

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

THIRD QUARTER FY2023 BUSINESS MEETING June 21, 2023

VIRTUAL MEETING ROCKVILLE, MD

DRAFT MINUTES

CALL TO ORDER: Chair Robert Sussman called the Third Quarter FY2023 Business Meeting to order at 9:45am on June 21, 2023. The following commissioners, staff, and guests were in attendance for all or part of the meeting.

Commissioners

District of Columbia

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

Maryland

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

Pennsylvania

Adam McClain (Alt. Commissioner)
Susan Weaver (Vice Chair, Alt. Commissioner)

United States

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

Virginia

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

West Virginia

Mindy Neil (Alt. Commissioner)

Staff

Michael Nardolilli (Executive Director)
Cherie Schultz (Dir, COOP Operations)
Heidi Moltz (Dir, Program Operations)
Renee Bourassa (Dir, Communications)
Laurel Glenn (Office Manager)
Claire Buchanan (Emerita Director, Program Operations)

Guests

Chris Kimple (Rep. Commissioner Moul)
Anne Spiesman (Fairfax Water)
Megan Jadrosich (USACE)
Kristen Rowles (Policy Works, LLC)
Joe Chandler (USACE)

1. ROLL CALL

Renee Bourassa began the meeting by giving an overview of the WebEx virtual meeting platform. Mr. Michael Nardolilli, the Executive Director for ICPRB, then welcomed everyone to the meeting and conducted a roll call by calling the names of the members, staff, and guests. Those at the meeting acknowledged their attendance as their names were called.

2. WELCOME AND INTRODUCTIONS

Chairman Sussman introduced himself and welcomed everyone to the Third Quarter Business Meeting of FY2023. He discussed the fact that ICPRB had recently entered daily drought monitoring on June 12 since the flow at Point of Rocks, MD had dropped below 2,000 cubic feet per second. Since then, he stated that the Potomac River Flow has increased and ICPRB was able to suspend daily monitoring on June 16th.

3. VIRTUAL MEETING STATEMENT

Mr. Nardolilli addressed the recent changes in the Bylaws which allow for virtual meetings and read the following statement: “This meeting is the first meeting being conducted under the revised Section V (g) of the Commission Bylaws. At the Commission’s Meeting on March 7, 2023, the Commission changed Section V (g) to allow (but not require) the Commission or any of its Sections to conduct public meetings via “virtual conferencing” pursuant to Section XIII of the Bylaws.”

4. PUBLIC COMMENT: None were made.

5. ADOPTION OR MODIFICATION OF DRAFT AGENDA

Chairman Sussman asked if there were any changes to the revised agenda that was circulated. Mr. Nardolilli stated that the changes made to the revised agenda were non-substantive (related to format) and also involved switching the order of the Spotlight presentation and Unit Reporting. Since there were no changes suggested, **Commissioner Weaver made a motion to approve the draft agenda as revised, which was seconded by Commissioner Potter. All were in favor.**

6. DRAFT MINUTES FROM MARCH 7, 2023

The Commission reviewed the draft Minutes of the last meeting under Tab 4 of the Commission Book. **Commissioner Currey made a motion to approve the March 7th, 2023, Meeting Minutes as circulated, which was seconded by Commissioner Potter. All were in favor.**

7. NOTES FROM EXECUTIVE COMMITTEE (EC) CONFERENCE CALLS

Mr. Nardolilli reported on the Conference Calls held by the Executive Committee on May 2, 2023 (under Tab 2 of the Meeting Book) and on June 20, 2023. He referred the Commissioners to the Meeting Book for the notes on the May 2nd meeting and summarized the primary topics of the June 20th meeting as relating to status of the Low Flow Allocation Workgroup and the process for adoption of the

new Strategic Plan. He stated that these items would be covered in more depth later in this meeting.

