

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

DRAFT MINUTES OF SEPTEMBER 28, 2005, MEETING

ATTENDANCE:

Members and alternates:

Chair John Lovell, Frederick County
Vice Chair Barbara Favola, Arlington County
Vice Chair Hamid Karimi, District of Columbia
J Davis, City of Greenbelt
Penelope Gross, Fairfax County
Bruce Tulloch, Loudoun County
Andy Fellows, College Park
Uwe Kirste, Prince William County
Nicole Streeter (for Vincent Gray), District of Columbia
Beverly Warfield (for Christopher Akinbobola), Prince George's County
J.L. Hearn, WSSC
John Dunn, DC-WASA
Unknown individual (for William Skrabak), City of Alexandria

Guests:

Jenn Aiosa, Chesapeake Bay Foundation

Staff:

Lee Ruck, General Counsel
Stuart Freudberg, DEP Director
Ted Graham, DEP
Karl Berger, DEP

1. Introductions and Announcements

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

2. Approval of Meeting Summary for July 13, 2005

The draft summary was approved.

3. Vote on Proposed Bylaws Amendment

Mr. Ruck, COG's General Counsel, briefly reviewed the changes to the current set of bylaws that the members present, acting as a committee of the whole, had approved for consideration at this meeting. He noted that action to approve the bylaws amendment at this meeting would send them to the COG Board at its October meeting for final approval.

Mr. Lovell noted that a vote on the bylaws amendment should be based on the existing rules for quorum, which require a minimum of seven members, with at least two of the se from Maryland, two from Virginia and one from the District of Columbia.

Ms. Davis asked for clarification on two points: why were the quorum requirements adjusted in the proposed revisions and whether the requirement still exists for special written notice of at least 10 days for any committee action to revise the bylaws. Mr. Ruck said the quorum change reflects committee input from the previous meeting and staff clarified that the written notice requirement remains in the proposed bylaws amendment.

Ms Gross responded to a concern expressed about the change of the name to the Chesapeake and Water Resources Policy Committee and whether that would be interpreted as a reduced focus by COG on the Bay. She did not think that would be an issue.

Action Item: With eight jurisdictions voting, the committee unanimously voted to send the proposed bylaws amendment to the COG Board for approval.

4. Discussion of Potomac Trash Issues

Mr. Graham briefed the committee on the trash-free Potomac initiative launched by the Alice Ferguson Foundation, noting that the treaty pledging to achieve a “trash-free” Potomac by 2013 had now been signed by five COG member jurisdictions. He noted that plans continue for a trash summit meeting in March 2006 and a number of officials from member governments and from COG staff are participating on the advisory council for this effort and its various committees. He also noted that COG is seeking a grant from the Summit Fund to defray some of its expenses for this effort. Among the staff’s activities, he added, would be the compilation of activities that COG’s members already conduct to address trash issues.

Chair Lovell raised concern about the need for actions to be coordinated at the regional level, such as a bottle deposit bill. He said the Frederick County commissioners intend to ask the local delegation to introduce a bill for this in the upcoming Maryland General Assembly session.

Mr. Karimi said COG’s role should be to make sure that actions are coordinated on a regional basis.

Mr. Lovell questioned what sort of actions could effectively reduce the amount of trash thrown into the environment. He said people would need inducements to change their behavior, citing as an example the possibility of providing drive-by trash receptacles along roads where people could dispose of the trash they accumulate from fast-food restaurants. He added that any action should include an educational component to educate the general public.

Ms. Gross expressed concern that the foundation’s unfamiliarity with local governments may lead to a sense of excessive expectations. Based on the way the foundation has gone about obtaining local government participation thus far, she said, it is unclear whether the foundation will recognize the constraints that exist on local government action.

Mr. Tulloch expressed similar concern. He noted that he had recently spoken with a foundation representative who had "great dreams" about what could be accomplished. He too noted that local governments have defined roles and constraints on what they can do. He asked if a foundation representative could attend a future committee meeting to discuss these issues.

In response to the concern that the trash initiative may focus on just one or two highly visible actions, Mr. Kirste noted that discussion at the kick-off meeting for the initiative focused on developing a comprehensive approach. He said he would recommend to the Prince William County Board of Supervisors that it hold off on signing the treaty until this more comprehensive approach is developed and the county has had an opportunity to review it.

Mr. Fellows said that despite some of the reservations that committee members have discussed, he believes it is a good idea for COG to be involved in the effort. In doing so, COG would not be committing to any specific action at the moment, only to the idea of collective action in the future, he said.

Action Item: The committee asked staff to investigate whether a foundation representative could come to a future committee meeting.

5. Briefing on agricultural initiatives

Jenn Aiosa of the Chesapeake Bay Foundation briefed the committee on the Bay Program's draft manure and poultry litter strategy. The strategy, which is expected to be officially adopted by the Chesapeake Executive Council at its upcoming fall meeting, is designed to address the imbalance of the nutrients nitrogen and phosphorus created by the concentration of animal production operations in certain parts of the watershed. Ms. Aiosa provided details of many of the actions proposed under the strategy, most of which relate to farmers or to agricultural industries. However, she also noted that the strategy envisions expanding the use of manure-based products in urban areas through changes in government procurement regulations that would create greater incentives for their use.

Ms. Gross noted that Jim Perdue of Perdue Farms, with whom she served on the Chesapeake Bay Blue Ribbon Finance Panel, had frequently complained about the fact that government procurement regulations do not allow Perdue to bid on jobs that might use the new pelletized fertilizer product that Perdue produces from poultry litter at a plant on the Delmarva Peninsula. In response, Ms. Aiosa noted that the Bay Program has been in talks with state highway departments about their procurement regulations. She said that some states in the region do allow the use of manure-based products, but that they do not require it. She also noted that local governments might be able to encourage the use of manure-based products on land that they control, such as school athletic fields.

Action Item: The committee requested COG staff investigate whether opportunities do exist for local governments to promote use of such products. Mr Graham noted that staff would seek guidance from the Water Resources Technical Committee.

Mr. Bieber of COG staff briefly noted that the Chesapeake Bay Commission and other parties have put together a detailed proposal for provisions they would like to see incorporated into a new federal farm bill, which is expected to emerge in 2006. He said COG staff would provide a more detailed overview of this initiative and other federal legislation at the committee's November meeting.

6. Update on Bay Program Developments

This item was deferred..

7. New Business

None was noted.

8. Adjourn

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