

**DRAFT MEETING SUMMARY
STEERING COMMITTEE
OF THE
ANACOSTIA WATERSHED RESTORATION PARTNERSHIP
Thursday, October 22, 2009**

A meeting of the Anacostia Restoration Partnership Steering Committee was held on Thursday, October 22, 2009, in the Board Room on the 3rd floor at COG. The attendees, in alphabetical order, were:

Name Organization

Mr. Jim Connolly, Anacostia Watershed Society (guest)
 Ms. Bicky Corman, DDOE
 Mr. Frank Dawson, MDNR
 Ms. Brook DeRenzis, DC Appleseed (guest)
 Dr. Rich Eskin, MDE
 Ms. Diana Esher USEPA
 Mr. Andy Fellows, Clean Water Action
 Mr. J. Charles Fox, USEPA (guest)
 Mr. Stuart Freudberg, MWCOG
 Ms. Carol Hearle, University of Maryland
 Mr. John Galli, MWCOG
 Dr. Ted Graham, MWCOG
 Ms. Amy Guise, USACE
 Mr. Dan Harper, Montgomery County
 Ms. Linda Howard, The Summit Fund of Washington
 Mr. Wood Hudson, MWCOG
 Dr. Hamid Karimi, District of Columbia DOE
 Ms. Dana Minerva, Anacostia Watershed Restoration Partnership
 Dr. Sam Moki, Prince George's County DER
 Mr. Robert Pace, USACE
 Ms. Harriette Phelps, University of the District of Columbia (guest)
 Mr. Eric Siegel The Cohen Companies; Riverfront BID
 Mr. Mike Smith, AWCAC
 Mr. Phong Trieu MWCOG
 Mr. David Tuchmann, Akridge
 Mr. Charles Wilson
 Mr. Ken Yetman MD-DNR

The National Park Service, NOAA, and the City of Hyattsville were not represented.

Follow Up to the Anacostia Steering Committee Meeting of October 22, 2009			
Item	Action	Lead	Status
Steering Committee	1. Distribute October Meeting Summary	Minerva	1. Done
	2. Prepare Agenda for December 17 Meeting	Graham	2. Done
Recognition for Steve Pattison	Invite Steve back for recognition with appropriate token of appreciation of his service	Minerva	Steve invited for February Meeting and has accepted MWCOG Staff Working on Token of Appreciation

Action Agenda	1. New Draft 2. Plan for Distribution	Minerva Minerva	1. In progress 2. Pending
Membership	Convene Membership Subcommittee meeting to: 1. Recommend a Steering Committee Chair Person 2. Find out whether current members wish to continue to serve 3. Suggest replacement members for missing membership slots	Howard And other members of Membership Subcommittee	1. Complete 2. Complete 3. Partially complete as shown on the chart which accompanies the December 17 Steering Committee Agenda.
Communications Contractor for ARP	Procure contractor to help communicate the benefits of implementing the ARP	Minerva Graham	Pending. ARP Communications Subgroup has met twice to refine directions for contractor when hired. MWCOG RFP Issued. 16 Firms Responded. Several firms eliminated with interviews of remaining firms to occur December 23. Selection will be immediate after interviews.
Briefings on ARP	1. All members were requested to brief their principals on the ARP 2. Dana to put together list of other briefings needed. Goal: All elected officials who may be asked to help implement are aware and involved in ARP	All Minerva Pace	1. Pace/Minerva/Bierly provided informal briefing to Congressional staff on 10/12 with Hoyer, Norton, Van Hollen staff in attendance. Will offer additional briefings to staff of remaining members (Mikulski, Cardin, Edwards). Minerva appeared before MWCOG Board on 11/12/09 Others? 2. Pending
Toxic Hotspot Solutions	USEPA to report back with options	Capacasa Esher	Pending. USEPA has indicated its desire to bring Region 3 RCRA/CERCLA staff to report at February Steering Committee meeting
Trash TMDL	MDE needs MWCOG rainfall data for Trash	Galli/Trieu	Complete

	TMDL development		
Capital Riverfront BID Anacostia Summit	Plan for May Summit	Siegel/Minerva/ Yetman/King/Foster	Ongoing
AWCAC Request that Corps Remove Debris that is Hazardous to Rowers Above the CSX Railway Bridge	AWCAC submitted formal request to US Army Corps of Engineers	Smith/Pace	AWCAC received a letter indicating that the Corps would coordinate with CSX to allow it to remove debris above the CSX railroad bridge. AWCAC pleased with this response and looking forward to the work being done.
From September Meeting, Create Talking Points for the ARP	One pager on ARP created	Minerva	Complete
From June Meeting, Lower Beaverdam PCB Investigation	Find apparent source of PCB contamination in Lower Beaverdam	USEPA/MDE	Ongoing

I. Call to Order

Frank Dawson, Chair Pro Tempore, called the meeting to order at approximately 10:04.

