

**DRAFT MEETING SUMMARY**  
**STEERING COMMITTEE**  
**OF THE**  
**ANACOSTIA WATERSHED RESTORATION PARTNERSHIP**  
**Thursday, June 24, 2010**

The 25<sup>th</sup> meeting of the Anacostia Watershed Restoration Partnership Steering Committee was held on Thursday, June 24, 2010 in the Board Room on the 3<sup>rd</sup> floor at COG. The attendees, in alphabetical order, were:

Name			Organization
<b>Members and Staff</b>			
Mr.	Dan	Bierly	US Army Corps of Engineers
Dr.	Mow Soung	Cheng	Prince George's County Department of Environmental Resources
Ms.	Bicky	Corman	DC Department of the Environment
Mr.	Frank	Dawson	MD-Department of Natural Resources
Dr.	Jim	George	Maryland Department of the Environment (by phone)
Mr.	Andy	Fellows	City of College Park
Mr.	Jim	Foster	Anacostia Watershed Society
Mr.	John	Galli	MWCOG
Dr.	Jim	George	Maryland Department of the Environment (via phone)
Dr.	Ted	Graham	MWCOG
Mr.	George	Hawkins	DC Water
Ms.	Linda	Howard	Summit Fund of Washington
Ms.	Amie	Howell	US Environmental Protection Agency
Mr.	Bob	Hoyt	Montgomery County Department of Environmental Protection
Dr.	Hamid	Karimi	District of Columbia Department of the Environment
Ms.	Anna	Kasko	Maryland Department of the Environment
Ms.	Dominique	Lueckenhoff	US Environmental Protection Agency
Mr.	Aubin	Maynard	MWCOG
Ms.	Dana	Minerva	Anacostia Watershed Restoration Partnership
Dr.	Sam	Moki	Prince George's County Department of Environmental Resources
Mr.	Adam	Ortiz	Town of Edmonston
Ms.	Lisa	Pelstring	National Oceanographic and Atmospheric Administration
Mr.	Steve	Shofar	Montgomery County Department of Environmental Protection
Mr.	Eric	Siegel	The Cohen Companies; Riverfront BID
Mr.	Mike	Smith	AWCAC
Mr.	Phong	Trieu	MWCOG

Mr.	David	Tuchmann	Akridge
Mr.	Ken	Yetman	MD-Department of Natural Resources
<b>Guests</b>			
Mr.	Brent	Bolin	Anacostia Watershed Society
Ms.	Brooke	DeRenzis	DC Appleseed Center
Ms.	Amie	Howell	US Environmental Protection Agency
Mr.	Reggie	Parrish	US Environmental Protection Agency
Dr.	Harriet	Phelps	University of the District of Columbia

<b>Action Items</b>			
(Updated: 8/24/10)			
<b>Item</b>	<b>Action</b>	<b>Lead</b>	<b>Status</b>
SC Meeting	1. Distribute draft June 2010 meeting summary 2. Prepare agenda for August SC meeting	1. Graham 2. Graham	1. Pending 2. Complete
Membership	1. Alter the Bylaws to reflect the selection process	1. Graham	1. For Aug SC
Communication Plan	1. Distribute redraft of Reingold Comm. Plan	1. Minerva	1. Pending
Incentives Workshop	1. Prepare draft agenda; 2. Review with ad hoc committee	1. Minerva 2. Minerva	1. Drafted 2. Review pending
Lower Beaverdam Toxics Investigation	1. MDE to provide update when data is available 2. Coordinate storm drain investigation	1. MDE 1. DER	1. Provided information 1. Pending
Funding	1. Comment on WRDA draft language	1. Minerva'	1. In process
ICC	1. List of ICC Mitigation Projects 2. Invite SHA to next SC meeting: ICC & MS4	1. COG 2. Minerva	1. Pending 2. Postpone MS4 update
Toxics	1. Send letter to Region 3 regarding enforcement status after further consultation with Chair Dawson	1. Minerva	1. EPA responded absent formal letter
Request for Partnership Accomplishments	1. Prepare a succinct list of Partnership accomplishments	1. COG	1. Pending
Post 2010 Goals	1. Summarize comments received to date (present at August meeting)	1. Graham	1. In process; comments to date reviewed
Tree replacement	1. Address tree replacement policy in the Anacostia watershed	1. Management Committee	1. Pending
Postponed Items	The following agenda items were postponed: 1. Subsistence Angling (NOAA) 2. Anacostia Documentary (NOAA) 3. Bylaw Revisions	1. NOAA 2. NOAA 3. COG	1. Oct SC Mtg 1. Oct SC Mtg 1. Aug SC Mtg

## **I. Call to Order and Chair Items**

Mr. Dawson called the meeting to order at 10:08 a.m. .

Ted Graham gave a brief update on Stuart Freudberg's condition who was undergoing surgery at Johns Hopkins at that time. Everyone wished him well.

### **A. Review of Agenda**

It was agreed to move the Work Program and Budget item up to right after lunch.

