

**-FINAL DRAFT-
MEETING SUMMARY**

**STEERING COMMITTEE
OF THE
ANACOSTIA WATERSHED RESTORATION PARTNERSHIP**

Thursday, February 26, 2009

The 16th meeting of the Anacostia Restoration Partnership Steering Committee was held on Thursday, February 26, 2009 in the Board Room on the 3rd floor at COG. The attendees, in alphabetical order, were:

	Name		Organization
Dr.	Mary	Barber	Anacostia Watershed Citizens Advisory Committee
Mr.	Jon	Capacasa	USEPA
Mr.	Jim	Connolly	Anacostia Watershed Society (Guest)
Ms.	Meo	Curtis	Montgomery County DEP
Ms.	Brooke	DeRenzis	DC Appleseed (Guest)
Mr.	Andy	Fellows	Clean Water Action
Mr.	Jim	Foster	Anacostia Watershed Society (Guest)
Mr.	Stuart	Freudberg	MWCOG
Ms.	Carol	Hearle	University of Maryland
Mr.	John	Galli	MWCOG
Dr.	Ted	Graham	MWCOG
Ms.	Amy	Guise	USACE
Ms.	Linda	Howard	The Summit Fund of Washington
Mr.	Bob	Hoyt	Montgomery County DEP
Mr.	Wood	Hudson	MWCOG
Dr.	Hamid	Karimi	District of Columbia DOE
Ms.	Catherine	King	USEPA
Ms.	Dana	Minerva	Anacostia Watershed Partnership – Executive Director
Dr.	Sam	Moki	Prince George's County DER
Mr.	Stephen	Pattison	Maryland Department of the Environment
Ms.	Lisa	Pelstring	NOAA
Mr.	Steve	Shofar	Montgomery County DEP
Mr.	Eric	Siegel	The Cohen Companies
Ms.	Nancy	Stoner	NRDC
Mr.	Phong	Trieu	MWCOG
Mr.	David	Tuchmann	Akridge
Mr.	Charles	Wilson	Prince George's County DER
Mr.	Ken	Yetman	Maryland DNR

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

Follow Up to the Anacostia Steering Committee Meeting of February 26, 2009¹ (Updated: April 15, 2009)			
Item	Action	Lead	Status
SC Meeting	1. Distribute Draft February 2009 Meeting Summary 2. Prepare agenda for April SC Meeting;	Graham	1. Complete 2. Complete
Action Agenda	1. Each member of the Partnership completes form for AA updates and provides to D. Minerva by April 15 2. Prepare updated AA in summer 3. Add the Synergy piece to the AA	1. SC Members 2. Minerva 3. Minerva	1. Pending 2. Pending 3. Pending
Funding Strategy	Provide comments to Dana by March 20; Incorporate monitoring costs	Minerva	Final Strategy to SC by April meeting
Funding Sources	Set up ad-hoc committee to address the match between needs and sources: Howard, Minerva, Siegel, Stoner; Hawkins of DDOE and Randall of DC Appleseed to be invited. Provide update at April meeting	Howard	
Project List for Federal Funding	1. Two requests for "add-on" 2. Updates to candidate list for consideration	Minerva	1. Complete 2. Ongoing
Communication Strategy	1. Distribute Strategy by 4/15/09 2. Prepare CBT grant for web review by April 30	1. Minerva 2. Minerva	
UMD-Partnership MOU	Prepare recommendations and present at April SC meeting	Hearle; Minerva	
Redevelopment LID Workshop (March, 26 2009)	Provide report at April SC meeting	Graham	
Anacostia Restoration Plan	1. Process for updates and revisions to the AWRP recommend to SC at April meeting 2. Incorporation of enhanced programmatic components to the AWRP. USACE to be presented at the April SC meeting.	1. Mgt. Comm. (Yetman) 2. PDT	
Monitoring	1. Comments on report by March 5 2. Management Committee to provide a revised report to Steering Committee at April 26 SC meeting (anticipate annual updates)	Galli; Yetman	1. Complete 2. Pending
Toxics Conversation	Convene ad hoc group to review toxics issues including: (1) Appropriate legal mechanisms for potential capping project; (2) Discussion of feasibility study for capping; (3) Need for investigation of ongoing sources of toxic pollution	Minerva	Meeting scheduled for April 21
Synergy of the ARP, FS, AA & CS	Finalize and post on web site by April 3	Pattison/Minerva	Pending
Bylaws	Review and revise to reflect maturing of the Partnership, keyed to Roles & Responsibilities. (Consider presentation at April SC meeting; Adoption at June meeting)	COG (Graham)	Pending
Lowe Beaverdam Toxics Investigation	Assess condition & sources of toxics in Lower Beaverdam basin	EPA/MDE	Pending
Stimulus Funding	Report to SC on the status of Stimulus Funding Requests – At April Meeting	Minerva	Pending
Capital Riverfront BID Environmental Summit	Discuss objectives and options at April SC meeting	Siegel	

