

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

**FOURTH QUARTER 2014
BUSINESS MEETING
SEPTEMBER 23, 2014**

**ICPRB HEADQUARTERS
ROCKVILLE, MD**

FINAL MINUTES

CALL TO ORDER: Chairman Sachs called the Fourth Quarter 2014 Business Meeting to order at 10:12AM on September 23, 2014. The following Commissioners, staff, and guests were in attendance for all or part of the meeting.

Commissioners

West Virginia

Patrick Campbell (Alt. Commissioner)

District of Columbia

Hamid Karimi (Commissioner)

Willem H. Brakel (Commissioner)

Merrit Druker (Commissioner)

United States

Robert Pace (Alt. Commissioner)

Maryland

Herb Sachs (Chair & Alt. Commissioner)

Robert Lewis (Commissioner)

Aruna Miller (Commissioner)

Virginia

Scott Kudlas (Alt. Commissioner)

Brock D. Bierman (Commissioner)

Jackson Miller (Commissioner)

Dann Sklarew (Alt. Commissioner)

Pennsylvania

Andrew Zemba (Commissioner)

Ronald Stanley (Commissioner)

Staff and Guests

Staff

Carlton Haywood (Executive Director)

Robert Bolle (General Counsel)

Bo Park (Administrative Officer)

Jim Cummins (Dir, Living Resources)

Claire Buchanan (Dir, Program Operations)

Curtis Dalpra (Communications Manager)

Guest

Maria Franks (U.S. Army Corps, Baltimore)

Chris Kimple (rep. Commissioner Moul)

Nancy Hausrath (Water Operations, Hagerstown)

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

APPROVAL OF MINUTES: Commissioner Karimi made a motion to approve the agenda, which was seconded by Commissioner Lewis. All were in favor.

GENERAL COUNSEL'S REPORT: Mr. Bolle reported that all legal affairs were related to routine matters. Additionally, he was involved in the river basin commissions meeting with the Office of Management and Budget (OMB).

OLD BUSINESS

Executive Director's Report: Mr. Haywood reported on the last quarter's notable activities. Staff member, Jan Ducnuigeen, has resigned from full time status, effective September 30, 2014. He will continue to work on an hourly, part time, status for several months while we transition to another arrangement for IT support functions. During this transition IT support will be covered by other staff plus our existing network systems contractor, All Covered. Related to this, an intern originally hired for the West Virginia Algae project, Gordon (Mike) Selckmann, was offered a full time position and a portion of his duties will be to provide in-house computer support.

ICPRB has received a grant from Chesapeake Conservation Corps which provides us an intern, Nguyen Le, for a period of one year. ICPRB's obligation for this grant is to provide Ms. Le an office and her travel expenses cost. She will be assisting Becky Wolf with our teacher training workshops.

There were two new District of Columbia commissioners appointed by the mayor, Mr. Merrit Drucker and Dr. Willem H. Brakel. Maryland is in the process of filling one more Commissioner vacancy. The White House Appointments Office is taking actions to fill their vacancies as well.

Financial Report: There were no withdrawals from the contingency reserve account. The PA, WV, DC jurisdictions have paid their dues with MD paying 90%. VA has started their dues from July 1, 2014. The Commission is in good financial shape.

New grants were received from MD to continue the development of phase 6 of the Chesapeake Bay watershed model, and from VA to work on a new TMDL for Accotink Creek. The WV Algae project continues with a new contract. The Chesapeake Bay EPA wants to restore their ability to calculate the Chessie BIBI (Basinwide Index of Biotic Integrity) ICPRB is in negotiations to assist with that. In the CO-OP Section, the contractor, Black and Veatch will be starting phase II of their Travilah quarry evaluation project.

The server room needs a cooling unit to maintain a consistently cool temperature in the room. A unit will be installed in the coming months. The cost is reflected in the FY15 budget.

The three river basin commissions (ICPRB, Susquehanna RBC, Delaware RBC) met with staff in Vice President Joe Biden's office. The meeting was part of ongoing efforts by the basin commissions to be included in the President's budget, as was the case until 1996. Being in the President's budget request makes it more likely that Congress will approve and the funding will continue in subsequent years.

Commissioner Drucker added that he will work with the DC mayor to fill the DC commissioner vacancies.

Commissioner Aruna Miller will share the letter sent to Shaun Donovan at OMB to spread the message. Mr. Haywood thanked the commissioners involved in obtaining the department heads signatures on the letter in a very short amount of time.

The performance review form will be revised for FY15 to be more effective in evaluations and to be a tool for performance objectives.

Mr. Haywood has been elected Treasurer for the Association of Clean Water Administrators (ACWA).

The action items from the June meeting were reviewed with the Executive Committee over a conference call. The conference call summary is attached in Tab 2. Follow-up information was reported, including that, to meet the DC requirement to post meeting notices in the DC Registry, the DC Department of Environment will post on their website a link to ICPRB's website with meeting information. Until the ICPRB's new website is operational, DC DOE will upload the information on their website. Mr. Haywood has obtained all the open meeting regulations from all jurisdictions.

The District of Columbia has a program using non-government organizations to evaluate properties for suitability and install rainbarrels. Commissioner Karimi asked the staff to look into a similar program as an outreach and education. Mr. Dalpra commented that ICPRB's problem lies in the logistical issue of storing the rainbarrels. Due to their size, it takes a considerable amount of space to store rainbarrels. Commissioner Sklarew added that a rainbarrel program is an opportunity for an educational program.