### **B. Review of Action Items**

Frank Dawson provided a brief update on the toxics letter that the Partnership agreed to send to the EPA Administrator. He was contacted by Sean Garvin, the EPA Region III Regional Administrator, who requested a delay in sending the letter until after a meeting he will be having with DDOE Director Christoph Tulou next week. Mr. Dawson expressed his impatience over the issue but will honor the request by Mr. Garvin.

**The consensus was to agree to the delay but send the letter shortly after that meeting.**

Mike Smith inquired about the ICC action item whereby SHA was to be asked to provide the list of mitigation projects. Such a list is available online without having to write a letter. COG will distribute the list to the Partnership. Bob Hoyt noted that SHA has run into citizen opposition to LID projects, which underscores the need for ongoing outreach and education for such projects.

A representative of SHA will be invited to the next SC meeting to discuss both the ICC and SHA's MS4 permit.

COG staff will make sure that the Partnership receives a list of all most currently proposed ICC mitigation projects.

### **C. Approval of April Meeting Summary**

The meeting summary of the April 2010 Steering Committee meeting was approved by consensus.

## **II. Executive Directors Report**

### **A. Capital Riverfront BID Summit**

Dana Minerva and Eric Siegel gave a brief report on the Capital Riverfront BID's Environmental Summit that was held on May 18, 2010. The event was well received with more than 200 people in attendance. The ½ day format worked well; there was a nice write-up in BizNow. This is viewed as an opportunity to promote a two-way dialog with the business community and the BID Board anticipates making it a periodic event, either annual or biannual.

In the ensuing discussion, it was agreed to convene a workshop on "Incentives for Green Development," in the fall of 2010. The essence of the workshop is to address how incentives can be provided to developers to encourage the use of LID and environmental

site design. Eric Siegel expressed his willingness to host such an event at one of the Cohen Company facilities. Dominique Lueckenhoff will look for examples where such incentives have been implemented elsewhere. David Tuchmann stressed the importance of monetizing the incentive.

**Dana Minerva will convene a group to organize the workshop. Those who volunteered to assist are: Eric Siegel, Bob Hoyt, David Tuchmann, and Dominique Lueckenhoff.**

#### **B. Communication Plan**

Ms. Minerva received good comments from the Communication Committee members on the draft Communication Plan that Reingold had submitted. She will update it accordingly and provide an update on implementation at the next Steering Committee meeting.

#### **C. Update on Funding for the ARP**

Ms. Minerva reported that several steps have occurred recently:

- In the works is a \$65 million authorization in WRDA explicitly for implementation of the ARP. Congressional staff will work to get it included in WRDA in July.
- Dana will be meeting with Jim Wood of Steny Hoyer's staff on the topic. (Mr. Wood, by the way, is of the opinion that the Patuxent River could use a Partnership group along the lines of the Anacostia Partnership)
- It is important to remember that even if \$65 million is authorized, it will not be enough money for full ARP implementation (estimated at \$1.7 billion).
- DC Appleseed is moving forward on other proposals related to funding for the ARP, with their findings and recommendations due out in the fall.

There is still concern of the use of the term "Tax" as it applies to stormwater funding. "Impact fee" is one possible alternative term, although in Montgomery County, the County Attorney has expressed the opinion that it is a tax. The federal government has taken the position that they are not subject to local taxes.

#### **D. MS4 Updates**

Ms. Minerva reported that EPA has issued the District a very strong draft MS4 permit. It has detailed retrofit requirements, comparable to Montgomery County's. She noted that environmental groups in their comments are asking for a specific timetable for meeting water quality standards.

She also noted that she had no updated information on the status of the Prince George's County permit.

During the discussion Ms. Minerva noted that a recent federal report has come out advocating retention rather than detention of peak flows. Dr. Karimi suggested that EPA consider region-wide stormwater standards to maintain a level playing field for

development. Mr. Dawson noted the need to have better cost and benefit information for stormwater control practices. One perennial topic is whether strong stormwater requirements are an impediment to smart growth. There was agreement that much more information related to this topic is needed.

### **III. Developing Post-2010 Goals**

Mr. Dawson introduced the “Post 2010 Goals” discussion by posing several questions:

- What are we trying to accomplish?
- Who is our audience: the public? Potential funders?
- What’s the target period? 2020?
- What’s our schedule for completion?

Dr. Graham noted that several important events have occurred since the 2010 goals were adopted in 2001, including completion of the ARP, the CSO LTCP, the SSO consent decree and several TMDLs. He noted that the original 50 indicators were narrowed to 16 “leading” indicators and that the Partnership has been using 12 “key” indicators for the last two years.