¹ Actions appear in bold font throughout the meeting summary.

I. Call to Order

Mr. Pattison called the meeting to order at 10:05. It was noted that the Steering Committee schedule has now shifted to the last Thursday of every other month.

Introduction of Mr. Eric Siegel - Mr. Pattison introduced and welcomed the newest member of the Steering Committee, Mr. Eric Siegel. Mr. Siegel is Executive Vice President of the Cohen Companies, a development company based in Rockville, MD with interests in the District, Maryland and Virginia. He is also a member of the Board of Directors of the Capital Riverfront Business Improvement District in the District of Columbia. Mr. Siegel noted that he viewed his membership on the Steering Committee an “amazing opportunity” and looked particularly to enhance the private sector involvement in the restoration of the Anacostia watershed.

Approval of Meeting Summary – Hamid Karimi moved approval of the summary of the December 4, 2008 Steering Committee meeting. Mary Barber seconded the motion which passed unanimously.

II. Recognition of Jim Foster, New President of the Anacostia Watershed Society

Mr. Pattison recognized Mr. Jim Foster, the new President of the Anacostia Watershed Society, assuming that role from Robert Boone. Mr. Foster noted that he has been on the job for two months and is both honored and excited to be working with the Partnership. He indicated that his style is one of “building bridges” and he intends to maintain a “laser-like” focus on achieving a fishable/swimmable condition for the Anacostia River. He expects to concentrate on both stormwater and trash. He is hopeful of getting 3,000 attendees for the AWS earth day event on April 18. He is looking forward to his first boat ride with Prince George’s County leadership on March 10 and emphasized AWS’s continued willingness availability to provide boats for tours of the river.

III. Executive Director’s Report

Ms. Minerva provided updates on a series of topics:

Action Agenda – It’s time for updating the Action Agenda. Ms. Minerva has prepared forms to be used for the update – the form is on the Anacostia.net web site. **The forms should be completed and returned to Ms. Minerva by April 15.** Ms Stoner recommended and it was agreed that Action Agenda items that have not occurred be identified and analyzed as to why.

Funding Strategy and Funding Opportunities – Ms. Minerva reported that the Funding Strategy committee met and provided her with feedback on the Funding Strategy. She noted that it is and will always be a “work in progress.” The biggest critique was that it initially did not set up an annual process. In the latest version, annual milestones have been included (on p. 4). These include:

- Summer – Identify the needs for the following upcoming year’s Anacostia Restoration Fund (ARF);
- Fall – Focus on projects and project requirements for implementing the AWRP; and
- February – Formulate requests for federal project funds.

Ms. Minerva requested that the Steering Committee members take a look at the schedule to ensure that it makes sense.

