

Jeff Seltzer (Chair, Commissioner)
Willem Brakel (Commissioner)
Kimberly Jones (Alt. Commissioner)
Hamid Karimi (Alt. Commissioner)
James Tsai (Alt. Commissioner)

Maryland

Catherine McCabe (Commissioner)
Lee Currey (Alt. Commissioner)

Virginia

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

West Virginia

John Wirts (Alt. Commissioner)

Staff

Michael Nardolilli (Executive Director)
Bob Bolle (General Counsel)
Heidi Moltz (Dir, Program Operations)
Cherie Schultz (Dir, COOP Operations)
Harold Hodges (Dir, Administration)
Curtis Dalpra (Dir, Communications)
Renee Bourassa (Communications Specialist)
Sarah Ahmed (Senior Water Resources Engineer)
Alimatou Seck (Senior Water Resources Scientist)
Michael Selckmann (Assoc. Dir., Aquatic Habitats)
Carlington Wallace (Assoc. Dir., Water Resources)
Christina Davis (Senior Water Resources Planner)
Andrea Nagel (Senior Environmental Scientist)
Claire Buchanan (Emerita Dir., Program Operations)
Markesha McDowell (Administrative Assist.)

Guests

Valerie Cappola (COE, NAD)
Anastasiya Kononova (COE, Baltimore)
William Willis (Commissioner, PA)
Kristina Peacock-Jones (Alt. Commissioner, PA)
Adam McClain (Alt. Commissioner, PA)
Thomas Hilton (WSSC Water)
Joel Caudill (WSSC Water)
Greg Prelewicz (Fairfax Water)
James Palmer

EXPLANATION FOR VIRTUAL MEETING

Executive Director Mike Nardolilli started the meeting by explaining that this "virtual" meeting is allowed under a revision to the By-laws of the Interstate Commission on the Potomac River Basin (ICPRB) which added Section V(g). That new section was approved by an e-mail vote of the Commission on April 17, 2020, pursuant to Section XIII of the By-laws. Section V(g) permits public meetings by virtual conferencing under the state of emergency declared by either Maryland (the headquarters of ICPRB) or the federal government. The U.S. Department of Health and Human Services renewed its determination on October 15, 2021, that a public health emergency exists which remains in effect.

CO-OP Section Chair, Commissioner Jeffrey Seltzer, then thanked the participants for joining this meeting.

ROLL CALL

This meeting being virtual, Mr. Nardolilli called the names of the attendees by jurisdiction, the staff, and guests. Those in attendance acknowledged their presence when called, as noted above.

ADOPTION OR MODIFICATION OF AGENDA

Commissioner Kudlas made a motion to approve the agenda, which was seconded by Commissioner Sussman. All were in favor.

APPROVAL OF AUGUST 31, 2021, MINUTES

Mr. Seltzer read the following proposed insert to the CO-OP Section minutes from the Executive Committee:

“Subsequent to the filing of the draft Minutes with the DC government, the water suppliers have requested that their position be clarified to indicate: (1) the costs of fulfilling the June Resolution should not be levied upon them as this is not a priority for the water suppliers; and (2) questions from the water suppliers about the CO-OP Budget sought an understanding and justification of costs in the same way that the Utilities are held accountable for their own budgets.”

A motion to modify the minutes by making this insertion on page 4, after the paragraph that begins with “Dr. Schultz noted that”, and to adopt the minutes was made by Commissioner Sussman and seconded by Commissioner Kudlas. All were in favor.

