CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE
Business Meeting and Forum Summary-DRAFT
September 16, 2022

LINK TO ALL MEETING PRESENTATIONS AND MATERIALS:
https://www.mwcog.org/events/2022/9/16/chesapeake-bay-and-water-resources-policy-committee/

DECISIONS AND ACTIONS

1. COG staff will convene a planning work group to explore holding a Water Summit in 2023.
2. COG staff will compile stormwater utility fee and tax information for a CBPC presentation in 2023.

BUSINESS MEETING

1. Members approved the draft summary of the July 2022 CBPC Meeting.
2. Mr. Bieber provided a recap of the COG Board briefing on September 14. A coalition of regional water utilities briefed the Board about Delegate Holmes Norton's provision in the Water Resources Development Act (WRDA) Bill for an U.S. Army Corps water resiliency study, to look at alternative sources of water to the Potomac. The Potomac River provides 80% of the water for the region. The COG Board supported the alternative water supply study and appropriations. The WRDA Bill is likely to pass this fall.
3. The CBF Potomac River Boat Tour will be October 21, leaving from Alexandria, followed by an "Oyster Week" Happy Hour. Chair Jackson said it is educational and includes trolling for fish. Ms. Bonnaffon collected RSVPs.
4. The November meeting coincides with the National League of Cities' conference in Missouri.

FORUM HIGHLIGHTS

1. **INTRODUCTIONS**
   - Dr. Boyd has been in her position as director of the Chesapeake Bay Program for 100 days. She used to live in Prince George's County.
   - Cathy Libertz, EPA Region 3, has been in her position four years. Four years ago, her first external meeting was the CBPC Forum, and she recalled Adam Ortiz posing questions.
   - Jutta Schneider has been in office since 2015 and has been to several Forums, and Bryant Thomas, DEQ, has also been to COG several times.
2. **OPENING REMARKS**
   Chair Jackson opened with a brief history of the improved Potomac Water Quality and recognizing our region's history of federal, state and local cooperation. Supervisor Gross gave a history of COG involvement in water quality issues and highlighted a few challenges for local governments. Included was:
   A. The formation of the CBPC and advocacy for local government involvement in the C2K voluntary Bay agreement. The CBPC advocated for four things: Having a local voice, equitable responsibility sound science, and voluntary. Voluntary quickly turned to regulatory, but the other principles have been upheld. Given the complexity of the Bay water quality, it is important to measure changes using multiple lines of evidence, including CAST, modeling and monitoring. Local governments need to plan long-term and cannot pivot quickly to address model change, therefore a reminder to our federal and state partners to grant us flexibility and 'don't set us up for failure.'

B. Supervisor Gross remembered fondly the Water Summit that COG and Interstate Commission on the Potomac River Basin (ICPRB) held after the 1999 drought, which included developing plans for water quality and quantity through 2035. Resiliency was not discussed. Given the considerable issue of climate change, Supervisor Gross called for another Water Quality Summit to be planned with utility partners and ICPRB.

3. **CERTAINTY FOR WASTEWATER PLANNING: KENDRA SVEUM, DIRECTOR OF WATER RECLAMATION, LOUDOUN WATER**
   - Loudoun Water's Broad Run Plant went online in 2008. Broad Run is a part of the Blue Plains Intermunicipal Agreement (IMA).
   - Loudoun Water has cutting edge enhanced nutrient removal due to the nearby drinking water intake. They use a 5-stage Enhanced Nutrient Removal, followed by membrane filtration (the largest in the world, when built), and granular carbon removal as a third step in the treatment process to meet the Dulles Watershed Plan requirements.
   - They have master planned through 2070. Since the plant was built, population has grown by 150,000 and the data centers are creating water demand, so Loudoun Water is under construction to add 50% more capacity by next year.
   - There is not a clear pathway to get the further needed nutrient reductions as they go from treating 16.5 million gallons per day to the projected need of thirty million gallons today. Loudoun Water is requesting regulatory certainty as they explore the technological needs to meet future growth.