In the ensuing discussion, the following comments and questions were raised:

- Bob Hoyt pointed out that their MS4 requirements, including TMDL implementation plans which are pending, will go a long way toward determining their goals and their monitoring activities and that this raises timing concerns for setting new goals.
- Dr. Cheng cautioned that any goals need to be realistic and measurable and County resources for monitoring are problematic.
- How are the post 2010 indicators to be merged with the existing indicators?
- They must be measurable; a supporting monitoring program is key.
- The local MS4s go along way to establishing goals. They should be meshed.
- How do we best communicate to the public? It would be helpful if they “de-mystified” the overall restoration process.
- Can they help identify costs and benefits?
- Toxics should be addressed.
- Assuming Congress is going to be asked to support much of the restoration, how will they help make that task easier?
- Shouldn’t they help document what other entities are doing as a part of the restoration process?
- Perhaps they should be in sync with the Partnership’s communication strategy.
- MS4s are not watershed-specific; the value of the goals is to help provide a watershed focus.
- Mr. Dawson stated that his takeaway from the discussion was: (1) They must add value. (2) They must matter to the public. (3) They should help demystify the process for the public. (4) They should foster accountability and transparency.
- He noted that the draft document was still “very draft” and that it was important to get comments in. The goal is to still get them completed by the end of the year.

#### **IV. Regulatory and Enforcement Update**

##### **A. Toxics in Lower Beaverdam Branch**

Jim George reported on the progress Maryland is making with regard to tracking down PCBs in Lower Beaverdam Creek. MDE is working with the University of Maryland and anticipates deployment of monitors but is uncertain regarding the timeline for getting results. Ms. Minerva will coordinate efforts with Prince George's County to begin intensive storm drain investigation.

##### **B. Impervious Surface Fee Issues**

Dr. Karimi noted that the federal presence covers 1/3 of the District of Columbia and the city is highly concerned about revenue if the federal government is exempted from two critical fees that are based on impervious surface: (1) for the CSO LTCP; and (2) for urban stormwater.

The Government Accountability Office (GAO) and the Department of Justice (DOJ) are both actively involved; resolution is uncertain at this time.

##### **C. Advocacy**

Jim Foster of the Anacostia watershed Society requested the AWRP send a letter to Prince George's County requesting they implement strong stormwater standards. After a brief discussion it was decided that Ms. Minerva would compose a letter requesting that Prince George's County set standards at least as strong as those in Montgomery County.

##### **D. Trash TMDL**

Anna Kasko of MDE noted that there was a public meeting held at COG on May 6 on the Trash TMDL and that the TMDL itself is to be submitted to EPA by September 30.

Dr. Karimi of DDOE highlighted Hickey Run restoration efforts, including trash control efforts, such as storm drain inlet inserts and screens. A brief discussion of cost/benefits of various trash control structures followed, and Dr. Karimi indicated DDOE is studying various technologies to determine the most cost effective.

In the ensuing discussion, the following comments and questions were raised:

- Bob Hoyt inquired if there had been an analysis of the effects of the "Bag Bill."
- Steve Shofar of Montgomery County DEP noted their test inserts needed to be cleaned after every single storm event.
- He noted that the draft document was still "very draft" and that it was important to get comments in. The goal is to still get them completed by the end of the year.

Dr. Cheng noted that Prince George's County found community cleanups were much more cost effective than trash traps.

## **V. FY 2011 Work Program and Budget**

Ted Graham provided a brief overview of the proposed FY 2011 Work Program and Budget. The Anacostia Restoration Fund (ARF) portion is unchanged from last year and work program itself is largely modeled after the FY 2010 work program. Dr. Graham emphasized the importance of the Partnership Grants from EPA and the Summit Fund of Washington to support the Executive Director and many of the activities of the Partnership and noted that such grants are expected to run out during FY 2011.

The FY 2011 Work Program and Budget was approved by consensus.

## **VI. Introductory Remarks by George Hawkins**

George Hawkins, the new DC Water General Manager and new Partnership member was invited to make a few comments at this, his first, Steering Committee meeting. . During his remarks, Mr. Hawkins explained DC Water already has systems in place to handle cleaning storm drain inlets, so further coordination would be invaluable to trash control efforts. He also expressed a willingness to consider contributing funding to the Partnership.

## **VII. Management Committee Report**

Mr. Yetman focused on the implementation of the ARP. He would like to see a team of agency people to assist with the implementation of the ARP.

He noted that with regard to monitoring, it was largely bad news. The NW Branch water quality monitoring station will cease operation. There have been cutbacks in fish and macroinvertebrate monitoring except in Montgomery County's Special protection Area (SPA) in Upper Paint Branch. MDE corbicula monitoring on hold. Monitoring is falling by the wayside such that it will be difficult to quantify whether restoration is working.

Dr. Cheng and others underscored the importance of baseline monitoring in order to show the effectiveness of projects. In Prince George's County some biological monitoring is continuing, although on a five-year cycle.

## **VIII. AWCAC report**

Mike Smith, AWCAC Chair, updated the committee on AWCAC's recent activities. AWCAC members are working with USACE and Ms. Minerva to remove rowing hazards above the CSX Bridge, are working on a fall public meeting on toxics, and are considering pushing for some sort of Anacostia forest reserve.

## **IX. Postponed Items**

Three items were postponed until the August meeting because of lack of time:

- NOAA's Subsistence Angling Outreach Campaign
- NOAA's proposed Anacostia Documentary
- Bylaw Revisions for selection of the Chair and Vice Chair

## **X. Adjourn**

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

