

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

MINUTES OF July 24, 2013 JOINT MEETING with CEEPC

ATTENDANCE:

CBPC and CEEPC Members and Alternates:

Andrew Fellows, City of College Park
Bob Grow, Board of Trade
Brian Moorehouse, Pepco
Caroline Petti, ACPAC
Cathy Drzyzgula, City of Gaithersburg
Chris O'Brien, American University
Chris Randolph, GSA
Craig Rice, Montgomery County
Dave Molchany, Fairfax County
David Hunter, EPRI
David Snyder, City of Falls Church
Dawud Abdur-Rahman, GSA
Del Pepper, City of Alexandria
Devan Willemssen, MEA
Didian Tsongwain, Prince George's County
Dyan Backe, Gaithersburg
Fred Schultz, City of Takoma Park
Hamid Karimi (CBPC Vice Chair)
J. Davis, City of Greenbelt
Jay Fisette, Arlington County
Jeff Platenburg, Fairfax County Public Schools
Jessica Sanders, Casey Trees
JL Hearn, WSSC
Johannah Barry, Falls Church (phone)
John Heermans, DDOE
Jonathan Way, City of Manassas
Kambiz Agazi, Fairfax County
Kanti Srikanth, VDOT
Karen Pallansch, Alexandria Renew Enterprises
Kathy Magruder, MCEC
Konrad Herling, City of Greenbelt
Libby Garvey, Arlington County
Mark Busciano, Casey Trees
Mark Peterson, Loudoun Water

Mary Cheh, District of Columbia
Melissa Adams, Washington Gas
Monica Lear, District of Columbia
Nicole Rentz, District of Columbia
Penny Gross, Fairfax County (CBPC Chair)
Rich Dooley, Arlington County
Roger Berliner (CEEPC Chair)
Shannon Moore, Frederick County
Shelley Aloï, City of Frederick (CBPC Vice Chair)
Steve Shofar, Montgomery County DEP
Tim Stevens, Sierra Club

Invited Guests:

Christopher Peot, DC Water, Biosolids Manager
Michael Knapp, Fairfax County, Urban Forestry
Mngmt. Division

COG Staff:

Amanda Campbell, DEP
Andrew Bresee, DEP
Becky Schodt, DEP
Brian LeCouteur
Heidi Bonnaffon, DEP
Jeff King
Joan Rohlf
Julia Allman
Karl Berger, DEP
Leah Boggs, DEP
Nasser Ameen, DEP
Steve Bieber, DEP
Stuart Freudberg, DEP Director
Tanya Spano, DEP, RWQM Chief

I. Introductions and Announcements

Climate, Energy and Environment Policy Committee (CEEPC) Chair Berliner and CBPC Chair Gross called the meeting to order at approximately 10:00 a.m. and each provided opening remarks about their committees.

Chair Berliner noted that this meeting is the first of its kind. The approach to climate, energy, and water issues is often siloed, and this meeting represents a first step to working more collaboratively. The purpose of the meeting is to introduce ourselves to one another, understand overlapping issues, and identify areas where we can work together. One area of overlap concerns Chesapeake Bay pollution. Nitrogen is one of the big issues for the Bay,

and one of the main contributors is air pollution from energy production. Energy efficiency and renewable energy are two solutions that can improve Bay health while meeting our climate change reduction goals.

Chair Berliner provided CEEPC history. CEEPC was established by the COG Board of Directors in 2009, as the body responsible for implementing the recommendations of the 2008 Regional Climate Change Report. Mr. Fisette was the leader of the committee from its inception, and did an extraordinary job providing leadership. Members include state and local elected officials, government staff, and a group of stakeholders from the business, non-profit, education, and think tank worlds. CEEPC advises the COG Board on the issues of climate, energy, solid waste, and recycling, in addition to other environmental issues. The CEEPC goal is to achieve long-term greenhouse gas (GHG) reductions of 20% below 2005 levels by 2020, and eventually an 80% reduction by 2050. CEEPC aims to reduce emissions in local government operations and in communities by identifying opportunities for regional collaboration.