8. OLD BUSINESS

A. Executive Director's Report

Travilah and WRDA Updates. Mr. Nardolilli reported on his meeting on May 17 at the Washington Aqueduct with Colonel John Lloyd, Engineers Commander of the North Atlantic Division of the USACOE, Colonel Estee Pinchasin, Commander and District Engineer of the Baltimore District of the USACOE, and ICPRB Federal Alternate Commissioner Amy Guise. Mr. Nardolilli gave an update on the following efforts to fund the secondary water supply study:

- Congressionally Directed Spending requests to the Senate Appropriations Committee (Senator Van Hollen \$1m; Senator Cardin \$1m; Senator Warner \$500,000; Senator Kaine \$500,000)
- Community Project Funding requests to the House Appropriations Committee (Congresswoman Norton \$1m; and Congressman Connolly \$500,000).
- Congresswoman Wexton from Virginia's 10th Congressional District filed a Programmatic Funding Request

Mr. Nardolilli stated that ICPRB continues to coordinate with the Banner Group (MWCOG's lobbyists) about securing funding for the study, estimated to cost \$3 million and take 3 years. He shared that on May 22, some Congressional Staff toured the Washington Aqueduct and on June 5th, ICPRB briefed Lt. Governor Miller of Maryland about the need to make the water supply system in the DC area more resilient. (He said that the Banner Group indicated on June 20th that there was no update on any actions by the Appropriations Committees.)

Compact Funding Update. Mr. Nardolilli stated that ICPRB continues to work with the Susquehanna River Basin Commission and the Delaware River Basin Commission (collectively referred as the RBCs) to try and obtain funding from the Federal government as specified in our respective Compacts. Senator Casey included all three RBCs in his list of Congressionally Directed Spending requests to the Senate Appropriations Committee. ICPRB asked Senator Van Hollen to support that request with his colleagues on the Committee. Congressman Raskin made a Community Project Funding request of \$650,000 to the House Appropriations Committee for Federal support of ICPRB as required under its Congressional Compact. Mr. Nardolilli said that ICPRB is now waiting to see if the two Appropriations Committees support our requests. On the House side, the Subcommittee on Energy & Water Development recommended \$650,000 in funding for ICPRB. All three RBCs met with John Kaine, Senior Policy Adviser on the Senate Committee on Environment and Public Works, on May 18 and discussed the Federal obligation to support the RBCs under their respective Compacts.

Mr. Nardolilli ended this update by stating that being dependent on yearly earmarks is not an optimal solution for funding but it's ICPRB's only avenue at the present time and ICPRB is excited at the prospects of obtaining Congressional directed spending in the coming months.

Staff Matters

Mr. Nardolilli said that ICPRB is moving forward to backfill Renee Bourassa's position of Outreach Program Manager. Applications are due at the end of June.

Increased Outreach

Mr. Nardolilli reported on the increase in ICPRB's outreach efforts due to the cessation of COVID-19 lockdowns and cases. He indicated that in addition to the COVID-19 restrictions being lifted, he can allocate more time out of the office with the addition of a new Office Manager on staff. Mr. Nardolilli presented a photo montage of recent meetings and person-to-person gatherings that he and the ICPRB Staff participated in throughout the Basin during Quarter 3, such as:

- Participating in the Annual Potomac Interceptor Event
- Meeting with Colonel Lloyd from USACE at the Washington Aqueduct
- Presenting retired Commissioner Scott Kudlas with a framed ICPRB Certificate of Appreciation for his years of service
- Touring Glenstone Museum and grounds in Potomac, MD with the ICPRB staff
- Participating in the annual Anacostia River Festival where there were over 9,000 attendees
- Meeting with Mr. Jim Bonfils, a board member from Loudoun Water
- Meeting with officials from Region 3 of EPA in Kearneysville, WV

New Office Lease/Move

Mr. Nardolilli updated Commissioners on ICPRB's current lease situation. He said that it was originally anticipated that ICPRB would be released from its current lease and would move to a new office location in downtown Rockville this Fall, but that plan did not materialize and accordingly, ICPRB will remain at its current location through November of 2024.