Members of the Steering Committee were unanimous in their appreciation of the service of Steve Pattison's as Chair of the Steering Committee and it was resolved by consensus that he would be invited back to receive the Committee's letter of thanks and a token of appreciation. Stuart Freudberg volunteered that MWCOG would provide a plaque or other suitable item.

It was noted that Ms. Minerva had requested that Mr. Dawson serve as the Steering Committee's Chair Pro Tempore pending selection of a new permanent Chair, and the Steering Committee concurred with Mr. Dawson's appointment as the interim Chair.

Ms. Minerva recommended that the Membership subcommittee lead the search for a new chair and vice chair, as well as review the status of other members. The Chairman asked Ms. Howard to lead the efforts.

Mr. Siegel offered a motion that the membership subcommittee work on finding new candidates for chair and vice chair positions and to make recommendations for filling any vacant positions. Ms. Howard seconded the motion and it was passed unanimously. Volunteers were asked to participate in the Membership Subcommittee's deliberations and it was agreed that Mr. Siegel, Dr. Karimi, Ms. Howard, Mr. Capacasa, Dr. Graham and Ms. Minerva would participate.

A. Follow up on Action Items from the April Meeting

The Chairman reviewed the Action Items from the August meeting. Ms. Howard requested that there be an update on toxics at an upcoming meeting

II. Presentation by and Discussion with Mr. J. Charles Fox

Mr. Fox gave an update on the President's Executive Order on the Chesapeake Bay emphasizing the opportunities this provides for furthering the restoration of the Anacostia watershed.

Mr. Fox noted that the Chesapeake Bay Executive Order was issued in May of 2009, and that the first draft strategies for implementing the EO would be out on November 9th or 10th. These "202" reports would prioritize the reduction of nitrogen, phosphorus and sediments in the Bay and address the impacts of climate change and land conversion and would also enhance transparency.

Related to the Anacostia, some of the stormwater and water quality ideas being kicked around are the most pertinent in the Anacostia watershed. President Obama sees this as new era federal leadership and so it is likely to push federal agencies to be "models." EPA is still trying to define these ideas in conjunction with other agencies such as the Corps.

Over the last five years we have attained strong progress for waste water treatment plants, a plateau in agriculture nonpoint source reduction, air sources were fair, but urban and suburban loads are still heading in the wrong direction.

USEPA expects to set new standards for stormwater runoff standards for new and redevelopment projects. EPA experts are recommending that these standards reflect 95% onsite retention for new projects and redevelopment as well. Work was also ongoing to review the Clean Water Act's "designation" authorities: the idea is that within an MS4 permit area the local government or EPA could designate large impervious areas to receive 5 year NPDES permits as well. There will be more information on this approach in the 202a report due out in the next month. In addition there would be also be new CAFO proposals and could address additional sources of pollution.

Mr. Siegel asked a question concerning regulatory takings, asking whether designating sites for improved stormwater controls soon after they had been constructed might drive people out of business. Mr. Fox noted that common sense would be applied and that facilities might be given periods of years to comply depending on their age. Mr. Fox also noted that the Administration understood that these were tough times for everyone, both business as well as government, and that the Administration would move carefully to insure that new approaches were reasonable.

Mr. Dawson asked about the money for stormwater retrofits in Senator Cardin's bill and Mr. Fox noted that the Administration understood that there needed to be more federal funds in the mix to leverage local funds.

Mr. Connolly mentioned the 95% onsite containment requirement and asked whether "low impact development" techniques would predominate. Mr. Fox stated that it remained to be determined, and noted that whereas the states wished to address agriculture on their own, they had requested help from USEPA on stormwater.

