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

SUMMARY OF March 20, 2015 MEETING

ATTENDANCE:

Members and alternates:
Andy Fellows, College Park
Bruce Williams, Takoma Park
Cathy Drzyzgula, City of Gaithersburg (phone)
Craig Rice, Chair, Montgomery County
Daniel Sze (phone)
Hamid Karimi, District Department of the Environment
J. Davis, City of Greenbelt (phone)
JL Hearn, WSSC
Karen Pallansch (phone)
Libby Garvey, Arlington County
Mark Charles, City of Rockville (phone)
Meo Curtis, Montgomery County DEP (phone)
Shannon Moore, Frederick County (phone)

COG Staff:
Heidi Bonnaffon, DEP
Karl Berger, DEP
Monica Beyrouti, Executive Dept.
Steve Walz, DEP Director
Tanya Spano, DEP

Guests:
Kathleen Boucher, Montgomery County DEP (phone)
Mary Gattis, Chesapeake Bay Program, Local Government Advisory Committee

1. **Introductions**
   Chair Craig Rice called the meeting to order at approximately 10:00 a.m.

2. **Approval of CBPC January Meeting Summary**
   The draft January 2015 meeting summary was approved by the committee as submittted.

3.WATER RESOURCES ADVOCACY –Legislation; Management Strategies; Infrastructure

A. Legislation

Ms. Bonnaffon provided an overview of Virginia and Maryland bills that the CBPC's Advocacy Workgroup tracked, with special attention to Maryland SB 863, a bill to repeal the mandate that local governments with Phase I stormwater permits implement a stormwater utility fee – which passed the Maryland Senate the day of the CBPC meeting. The original bill featured a number of amendments affecting county fee programs, as well as the potential to withhold certain sources of state funds from local governments that are judged to have inadequate financing of their stormwater programs. CBPC members recommended submitting a comment

letter to the Maryland House Environment and Transportation Committee, and provided COG staff with comments on the amended SB 863.

Member Comments on SB 863:

- Chair Rice stated that Montgomery County is concerned that the legislation will affect its longstanding stormwater utility fee, and plans to comment.
- Ms. Moore said Frederick County is concerned about a provision that would affect the existing tax arrangements between counties and municipalities. The county also objects to the provision that would require the state to withhold various sources of funding to a locality, unless the county's financial assurance plan shows that revenue is sufficient to meet the projected annual costs of compliance.
- Several members noted that the bill requires changes in local tax codes by July 1, which would not allow sufficient for local governments to make the necessary tax code modifications.
- Mr. Charles said that Rockville is opposed to the amendments, and might submit testimony to Rep. Kumar Barve, who chairs the House committee that will consider the Senate bill
- Mr. Karimi said that while this is a Maryland bill, that the District supports the upstream Maryland counties being granted maximum flexibility to carry out their programs, especially given TMDLs for the Anacostia watershed that extend across both jurisdictions.
- Mr. Walz said that a comment letter on this item would be in accordance with the COG Board's 2015 Legislative Priorities. He also recommended that staff communicate with the bill sponsor in advance of submitting comments.
- Chair Rice said that a comment letter should stress more flexibility for individual jurisdictions to carry out their programs.
- Chair Rice and Mr. Charles agreed that sending CBPC testimony in advance of the first hearing of the bill before the House Environment and Transportation Committee makes sense.
- Chair Rice recommended COG staff draft a letter for CBPC review no later than March 27.

- Ms. Spano summarized key elements of the national efforts and outline areas of focus that will go in a CBPC letter to Congress that would both support the recently approved Water Infrastructure Finance and Innovation Act (WIFIA) and make several points regarding other water funding issues. She also noted that:
    - In addition to asking that Congress appropriate money to implement WIFIA, the letter would request that Congress maintain Clean Water State Revolving Fund (SRF) funding at current levels.
    - The Obama administration increased the Drinking Water SRF amount, but decreased the Clean Water SRF amount (as the Clean Water SRF supports wastewater and stormwater projects.)
    - Various national organizations involved in water policy issues are advocating that reauthorization of the Surface Transportation Bill reauthorization be used as a means of for getting more funding for water programs.

Mr. Walz and Ms. Spano both recommended that the CBPC's letter should not mention or propose a specific legislative vehicle for addressing the WIFA funding .

Member Comments

- Mr. Fellows moved a motion that COG staff prepare such a letter for the CBPC's endorsement, and Ms. Garvey seconded it.
- Mr. Karimi asked if the CCBPC letter would drafted to address the same points that the national organizations are noting, or if it would address other points. Ms. Spano said COG staff would draft the letter to reflect those national issues that are consistent with the COG/CBPC policy issues, but would not mention details about any specific legislative vehicles that may be advocated by the national organizations.
- It was noted that recipients of the letter should include Congressional representatives from the COG region, to lay the ground work for future coordination on legislative issues.
- Ms. Davis pointed out that maintaining tax-exempt bond status is a top priority for the National League of Cities (NLC), so perhaps COG could partner make that point.
- Chair Rice asked CBPC members to check their email for staff drafts of both the Maryland and national issues letters, so as to provide comments in a timely fashion.

B. Management Strategies

Ms. Spano provided an overview of the Chesapeake Bay Agreement's draft management strategies. There are 29 draft management strategies; each have sections that include "factors influencing", gaps," and "posters" that provide a short overview. Ms. Spano noted that COG staff will be reviewing the strategies over the next six weeks, seeking recommendations for comments from WRTC and CBPC members, and then seek approval for final comments to be submitted by COG.

