

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

**FIRST QUARTER FY2023
December 6, 2022**

**VIRTUAL MEETING
ROCKVILLE, MD**

APPROVED MINUTES

CALL TO ORDER: Chair Catherine McCabe called the First Quarter FY2023 CO-OP Section Meeting to order at 8:30 a.m. on December 6, 2022. The following Commissioners, staff, and guests attended the meeting in whole or in part.

Commissioners

United States

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

District of Columbia

Jeff Seltzer (Vice Chair, Commissioner)
Willem Brakel (Commissioner)
Tiffany Potter (Commissioner)
James Tsai (Alt. Commissioner)

Maryland

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

Virginia

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

West Virginia

Mindy Neil (Alt. Commissioner)

Staff

Michael Nardolilli (Executive Director)
Heidi Moltz (Dir., Program Operations)
Cherie Schultz (Dir., CO-OP Operations)
Curtis Dalpra (Dir., Communications)
Renee Bourassa (Outreach Program Manager)
Sarah Ahmed (Senior Water Resources Engineer)

Guests

Valerie Cappola (COE, NAD)
Anastasiya Kononova (COE, Baltimore)
Susan Weaver (PA DEP)
Adrian Bouknight (PA DEP)
Chris Kimple (Rep. Commissioner Moul)
Jeff Bailey (WV DEP)
Joel Caudill (WSSC Water)
Greg Prelewicz (Fairfax Water)
Peter Johnson (Hunton Andrews Kurth, attorney for Fairfax Water)

1. EXPLANATION FOR VIRTUAL MEETING

Renee Bourassa began the meeting by giving an overview of the WebEx virtual meeting platform. Executive Director Mike Nardolilli explained that this meeting is being conducted under Section V (g) of the Commission Bylaws that allows for the Commission or any of its Sections to conduct public meetings via “virtual conferencing” during the period of a state of emergency declared by either the President of the United States or the Governor of the State in which the Commission’s headquarters are located, currently in Maryland. Section V (g) was approved by email vote of the Commission on April 17, 2020, pursuant to Section XIII of the Bylaws. On October 13, 2022, U.S. Department of Health and Human Services Secretary Xavier Becerra renewed the COVID-19 Public Health Emergency (PHE). This means that the telehealth and other waivers and flexibilities that have been implemented during the PHE remain in effect. Accordingly, the Commission’s “virtual” bylaw remains applicable.

2. WELCOME, ROLL CALL, AND INTRODUCTIONS

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 or were identified from the log of attendees of the virtual meeting as noted above.

3. ADOPTION OR MODIFICATION OF DRAFT AGENDA

Commissioner Catherine McCabe, Chair of the CO-OP Section, welcomed everyone to the meeting. She then asked if there were any additions or modification to the agenda that anyone would like to propose, and there were none. **Commissioner Seltzer made a motion to approve the agenda, and this was seconded by Commissioner Guise. All were in favor.**

4. MINUTES FROM AUGUST 30, 2022

Commissioner McCabe asked if there were any comments or corrections to the August minutes, which appeared under Tab 3 of the Commission Book. **A motion to adopt the August 30, 2022, minutes as circulated was made by Commissioner Kudlas and seconded by Commissioner Tsai. All were in favor.**

5. OLD BUSINESS

A. Follow-up on August Action Items: Dr. Schultz identified two action items in the August minutes. The first regards the selection of a new Low Flow Allocation Agreement (LFAA) Moderator. Commissioner Currey reported that Maryland supports reaching out to Mark Masters of Albany State University and perhaps Aaron Wolf of Oregon State University to gauge their interest. Commissioner Kudlas requested biographical information on Aaron Wolf and Dr. Schultz agreed to provide this.

The second action item regards the proposed new CO-OP staff position funded by the jurisdictions. Commissioner Seltzer has indicated that the District Department of Energy and Environment would be able to provide funding for this position in FY2024 but Commissioners Currey and Kudlas said that they were not able to identify funds at this time. Commissioner Seltzer asked if Maryland and Virginia will be revisiting this decision after the new year. Commissioner Kudlas said that the top priority of Virginia's new administration is related to permit processing goals, his agency has undergone a significant reorganization to that end, and funding opportunities and constraints will become clearer at the end of March. Commissioner McCabe asked for clarification on how much funding would be required. Dr. Schultz responded that at the August meeting she estimated the cost to each jurisdiction to be approximately \$67,000, not taking into account the fact that West Virginia has an interest in one of the proposed responsibilities of this position, the management of Jennings Randolph Reservoir, which has an impact on fisheries and aquatic ecosystems in the Potomac North Branch. Thus, the revised estimated cost to each of

the four jurisdictions, the District, Maryland, Virginia, and West Virginia, is \$50,000, for a total cost of \$200,000. Commissioner McCabe suggested that this item be tabled and carried forward.