Dr. Karimi asked about the potential new designation authority: "There are lots of federal lands in the Anacostia. Could federal properties receive special designation?" Mr. Fox stated that they could either Bay-wide or by jurisdiction and noted that the federal government needed two year milestones like the states. Dr. Karimi also asked what a realistic goal for the Anacostia is. Mr. Fox said that was a difficult and complicated question. The truth of the matter is that resources were limited and that the resources that existed would need to be targeted to meet the 2 year milestones. But in the future

the cost of meeting water quality standards should be built into the cost of goods and services.

Mr. Fellows asked whether the Anacostia can be a test case. Could it be seen this way for increased funding? Mr. Fox said that it could although getting increased funding was more difficult.

Dr. Eskin asked whether Phase 2 communities might be subject to Phase 1 requirements to address some high growth areas that were outside Phase 1 jurisdictions and whether the SRF could be leveraged for LID stormwater projects. Mr. Fox stated that these were both interesting ideas.

Ms Minerva asked whether local governments should proceed with their own post construction stormwater regulations given that USEPA was considering new regulations. Mr. Fox said that they should proceed as December 2012 is when the national rule will be out.

Ms Hearle stated that she would like help from USEPA to help make the business case for internalizing the costs of post construction retrofits. Mr. Fellows asked how to stop leapfrogging development and Mr. Fox stated that the state and local government should be providing incentives to prevent this, but that he has yet to see any data that shows that developers make “go” or “no go” decisions on the basis of stormwater regulations.

Mr. Dawson asked: “Can you talk about the public outreach relating to the TMDLs?” Mr. Fox stated that programs expects to have the load and allocation figures by tomorrow’s meeting and TMDLs completed by December 2010, and that he envisioned public participation taking place in states by next summer.

III. Executive Director’s Report

A. Capitol Riverfront BID Environmental Summit. Ms. Minerva summarized progress and direction regarding the Environmental Summit being proposed under the auspices of the Capitol Riverfront Business Improvement District. She stated that the Nationals Stadium had offered to provide their conference center for the event. She reminded the group that we are partners in the event and that the organizers are looking to seek funding through various public and private partnerships.

B. Action Agenda

Ms. Minerva noted that a rough draft of the Action Agenda had been distributed and that the same designer as last year had been retained. She also noted a new proposed title of the Action Agenda: “Green Communities; Clean Water” and that while the draft highlighted the ARP, it also focused on pending actions by members of the Partnership. She asked for viewpoints as to whether the “synergy document” should be included and asked the Partners to review their “Actions” and “Accomplishments” to make sure these were presented in the most appropriate way. She also noted that she had asked the designer to create a new logo.

Ms. Howard had some initial comments on the draft: She recommended that:

- The cover contain a date
- That the indicators section was too wordy and needed to convey the status of the watershed more directly
- That the document needed to be more accessible and less wordy.

Mr. Dawson requested that the Partners provide comments on the draft to Ms Minerva by November 10th.

Mr. Smith asked whether forest cover indicators be in the document and Ms Minerva responded that riparian reforestation progress would be included because that is a key indicator.

Mr. Siegel suggested setting a word limit on the Accomplishments and Actions and suggested that he liked the “synergy” piece and that he sees the Action Agenda as a useful marketing tool.

Mr. Tuchman suggested that we think about the primary audience, why do we want them to read it and what outcomes do we want to see from this document? Might need to shape it differently depending on who we want to read it and what we want people to take away from it. Mr. Tuchman noted that the same thoughts applied to the Summit.

Mr. Yetman noted that one of the primary targets should be decision makers including the Congressional delegation.

Mr. Smith noted the importance of the logo—with a new logo; DNR could request that the Anacostia logo could be added to highway signs.

Dr. Eskin suggested that one page summaries of the Action Agenda could also be distributed to targeted audiences.

Ms. Hearle suggested issuing the Action Agenda in conjunction with the ARP rollout.

It was concluded by the group that Ms Minerva would continue to work on the document taking into account the comments received at the meeting and by November 10 and prepare a distribution plan as well as develop one page summaries for targeted audiences.

C. Announcements

Ms. Minerva noted that the Potomac Watershed Trash Summit 2009 was scheduled for October 28 and Mr. Graham provided notice that a Green Roads and Highways workshop was scheduled was being held on November 5.