The 2013-2016 Climate and Energy Action Plan is the yard stick for measuring progress towards the region's climate and energy goals. It contains 59 recommendations across 6 categories. The plan focuses on energy use, recognizing that 2/3 of our total energy use is from buildings, and 1/3 is from transportation. There is also a focus on land use as a key driver of transportation emissions.

CEEEPC is concerned with addressing the water/energy nexus, including the energy impact of water delivery and treatment systems. Likewise, making infrastructure more sustainable and more resilient to natural and manmade disasters is an important area of shared interest.

In her opening remarks, CBPC Chair Gross commented that we have never had CEEPC and the CBPC meet together. Ms. Gross said there are many challenges and opportunities for our region and she looked forward to everyone's participation in ongoing discussions about important water resources issues that have implications for both policy committees. And she said she hoped the committees would discuss opportunities for collaborating and strengthening COG's role in addressing these challenges and communicating the good work being done by our local governments and water utilities.

The CBPC's membership consists of appointed elected officials and staff officials from COG's 22 member governments and water utility representatives. Ms. Gross shared with CEEPC that the CBPC was formed in 1998, with an initial focus to track developments under the somewhat 'voluntary' federal/state Chesapeake Bay Program, to assess its implications to local governments and make recommendations to the Board on Bay-related policies. That focus has intensified with the establishment in 2010 by EPA of the Bay TMDL (Total Maximum Daily Load, or 'nutrient/sediment diets'), and then of the related state Watershed Implementation Plans (WIPs). The CBPC was instrumental in assuring that the roles of local government and regional utilities' were represented in the initial 2000 Chesapeake Bay Agreement, a two-year effort. The Chesapeake Bay Program is currently developing a new Agreement, which has been on a fast track. In 2005, the CBPC added Water Resources to the committee's title to broaden its mandate to address other regional water quality issues and make recommendations to the Board. The CBPC tracks a variety of quality and quantity issues including the Clean Water Act and meeting regulatory requirements, infrastructure, stormwater, climate change, forest cover, affordability, water supply and drought coordination, and more recent interests such as green streets. The specific issues and challenges facing our region vary from year to year, but we focus on ways to meet our overall goal to protect water quality in a sustainable way. Water resource issues are also integrated with other regional goals, including public health, Region Forward and Economy Forward, and CEEPC's Climate and Energy Action Plan.

II. A. 2013-2016 Climate and Energy Action Plan Overview, Joan Rohlfs, DEP

Ms. Rohlfs gave an overview of the Climate Action Plan, to illustrate some of the items Mr. Berliner mentioned about CEEPC's mission. CEEPC's goal is to reduce GHG emissions in the region, implement the recommendations of the 2008 Regional Climate Change Report, and advise COG's Board of Directors on issues related to climate, energy, green building, alternative fuels, and solid waste/recycling.

CEEP's GHG reduction goals are: 10% below business-as-usual by 2012, 20% below 2005 levels by 2020, and 80% below 2005 levels by 2050. In 2010, the same year that Region Forward was adopted, CEEP adopted a Climate and Energy Action Plan. The plan recommends short-term actions that local governments can take to reduce emission in their own operations and in their communities. The plan is followed up by annual surveys of local governments to determine whether action plan measures are being adopted. In 2012 COG began to produce Progress Reports on achievements toward the action plan goals. Thus far, 77% of jurisdictions have conducted GHG inventories for government operations; 95% are tracking or benchmarking building energy performance; 82% are generating renewable energy on government facilities; and 72% have green fleet policies.

This year, CEEP adopted an updated Climate Action Plan for 2013-2016. It includes goals in six categories: Regional GHG reductions through inventories and plans, Built Environment and Infrastructure, Renewable Energy, Transportation and Land Use, Sustainability and Resiliency, and Outreach. Each category has an overarching goal as well as recommendations for local government programs and policies to meet that goal. COG Staff has also conducted a survey of water utilities in the region. The survey found that of the 5 respondents, 4 had completed a GHG inventory, 2 had implemented energy efficiency or alternative/renewable energy projects, 3 had assessed their vulnerability to climate change, and 2 had implemented an employee sustainability program.

