



CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE

Meeting Summary-DRAFT

November 17, 2023

LINK TO ALL MEETING PRESENTATIONS AND MATERIALS:

<https://www.mwcog.org/events/2023/11/17/chesapeake-bay-and-water-resources-policy-committee/>

DECISIONS AND ACTIONS:

- Members approved the summary of the September 15th meeting.

1. WELCOME & ANNOUNCEMENTS

Chair Mackie welcomed members and made the following announcements:

- This is Chair Mackie's last meeting as chair. Next year, Kenny Boddye of Prince William County, is poised to become chair, pending COG Board approval, and Natali Fani-Gonzalez has agreed to become CBPC Vice Chair. Both Supervisor Boddye and Councilmember Fani-Gonzalez introduced themselves.
- On October 27, CBPC members and guests toured Alex Renew's River Renew CSO tunnel project and took a tour on the Chesapeake Bay Foundation's boat on the Potomac River to discuss water quality. Members and guests were briefed about Chesapeake Bay Program progress and upcoming policy issues.

2. MEETING SUMMARY APPROVAL

Members approved the summary of September 2023 CBPC Business Meeting and Forum.

3. COMMITTEE PLANNING FOR 2024

Preparations for legislative session:

Chair Mackie encouraged members to meet with their legislative branch to discuss legislation that affects the Chesapeake Bay and its water resources as the legislative sessions are relatively short. Maryland goes into session mid-January and finishes mid-April, and Virginia's is even shorter.

Supervisor Boddye announced that Prince William County passed their first Community Energy Sustainability Master Plan earlier in the year. This includes a resiliency plan and a sustainability plan that includes looking at waterways, flooding, and stormwater management. He looks forward to collaborating with COG.

Members were briefed on the COG Legislative Priorities for Water. These are the official legislative regulatory policy positions recommended by COG's legislative committee. COG members and COG staff advocate for these priorities at the local, state, and federal level. This year's water priorities include:

- Support Investments in Water Infrastructure
- Support Climate and Flood Resiliency Initiatives



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- Ensure Stormwater Regulatory Feasibility
- Ensure Local Government Input
- Support Affordability and Regulatory Flexibility
- Support Water Supply Security

The full document can be accessed [here](#). Any comments or recommended changes to the priorities needed to be received by December 8th.

Questions and Discussion:

Steve Bieber, COG, shared a few additional legislative issues that COG plans to track:

- The Farm Bill and conservation programs- the Farm Policy Committee is planning to send a letter to our congressional delegation about funding the conservation programs through USDA and NRCS.
- Second Source Feasibility Study- the Second Source Feasibility Study has been authorized and our Senate delegation is in favor of seeing the Study move forward.
- State Revolving Funds (SRFs) for drinking water and clean water- COG has continually advocated for full funding for the Bay program and for the capitalization grants that support SRFs for drinking water and clean water, but SRF funding in our region has dropped by roughly 50% in the district.

Supervisor Penny Gross added that the CBPC should also focus on advocating for sound science, flood management, and water security, quantity, and storage.

Councilmember Garvey mentioned that there could be potential for storing water in storm water cisterns. There are currently issues with using this water as drinking water, but it would be useful to look into solutions for storing this water and using it.

Mr. Bieber responded that the Secondary Source Feasibility Study will be looking into long-term water storage, but DC Water and WSSC Water are currently looking into shorter term storage. Water reuse is another issue that is currently being researched.

General Assembly legislative forecast:

Heidi Bonnaffon, COG, presented a preview of the upcoming legislative forecast.

- Maryland is forecasting a \$1.8 B deficit for 2028. Potential water legislative issues include stream restoration; legionella; drinking water-collection and reporting information; PFAS monitoring; climate, labor, and environmental equity; and water reuse.
- The Virginia Stormwater Local Assistance Fund (SLAF) unexpectedly authorized \$30 M in the special session. The Water Quality Improvement Fund (WQIF) has a \$405 M deficit between the needs vs. funds appropriated. Potential Water Legislative issues for Virginia include more PFAS testing, self-monitoring, and self-reporting.
- EPA is expected to want environmental justice and flood resiliency in future MS4 permits.
- House spending bill has 39% cuts to EPA SRFs for water. The Senate will likely aim to keep EPA funding flat.
- Clean Water and Drinking Water SRF capitalization grants are increasingly being used to pay for Congressionally Directed Spending (i.e., earmarks), resulting in significant cuts to



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funding for infrastructure projects in the District, Maryland, and Virginia.