IV. Trash TMDL

Dr. Eskin provided an update on the status of the Trash TMDL. He stated that EPA has hired an outside consultant (Tetra Tech) to bring together the trash data. Currently the data is varying considerably between jurisdictions. He noted that their had been exhaustive monitoring in the District of Columbia and random monitoring in Maryland so that it was difficult to know the reason for the data variation.. Dr. Eskin requested the status of the rainfall data for stormwater outfalls. Mr. Trieu indicated that the data would be ready in about a week’s time. Dr. Eskin also noted that Tetra Tech has been responsive to turning things around in doing comparisons between the loading rates.

It was noted that as part of the Montgomery County MS4 permit, that the trash TMDL would be met by 2013 and that concerns were raised that TMDL might not be able to be met by the deadlines set by the MS4 permits. Should the TMDL have a date by which it needs to be met? Or is the establishment of a date by which it should be met be in the MS4 only?

Dr. Karimi asked whether the TMDL could serve as a model for the rest of the Potomac watershed and if so shouldn’t the TMDL have the date. Dr. Eskin noted that there was an

argument that since the local jurisdictions had signed on to the Trash Treaty that they should already be working toward the 2013 deadline and not waiting for the TMDL.

V. Lunch

VI. Anacostia Restoration Plan and Outreach

Mr. Pace gave a progress report on the Anacostia Watershed Restoration Plan. Mr. Pace noted that the Corps was approaching the end of the timetable to receive comments from the members: October 22nd, that the Corps was receiving internal comments and that the Corps was finalizing the SWAPs.

There was considerable discussion among the members about whether the Plan, as yet, communicated the benefits of its implementation. Most notably, Mr. Tuchmann stated that reading it, as a businessman would, he could not immediately see what would be accomplished by implementation. What was the benefit to the public of implementation?

Ms. Howard suggested the possibility of hiring an outside firm to help with communication and Mr. Pace agreed that having some people form a team to help with this would be a good idea. It was determined that a subcommittee would be formed on communications that would consist of Ms. Corman, Mr. Tuchmann, Ms. Minerva, Ms. Esher, and Ms. Howard. It was also determined that the MWCOG would assist with issuing an RFP to hire a communications firm to assist with messaging.

In addition, the Partnership's members generally agreed to be responsible for briefing their principals. Ms. Minerva will complete a plan for who should be briefed before the Plan comes out with a goal of making sure that all relevant elected officials are aware of the plan before it comes out.

It was also agreed that it was time for the Partnership to assess whether it's optimally organized to oversee implementation.

VII. Management Committee Report

Mr. Yetman then gave a report on the Management Committee's meeting. At the last meeting the concentration was on monitoring, specifically the USGS monitoring at the Northwest Branch and Northeast Branch stations and other monitoring efforts. In general, the Management Committee is taking a closer look at toxics.

VIII. AWCAC Report

Mr. Smith reported on an AWCAC brainstorming meeting and that the Committee is planning a Boy Scout camping jamboree some place in the watershed. We would have people there to teach them about the issues facing the Anacostia. A member expressed concern about debris in the Anacostia. USACE dredged below CSX Bridge. The Corps indicated that they would look into this.

IX. Toxics Reduction

Mr. Capacasa provided a handout describing the federal facilities responsible for toxics remediation in the Anacostia.

X. Items from Members

Mr. Pace noted that next year he would be leaving for a one year assignment in Germany in the Africa command. The team that has been working on this project will still remain intact for comment. The Steering Committee wished him well.

XI. Other Business

None

XII. Adjourn

The Meeting adjourned at 2:00 p.m.

Calendar of Events

Month	Steering Committee*	Management Committee	AWCAC**	Special Events
Calendar Year 2009				
January				
February	26			
March		5	7 – AWCAC Workshop on Advocacy	
April	23			
May				
June	25	18		
July				
August	27			
September		17		24 - Special SC Meeting on the ARP
October	22			
November				5 – Green Roads & Highways Workshop
December	17	10		
February	25			
April	23			
June	24			
August	26			
October	28			
December	16			

* Throughout 2009 and 2010, the Steering Committee meetings will be held on the fourth Thursday of every other month except for the December meetings which will be held on December 17 in 2009 and December 16 in 2010. All SC meetings will be held on the Board Room on the 3rd floor at COG.

** All AWCAC meetings are held at the Visitor Center at the M-NCPPC Bladensburg Waterfront Park, beginning at 7:30 p.m.