On the sturgeon restoration update, Commissioner Sachs informed that MD submitted a research proposal to NOAA. If a grant is received, then a study plan will be put together. Mr. Cummins added that a sturgeon was found in the Marshy Hope tributary of the Nanticoke River, which may be a returning sturgeon from the MD 1996 release of Hudson River origin sturgeons. NOAA took a sample of this fish, but have yet to release the findings of the origin of the fish. Commissioner Karimi asked the staff look for opportunities and inform the Commission if any action is required.

Commissioner Zemba added that DRBC is beginning a study on Atlantic sturgeon. He is unsure of any connections but it may be of interest. Mr. Cummins will follow-up with DRBC.

Mr. Haywood informed that a pay increase history was obtained from the jurisdictions and was discussed in the Executive Committee conference call.

On the establishing a university consortium, Commissioner Sachs continues to work on this effort with Mr. Dalpra. Commissioner Brakel would like to assist with this effort, as he is affiliated with the American University.

The ICPRB Ramble is still on hold as the program is being assessed for its effectiveness as an outreach program. The Commission is also looking for ways to target stakeholders and commissioners with less resource intensive delivery.

The new ICPRB website is still in progress and is expected to go live in December.

The format for Project Summary in Tab 7 was revised to show key areas with funding sources. This report will be put on the website for public access and information.

Establishing ICPRB Federal Team: Ms. Franks updated that the team is still being formed at this time. Some agencies were receptive, and for some other agencies, appropriate contacts would need to be established. The next step would be to determine any overlaps with their priorities and the Commission's. Commissioner Campbell suggested hosting this group to request presentations on their problems and issues to the Commission. Ms. Franks added that conference calls would be possible with frequent meetings.

NEW BUSINESS

FY14 Budget Amendments: The FY14 budget amendment is mainly for the contract changes that will be deferred to FY15. **Commissioner Zemba made a motion to approve the FY14 budget amendments, which was seconded by Commissioner Pace. All were in favor.**

How ICPRB Supports the Chesapeake Bay Agreement: This item on the agenda was deferred to the December meeting.

FY15 Program Plan and Budget: Mr. Haywood presented the FY15 budget. The majority of the projects in this budget are carry-over projects from FY14. Project #801 is a placeholder for new projects yet to be defined. The amount of revenue allocated to #801 is typical for an ICPRB budget at the beginning of the fiscal year. The revenue total includes federal dues of \$650k which is included for the purpose of requesting funds from the federal government even though it is questionable that the monies will be received. **Commissioner Stanley made a motion to approve the budget, which was seconded by Commissioner A. Miller. All were in favor.**

Election of FY2015 Officers: Commissioner Campbell, Chair of the Nominating Committee, referred to the established officer rotation for Pennsylvania as Chair and Federal as Vice Chair. Since the Federal complement of Commissioners is predicted to change within the year, he recommended that the next in line, Virginia, take place of the U.S. in the next rotation with a caveat that the group revisit the rotation once new Federal commissioners are in place. **Commissioner Campbell made a motion to nominate Commissioner Zemba as Chair and Commissioner Kudlas as Vice Chair. Commissioner Stanley seconded the motion with all in favor.**

Trend Analysis of WV Water Quality Data: This item on the agenda was deferred to the December meeting.

West Virginia's New Water Resources Plan: Commissioner Campbell (Deputy Director, WV Division of Water and Waste Management) gave a brief talk on the West Virginia's water resources plan. He showed how the plan is providing information and tools for a range of stakeholders. The purpose of the plan is to protect and define the state water resources, and promote its availability for the public, tourism, and industry. The plan's website includes a watershed atlas and mapping tool with information, including geology, wetlands, rainfall, temperature, land cover, mining, major water users, fracking water use, and many other parameters. The site also includes a summary of state rules for water use, progress reports on water resources subjects, mapping tools, and forms for industrial water users, bringing pertinent information to one location for various water stakeholders. More information can be found on WV's plan website which can be reached by searching for "WV Water Plan".

General Section 404 Permit for TMDL Projects: Commissioner Pace (Chief of Operations, Baltimore District, USACE) gave a brief presentation on the Development of a Regional General Section 404 Permit for Total Maximum Daily Load (TMDL) Related Projects. The new permit would "authorize activities in waters of U.S., including jurisdictional wetlands that are part of an overall watershed strategy (i.e, WIP) whose purpose is to meet nutrient and sediment load reduction targets under the Chesapeake Bay TMDL mandates" and would apply to Maryland, Washington DC, and military installations in northern Virginia. Existing individual and general permit authorities have limited application to stream restoration and stormwater management projects, and are not optimal to expeditiously process the anticipated surge in TMDL-related projects. The US Army Corps of Engineers is currently considering comments received from the May 2014 Public Notice and June 2014 Public Meeting.

COMMISSIONER'S TIME: Commissioner Karimi added that the Executive Committee and the Executive Director have discussed hiring a consultant to conduct a staff compensation comparability study. The Executive Committee would like to review the Request for Proposal before it goes out for the bid. He also added that this action would be considered for future actions and would not affect the compensation increase occurring in the beginning of FY15.

DATE & LOCATION FOR DECEMBER MEETING: The December meeting will be held on December 2, 2014 at the ICPRB Headquarters in Rockville, MD.

ADJOURNMENT: The meeting adjourned at 1:45 PM.

FOLLOW-UP ITEMS:

1. Send electronic copy of the OMB letter to Commissioner Aruna Miller. (Haywood)
2. Sturgeon follow-up with DRBC on their studies. (Cummins)
3. Defer discussions on how ICPRB supports the Chesapeake Bay Agreement to next meeting. (Haywood)
4. Defer presentation on Trend Analysis of WV Water Quality Data to the next meeting. (Buchanan)

Minutes Draft By: Bo Park, Director of Administration

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