



CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE (CBPC)

FORUM SUMMARY-DRAFT

September 25, 2020

LINK TO ALL MEETING PRESENTATIONS AND MATERIALS:

<https://www.mwcog.org/events/2020/09/25/chesapeake-bay-water-resources-policy-committee-chesapeake-baywatershed-water-quality/>

DECISIONS & ACTIONS:

- The CBPC members would like to further discuss equity at their November 20th meeting (e.g., Who benefits? Who is burdened? Who is missing from the conversation? What are we doing to address equity and inclusion?)
- Maryland, Virginia and the District of Columbia representatives committed to participating in next year's CBPC Water Quality Forum.

1. CHAIR'S WELCOME

Chair Stehle thanked the states for being present for the Forum webinar.

- Chair Stehle began with thirty seconds of silence in recognition of two friends and colleagues, Lisa Feldt and Dan Sze, former CBPC members who recently passed away. Lisa Feldt, worked for the Chesapeake Bay Foundation and was formerly director of Montgomery County DEP. Dan Sze, Falls Church Councilmember, chaired the COG CBPC and CEEPC committees.
- Chair Stehle expressed disappointment that the EPA Chesapeake Bay Program (CBP) staff could not to join the Forum. EPA declined to have a representative join, in light of the suit against EPA by the District, Maryland, Virginia and Delaware. Chair Stehle stressed the importance of showing up, and said he hopes we can look forward to future, open interactions with EPA on the Chesapeake Bay Program.
- He said everyone here recognizes we have work to do to make our programs more equitable and diverse. The COG Board passed an anti-racist Resolution in July as a preliminary step.
- He shared his pride in some CBPC accomplishments this year: COG jurisdictions, ahead of Covid, recognized a need to shore up ag and food resiliency in the region, forming an Ag Taskforce under the umbrella of the CBPC, which thrived due to CBPC member involvement. Chair Stehle stated that the Ag Task Force accomplishments were realized as the COG Board recently approved the formation of a FARM Ad Hoc committee to further advance regional food and ag resiliency. Chair Stehle also highlighted the CBPC's annual Academic Paper Competition as a partnership with area learning institutions and scholars to gain insights into Bay water quality issues.
- Lastly, Chair Stehle pointed out the array of issues local governments need to address from affordable housing to recreation, storm intensity, and more than ever, public health

and how to safely reopen during a global pandemic. He noted that CBPC members will be elaborating on these issues later in the Forum.

2. OPENING REMARKS BY INVITED GUESTS

Representatives from Maryland, Virginia and the District of Columbia shared their state's updates and perspectives on issues at hand.

A. Benjamin Grumbles, Secretary Maryland Department of the Environment

- Secretary Grumbles said that Maryland participated in the lawsuit against EPA because Maryland is not willing to let the Bay Partners fail and we need federal leadership to enforce the TMDL.
- He echoed the sense of loss of Lisa Feldt, both as a colleague and friend.
- He teased that he has peacefully transitioned his role as chair of the Bay Program's Principal's Staff Committee (PSC) to Secretary Strickler, VA.
- Some other issues at the front and center for MDE include Equity, Inclusion and Justice—we need to ensure that underserved communities are resilient to the impacts of climate change.
- Secretary Grumbles said Maryland recognizes the need to do more to address additional future nutrient loads due to climate change.
- Maryland's suit against Exelon for managing their share of the Conowingo Dam pollution is still pending. The Conowingo WIP is on the verge of release for public comment.
- Maryland's Phase I MS4 stormwater permits for its 10 counties are in draft form and the permits for the four initial counties are expected to be out for tentative determine and a 90-day comment period the end of October. Secretary Grumbles acknowledged Lee Currey for his work on stormwater as well as other issues.
- Secretary Grumbles underscored the importance of environmental justice. The CBP Executive Council, all of the Bay governors, signed an agreement to address systemic racism and to diversify its talent pool. Likewise, Maryland's Department of the Environment, Department of Natural Resources and Department of Agriculture are preparing to "walk the walk."
- He stated that the Chesapeake Bay depends on local government implementation, so he was glad we could hold this meeting.