Ms. Howard posed the question whether, given the change in the political landscape in Washington, we should be looking at the Executive Branch as well as the Legislative Branch. There was a general agreement about this with the following comments and caveats:

- The formal federal funding process needs to be respected;

- There is value in educating members of the executive branch regarding the needs that emerge from the AWRP;
- One of the objectives of the Funding Strategy is to help identify needs emerging from the AWRP;
- The Partnership, individually and collectively, needs to pay attention to the opportunities provided by the Stimulus package;
- Don't ask for too much that potentially outstrips the capacity to implement the AWRP projects, considering the need to get real estate agreements, cost-share provisions and the like in place;
- The Funding Strategy should address ongoing operational needs, including the administrative needs of the Partnership and ongoing monitoring requirements;
- We will need to develop a process to make choices and set priorities;

Per a recommendation by Ms. Howard, it was agreed to set up an ad-hoc committee, to be chaired by Ms. Howard, to better focus on and match needs to sources of funding. The members of this group will be:

- Linda Howard to chair;
- Dana Minerva;
- Eric Siegel;
- Nancy Stoner;
- Per Ms. Howard's recommendation, an invitation to participate will be extended to George Hawkins of DDOE and Russ Randall of DC Appleseed.

Mr. Siegel noted that the private sector has the capability to reach out without some of the public sector constraints and that state, local and private resources should not be overlooked. Ms. Stoner noted the importance of developing a "message" for requesting funding.

Mr. Tuchman asked about the status of the stimulus package and the opportunities it affords at the local level. Ms. Minerva has asked the local jurisdictions how they would be approaching this. Dr. Karimi indicated that DDOE operates the State Revolving Fund (SRF), which, in DC is a grants program. He noted that there might be USDA opportunities in the outer reaches of the Anacostia watershed.

Ms. Stoner requested that Ms. Minerva give the Steering Committee members a rundown on the stimulus projects that had been requested. **Ms Minerva said that she would as soon as she gets the information from the District and the Counties.**

Mr. Pattison requested that the Steering Committee members review the Funding Strategy and get comments back to Dana by mid-March.

Other notes related to funding: Ms. Minerva was told by her contacts that the Stimulus bill would not include "add-on" projects. The Partnership did not receive the Trust Fund grant from Maryland for Sligo Creek. Several other project requests to Capitol Hill will be submitted. On the administrative side, a request has been submitted to the Summit Fund, the Keith Campbell Foundation and the Cafritz Foundation. Mr. Capacasa advised that the Green Highways Partnership might be a source for information regarding additional funding.

Miscellaneous Topics – Ms. Minerva reported on several miscellaneous topics:

- She and others representing the Partnership participated in the "No Child Left Inside" event on the banks of the Anacostia River on January 19.
- The Washington Times published an article referring to the Anacostia as a "sewer" and also the response taking exception to that characterization prepared by Ms. Minerva.
- Ms. Minerva testified to DC-WASA at its rate hearing.

- She is working with the Engineers without Borders at the University of Maryland to implement a bioretention project in Edmonston and has received good support for from the County's Department of Environmental Resources.
- On March 3, there will be a hearing in Annapolis requiring counties to implement stormwater fees. Jim Connolly will be testifying in support of the legislation.
- She participated in a meeting with Prince George's County's DPW&T focusing on to strengthening their stormwater regulations. She was very encouraged.
- The preparations are moving forward for the March 26 workshop on "Promoting Redevelopment LID in the Anacostia Watershed." Dr. Graham distributed the latest draft of the agenda. Dr. Karimi noted that there will be a companion workshop on stormwater federal facilities on March 27. Both will be held in the Training center at COG.
- In response to a question by Ms. Howard, Ms. Hearle reported that the University of Maryland attorneys have asked why a formal Anacostia agreement is needed. (The existing agreement has expired. **Ms. Hearle will report back to the Steering Committee at its next meeting.**)

IV. Program Synergy

Mr. Pattison provided an overview of and led a discussion of the "synergy" of key elements of the Anacostia Restoration Program: the Anacostia Restoration Plan, the Action Agenda, the Funding Strategy and the Communication Strategy. The discussion focused on the Anacostia Watershed Restoration Goals "matrix" (see attached) which reflect Mr. Pattison's thoughts regarding the way the various "Major Activities of the Partnership" fit together.