Ms. Bonnaffon asked if there were members interested in serving on a legislative tracking team with COG staff to help track the upcoming bills in the legislative session. Cog will ask again at the January meeting.

4. REGIONAL STORMWATER FEES & TAXES

Katie Dyer, COG, presented a summary of the region's stormwater fees and taxes, and trends over time. COG has provided a summary of jurisdictional stormwater charges since 2009. This is based on MS4 annual report information, annual budget documentation, and individual member responses. Key points from her presentation include:

- In 2023, the average stormwater fee and tax for a single-family home within the COG region was \$133. This amount has increased over the past four years due to rising program costs, but it is important to note that the fees and taxes act as a sustainable funding source to fund stormwater and water resources programs.
- Stormwater fees are much lower than typical gas, electricity, and water/wastewater fees in the area.
- When ranking average residential stormwater charges at a national scale, the COG region's average stormwater fee and tax falls within the middle of charges nationally.
- Estimates of COG Region stormwater fee annual revenue is increasing, but program costs are also increasing. Factors that are driving these program costs include: regulatory requirements for stormwater permit; increasing cost of maintenance, operation, and improvements to infrastructure; and cost of addressing increased precipitation and high intensity flood events.

COG will continue to update this information on a periodic basis and will continue to provide comparisons of local costs to those in the Bay region and nationwide.

Questions and Discussion:

Chair Mackie asked if there could be a better way of educating the consumer about the fees that they see and to help them understand their tax bills and how fees and taxes benefit them. Ms. Dyer agreed there is a need for increased education on the benefits of stormwater fees. Ms. Garvey and Ms. Fani-Gonzalas agreed that we need fair taxing and additional education on how the stormwater fees and taxes are used.

5. A LOCAL GOVERNMENT GUIDE TO THE CHESAPEAKE BAY

Heidi Bonnaffon, COG, provided an overview of the resources available on the Protect Local Waterways website. This website has eight educational modules that can be viewed [here](#). Each module also includes infographics, case studies, and editable factsheets and presentations.

Questions and Discussion:



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Chair Mackie, Ms. Garvey, and Michael Wayland all voiced their appreciation of the modules. Ms. Garvey added that short 30-second videos would be helpful and make the information more easily digestible.

6. MEMBER & STAFF UPDATES

Chair Mackie asked for updates from members.

- Mr. Bieber mentioned that a resolution was just passed to avert a government shutdown. In the resolution there is funding for energy, water and the environment through January 19th. There is a minibus funding bill that may be voted on later in November and COG will follow this and keep the CBPC updated.
- Khandikile Sokoni, Montgomery County, stated that earlier this year, Montgomery County passed a bill to expand the scope of Montgomery County’s Green Bank. The Green Bank leverages both public and private funds and provides support to the private sector on clean energy. The expanded scope of work now includes resiliency work.
- Ms. Bonnaffon stated that December 13th is the COG annual meeting and asked if there was committee interest in a kayaking tour of the Anacostia River.
- Caitlin Bolton, COG, provided highlights from the General Updates document.

7. ADJOURNMENT

The next CBPC meeting will be March 15, 2024

PARTICIPANTS:

Amy Stevens, Montgomery County DEP
 Heather Gewandter, City of Rockville
 Jennifer Starr, Local Gov Advisory Committee
 Joel Caudill, WSSC Water
 Kenny Boddye (Vice Chair), Prince William County Supervisor
 Khandikile Mvunga Sokoni, Montgomery County
 Kyle Redden
 Libbey Garvey, Arlington County
 Maria Mackie (Chair), College Park Council
 Mark Nystrom, WMATA
 Michael Weyand, City of Gaithersburg
 Nasser Kamazani - Montgomery County DEP

Natali Fani-Gonzolas, Montgomery County Council
 Normand Goulet, NVRC
 Penny Gross, Fairfax County Supervisor
 Shannon Moore, Fredrick County
 Steve Shofar, Montgomery County DEP
 Tiffany Wright, City of Bowie

COG Staff:
 Caitlin Bolton
 Christine Howard
 Heidi Bonnaffon
 Steve Bieber