B. Matthew Strickler, Virginia's Secretary of Natural Resources

- Secretary Strickler agreed that the states [Maryland, Virginia, and DC] have a strong partnership.
- He expounded upon the PSC DEIJ statement saying there will be an effort to diversify the Bay Program's personnel and the conservation movement in general.
- He agreed that it would have been good for EPA to meet with the states and locals, handling the legal dispute separately.
- He said Governor Northam grew up in the Chesapeake Shore and is doing everything he can to uphold Virginia's commitment to water quality—to keep ag BMPs, stormwater local assistance fund and wastewater financing in the budget. Recurring water expenses in the budget are getting scrutiny as the budget is in reassessment.
- Secretary Strickler expressed confidence in the state's WIP and credited Ann Jennings and James Martin as being integral to their ongoing success.
- Virginia is working on a Coastal Resilience Plan that will cover public safety, infrastructure, and also the Bay, such as protecting coastal reefs (oyster habitat) as shoreline moves.

C. Jeff Seltzer, Deputy Director Natural Resources Administration, District Dept. of Energy and the Environment (DOEE)

- Jeffrey Seltzer represented the District of Columbia, saying Tommy Wells, DOEE Director, sent his hello and regrets that he could not be at the Forum.
- Mr. Seltzer said we are all facing similar challenges, compounded by the financial and operational changes due to Covid-19.
- DC is feeling the effects of climate change: On September 8th areas of DC experienced sewer backup from a CSO that was unable to handle the storm intensity.
- The region is united to restore the Bay. For example, Maryland and the District are working closely to address the Anacostia River Trash TMDL, and DC is aligned with its neighbors on the need for equity and inclusion.
- DOEE's MS4 program is addressing numerous local TMDLs including the CSO, bacteria TMDLs, and legacy pollutants, such as PCBs, in sediments.

3. CHESAPEAKE BAY & WATER QUALITY: A DIALOGUE BETWEEN PARTNERS

CBPC members and invited guests

A. Libby Garvey, Arlington County Council Chair, and Jason Papacosma, Arlington County's Watershed Programs Manager and WRTC Chair

- Councilmember Garvey presented Arlington County's history of burying streams underground, post-World War II, which with recent years' change in the precipitation patterns and volumes, combined with rising sea level, is leading to overland flooding (there is nowhere for the water to go) and streambank erosion. In July 2019 there was 100-500-year rainfall which demonstrated the issue of not having any place for the water to drain to.
- In addition, the county's wastewater treatment plan is located on the shore of Four Mile Run.
- The county is making significant investments to address flooding and stabilize streams.
- Localities need more time to address the regulatory framework and more funding and resources.

Discussion:

- Secretary Grumbles responded we need innovative financing strategies to address flooding, by making climate and clean water connections and putting a price on the solution. Water programs can model financing after the REGI approach to Greenhouse Gas Reductions, where there is private capital funding solutions.
- Shannon Moore mentioned FEMA's BRIC grant program which would proactively address climate and integrate it with water.
- Secretary Goshorn encouraged local governments to look at Maryland's "Community Resilience Program" <https://dnr.maryland.gov/ccs/coastsmart/Pages/grants.aspx> which seeks to match local governments with funds and resources to implement restoration projects which makes communities more resilient to climate change while reducing nutrient and sediment inputs to the Bay.
- Mr. Currey added there is a need to bolster integration of water and resiliency programs, for example dam safety is a huge concern.
- Deputy Secretary Jennings added that Governor Northam and the General Assembly established the Virginia Community Flood Preparedness Fund, funded by REGI, <https://lis.virginia.gov/cgi-bin/legp604.exe?201+ful+CHAP1254> . Project funding guidelines are being developed.

- Councilmember Boddye commented that we often talk about infrastructure return on investment, but we rarely talk about the return on being proactive about our clean water, stormwater, and wastewater investments.
- Councilmember Rice asked whether the state representatives could elaborate on how they are addressing racism head-on with examples? For example, are we prioritizing infrastructure investments in communities of color that are at risk?
 - Deputy Secretary Jennings (VA) responded that Dr. Underwood, Governor Northam's Director of Diversity, Equity and Inclusion, was involved in writing the CBP's Executive Council's DEIJ statement, and Secretary Strickler, as Chair of the PSC is going to be tasked with bringing this statement to action.
 - Secretary Grumbles answered that MDE is working on reducing greenhouse gases, and to increase zero emissions vehicles. This has an environmental justice component for diesel idling stations are often located in communities of color. Maryland is partnering with George Hawkins Moonshot Missions, to help Maryland to provide funding to advance equity in water infrastructure.
 - Jeff Seltzer responded that DOEE has been doing an internal assessment on equity and inclusion. He said they have received a "developing" grade – meaning there is more work to be done on internal practices (e.g. coordination, integration, hiring/promotion in management roles) and how resources are made available externally to community members.