B. Status Reports

LFAA Work Group

Commissioner McCabe reported on the latest developments of the Low Flow Allocation Workgroup. She stated that the LFAA Workgroup made considerable progress on the final revisions to the agreement at the Annual Meeting of the LFAA held on April 18, 2023, in Richmond as well as an in-person meeting of the principals on June 1. Meetings will continue and Commissioner McCabe will circulate another version of the consensus language which will be presented at the Commission meeting on September 12, 2023.

Calculation of Costs of Losing Access to the Potomac River

Mr. Nardolilli reported that ICPRB has received drafts of two briefing papers from its consultants assessing the economic and national security costs of losing access to the Potomac River for drinking water. The briefing papers have now been sent to the water suppliers for their review. On June 27, a meeting will be held between the water suppliers, ICPRB Staff, and the consultants to review the working papers.

2023 Potomac River Conference

Renee Bourassa presented the latest plans for the second installment of the Potomac River Conference (This conference is mandated in our current Strategic Plan). Titled “One River’s Perspective on a Changing Climate,” she reported that the event is scheduled to take place on September 21, 2023, and will be held at Fairfax Water’s Griffith Treatment Plant in Lorton, VA. The conference will highlight the science, case studies, equity, environmental justice considerations, policy implications, management actions, and funding considerations for climate change in the Potomac River Basin. Mr. Nardolilli added that with the conference’s continued positive track record, it is anticipated that the third Annual Potomac River Conference, scheduled for 2024, will attract sponsors. This event will significantly increase recognition and raise visibility of the Commission throughout the Basin.

C. DEIJ Policy Statement (Kim Jones) DEIJ Committee

Mr. Nardolilli stated that Commissioner Jones was not able to attend the meeting, but she provided a statement which he read as follows: “Please pass my apologies to the Commission, and especially to the fellow members of the DEIJ Committee. We met on May 18th and discussed a draft DEIJ policy for ICPRB to consider adopting. We discussed the policy statement at the meeting, but we have not finalized it for presentation to the Commission. We also decided to meet quarterly ahead of the ICPRB meetings. We will meet ahead of our next quarterly meeting and present a DEIJ statement for your consideration at the next ICPRB meeting.”

D. Operations Report

Contracts and Financial Report

Mr. Nardolilli gave the “Contracts and Financial Report” as of April 30, 2023, located in Tab 6, Att. 3. He highlighted that there had been no new contracts or grants initiated during the past quarter and that no withdrawals had been made from ICPRB’s contingency reserve accounts. Following the Report, Chairman Sussman asked if there were any questions or comments. There were none.

Project Spotlight: Comprehensive Plan Advisory Committee Highlights

For the usual “Spotlight” Presentation, Dr. Heidi Moltz and ICPRB’s consultant Kristin Rowles from Policy Works LLC provided the Commission with a presentation on the 5-year review of the 15-year Comprehensive Plan.

Unit Reporting

Mr. Nardolilli requested that ICPRB Unit Heads update Commissioners with highlights of their Third Quarter activities.

Dr. Heidi Moltz, Director of Program Operations, highlighted the following activities of her group during the Third Quarter:

- Dr. Carlington Wallace and his team continue to work on the Deep Creek Lake TMDL Project in Maryland [Project #235]. In this endeavor, ICPRB is developing a non-tidal sediment transport model for the Deep Creek Lake watershed that is consistent with the result of the Chesapeake Bay Watershed Model and methods previously applied by the MDE to develop non-tidal sediment TMDLs.
- Also in Maryland, Rikke Jepson is leading Project #266 which provides assistance to the MDE on the MS4 Permits. This project provides MDE the analytical support to address three components of the 2021 MS4 Monitoring Guidelines that still require further clarity.
- In West Virginia, Mike Selckmann is working on the Lake Cacapon Groundwater Study [Project #772] which is a continuation of Phase 1 of the West Virginia Ground Water Study. His team is taking the results of the preliminary dye tracing background surveys and is introducing groundwater dye tracers to map the groundwater flows. The study is important because it will define groundwater flow paths and will also facilitate greater clarity on the algae bloom problem within the survey region.
- Dr. Christina Davis continues to support the Drinking Water Source Protection Partnership (DWSPP – Project #350) which provides coordination and technical support for the Partnership which is a voluntary association of water suppliers and government agencies focused on protecting drinking sources in the Potomac River Basin. As part of the Reaching Out Workgroup, Dr. Davis and Renee Bourassa hosted a Small Water Systems Roundtable on May 9th in Romney, West Virginia.

