

CHESAPEAKE BAY and WATER RESOURCES POLICY COMMITTEE
777 North Capitol Street, N.E.
Washington, D.C. 20002

MINUTES OF MARCH 21, 2014 MEETING [DRAFT]

ATTENDANCE:

Members and alternates:

Bruce Williams, City of Takoma Park
Cathy Drzyzgula, City of Gaithersburg
Craig Rice, Montgomery County
Hamid Karimi, District of Columbia
JL Hearn, WSSC
Libby Garvey, Arlington County
Mark Charles, City of Rockville
Meo Curtis, Montgomery County
Maureen McGowan Holman, DC Water
Penny Gross, Fairfax County
Tim Lovain, City of Alexandria

COG Staff:

Christine Howard, DEP
Heidi Bonnaffon, DEP
Karl Berger, DEP
Steve Bieber, DEP
Steve Walz, DEP Director
Stuart Freudberg, Senior Director

Guests:

Tim Stevens, Sierra Club
Lisa Ragain, Aquavitae

1. Introductions and Announcements

Chair Gross called the meeting to order at approximately 9:00 a.m.

2. Introduction of Stephen Walz, COG's New Director of Environmental Programs

Chair Gross introduced Steve, saying she knew him when he was with Virginia Department of Mines, Minerals and Energy, and worked on cross-cutting issues with the Department of Environmental Quality, and then later when he worked on the local government level for the Northern Virginia Regional Commission. She said he has a broad perspective on a lot of issues within the Department of Environment. Mr. Walz said he is looking forward to working with everyone.

Ms. Gross asked that COG staff share Steve's email and phone number with the members (see below):

Steve Walz swalz@mwcog.org / 202-962-3205

3. Committee business

Chair Gross

a. Approval of January 17th Meeting Summary

There was not a quorum so the minutes were not adopted. They have been filed for record.

b. 2014 CBPC member roster

A 2014 CBPC Committee roster was distributed at the meeting. COG is still awaiting appointments from the DC Council and the City of Frederick. Vice Chair Rice has a suggestion of a City of Frederick appointment.

c. 2014 CBPC Topics and Proposed Schedule - Heidi Bonnaffon

A proposed schedule of topics for the remainder of 2014 CBPC meeting was distributed.

- The members supported having a committee forum with officials from EPA, Maryland and Virginia at the July 18 meeting, and a Blue Plains tour, in conjunction with a shortened business meeting, on September 19th.
- Ms. Garvey, noting that Arlington County will be hiring 11 new employees to work on stormwater issues, requested that the November meeting include a discussion about messaging to the public about stormwater rates. Mr. Gross noted that Fairfax County recently raised the portion of the county property tax devoted to stormwater management, from 2 to 2^{-1/2} cents. Mr. Williams noted that the Takoma Park stormwater utility fee, which has been in place for about 20 years, has gained public acceptance as residents have been able to view the projects and improvements it has funded.
- Mr. Williams suggested that the presentation of the Conowingo Dam issue, scheduled for discussion in November, incorporate a visual element so that members can see what the dam looks like. Ms. Gross suggested a public television video about the dam may be worth showing. Mr. Karimi noted that some local governments in the region have joined a coalition led by a law firm, Funk & Bolton, P.A., which has made this issue into a centerpiece of its arguments for how much Chesapeake Bay restoration activity should be required of local governments.

4. REGIONAL DRINKING WATER – PROTECTION & INFRASTRUCTURE

A. WEST VIRGINIA WATER CONTAMINATION EVENT AND PREPAREDNESS IN THE NATIONAL CAPITAL REGION

Steve Bieber, Chief Urban Watershed Programs and Homeland Security, COG

Mr. Bieber briefed the committee about the emergency response to the January chemical spill in the Charleston West Virginia area. He also presented information regarding preparedness for potential water contamination events in the National Capital Region and ongoing work to update the region's Water Supply Emergency Plan.

Although much of the spill response in West Virginia was performed by state and federal government agencies, Mr. Bieber said that local governments were involved in distribution of bottled water, setting up recycling programs to handle the increased bottle waste, coordinating the response of voluntary care programs to address vulnerable populations, and inspecting schools and day-care facilities. In drawing comparisons to the Washington region, Mr. Bieber noted that local governments and water utilities in this region have made a lot of preparations for emergency response to potential water supply interruptions, whether derived from spills, loss of power or other phenomena. For example, he said, utilities in this region plan to meet soon with Colonial Pipeline, which owns a gas pipeline that crosses the river upstream from the region's main drinking water intakes, to discuss spill prevention measures.

Members said that their constituents remain somewhat confused about the source of their drinking water and expressed some concern that what happened in West Virginia somehow affected them. They suggested that when this presentation is made to the COG Board it would be helpful to show the Jennings Randolph reservoir, which is in West Virginia and is part of the Potomac watershed, relative to the area affected by the spill in West Virginia.