Taken together there are five activities that combine to support achievement of the six goals. The goals are:

- Dramatically reduce pollution loads;
- Protect and restore ecological integrity;
- Improve fish passage;
- Increase wetland acreage;
- Expand forest cover; and
- Increase public and private participation.

The five activities are:

- Planning;
- Funding;
- Implementation;
- Measuring Progress; and
- Communication/Outreach.

The diagram and its underlying concepts resonated with the Steering Committee. Some of the key comments follow:

- Do we want to consider a process of "independent verification" analogous to that being considered by the Bay Program?
- Add the matrix to the Action Agenda.
- Consider putting the "Communication" activity in the center, in that communication is a central activity.

Mr. Pattison & Ms. Minerva will revise and reissue the matrix for final comments. It will be posted on the web.

Ms. Guise raised the question of updates and revisions to the comprehensive plan. **Mr. Pattison noted that this topic has not been addressed in depth and that it should be referred to the Management Committee for a recommendation.**

V. Anacostia Restoration Plan

Ms. Guise provided an update on progress on the AWRP since the last Steering Committee meeting. Ms. Stoner introduced and led a discussion of potential enhancements to the AWRP related to the intensive use of LID and land use, zoning and land acquisition.

Ms. Guise reported that the interim report (focusing on the Sligo Creek subwatershed) has been completed, that 17 comments have been received and that they are currently being addressed. The response document is now 20 pages. Comments were focused and relevant. The Friends of Sligo Creek were complimentary.

The contractor is working on 2 more watersheds: Indian Creek and Beaverdam Creek. Between April and June there will be outreach meetings with subwatershed groups and initial modeling. By August inventories for all watersheds should be completed. The first draft is to be completed by September. There will be a separate meeting between the Project Development Team (PDT) and NRDC on March 11th.

Dr. Barber, on behalf of AWCAC expressed thanks for extending comment period and for a hard copy of document. She noted that WSSC attended the last PDT meeting and provided an update on their system maintenance efforts. Mr. Yetman noted that WSSC is moving forward in sync with their Consent Decree obligations. Ms. Minerva noted that it's important to understand how stormwater impacts WSSC's maintenance costs. Mr. Pattison recommended that WSSC and DC-WASA be brought in regularly, perhaps annually. Perhaps more formal participation by them is warranted. Dr. Graham noted that some measure of riparian restoration is possible when WSSC and WASA maintenance crews are working in stream valleys.

Ms. Guise noted that there are two main themes as a part of the comments:

1. Why aren't we using the TMDL criteria? and
2. There should be more emphasis on policy items to complement the project work.

The former needs to be framed better. The PDT will work with Ms. Minerva and others to better address item #2.

Ms. Stoner noted that WSSC has made estimates of its stormwater-driven costs. She noted that the Sligo plan showed how to achieve about 10% of TMDL reduction. She observed that the plan is largely focused on publicly funded projects on public land. With an eye on meeting water quality standards, her view is that a broader approach is needed such as the "build out" model developed by LTI. She noted that she was preparing for a March 11 meeting with the PDT.

Mr. Pattison suggested that Ms. Minerva draft language for a chapter in the plan to combine policy and programmatic approaches to complement the more project-specific inventory. Mr. Yetman noted that the ARP is well aware of the need to include more programmatic approaches, such as a bottle bill and street sweeping. They were left out partly because of the Congressional deadline. We have list of programmatic that we will include. Mr. Galli pointed out that the Sligo analysis did recognize the need to include a private focus. Modeling included various options on private land. It's inaccurate to conclude that only public land was addressed. The PDT looked at large (>1/2 acre) parking lots and looked at the impact of rain barrels at the ~17,000 single family homes in the Sligo Creek watershed.

Several other points were raised:

- The Steering Committee needs to stay closely connected and focus particularly on “gap closers.”
- The Green Building Council could be a helpful resource to better engage the private sector.
- We should look at an “everything everywhere” scenario to assess the feasibility of meeting TMDL limits.

By the next meeting, Ms. Minerva, base on input from Ms. Stoner & the PDT, will report back on the approach to include an enhanced programmatic component to the AWRP.