Dr. Cherie Schultz, Unit Director of CO-OP, referred the Commissioners to Tab 7 of the Meeting Book for her Third Quarter updates. She then proceeded to brief the attendees on one item not covered in the written updates which is the major rebuild of the CO-OP Section's Decision Support System Planning Model, consisting of two components:

- The PRISM model, a daily simulation model of water demand, river flows, and reservoir inflows and releases.
- The “Drought OPS” - a real-time dashboard that monitors drought activities

Dr. Schultz said that these systems had been totally rebuilt and updated so they now run on new PYTHON software and are much more efficient.

Renee Bourassa, Director of Communications, highlighted her activities over the Third Quarter as follows:

- Conducted Stream Clean Up on April 16
- Walk in the Woods on April 29th
- Participation in the Anacostia River Festival on May 9th
- Recent outreach program at the Green School Youth Summit

Ms. Bourassa stated that the opening for the Outreach Program Manager would end in June, and

she was very pleased with the quality of applicants she has received thus far. She also emphasized the importance of all these events and said they are meaningful because they create networking opportunities, create public venues for awareness about ICPRB's mission, give direct opportunities for the public to engage with nature in the Potomac River Basin as well educate people about the region's history and environmental value.

9. NEW BUSINESS

A. Strategic Planning Process

Mr. Nardolilli discussed the current plan for the adoption of a New ICPRB Strategic Plan. He shared that three Commissioners (Brakel, Peterson, and Currey) have volunteered to serve on the Strategic Planning Committee to draft this document. Chairman Sussman asked if any others were interested in serving on the Committee and there were none. **Commissioner Seltzer requested a motion to appoint members of the Strategic Planning Committee. Commissioner Holland seconded the motion. All were in favor.**

B. Nominating Committee for FY24 Officers

Mr. Nardolilli requested that the Commission appoint Members to a Nominating Committee to suggest names for the Commission to elect the Chair (from Pennsylvania) and the Vice Chair (from Virginia) for FY24 at its next quarterly meeting in September. **Commissioner McCabe requested a motion to appoint members of the Nominating Committee which was seconded by Commissioner Peterson. All were in favor.**

C. FY2024 Framework Budget

Mr. Nardolilli presented the proposed Framework Budget that will serve as the basis for preparing the more detailed Final Budget to be adopted by the Commission at the Annual Meeting. **Commissioner Holland made a motion to adopt the Framework Budget which was seconded by Commissioner Potter. All were in favor.**

D. Presentation of Audit

Commissioner Holland spoke on behalf of the Audit Committee. He explained the Audit process and the fact that ICPRB has a "clean audit" once again. **Commissioner Potter made a motion to accept the Audit which was seconded by Commissioner Holland. All were in favor.**

10. NEXT MEETING

Chairman Sussman reminded the Commissioners that the Fourth Quarter meeting is scheduled as an in-person event for Tuesday, September 12 in Shepherdstown, WV. More information will be forthcoming on this, to include a "placeholder" email invitation which will be sent by ICPRB staff in the coming week.

11. FOR THE GOOD OF THE ORDER AND ADJOURNMENT

With no further business to transact, Chairman Sussman asked for a Motion to Adjourn. **Commissioner Holland made a motion to adjourn which was seconded by Commissioner Potter. All were in favor.**

Accordingly, the Commission adjourned at 11:48 am.

Minutes Drafted: Laurel Glenn, Office Manager

Edited, Approved, and Submitted By: Michael Nardolilli, Recording Secretary