Mr. Rice pointed out that managers for electric utilities regularly test their emergency response systems and equipment and update their plans accordingly. He asked if this is the case for water utilities. Steve and Stuart said that water utilities are doing the same thing under COG's Water Supply Emergency Plan. The utilities and local government officials periodically conduct table-top exercises and convene groups to work on specific areas. Stuart pointed out, for example, that in the wake of the temporary interruption to WSSC's supply to a portion of Prince George's County that occurred last summer, the utilities have formed a committee to make sure valves remain operational. Steve added that water utilities are learning from Dominion and Pepco on how to better coordinate their efforts with government emergency managers.

Ms. Gross asked if ground water wells in West Virginia were contaminated. The answer was no.

Both Ms. Drzyzgula and Ms. McGowan Holman said that certain aspects of the process, such as reporting potential spills and assisting with notification efforts in the event of a water supply disruption, could be performed by citizens.

Mr. Garvey asked how much supply disruption would occur if a contamination event similar to the one in West Virginia occurred here. Steve replied that it would depend on the type of contaminant and the specific circumstances of a spill. However, the region's water supply system has a number of advantages compared to the affected systems in West Virginia. These include an existing model that provides information on travel times of contaminants in the river, an in-place system to monitor water quality in the system that could detect contaminants that would otherwise go unnoticed and multiple intakes that allow for withdrawals from sources other than the Potomac River and from various points along the river.

B. COG's Regional Infrastructure Work Plan and Water Resource Focus – Stuart Freudberg and Stephen Walz

Mr. Freudberg provided a brief overview of the COG Board's FY2014 Work Plan priority on Regional Infrastructure and general plans for the coming year.

Mr. Walz provided an overview (meeting handout) of the types of information that staff plans to include in a drinking water presentation to the COG Board on April 9. He asked

members to identify any other aspects that should be included in this presentation. Committee members suggested the following:

- Ms. Gross suggested it would be useful to know how much is used by hospitals, manufacturing (e.g., computer chips manufacturing in Manassas), and what are the limits to our production capacity. Under the bullet, Who Pays, suggestion was to explain billing structures.
- It was suggested that staff should discuss job issues in the water sector.
- Members noted that infrastructure replacement costs are driven not only by age factors, but also by the type of materials used in the past and pipe replacement methods.
- Mr. Rice suggested that land use decision making should be mentioned because of its impact on the expansion of existing systems and the use of groundwater to meet well water needs.
- A member requested the addition of reuse/reclamation issues.
- Members suggested that interdependencies include electrical and communication aspects.

Stuart said that the presentation to the Board will provide a broad overview, but will go into more in-depth on aspects such as the spill. He said that utility representatives will be notified of the Board presentation.

Ms. Gross suggested that time may be ripe for COG to conduct another water summit, such as occurred in 1999. Ms. Garvey also promoted the idea, emphasizing the importance of knowing how to communicate with the public on water infrastructure issues.

5. Staff Updates

- A. **DC Water's Green Infrastructure Proposal** – Mr. Freudberg mentioned that the comment letter on DC Water's proposal to invest \$100 million in green infrastructure was still being discussed, and would likely come before the COG Board on April 9.
- B. **Chesapeake Bay Agreement Letter, Management Strategies, and Strategic Planning for Bay Forum**- Ms. Bonnaffon said that focus of further COG comments, such as at the July forum, would be on ensuring local government voice in management strategies. She also noted that many of the submitted comments on the draft agreement, many were focused on toxics and climate change. She also mentioned that there is \$70 million in the proposed federal budget that would be devoted to Bay restoration work, \$16 million more than in prior years.
- C. **Maryland Stormwater Litigation** –Karl Berger
Mr. Berger noted that various coalitions of environmental groups have sued the Maryland Department of the Environment over the provisions of the new Phase I stormwater permits it is issuing to counties in Maryland. The current test case involves the permit issued to Montgomery County in 2010, in which a county Circuit Court judge recently ruled in favor of the plaintiffs and MDE and the county have filed an appeal. He said various groups representing local governments are considering whether to file an

amicus brief in support of the state and county position. Ms. Curtis noted that the environmental groups would like to see the permit tied more directly to the achievement of water quality standards... Mr. Charles asked if EPA is going to weigh in on the case. Chair Gross requested a summary of the litigation issue be distributed to the committee. It was sent via email to the CBPC on April 11th.

6. New Business - Members

Mr. Lovain noted that the Transportation Planning Board adopted the Green Streets Policy.

7. Adjournment

Chair Gross adjourned the meeting at 12:05 p.m. and reminded members of the April 9 COG Board meeting.