Forum Discussion

- Councilmember Garvey asked how much the construction costs and are the data centers paying for it?
  - Kendra Sveum answered that growth is paying for growth, so the data centers are paying to connect, but the additional technologies that may be needed are not yet in the plan.
- Reclaimed water is an investment: Loudoun water has made the investment and it paid off, but if a utility is older, retrofitting for water reuse can be cost prohibitive.
- Ellie Codding and Matt Ries pointed out that the bioreactors that Loudoun Water are using and will need are energy intensive. If PFAS needs to be treated at the end of the pipe that will also be energy costly. There are competing goals.
- Councilmember Boddye agreed about competing goals. He gave the example of adding housing which also adds to impervious surfaces and salinity, noting that some household detergents add salinity to wastewater. His district abuts the Occoquan reservoir and there is a lot of conversation around development. It is important to keep water quality a part of the public discussion and to consider holistic impacts to water.
- Salil Karkar asked whether the granular activated carbon filtration works on PFAS.
  - Kendra Sveum answered that carbon filtration works well on longer-chain PFAS, but not on short chains. Loudoun Water is actively doing PFAS sampling and lab testing, which is costly. They plan to share their data about carbon. PFAS data collection is challenging and hard.
- Regarding PFAS, Supervisor Gross recommends including military commanders in the water treatment discussions since military based have applied research. Councilmember Garvey agreed with military involvement in future local and COG level discussions.
- Councilmember Dyballa said that the National League of Cities has also been discussing PFAS and agreed that the Department of Defense is a bit ahead in identifying and treating PFAS on site. Since it would be more energy intensive to remove

PFAS from wastewater perhaps this is an issue for COG's CEEPC committee's consideration in the future.

- Andrea Crooms said Andrews Air Force Base received PFAS funding via a "Resiliency Outside the Gate" grant.

4. **STORMWATER RESILIENCY: ELLIE CODDING, FAIRFAX COUNTY**

Ellie Codding is Deputy Director of Fairfax County's Stormwater and Wastewater Division. Drinking water is managed separately by Fairfax Water. She presented the tale of stormwater ten-year capital improvement projects (CIP) for three jurisdictions: Fairfax County, City of Alexandria and Arlington County.

- She noted that Fairfax County's wastewater systems are newer and less urban than the other two jurisdictions' (Alexandria is circa 1789).
- There are competing pressures for stormwater funding between meeting Bay water quality goals, but also flooding, and preparing for climate change, and human safety and risk reduction needs are driving more funding there.
  - Need to plan long-term.
  - Alexandria has devoted more of their CIP budget towards increasing flooding capacity.
  - All are reliant on stormwater utility fees to pay for this work.
  - Jurisdictions are looking for the solution that can address both the water quality and water quantity goals.
- Since the Bipartisan Infrastructure Law (BIL) largely funds disadvantaged communities county-wide, Fairfax County likely will not qualify even though there are disadvantaged areas.
- Fairfax County has applied for BRIC but has not been successful.
  - Jeff Seltzer said the District of Columbia has been successful in getting BRIC funding and can share tips.

Forum Discussion:

- Cathy Libertz recommended the "Green States, Green Jobs, Green Towns" (G3) stormwater competitive grant program. She said that $43 billion out of $50 billion is going through state revolving fund (SRF) programs, though a lot of the funding is ear marked. States have different definitions of "disadvantaged communities."
- Steve Bieber mentioned COG's Equity Emphasis Areas (EEAs) are based on the Census tracks and could help drive infrastructure investments where needed on a community scale.
- Jesse Maines, stormwater manager for City of Alexandria, said they doubled their stormwater fee. They are cognizant that it is the same ratepayers who are paying for the River Renew combined sewer project and the increased stormwater fees. About 60% is directed towards capital improvement projects, and 70% of that towards maintenance. He agreed with the necessity of finding the nexus between water quality and flood mitigation.
- Andrea Crooms said that Prince George's County DEP has overlayed EPA's Environmental Justice Screen, MDE's and COG's EEAs to compare them, but even the Census tract level is too broad. For disadvantaged communities there is completely forgivable principle.
- EPA Region 3 has received the second most earmarks in the country in the infrastructure bill for lead pipe removal, etc. Most of the funding is going to West Virginia communities where, in some places, there is not even running water—but there are communities in need everywhere, so she urged members to be vocal. There are likely just as many earmarks expected the next go around.
- Jeff Seltzer and Ellie Codding commented that it would be interesting if COG could track the changes to regional stormwater fees over time.