Member Comments:

- Mr. Williams asked whether staff is looking to address broad themes among the management strategies or whether they intend to comment on specific points and strategies. Ms. Spano stated that staff envisions addressing both in the draft comments. Mr. Karimi stated it is important that COG and the CBPC continue to address issues that are of importance to urban areas in these strategies..
- Ms. Moore observed that the draft Management Strategies differ significantly in their level of specificity; for example some strategies have very few details to comment on.
- Mr. Charles said that there is a continued need to convey to the Chesapeake Bay Program the high level of knowledge and skills that some local governments already have – such as those in the COG region

C. Water Infrastructure

1. Innovative Infrastructure Financing

   Ms. Beyrouti, Member Services Associate for COG, announced that the COG Board, in partnership with the Brookings Institute, will hold a workshop on Innovative Infrastructure Financing on May 13. Click here to register.

2. COG's National Drinking Water Week

Ms. Bonnaffon shared the Community Engagement Campaign's (CEC's) tentative plans for a media pitch for an TV "information Series" during National Drinking Water Week to be held May 4-8. The plans include providing information about source water protection; holding drinking water and wastewater tours to see old and new water infrastructure; and conducting a week-long Information Series about water that will end with participation in the Smithsonian Garden Fest on May 8.

Member Comments:

- Chair Rice suggested the use of a "bottled water versus tap water taste test" to get the media's attention, citing his own family's taste test experiment. He said that it is an important message to stress to the public that they do not have to spend money on bottled water.
- Ms. Garvey and other members agreed that a contest is a good way to gain media attention; several others said that emphasizing the cost of a backed-up drain or the expense of bottled water is important.
- Mr. Karimi said that the public does not necessarily understand the quality of tap water; sometimes those buying bottled water can least afford it. It is important that the CEC messaging reach those from immigrant communities and others who normally are not reached by mainstream outreach efforts, a point echoed by Chair Rice.
- Ms. Drzyzgula said that the source water protection message should not be focused only on the Potomac, but also note the other drinking water resources in the region.
- Ms. Davis asked if the TapIt program is still happening, and Ms. Garvey said with outreach campaigns such as TapIt it's important to implement it multiple times. Ms. Bonnaffon noted that TapIt is being re-invigorated this year, by a full-time water resources intern at COG. Members can visit www.freetapwater.org to find out more about the program.
- Mr. Fellows suggested that COG staff measure the benefits of TapIt in terms of disposable water bottles diverted, or cost savings for tap versus bottled water. He also recommended that COG staff work to find ways to determine whether the public really understands what the local government's Drinking Water Week and other messaging is trying to convey.

4.AREAS FOR COLLABORATION WITH THE LOCAL GOVERNMENT ADVISORY COMMITTEE (LGAC)

Ms. Mary Gattis, who staffs the Chesapeake Bay Program's LGAC, said the CBPC members' discussion of legislation and Bay management strategies at today's meeting is a model for local engagement elsewhere in the watershed.

With regard to the Management Strategies, she recommended that:

- The Local Leadership Strategy be refined to better articulate local government roles.
- The Healthy Watershed Strategy be given attention since it has a source water protection component that could pertain to MS4 permit requirements.
- The Land Use Metrics and Method Strategy should be examined, since it affects local governments directly.

Member Comments:

Ms. Moore and Mr. Williams expressed support for COG staff coordinating with LGAC, and said

COG staff should make efforts to coordinate with other local government organization at both the state and national levels.

- Mr. Karimi said that LGAC and COG staff should continue to stress the need for efficient communication between the Bay Program's Executive Council, states, and local governments.

Ms. Gattis said that local governments should focus on two or three key issues when talking to the CBP's Executive Council. Two examples she cited: the need to make grant criteria more streamlined and the need to increase the efficiency of delivering funding to local governments. She also said she is looking for more local government representatives to attend CBP meetings.

5. STAFF UPDATES

Steve Walz, DEP Director, provided an overview of COG's Multi-Sector Working Group, which is tasked by COG's CEEPC and MWAQ committees to identify ways for the region to reduce greenhouse gas emissions. The Multi-Sector Working Group held its first meeting January 30. The working group, with consultant support, will examine local, regional, and state greenhouse gas reduction actions in four sectors – Energy, Transportation, Land Use, and Built Environment. The workgroup will explore of greenhouse gas reduction goals for all sectors—many of which relate to water resources. The water sector's draft strategies include water efficiency, water reuse, and stormwater projects.

The consultant will be drafting potential strategies for WRTC and CBPC comment by April 22. An interim report is expected to be issued by Sept. 30, 2015, and a final report, by January 2016. For other updates and a list of upcoming events, please see the General Updates document.

6. MEMBER UPDATES

Mr. Karimi mentioned that DDOE participated in an Environmental Justice Conference held in College Park, which covered a number of environmental justice issues including fish consumption advisories. He recommended this annual conference to other CBPC members and to the Anacostia Restoration Program, housed within COG. COG staff will follow up with Mr. Karimi for details.

7. **ADJOURNMENT**

Chair Rice adjourned the meeting at 12:00 p.m. The next CBPC meeting will be held **May 15, 2015,** at COG.