B. Joe Gill, Prince George's County Director of DEP, and Kate Bennett, Montgomery County DEP's Stormwater Division

- Local governments work best with long-term planning horizons, looking now beyond 2025. The CIP budget process is greater than five years, with competing expenses. For example, Prince George's County needs to build 21 schools in the next seven years, requiring issuing debt. Then layer on the costs of the pandemic.
- In Mr. Gill's presentation he showed a slide comparing \$1,000 worth of nitrogen removal through best management practices (BMPs) by sector, agriculture being 33x less expensive than stormwater.
- Ms. Bennett said Montgomery County as a MS4 Phase I permit holder has been required to do environmental site design (ESD) (green infrastructure) to the maximum extent practicable for the last several permit cycles, and now has treated close to 4,000 acres with over 14,000 stormwater BMP facilities. These facilities require inspection and maintenance. ESD projects are typically twice as expensive to maintain than grey infrastructure.
- Given the climate change and flooding pressures, plus the need to address equity, local governments would benefit from regulatory flexibility and longer timelines to accomplish nutrient reductions. Ms. Bennett pointed out that time needs to be built into the stormwater permitting process for hiring and training additional staff, permitting at local, state, federal levels, as well as competition for contracting services.

Discussion:

- Mr. Currey said that that stormwater restoration provides a variety of co-benefits to communities (green infrastructure, flood protection, local stream improvements) and will continue to be important part of our overall ecosystem restoration. Local jurisdictions are key in finding the right locations and practices for stormwater manager and essential to build community engagement and stewardship. We should look beyond just nitrogen reductions when thinking about the stormwater sector.
- Members agreed that stormwater management is more than nutrients; stormwater must address multiple local issues and benefits.

C. Karen Pallansch, CEO, Alexandria Renew Enterprises

- Ms. Pallansch said she was honored to represent the wastewater sector and there is a lot to celebrate about the wastewater sector. It has been super successful. Through the TMDL process, wastewater treatment plants have often been asked to provide more reductions than other sectors because of our history of good performance and the reliability of our systems.
- As population grows many of our region's plants are or will be at their limits of technology for removing nutrients. To do more would be expensive. We need to consider the affordability for our communities: There are underserved populations even in overall wealthy areas. Affordability is an environmental justice issue, as is flooding.
- As a lot of issues come together we need a broader, more impactful conversation about how we can find integrated and innovation solutions, weighing capital costs versus benefits. Meeting the Bay goals will require us to explore new solutions. For climate resiliency, for example, we are striving to reach energy neutrality, but we cannot achieve this if only focused on one or two items [nutrients]. Our state and federal partners need to engage all parties in the Bay TMDL to find solutions that provide multiple community benefits. We can't afford to take a siloed approach – future investments must address multiple community needs, economic growth, water quality, flooding, and affordability.
- Alexandria Renew is researching how to increase our reclaimed water program, low-energy nitrogen and phosphorus removal, and urban agriculture that will allow Alexandria Renew to beneficially reuse the nutrients in its water.
- Many of these solutions aren't ready today and may not provide the kind of results that are needed, but Alexandria Renew remains committed to supporting Bay goals and will continue to coordinate with partners and work solutions into its capital improvement timelines in planning for post-2025.

Discussion:

- Matt Reis, and other members and state guests emphasized the “one water” concept—we need to address stormwater, drinking water and wastewater in a non-siloed fashion and on a watershed scale.
- Chair Stehle praised Alexandria Renew's job training and apprenticeship program. Councilmember Boddye pointed out that the utility training programs do not incur large student debt. Councilmember Rice said we need to market these programs to communities of color and via K-12 programs.
 - Karen Pallansch responded that Alexandria Renew uses the Urban Alliance and the Arlington Career Center to market their program.
- Mike Leszcz mentioned water reuse projects for generating utility revenue.
 - Ms. Pallansch said in an urban area such as Alexandria they are constrained, so reuse is an important component, but solutions are not one type fits all.
- In her closing remarks, Ann Jennings said she really appreciated the conversation and was impressed by the collaboration within our region. She said that with Governor Northam as chair of the CBP's Executive Council, let Virginia know where they may be of help. Lee Currey said it was a good discussion and in particular he liked the focus on co-benefits for communities. For example, stormwater projects offer stream ecological uplift or living shorelines and can address resiliency.

4. SUMMARY OF DISCUSSION AND NEXT STEPS

Jon Stehle, CBPC Chair

- Chair Stehle thanked everyone for their engaging discussion and said the CBPC looks

forward to working with the states on a number of these issues over the coming year, of course including joint promotion of the 2021 Chesapeake Bay Awareness Week and connection to one's local watersheds. He cited the Watershed Map that COG and the CBPC produced this year. He turned it over to Vice Chair Sayles to summarize the Forum highlights.

