

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

DRAFT MINUTES OF JANUARY 20, 2006, MEETING

ATTENDANCE:

Members and alternates:

Chair John Lovell, Frederick County
Vice Chair Barbara Favola, Arlington County
John Dunn, District of Columbia Water and Sewer Authority
J Davis, City of Greenbelt
Penelope Gross, Fairfax County
Sally Kurtz, Loudoun County
Martin Nohe, Prince William County
Andrew Fellows, College Park
Bruce McGranahan, Loudoun County
Uwe Kirste, Prince William County
J.L. Hearn, WSSC
Sheila Besse (representing Hamid Karimi), District of Columbia

Guests:

Katherine Mull, Northern Virginia Regional Commission
Suzan Bulbulkaya, Chesapeake Bay Commission

Staff:

Stuart Freudberg, DEP Director
Ted Graham, DEP
Steve Bieber, COG staff
Heidi Bonnaffon, COG staff
Karl Berger, COG staff

1. Introductions and Announcements

Chair John R. Lovell Jr., called the meeting to order at 9:45 a.m.

The committee approved the proposed meeting schedule for 2006, which calls for morning meetings on the third Fridays of January, March, May, July, September and October.

Mr. Graham noted that the state of Maryland is scheduled to hold this year's Chesapeake Executive Council meeting in the fall and a group has been formed to solicit ideas on items or themes for the meeting.

2. Election of Committee Vice Chairs for 2006

The committee unanimously approved the selection of Barbara Favola of Arlington County and Hamid Karimi of the District of Columbia as vice chairs, respectively for Virginia and the District of Columbia.

3. Outreach and Education: Virginia Campaign

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Katherine Mull of the Northern Virginia Regional Commission described the commission-coordinated campaign that pooled funds from most of the local governments in northern Virginia to sponsor a radio ad campaign in the summer of 2005. The ad promoted several messages for the general public that were intended to alter behaviors, such as improperly fertilizing lawns that could contribute to pollution of local tributaries and the Chesapeake Bay. Among other things, the ad campaign, she said, helped meet requirements in the participating jurisdictions' stormwater permits for public outreach. As part of her presentation, Ms. Mull played the ads themselves.

Ms. Mull said the total cost of the campaign was \$125,000, almost all of which went for actual time on the radio. Eight local governments contributed funds, according to a formula based on population. The 30-second spot aired a total of 895 times. She pegged the value of unpaid media time that was included in the campaign at an additional \$63,000. The campaign did not include a pre- and post-campaign survey of public attitudes, but she said radio listener data indicated that the campaign exceeded its goals for reaching its target audience.

Ms. Mull noted that the same group of participants is planning a similar campaign for this year. The group would encourage additional sponsors from northern Virginia and from elsewhere throughout the region, she added. She noted that the radio stations on which the ad aired generally reach the entire region.

Ms. Gross noted that home owners' fertilizer use was an issue in this year's Virginia General Assembly session, with one proposed bill calling for labels to be placed on bags of fertilizer and another that would prohibit local governments from taking any action regarding fertilizer use.

Ms. Kurtz said the campaign fulfills a definite need and did not require new funds, but rather redirects existing funds.

Ms. Favola suggested that Ms. Mull show a shortened version of her presentation (five minutes) to the COG Board and Ms. Gross added that a resolution encouraging additional participation from other COG member governments in the region should accompany the presentation.

Ms. Davis asked how much the participating governments spent on the campaign. In response, Ms. Mull said that costs were apportioned on a per capita basis. The largest jurisdiction spent \$73,000 and the smallest spent \$500.

Action Item: The committee directed staff to arrange for Ms. Mull to make a similar presentation at a future COG Board meeting and further directed staff to prepare a draft resolution to present to the Board encouraging those COG member governments who are not currently participating to consider doing so.

4, Approval of Meeting Summary for Nov. 18, 2005, and Sept. 28, 2005

With sufficient members being present to constitute a quorum, Chair Lovell asked for approval of the meeting summaries for the past two meetings. He noted that the summary for the Sept. 28, 2005, meeting was not approved in November because of lack of a quorum. The members present approved the summaries.

7. Update on Trash Treaty Actions (This item was discussed ahead of items 5 and 6 on the agenda)

Ms. Gross noted that the advisory council to the Potomac "trash treaty" being coordinated by the Alice Ferguson Foundation was held at COG on Jan. 18 and was well attended. The foundation has been working with COG and a number of member governments have signed the treaty, Ms. Gross said. Much of the advisory group's meeting was taken up with planning for the trash summit the foundation is organizing for March 16, she noted, adding that

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the summit is likely to prove a largely ceremonial event.