VI. Management Committee Report

Monitoring Report - Mr. Yetman & Mr. Galli reviewed the Draft FY 10-14 Anacostia watershed Restoration Monitoring Strategy, dated February 26, 2009. will present the draft Monitoring Report prepared per Steering Committee request. Both agreed that the single most important element of the monitoring strategy is to maintain the gauging stations at Northwest Branch and Northeast Branch (estimated annual cost: \$200,000)..

Overall, the strategy covers FYs 2010-2014 to set the stage for budgeting requirements. It focuses on six distinct objectives:

- Biology
- Water Quality
- Pollution Sources
- Restoration Effectiveness
- Performance monitoring Protection of Public Health

For FY 10, there are ten distinct monitoring recommendations, eight of them “core” and two others: NPS Goose Management Plan and Tidal River Game Fish Tissue Analysis. For each of the ten, an estimated cost is provided along with an assessment of the current funding status.

From a management perspective, the Monitoring Strategy should be woven into the Funding Strategy. Mr. Wilson indicated a need to know if he needs to set up a line item in his budget each year. Ms. Stoner likes maps and results and recommended that the monitoring results be included in the Action Agenda. As an example of how these various efforts, link, Mr. Pattison suggested that the estimated monitoring costs identified by the Management Committee need to be integrated into the Funding Strategy. This is the mechanism to track the resources needed to address monitoring for the watershed, potential funding sources, and gaps in funding.

Mr. Yetman requested comments on the draft strategy prior to the Management Committee meeting on March 5.

VII. Toxics Reduction

Mr. Capacasa reviewed the “near final” version of the Toxics Reduction Strategy “White Paper” and outlined the next steps.

In general, the paper focuses principally on contaminated “hotspots” which generally have 2-10 times the ecological impact of minimum impact levels. The paper is looking at a cost-effective approach to reducing toxic conditions through capping and could lead to a more rigorous feasibility study as a precursor to a remediation project. The paper makes the case that hot spot remediation is a good first step and also indicates that source controls are also essential.

During the ongoing discussion the following was discussed:

- For river-based pollution, there are complications regarding the “polluter pays” concept in that the Park service is the owner of the river bottom.

- Ms. Howard noted that the toxics issue has been around for 10 years and indicated that it's time for the Steering Committee to take charge and commit to making a decision. The commitment was made that the AWRP will outline how toxics are to be addressed.
- **To this end, Ms. Minerva will convene the “small group” prior to the next Steering Committee and work to resolve outstanding issues about the USEPA white paper such as the need for a feasibility study and the legal mechanism for implementing the white paper.**
- **In addition, Mr. Capacasa will convene a meeting of federal agencies, which Dana would participate in, to identify options.**

VIII. Trash TMDL & DC “Bag” Legislation

Dr. Eskin is pleased with the analysis prepared by the University of Maryland for developing the TMDL. The District has some concerns about the TMDL and plans are in the works to meet and resolve them. The monitoring protocol has been incorporated and a draft TMDL should be ready by the end of the year. Dr. Eskin explained that the timing was associated with completion of monitoring.

Ms. Minerva reported that she attended the event on the District of Columbia “Bag” legislation introduced by Tommy Wells. The support appears to be strong on City Council. Mr. Siegel asked if a fiscal impact statement had been prepared.

IX. Stormwater Regulations

Mr. Pattison reported that MDE is close to publishing the stormwater regulations. MDE is working with the Administrative, Executive and Legislative Review Committee to get it out but they have not yet released it. In response to the question of how long will it before the regulations are to be enforced, Ms. Minerva noted that the counties are given 1-year to update their ordinances. Mr. Tuchman inquired about the status of the District’s regulations. Dr. Karimi stated that they should be out “shortly” as all the comments have been addressed.

X. AWCAC Report

Dr. Barber reported a successful meeting with Montgomery, Prince George’s and the District on storm drain marking, aiming for a consistent look across the watershed. She also noted that AWCAC is sponsoring an Advocacy Workshop on March 7 at the Greenbelt Center.