- Vice Chair Sayles summarized themes of the day which included equity, resilience, collaboration and co-benefits. She closed by saying cost-effectiveness of ag pollution reduction measures is important and that we need to provide grants and incentives to farmers.

5. FORUM ADJOURNMENT

At 12:00 p.m. Chair Stehle adjourned the Forum, for CBPC members to begin their business meeting.

FORUM ATTENDANCE

Members and Alternates:

Amy Jackson, Alexandria
Cindy Dyballa, Takoma Park
Craig Rice, Montgomery County
Jon Stehle, Chair, City of Fairfax
John Boland, District of Columbia
Kenny Boddye, Prince William County
Kristen Umstatt, Loudoun County
Laurie-Anne Sayles, City of Gaithersburg
Libby Garvey, Arlington County
Maria Mackie, Colledge Park
Ross Litkenhous, Falls Church
William Skrabak, Alexandria
Adam Ortiz, Montgomery County
Alison Deines, Alexandria Renew Enterprises
Basil Borisov, WMATA
Beth Forbes, Gaithersburg DEP
Frank Dawson, Montgomery County
Heather Gewandter, Rockville DEP
Jeff Seltzer, DOEE
Joe Gill, Prince George's County
Joel Caudill, WSSC Water
Karen Pallansch, Alexandria Renew Enterprises
Matt Reis, DC Water
Mike Leszcz, Laurel
Nasser Kamazani, Montgomery County
Norm Goulet, NVRC
Pam Kenel, Loudoun Water
Steve Allen, Laurel
Steve Shofar, Montgomery County
Shannon Moore, Frederick County DEP
Tiffany Wright, Bowie DEP

Guests:

Ann Jennings, VA Deputy Secretary of Natural Resources
Benjamin Grumbles, Secretary MD Dept. of Environment
David Goshorn, MD Dept. of Natural Resources
Jason Papacosma, Arlington County
James Martin, VA DEQ
Jessica Lassetter, Alexandria
Jutta Schneider, VA DEQ
Kate Bennett, Montgomery County
Lee Currey, MDE
Matthew Strickler, VA Secretary of Natural Resources
Maureen Holman, DC Water
WTOP Radio

COG Staff:

Brian LeCouteur
Christine Howard
Heidi Bonnaffon
Karl Berger
Katherine Dyer
Lisa Reynolds
Lindsay Smith
Monica Beyruti-Nunez
Steve Bieber
Steve Walz
Tom Gates



CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE (CBPC)

Friday, September 25, 2020
12:00 P.M.-12:30 P.M.

BUSINESS MEETING SUMMARY-DRAFT

DECISIONS & ACTIONS:

- Members were asked to share the CBPC Academic Paper Competition graphic and [webpage](#) with their academic connections, in particularly with Historically Black Colleges and Universities.

1. CBPC ANNOUNCEMENTS

Jon Stehle, CBPC Chair and Laurie-Anne Sayles, CBPC Vice Chair

- Chair Stehle said it was a pleasure to present the FARM Ad hoc resolution to the COG Board and requested that the resolution be shared with the CBPC.
- He asked Vice Chair Sayles to share plans for next year's Paper Competition. She said the competition is built upon last year's successes but will broaden the topics. She shared a social media graphic for the Paper Competition, saying the goal is to get the word out this semester and to accept applications in the spring of 2021. As was done this year, the top authors will be invited to present their ideas to the CBPC.

2. MEETING SUMMARY APPROVAL

Jon Stehle, CBPC Chair

Members approved the draft summary of the July 17 CBPC webinar.

3. MEMBER & STAFF UPDATES

- A. Joel Caudill, WSSC Water, presented his real-world example of the fiscal impacts Covid is having on their utility's budget. WSSC Water has had a 7.7% decrease in revenue, and 90,000 accounts past due. Water usage is down 10% this year due to reduced demands by the industrial and commercial sectors (e.g., restaurants).
- B. Councilmember Boddye said that Prince William County is looking into expanding the Occoquan Watershed Policy requirements (design standards) that have been in effect in Fairfax County to apply in Prince William County as well.
- C. Vice Chair Sayles shared that MML's two legislative priorities for the upcoming session include climate change and broadband connectivity.

The next CBPC webinar will be on **November 20, 2020** from **10:00 A.M. to 12:00 P.M.**