B. Section's Quarterly Report

Dr. Schultz briefly summarized the CO-OP Section's first quarter activities, which are describe in detail in the Section's Quarterly Report, available in Tab 3 of the Commission meeting book. She highlighted one activity, CO-OP's ongoing partnership with the US Army Corps of Engineers (USACE) to consider and evaluate potential changes in the operations of Jennings Randolph Reservoir (JRR) with the goal of implementing language in the Water Resources and Development Act of 2007, which calls for use of JRR water quality storage for water supply purposes during drought emergencies. During the past several months, the focus has been on a proposed change to JRR water accounting rules, and in particular, a change in the minimum target flow in the Potomac North Branch at a location downstream of the reservoir near Luke, Maryland. CO-OP staff have been using PRRISM (Potomac Reservoir and River Simulation Model) to simulate the effects of raising the Luke minimum flow from 77.5 MGD to 100 MGD when certain drought thresholds are reached. CO-OP and USACE staff continue to meet regularly to review assumptions and results, and these are being documented in a technical memo.

Sarah Ahmed presented on the 2022 annual Washington metropolitan area drought exercise, which took place November 15 through 17. This three-day exercise was an opportunity for CO-OP and water supplier staff to practice procedures and communications that would be used in an actual drought. Two ICPRB staff persons, Stephanie Nummer and Christina Davis, participated in the exercise for the first time and received training in use of CO-OP drought operations tools.

C. CO-OP Section Budget

Dr. Schultz presented the CO-OP Section workplan and budget for FY2023, which was approved by the Operations Committee on September 27th. The workplan task of highest priority is completion of the new PRRISM model and the accompanying decision support system. Under the FY2023 budget, revenue provided by the CO-OP suppliers is very close to its FY2022 value. Dr. Schultz noted that \$21,393 of revenue will be taken from the CO-OP Unappropriated Reserve, because the water suppliers have asked that the Reserve be capped at \$500,000.

Dr. Schultz said that certain CO-OP-related but ICPRB-funded efforts, such as support of the LFAA Workgroup, were not incorporated into this year's CO-OP budget as they had been last year. This was because she learned that the ICPRB accounting system is not currently set up to track multiple CO-OP Section projects. Commissioner McCabe asked what changes would be necessary to set up project-specific accounting for the CO-OP Section in terms of a decision by the Section and in terms of funding. Dr. Schultz said that she would look into this and get an estimate of the costs involved.

Commissioner McCabe asked for approval of the FY2023 proposed budget. **A motion for approval of the budget was made by Commissioner Holland and was seconded by Commissioner Jones. All were in favor.**

D. Financial Statement

Dr. Schultz stated that the CO-OP Section is on budget and on track, as is indicated by the Financial Statement available in Tab 3 of the Commission meeting book.

6. NEW BUSINESS

A. Effort to secure Federal funding for supplemental storage

ICPRB Executive Director Mike Nardolilli reported on recent progress on securing supplemental storage to address water supply vulnerabilities in the Washington, DC, metropolitan area. He reported that the language authorizing the USACE to undertake a feasibility study on a secondary water source for Washington, DC, that appeared in the House version of the Water Resources and Development Act

(WRDA) of 2022 made it into the final version of the bill, and WRDA 2022 is expected to pass both the House and the Senate in the coming days. The next step will be legislation to appropriate funds for this study.

B. LFAA

Commissioner McCabe reported on the efforts of the LFAA Workgroup. The Workgroup has arrived at consensus recommendations on all topics addressed by the Cruden report except one: the environmental flow-by. An updated version of the LFAA incorporating Workgroup recommendations is available upon request from Dr. Schultz, and agreement has been reached on all but one sentence of this draft document. At ICPRB's next quarterly meeting, Commissioner McCabe will report on whether a path forward has been identified to resolve this remaining issue. The Workgroup has produced a draft report on its efforts to date, the *Phase One Report and Recommendations on Low Flow Allocation Agreement*, November 15, available under Tab 6.

7. ADJOURNMENT

With no further business to transact, Chair McCabe asked for a motion to adjourn. **Commissioner Kudlas made such a motion which was seconded by Commissioner Potter. All were in favor.** The CO-OP Section adjourned at approximately 9:30 a.m.

Minutes written by Cherie Schultz, Director, CO-OP Operations
Approved by: Michael Nardolilli, Executive Director