

CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE WEBINAR SUMMARY-DRAFT

July 17, 2020

LINK TO ALL MEETING PRESENTATIONS AND MATERIALS:

<https://www.mwcog.org/events/2020/7/17/chesapeake-bay-and-water-resources-policy-committee/>

DECISIONS & ACTIONS:

- Members approved the plan for the Food and Agriculture Ad Hoc Committee Resolution to go before the COG Board.

1. CALL TO ORDER & ROLE CALL

2. CBPC MEETING SUMMARY APPROVAL

Members approved the draft summary of May 2020 CBPC webinar.

3. MAINTAINING BUILDING WATER QUALITY

Dr. Jennifer Clancy, President of the Espri Institute, presented recommendations for flushing and maintaining building water quality, after prolonged building closure.

- While Covid-19 has disrupted life's norms, Covid-19 is not transmitted through tap water.
- Instead there are risks when water is not moving through the system, as water quality degrades over time, creating changes in water chemistry that can cause corrosion and biological changes that can cause bacteria growth and growth of biofilm.
- Legionella, a bacterium which causes Legionnaire's disease, occurs naturally in water and soils. These organisms can live inside building systems and biofilm.
- Legionnaire's disease, a form of pneumonia, is caused by inhalation of contaminated water droplets, and is on the rise, as the number one waterborne disease in the U.S.
- Director of facilities, operations or maintenance should have a Water Management Plan. A Water Flushing Plan is one component to maintaining building water quality. These plans should be implemented in advance of reopening buildings.
- Dr. Clancy provided Espri's website and a list of resources including a guide from the CDC. See her presentation (via the above link) for details.

Member discussion

- A member asked how a local government backflow prevention program ties in. Backflow prevention in a building will not impact the building's local water ecology.
- A member commented that you can get Legionnaire's from a shower head. Dr. Clancy agreed that you can get Legionnaire's from any aerosolized water, including public misters and decorative fountains.
- Dr. Clancy said jurisdictions and buildings of all sizes, should have Building Water Management Plans.
- Ms. Bonnaffon mentioned that all of our local water utilities have been posting information about building water quality, so your utilities are good resources as well.

4. AG TASK FORCE UPDATE

A. Councilmember Craig Rice

- When we look at agriculture in the midst of Covid-19, the importance of food resiliency has

been magnified and there is a new urgency. The Ag Taskforce has proposed standing up an Ad hoc COG Committee that could consistently address food resiliency issues and share best practices.

- It is important that members be able to financially support this work, but there is a realization of Covid-19 budget constraints. COG will add the ag work to COG's single member bill, so that local governments have flexibility on how to finance this work.
- The Ag Task Force has been holding biweekly calls to address a variety of food issues. For example, using GIS mapping to address food insecurity and help local food banks get sufficient food,
- Councilmember Rice asked the CBPC to support the Ad Hoc Committee, in partnership with CEEPC and Region Forward. Once approved, COG would finalize the draft Resolution and bring it before the COG Board in support of an Ag and Food Ad hoc Committee.

Member discussion

- The members approved and highly praised the draft Resolution for the Ad hoc committee.
- Councilmember Rice noted this work began pre-Covid, and now thinking about the future of regional food security in light of a pandemic and climate change, makes it even more timely.

5. PREPARATIONS FOR BAY & WATER QUALITY FORUM

Mr. Berger and Ms. Bonnaffon recommend framing of issues for the September Forum, and asked members to provide feedback on a series of talking points. In advance of the Forum, COG would like to identify designated speakers to cover members' points. Members bring points to light via content and examples.

- Mr. Berger stated that two primary issues for the Bay Program are factoring climate change into individual state allocations and addressing the Conowingo Dam WIP pollution loads. Together these represent roughly 20% of the total pollutant reductions needed in the TMDL from 2017-2025. However, for Maryland, Virginia and the District of Columbia the impacts of climate change and Conowingo loads will be significantly less.
- Reflective of COG interests and the CBPC's policy principles, COG staff shared a proposed set of talking points for member reaction and comment (see the presentation for talking points framing and below for member comments).

Member discussion

- Regarding Talking Point 1: The Bay TMDL is just one driver, of multiple local water quality drivers and issues that local governments must address (e.g., stormwater permit requirements, winter salts, flooding issues), a member said flooding is really a huge issue. In Fairfax County houses were built in the 1950s in floodplains, and developers are still seeking waivers to build in flood plains.
- A member asked if any of the Administration's loosening of regulations has affected the Bay. Karl Berger said one of the main issues is funding: The Administration zeros out Bay Program funding and Congress restores it. Also, there has also been public debate about the enforceability of the Bay TMDL and intent to sue Pennsylvania to meet its obligations. Lastly, Mr. Seltzer remarked that changes in the definition of Waters of the US as well as changes to the 401 Water quality certification process will also have negative impacts.
- Members were supportive of talking points 2 & 3 about the need for long-term planning horizons and for protection of wastewater plant capacity for growth.
- Members offered a number of suggested refinements to Talking Point 4, phrased as "Climate Change and Conowingo WIP allocation decisions should be based on equity, not political considerations,... A cautious approach to setting climate change reduction targets is

warranted, given local resources to achieve reduction are maxed out...If these new allocations result in nutrient reduction targets greater than a particular state can currently handle, the solution is to give that state more time and more federal resources to accomplish the increased goal”