II. B. CBPC 2013 Priorities and Work Program, Tanya Spano, DEP

Ms. Spano commented that it is exciting to explore the crossover between these committees. She highlighted key parts of the CBPC 2013 Priorities list. They include:

- Addressing water-resource related issues under Region Forward and Economy Forward; enhancing connections to CEEP;
- Continuing to track Chesapeake Bay TMDL/WIP implementation and dialogue with EPA and states; and
- Advocate for 'right-sizing' Water Quality Permitting (integrated permitting, regulatory flexibility, affordability, MS4 permit enforcement, local TMDLs, etc.) and use of adaptive management.

Ms. Spano said it's important to consider the energy impact of any water quality solution that is being considered, especially in the face of limited resources. There is also an opportunity to apply the CBPC Policy Principles (holistic requirements, equitable responsibility, sound science, and communication and voice) to CEEP collaborative efforts, and in exploring joint policy recommendations. Water and energy issues are growing together—there is becoming more of a regional focus on water quality and management in the face of reduced funding; at the same time, climate change action requires coordination and can't be solved on an individual jurisdiction basis.

CBPC's mission is connected with Region Forward and CEEP's Climate Action Plan. The region's wastewater utilities are on track for achieving the Bay water quality implementation goal (namely for treatment plant upgrades to meet capacity for projected regional population growth), set in Region Forward. Each of the Climate Action Plan goal categories matches up to one of CBPC's missions or activities.

Ms. Spano also highlighted the Regional Water Quality Management Work Plan for FY 2014 and how it includes several initiatives linked to climate and energy. The work plan highlights energy and emissions reductions by wastewater and water utilities and linkages between water quality, CEEP goals, and Region Forward.

Discussion:

CBPC Chair Gross commented that community resilience is one of the National Association of Regional Councils' (NARC's) priorities this year. Every county in America has been touched by a disaster of some kind. As president of NARC, Ms. Gross will be working with the National Association of Counties (NACO) leadership about

incorporating the work that regional councils are doing to increase resiliency. This is an issue that COG should have involvement in, to inform jurisdictions and assist in coordinating regional efforts.

Ms. Davis, City of Greenbelt, commented that the focus of climate change and resiliency has shifted in recent years. The issues have evolved from mitigation to adaptation, and now to resilience, and that the National League of Cities is also focused on resilience. Jurisdictions used to focus on prevention, now they are focused on what to do when the inevitable storm or disaster impacts our communities.

Chair Gross commented that though the specific nature of climate impacts varies across the country, every community is concerned with water. Resiliency is usually built around sustaining critical infrastructure, including water, power, and transportation networks. In this region, the issues are fresh water, wastewater, stormwater issues, and flooding.

CEEP Chair Berliner commented that CEEP is addressing resilience another way. The COG region has been having discussions about “hardening” the system through microgrids and other resilient energy technologies. Water and power issues both impact all communities. There is a larger conversation to be had about utility service, and how it can integrate distributed generation, renewables, and microgrids.

III. Presentation of the Tree Canopy Workgroup’s Draft Report, Brian LeCouteur, DEP and Mike Knapp, Fairfax County

Mike Knapp, Director of the Urban Forest Management Division for Fairfax County, and Brian LeCouteur, COG staff, presented the Tree Canopy Workgroup’s draft report. A robust tree canopy has multiple regional benefits including reducing the heat island effect, improving air quality, reducing stormwater runoff, preventing soil erosion, wildlife, and increasing property values. Given these significant benefits the workgroup is advocating for a holistic and regional management of trees including pests and invasive species, documentation of the care and upkeep of the tree canopy, and measuring other metrics, such as biodiversity. The Tree Canopy Workgroup is recommending that a forest policy and planning committee be established to guide regional collaboration and to develop and implement a regional tree canopy management plan. Education, outreach, and the formation of partnerships will be an important step to engage the public in tree canopy management. Finally, forestry goals should be integrated into the Region Forward vision.