- The challenge: To address the most important things (e.g., human welfare with flooding issues) without being out of regulatory compliance (for nutrient total maximum daily loads (TMDLs))—to give that flexibility. However, environmental groups' sometimes sue, saying "flexibility" is letting governments off the hook on a TMDL or permit.

5. **A HOLISTIC PICTURE OF PFAS: KISHIA POWELL, DC WATER**

- Kishia Powell, Chief Operating Officer for DC Water, opened by saying for PFAS, a holistic approach means that communications need to be aligned with the state of the science and the regulations as well as addressing PFAS at the upstream sources.
- Also, it is important to view PFAS with a "one water" approach for drinking water and wastewater. Regarding the health advisories, some people may not understand the difference between the health advisories for drinking water and acceptable levels for biosolids land application. We need to need to further the science of treating the persistent short-chain PFAS and a realistic timeline to go with it.
- There are fiscal consequences for regulating PFAS. DC Water has always been an innovator and will rise to comply with regulations, but there is a cost associated. One is on the energy needed: DC Water is working on a net zero energy goal to mitigate climate change, but full PFAS removal would be very energy intensive. If the biosolids were to come under CERCLA hazardous waste designation, then DC Water's *Bloom* biosolids product, a source of revenue, could no longer be sold. The biosolids would need to be landfilled or incinerated but there are contamination risks for the leachate and air quality, respectively, for these routes of disposal.

Forum Discussion:

- Cathy Libertz said EPA has the PFAS science and cannot sit on it even though we do not have all of the answers on how to deal with it. She is appreciative of the ideas shared about where to focus the science and about the complexity of issues associated with biosolids.
- Councilmember Garvey suggested that the Department of Agriculture should be at the table for the discussion of biosolids.

6. **MEETING ADJOURNMENT**

Chair Jackson adjourned the meeting at 12:00 P.M.

Chair Jackson concluded the Forum by thanking the invited guests for literally "coming to the table," and said she knows there are open doors both ways. It was wonderful to discuss the innovation, resiliency, affordability, equity—all issues throughout the region, and of the course financial aspects. She said we will continue to collaborate on all of these aspects of water quality.

PARTICIPANTS

Members and Alternates:

Amy Jackson, City of Alexandria, Chair
Caroline Lian, City of Falls Church
Cindy Dyballa, City of Takoma Park
Craig Rice, Montgomery County Council
Ella Hanson, DC Council
J. Davis, City of Greenbelt Council
Keith Levchenko, Montgomery County Council
Kenny Boddye, Prince William County Council
Maria Mackie, Vice Chair, College Park Council
MC Keegan-Ayer, Frederick County Council
Penny Gross, Fairfax County Supervisor
Tom Ross, City of Fairfax Council

Allison Deines. Alexandria Renew Enterprises
Andrea Crooms, Prince George's County DEP
Heather Gewandter, City of Rockville
J. Davis, City of Greenbelt
Jeff Seltzer, DOEE
Jessie Maines, City of Alexandria
Joel Caudill, WSSC Water
Matt Reis, DC Water
Maureen Holman, DC Water
Michele Blaire, City of Laurel
Nasser Kamazani, Montgomery County DEP
Nicole Rodriguez-Hernandez, Montgomery County Council
Pam Kennel, Loudoun Water
Shannon Moore, Frederick County
Tiffany Wright, City of Bowie

Guests:
Bryant Thomas, VA DEQ
Candis Boyd, EPA Chesapeake Bay Program
Cathy Libertz, EPA Region 3
Christine Conn, MD DNR
Ellie Codding, Fairfax County
James Martin, VA DCR
Jennifer Starr, Alliance for the Bay
Jason Papacosma, Arlington County
Jutta Schneider, VA DEQ
Lee Currey, MDE
Bo Williams, EPA
Kathy Hoekstra, ALX EPC
Kevin Mclean, VA DE
Salil Kharkar, DC Water
Virginia Nurk, EPA

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