- Members recommended changes to the framing to say, “reasonable and fair” versus “equitable”, since equality has taken on a different meaning.
- Another point is that for wastewater to further its limit of technology becomes an affordability issue. It could be done, but at a great cost to rate payers. However, another member said given our region’s affluence, affordability is sometimes not seen as applicable here.
- A member cautioned against the phrasing “a cautious approach to setting climate change targets is necessary” saying it would send the wrong signal to the collective officials. Staff will modify the wording to emphasize that climate targets are important and need to have achievable goals and realistic timing, especially given the financial constraints governments will be facing. Mr. Berger elaborated that the Bay Program is discussing setting climate targets for 2025 versus 2035. If 2035 were used it would mean 12 M lbs. of nitrogen. The talking points can say that more federal support is needed for states that are currently strained to meet WIP targets and climate change targets.
- Ms. Bonnaffon noted that for the Conowingo WIP, the majority of allocations are slated for Pennsylvania. If this comes to pass, just as in climate change targets, more federal support will be needed for Pennsylvania.
- Regarding talking points 5-7, equity and agriculture, members recommended that those are committee affirmations which do not warrant discussion but are better suited for framing at the beginning of the Forum by Chair Stehle.
- COG staff will make modifications to all of talking points, based on the discussion.
- Chair Stehle asked members to let Ms. Bonnaffon know if you have interest in speaking on particular points, and COG will follow up to confirm roles.

6. MEMBER UPDATES

- Chair Stehle provided an overview of next year’s Paper Competition stating that Vice Chair Sayles will keep the competition going next year and that the topic description is expected to be sent out for the full academic year, starting in the fall term with papers due in the spring term, for both college and high school students. Since many schools will be virtual this could be a good opportunity for this project.
- Chair Stehle provided time for members to debrief on current issues. Members discussed equity, policing, and provision of childcare during Covid-19 as other top issues.
 - Councilmember Garvey shared that the Arlington Council is working with a consultant to look at their police force. The police force is doing well, but it’s important to revisit all work through an equity lens. Ms. Garvey said she would like to hear how other members are addressing childcare in the time of Covid-19.
 - Councilmember Boddy announced that in June Prince William County directed staff to look at operations through an equity lens. Regarding criminal justice, Prince William County is adding people to the jail board that have a public defender and equity eye. He said that Prince William County is partnering with childcare providers to contract their services and make use of the large county spaces for larger scale childcare.
 - Councilmember Litkenhous said that Falls Church received numerous qualified applicants from its community of 15,000 for its new seven-person “use of force”

Council committee. The city is setting aside funds in the budget to pay for childcare for its employees. Falls Church is on track to have its new high school completed in January 2021 on time and on budget. As part of its environmental sustainability council, Falls Church is developing an urban agriculture committee.

- Supervisor Gross said school aged childcare has been coordinated by the county for forty years. The San Diego school superintendent said schools provide education, not childcare, which is an important reminder. While seasoned members miss the loss of the personal conversations and the ability to discuss issues in person, it is harder still for the four new members to the Board of Supervisors.
- Councilmember Mackie said College Park as a University town is trying to prepare for the potential for the university reopening. As a new member to the committee she is open to and learning much from this committee.
- Councilmember Rice said our generation has to do the work to ensure that our climate and our planet can continue to be welcoming for the human race. Part of this is this committee protecting our water ways and habitat. Members volunteer their time because they care.
- Councilmember Dyballa asked for emails offline about Takoma Park's preparations for mail-in election ballots.
- Mr. Reis announced that he is the new chair of the Chesapeake Bay Program's Wastewater Work Group. This work group tracks wastewater data and act as a forum for regulators. Mr. Reis is learning about the complexity of the Bay Program but is available for coordinating between the committees and avails himself to answer CBPC wastewater questions that arise.
- Numerous members thanked Chair Stehle for his leadership.
- Ms. Bonnaffon shared a summary of the Chesapeake Bay Awareness Week outreach put together by the Bay Program. It includes links to local governments virtual recognitions, proclamations, social media, and Chair Stehle's blog post on equity.

7. WEBINAR ADJOURNMENT

Chair Stehle adjourned the webinar at 12:00 p.m.

ATTENDANCE

Members and Alternates:

Amy Jackson, Alexandria

Cindy Dyballa, Takoma Park

Craig Rice, Montgomery County

J. Davis, Greenbelt

Jon Stehle, Chair, City of Fairfax

Keith Levchenko, Montgomery County

Kenny Boddye, Prince William County

Kristen Umstattd, Loudoun County

Laurie-Anne Sayles, City of Gaithersburg

Libby Garvey, Arlington County

Maria Mackie, College Park

Penny Gross, Fairfax County

Ross Litkenhous, Falls Church

Alison Deines, Alexandria Renew Enterprises

Beth Forbes, Gaithersburg DEP

Heather Gewandter, Rockville DEP

Jeff Seltzer, DOEE

Jonathan Champion, DOEE

Matt Reis, DC Water

Mike Leszcz, Laurel

Nasser Kamazani, Montgomery County DEP

Pam Kenel, Loudoun Water

Steve Allen, Laurel

Steve Shofar, Montgomery County DEP

Shannon Moore, Frederick County DEP

Tiffany Wright, Bowie DEP

Guests:

Jennifer Clancy, Espri Institute

John Reich, Foundation for Food and
Agriculture Research

Rachel Clark

Tim Bartrand, Espri Institute

COG Staff:

Christine Howard

Heidi Bonnaffon

Karl Berger

Katie Dyer

Lindsay Smith

Steve Bieber

Steve Walz

Tom Gates