XI. Report on Montgomery County’s MS4 Permit

Mr. Hoyt presented a report on Montgomery County’s MS4 permit, for which MDE issued a “final determination” on February 25. It will become final on March 19, unless MDE receives a contested case hearing request.

The permit covers five broad areas:

- Implementation Strategy;
- Watershed Restoration;
- Water Quality;
- Trash Reduction; and
- Accountability.

Several key requirements are:

- Increase runoff control to 20% of the county’s impervious surface, i.e., control flows from an additional 5,500 impervious acres countywide;

- Make progress toward achieving the Wasteload Allocations (WLAs) for the EPA-approved TMDLs. Eight have been approved so far. In 2010, there will be a Bay TMDL with nutrient and sediment WLAs that will have to be addressed.
- Complete the trash and litter reduction strategy to meet the Trash Free Potomac Treaty goals.
- The past six years of watershed restoration have cost \$31 million. DEP estimates that another 20% restoration will cost an additional \$108 million.
- Montgomery County's stormwater utility rate is \$35.50 per "Equivalent Residential Unit (ERU). Others in the region range from \$126.36 (Prince William County) to \$94.17 (Norfolk.)

Ms. Minerva posed the question of how the Partnership could help the county. Mr. Hoyt indicated that one way would be to help publicize the water quality benefits from the investment being made by the county and developing new funding source ideas.

XII. Other Business

COG will have a worksession on March 19th on bag fees at the regular meeting of the Recycling Committee.

Mr. Siegel: reported that the Capital Riverfront BID will have its first environmental summit this fall. He's thinking in terms of a 2-day summit and would like recommendations from the partnership regarding topics that might be included. The emphasis will be on education and outreach. **Mr. Pattison indicated that this should be placed on the next Steering Committee meeting agenda.**

Before adjourning, Mr. Pattison led a review of the follow up items. They are included in the "Follow Up" table on p. 2 of this meeting summary.

He noted that the Leadership Council will meet this year.

XIII. Adjournment

The meeting was adjourned at about 2:30 p.m.

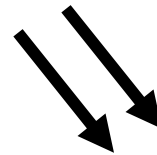
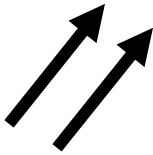
Anacostia Watershed Restoration Goals

Dramatically Reduce Pollutant Loads
Protect and Restore Ecological Integrity
Improve Fish Passage
Increase Wetland Acreage
Expand Forest Cover
Increase Public and Private Participation



Planning & Administration

Policy Initiatives
Anacostia Watershed Restoration Plan
- “Comprehensive”
- 2020 timeframe; post 2020?
- prioritize projects by subwatershed
Monitoring Plan (annual update)
Funding Strategy (annual update)
Communications Strategy (annual update)
Managing the Partnership
- Leadership Council, Steering & Management Committees



Measuring Progress

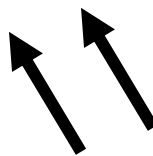
Monitoring Plan (annual update)
- 13 Key Indicators
- 50 plus total indicators
- Baseline Conditions
Track Success of Projects
Independent Verification

Communication/Outreach

Communications Strategy (annual update)
- Action Agenda (annual update)
2-3 year actions and recent accomplishments
Annual Report on Progress

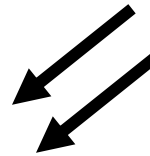
Funding

Funding Strategy (annual update)
- ID revenue sources, funding allocation and gaps
- Prioritize AWRP Projects & Programs
- Monitoring
- Administering the Partnership
- Reflects COG Budget Process



Implementation

AWRP Projects
- prioritized by/within subwatershed
- ID lead, funding source, timeframe, and mandate
- Relationship to Goals
Projects Implemented outside the Partnership
- WASA, WSSC, private sector
Policy Initiatives



NOTE: The Partnership uses an adaptive management approach. Goals, planning, funding and implementation may change based on the metrics. The management process is not entirely linear.