



Local governments working together for a better metropolitan region

Chesapeake Bay and Water Resources Policy Committee

Date: Jan. 18, 2013
Time: 10:00 a.m. – 12 noon*
Place: Board Room
777 North Capitol Street, NE
Washington, DC 20002

- .District of Columbia
Bladensburg*
Bowie
.College Park
Frederick
Frederick County
Gaithersburg
Greenbelt
Montgomery County
.Prince George's County
Rockville
Takoma Park
Alexandria
Arlington County
Fairfax
Fairfax County
Falls Church
Loudoun County
Manassas
Manassas Park
Prince William County

*Lunch will be available for committee members and alternates after the meeting.

Meeting Agenda

- 10:00 1. Introductions and AnnouncementsHon. Penny Gross, Chair
Fairfax County
10:05 2. Approval of Meeting Summary for Nov. 16, 2012Chair Gross
Recommended action: Approve DRAFT Meeting Summary (Att. 2).
10:10 3. Review of COG Board Policy BriefsNicole Hange and
Karl Berger, COG staff
Ms. Hange and Mr. Berger will review the final version of the policy brief on water quality
protection approved by the COG Board on Jan. 9 and discuss plans for legislative outreach.
Policy briefs from other sectors are also included in the attachment. (Att. 3).
10:25 4. Achieving Regulatory Flexibility in Permitting..... Lisa Ochsenhirt, Attorney
Aqualaw LLC
Ms. Ochsenhirt, who advises municipal clients on stormwater and wastewater policies through
various state associations managed by Aqualaw, will discuss how local governments can seek
more regulatory flexibility in negotiating their water quality permits. (Att. 4). This concept is
also part of the U. S. Conference of Mayors' ongoing dialogue with EPA, as discussed at the
November meeting.
Recommended Action: Work in conjunction with the US Conference of Mayors and other
groups to promote flexibility on water permitting issues.
10:55 5. Update on Accotink Creek LitigationKate Bennett, Fairfax
County Dept. of Public Works

A U.S. District Court judge rendered an opinion Jan. 3 invalidating EPA's flow-based TMDL
for Accotink Creek in a lawsuit brought by Fairfax County and the Va. Department of
Transportation. Ms. Bennett will discuss the significance of the decision.

- 11:05 6. **Update on State Legislation**Jack Frye, Virginia
Director, Chesapeake Bay
Commission; COG staff

Mr. Frye will brief the committee on proposed water-related legislation and the outlook for water quality funding in the Maryland and Virginia general assemblies. COG staff will discuss the outlook for federal legislation and funding.

Recommended Action: Determine if COG should comment on any proposed legislation.

- 11:30 7. **Meeting Schedule and Committee Focus for 2013**..... Chair Gross, members

In consultation with the Chair, COG staff has prepared recommended priorities for committee action in 2013 (*Att. 6*). Chair Gross will solicit input from members on these recommendations and other priorities in which members may be interested.

Recommended action: Establish a set of priorities for committee action in 2013.

- 11:45 8. **Staff Updates**COG staff

- Chesapeake Bay TMDL developments
- Highlights of December 2012 Extreme Weather workshop
- Water Resources feedback on CEEPC goals
- Green Streets letter

- 11:55 9. **New Business**Members

- 12:00 10. **Adjourn**

(The next meeting is scheduled for Friday, March 22, 2013, 10 a.m. - 12 noon.)

Enclosures/Handouts:

- Item 2 DRAFT meeting summary of Nov. 16, 2012
- Item 3 COG Board 2013 legislative priorities
- Item 4 Aqualaw MACO memo of 10/11/12, "County Options for MDE Stormwater MS4 Permit Requirements"
- Item 6 COG staff summary of state legislation (*to be provided at the meeting*)
- Item 7 DRAFT committee priority and meeting schedule for 2013
- Item 8 *Supporting material to be provided at the meeting*