Mr. Graham of COG staff said that local government staff involved in the trash treaty effort has focused much of its attention to date on documenting existing programs and activities that reduce trash. COG staff is preparing to issue a questionnaire to member government staff to better document relevant existing activities. Beyond that, the treaty effort has not yet produced definite action items, Mr. Graham said, and remains in a discussion phase, for instance, on whether the region should adopt a voluntary "TMDL" for trash.

Much of the ensuing committee discussion focused on how and whether member governments should sign the treaty. Ms. Davis noted that there appears to be some confusion about whether members should deal with the foundation or with COG and Mr. Graham replied that members should deal directly with the foundation. Ms. Favola asked whether COG is a strong partner in this initiative and suggested that, if so, COG should seek as high a profile as possible. Ms. Gross replied that COG has deliberately avoided direct partnership to date. The foundation, she said, has to play the main role. To a question of whether or not the foundation can be trusted, she also said, "We're not quite sure. We're still dating."

Mr. Fellows was supportive of a strong role for COG in the treaty, saying that this is a very appropriate activity for COG involvement.

Mr. Nohe said that as a nonprofit organization, the foundation has a different set of priorities and issues than do local governments. Governments, he said, must consider the cost implications of getting involved, which is why, he added, that Prince William County has not yet signed the treaty.

Chair Lovell said that in signing the treaty a local government does not have to buy into every aspect of the foundation's agenda. Noting that Frederick County was due to sign the treaty shortly, he suggested that local government involvement makes the point that everyone is responsible for trash, just as everyone in the watershed is responsible for the water quality of the Chesapeake Bay.

7. Legislative and Funding Updates (This item was discussed ahead of item 6 on the agenda)

Suzan Bulbulkaya, Virginia director of the Chesapeake Bay Commission, briefed the committee on legislation that could affect the Bay that had been introduced in the Virginia General Assembly. She said there was a lot of interest in creating a dedicated funding source for the state's Water Quality Improvement Fund (WQIF), which has had to rely on surpluses from other parts of the budget and in some years has not been funded at all. She briefly discussed three separate bills with different proposals for dedicated funding.

Ms. Bulbulkaya also noted that the proposed FY 2007-2008 budget submitted by former Gov. Mark Warner and supported by new Gov. Timothy Kaine includes a one-time contribution of \$200 million to the WQIF, all of which is to be spent on upgrading the nutrient removal capabilities of wastewater treatment plants.

Ms. Gross noted two other bills of potential interest to committee members would, in one case, lower the required recycling target for local governments from 25 to 15 percent and, in another case, would allow the state to set different recycling targets for local governments based on population.

Chair Lovell asked for committee feedback on the staff recommendation that COG support the \$200 million contribution to the WQIF. Ms. Gross endorsed this position and also recommended that COG should express support in general for action to provide a dedicated funding source for the WQIF without endorsing any particular proposal. The committee unanimously supported this recommended position.

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Action Item: COG staff will arrange for the committee to recommend to the COG Board that COG write a letter in support of the one-time contribution of \$200 million to the Virginia WQIF and also support the idea of establishing a dedicated revenue source for the fund without endorsing a specific proposal. COG staff should prepare a draft letter that the committee can review before the COG Board meeting on Feb. 8.

In the second part of this item, Mr. Berger of COG staff noted that copies of the “Annual Status Report” on Maryland’s Bay Restoration Fund were available. The report provides figures for the amounts collected and activities supported through the fund. This includes that portion of the fund derived from septic system users, which is to be spent for both agricultural cover crop payments and septic system upgrades. Mr. Berger noted that the state is in the process of issuing an RFP to determine how to achieve septic system upgrades.

Ms. Gross asked a general question about the ability of newer septic system technology, such as sand mounds, to capture nutrients. Mr. Dunn said the information he has seen on such systems indicates that they can be effective if they are properly designed and operated.

Ms. Davis expressed concern that the newer systems are making it possible to build houses where it is was not possible to do so before.

6. Committee Focus for 2006

Mr. Berger of COG staff briefly outlined a staff recommendation for issues on which the committee should focus its attention in 2006. These include nutrient use in urban regions, the ongoing Potomac trash treaty initiative and education and outreach.

Ms. Favola supported the idea of focusing on urban nutrient use. She also recommends that COG continue to try to interact with the congressional Bay task force.

Ms. Gross said that COG’s advocacy of funding for local governments should continue to be a major priority.

8. Report from Water Resources Tech Committee

This item was deferred to a future meeting

9. New Business

None was discussed.

10. Adjourn

The meeting was adjourned at 11:45 a.m.