There is also a need to ensure recognition of and crediting for jurisdictional investments in tree canopies. For example, as tree canopies age and mature, funding is required to maintain their condition, and it should also be recognized that urban tree trimming/maintenance can present a renewable source of wood waste. Likewise, while an urban tree canopy is an effective water quality strategy, it does not currently get credit in Watershed Implementation Plans (WIPs) and stormwater permits.

The Workgroup’s next steps include proposing a structure for the permanent Regional Forest Policy and Planning Committee in Fall 2013 and finalizing the Tree Canopy Strategy Report by Winter 2014.

Discussion:

Ms. Moore, Frederick County, stated that her county has robust forestry program. She asked if the Tree Canopy Work Group has interacted with Frederick County in managing and tracking tree canopy and meeting the “no net loss” goal. Mr. Knapp responded that members of work group have had interaction with those processes. Taking advantage of stormwater and water quality compliance is at the forefront of those efforts. They also want to make sure that the plan dovetails with regional and state plans. There has already been a lot of good work done, and we want to make sure there is not a duplication of efforts.

In response to the question, “how can we ensure there is more local government participation and input in this group?” Mr. Knapp responded local governments are invited to participate in a local policy group.

Ms. Garvey, Arlington County, said the conversation made her think of the book “Collapse” by Jerry Diamond, and suggested there may be opportunity to connect with the public about how crucial trees are, and other joint committee topics, through regional book and speaker events.

Mr. Karimi, DDOE, pointed out that tree canopy is an important part of stormwater management, which is getting increased attention. Having an urban forest canopy is essential to meeting WIP and TMDL requirements. Options for compliance in the urban setting are limited, so this is a potential solution.

Chair Berliner shared that Montgomery County passed 2 tree bills recently—the Tree Canopy Bill and the Street Trees bill. The Tree Canopy bill represents the first time the county has stated that trees on private land have community value. Businesses on small commercial lots have few options for building, so they often take down mature trees. The bill requires that they account for 50% of the tree canopy on each lot by either planting new trees or by contributing to a county fund that adds tree cover elsewhere. It was a contentious issue with small developers, and he received more emails on this issue than almost any other. Mr. Berliner also noted that stormwater regulations often conflict with keeping trees, and that the full value of these assets should be accounted for in regulation and policies.

Ms. Magruder, MCEC, noted that her organization has done a lot of work on combined heat and power. In Maryland, waste wood fiber from tree maintenance is an opportunity to create energy. However, they have come up against regulations that prevent use of collected wood for CHP. Can this consideration be integrated in your plan? Mr. LeCouteur responded that COG has been working in waste recovery and urban timber. Many jurisdictions are dealing with trees after storms, in terms of how to manage the wood waste. There is a demonstration project in Montgomery County, and we are now working with DC to establish a pilot there as well. There are a number of obstacles to get around, but we are working with the Forest Service and DC government to make that happen.

Ms. Drzyzgula, City of Gaithersburg asked about whether they had studied the percent of land that is suitable and unsuitable for trees. Mr. Knapp and Mr. LeCouteur responded that the Tree Canopy Workgroup’s map, light green areas have potential for planting. Montgomery County has 50% tree cover already, and the possibility to add 43% more.

Ms. Petti, ACPAC, emphasized the role that trees can play in climate change and air quality. ACPAC has devoted considerable attention to this subject, and recently heard from Casey Trees about their role. Earlier this month, ACPAC got sneak preview on the tree canopy report and recommendations, which were very well received by the committee. In particular, the attention to both quantity and health of tree canopy is important, as well as engaging the public on these efforts. ACPAC can play a role in garnering public input and participation. Ms. Petti asked noted that the report was focused on trees on public lands, and asked whether any consideration has been given to trees on private land. Mr. Knapp and Mr. LeCouteur responded that the region needs to look at public lands as a way of educating private landowners about the need to preserve and plant trees.

Ms. Davis commented that Greenbelt has a lot of trees. After recent storms, citizens who have big trees near their homes are becoming fearful and considering chopping them down. We need to educate them on best practices, on how to monitor and maintain trees for safety and preserving home value.