OLD BUSINESS

Follow-up from August Action Items: Dr. Schultz reported on follow-up to the following three Action Items:

1. *Arranging a meeting with Corps Headquarters on ensuring Washington metropolitan area water supply resiliency.* A point of contact at Corps Headquarters has been provided by Valerie Cappola of the Corps’ North Atlantic Division (NAD): Mr. Ryan Fisher, Deputy Chief, Regional Integration Team for NAD and LRD. ICPRB staff will contact Mr. Fisher to request a meeting.
2. *Continuation of discussion on how to fund implementation of the June Resolution.* Mr. Nardolilli has identified funding, which will be discussed later in the meeting under Revised CO-OP Section Budget. In addition, as a follow-up to a question from ICPRB Chair, Commissioner Currey, about potential funding by the US Water Alliance, an inquiry has been sent to DCWater Chief Operating Officer, Kishia Powell, who is currently the Chair of the Alliance’s One Water Council.
3. *Making sure that the Montgomery Co. Executive is briefed on Washington metropolitan area water supply resilience:* This task has been accomplished.

Section's Quarterly Report

Dr. Schultz gave an overview of the last quarter's progress, including slides on Phase 2 of the collection of bathymetric LIDAR data for the Potomac River mainstem and completion of the first working version of a 2-dimensional Potomac River oil spill model. The details are included in the meeting book in Tab 3, Attachment 3.

Revised CO-OP Section Budget

Dr. Schultz presented a revised CO-OP Section Budget which includes three new projects to support implementation of the three tasks of the June 2021 Resolution, Projects 601, 602, and 603. These projects will be funded, in an amount of \$25,000 each, by ICPRB. Commissioners clarified that these amounts are fungible and depend on the sequencing of the tasks. With this clarification, a motion to approve the revised budget was made by Commissioner Sussman and seconded by Commissioner Brakel. All were in favor.

Financial Statement

Dr. Schultz stated that the CO-OP Section is on budget and on track.

NEW BUSINESS

Effort to secure Federal funding for supplemental storage

Mr. Nardolilli reported on recent and upcoming meetings to educate local, regional, and federal agencies about enhancing water supply resilience for the Washington, DC, metropolitan area. He also discussed progress on his efforts to solicit proposals for an economic impact analysis.

LFAA

On the topic of a new Moderator for the Low Flow Allocation Agreement (LFAA), Commissioner Currey reported that there had been internal discussions about a term limit and rotation among the governing parties of the responsibility to select a new Moderator. A term limit of five years was suggested, which would allow the current Moderator, Mr. Brian Rameley, to serve through calendar year 2023. The following next steps were agreed upon:

- Both Commissioner Kudlas and Dr. Schultz will search their records for a past document, with signature blocks, that can serve as a template for a letter of appointment or a letter to extend the Moderator's term.
- Dr. Schultz will contact Mr. Ramaley to find out if he is willing to serve through 2023.
- Staff will draft proposed language on a five-year term limit and a rotation schedule among the governing parties for selection of the Moderator, for consideration by the upcoming LFAA Work Group.

Commissioner Kudlas questioned the appropriateness of jurisdictions appointing their own employees as Standby Moderators and suggested that the Standby Moderator be an unbiased third party.

On the question of updating Moderator compensation, Dr. Schultz agreed to develop a proposal.

Inclusion in upcoming audit of CO-OP financial statements documenting end-of-fiscal year CO-OP Reserve Fund

It was suggested that this year's Audit Committee meet with the auditors and find out the cost of the following proposed additions to ICPRB's audit:

- CO-OP Section revenue and expenditures reported in an appropriately labeled column(s),
- the end of fiscal year amount in the CO-OP Janney account (cash and certificates of deposit),
- the end of fiscal year amount of money in the CO-OP Reserve Fund, preferably along with some supporting figures, and
- the end of fiscal year value of CO-OP equipment.

ADJOURNMENT

Commissioner Holland made a motion to adjourn the meeting, which was seconded by Commissioner Seltzer. All were in favor. The CO-OP Section meeting adjourned at approximately 9:50 a.m.

Draft Minutes written by: Sarah Ahmed, Senior Water Resources Scientist

Reviewed and edited by Cherie Schultz, Director, CO-OP Operations

Approved by: Michael Nardolilli, Executive Director