A question was posed about what the proposed Regional Forest Policy and Planning Committee structure would be. Mr. Knapp responded that they want to include a cross-section of individuals, including professional foresters but not limited to them.

IV. DC Water’s Energy Management Strategies

Chris Peot, Biosolids Manager for DC Water, presented DC Water’s ongoing efforts at Blue Plains to enhance nutrient removal, while at the same time ratcheting down their carbon footprint via new technologies. His presentation is an illustrative example of our region’s water and wastewater utilities’ achievements of Enhanced

Nutrient Removal (ENR), being on track for Chesapeake Bay Water Quality implementation goals sets in *Region Forward*, and efforts to achieve greater energy efficiency and reduce their carbon footprints at the same time.

Mr. Peot considers himself to be a “Resource Recovery Manager” since DC Water recovers water, and nutrients, and energy. DC Water is doing a lot of modeling to determine future projects and their positive or negative carbon footprints, with the goal of lowering costs and their carbon footprint. DC Water upgrades at Blue Plains include a fine bubble diffuser which lowered their carbon footprint to 84% of baseline. Also have implemented enhanced nutrient removal (ENR), the new biosolids digesters, and the new use of Annamox bacteria (i.e., piloting advanced treatment technologies), the Clean Rivers Project. In the future they have plans to expand Annamox, and are investigating options for a food waste co-digester and solar power. Mr. Peot pointed out that in certain cases there are trade-offs between meeting Bay nutrient requirements and discretionary carbon footprint reduction goals, and that environmental benefits of any action should be examined more holistically because the most stringent nutrient removal technologies are also energy intensive.

Discussion:

Chair Gross commented that this is the outcome of a recent \$3 Billion investment by DC Water and surrounding jurisdictions. Mr. Fellows asked if it would be possible to apply their efforts at other regional wastewater treatment plants, but Mr. Peot said it could be done, but it would be hard for others to implement some of DC Water’s practices, because there’s an economy of scale, and the use of Annamox depends on unique tank configurations. Mr. Hunter commented that EPRI has been doing a lot of work on the total amount of energy used by water infrastructure. We found that 2-3% of the nation’s electricity goes to water treatment. In some places it is much higher, such as in California where water is pumped over mountains. EPA has shown interest in these studies and their connections to resiliency and the availability of backup power in the event of an outage. Mr. Fissette, Arlington County, commended DC Water for their overall efforts.

V. Cross-committee Discussion

Ms. Gross commented that a number of shared issues have been brought up throughout the meeting. Both water and tree issues are obvious topics that the committees can work on together. She recommended that COG staff highlight crossover issues. There are good opportunities for more in-depth conversations to come.

Mr. Berliner commented that there is an array of expertise in the two committees, and that the committees should look for opportunities to come together more often.

In between presentations, the committee members voiced enthusiasm for cross-collaboration between their committees and showed interest in having a joint meeting again. Ms. Davis, City of Greenbelt, suggested the committee meet annually and that summer was a good time.

VI. Adjournment and CBPC Caucus on Bay Agreement

The joint meeting adjourned at 12:03 p.m.

Immediately following the joint meeting, the CBPC met in a caucus to discuss the draft comments/background piece that COG staff prepared regarding the draft Bay Agreement. Chair Gross suggested that the committee provide an initial comment letter with just the major points stated, and to comment in more detail in the future. The proposed letter would state the following four points:

- That there should be adequate time allowed for comment on the draft Agreement,
- Highlight the important, unique role of local governments as implementers of the Bay Agreement,
- Stress the need for a robust adaptive management approach, and
- Caution that inclusion of the draft Bay Agreement’s Water Quality Goal adopted the 2017 interim and 2025 final end point into this agreement would blur the voluntary/regulatory line.

Note: Chair Gross sent the initial comment letter on July 30 to Mr. DiPasquale, Chair, Chesapeake Bay Program Management Board. The CBPC plans to issue a more detailed letter in response to the revised draft Bay Agreement once the comment period reopens, date to be determined.