

REVIEW DRAFT MEETING SUMMARY

STEERING COMMITTEE OF THE ANACOSTIA WATERSHED RESTORATION PARTNERSHIP

Thursday, April 23, 2009

The 17th meeting of the Anacostia Restoration Partnership Steering Committee was held on Thursday, April 23, 2009 in the Board Room on the 3rd floor at COG. The attendees, in alphabetical order, were:

	Name		Organization
Ms.	Tracy	Bowen	Alice Ferguson Foundation (guest)
Mr.	Jon	Capacasa	USEPA
Mr.	Jim	Connolly	Anacostia Watershed Society (Guest)
Mr.	Andy	Fellows	Clean Water Action
Mr.	Stuart	Freudberg	MWCOG
Ms.	Ginny	Harris	Alice Ferguson Foundation (guest)
Ms.	Carol	Hearle	University of Maryland
Mr.	John	Galli	MWCOG
Dr.	Ted	Graham	MWCOG
Ms.	Linda	Howard	The Summit Fund of Washington
Mr.	Bob	Hoyt	Montgomery County DEP
Dr.	Hamid	Karimi	District of Columbia DOE
Ms.	Catherine	King	USEPA
Ms.	Anna	Kasko	MDE
Mr.	Aubin	Maynard	MWCOG
Ms.	Dana	Minerva	Anacostia Watershed Restoration Partnership
Dr.	Sam	Moki	Prince George's County DER
Mr.	Robert	Pace	USACE
Mr.	Stephen	Pattison	Maryland Department of the Environment
Ms.	Lisa	Pelstring	NOAA
Ms.	Catherine	Shanks	MD-DNR
Mr.	Steve	Shofar	Montgomery County DEP
Mr.	Eric	Siegel	The Cohen Companies; Riverfront BID
Mr.	Mike	Stevens	Riverfront BID
Ms.	Nancy	Stoner	NRDC
Mr.	Phong	Trieu	MWCOG
Mr.	David	Tuchmann	Akridge
Mr.	Greg	Voigt	USEPA (via phone)
Ms.		Young	Clean Water Action (guest)

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

Follow Up to the Anacostia Steering Committee Meeting of April 23, 2009¹ (Updated: June 23, 2009)			
Item	Action	Lead	Status
SC Meeting	1. Distribute Draft April 2009 Meeting Summary 2. Prepare agenda for June SC Meeting;	Graham	1. Complete 2. Complete
ED Appraisal	1. Prepare Accomplishments 2. Draft Appraisal	1. Minerva 2. Graham with input from Capacasa & Karimi	1. Pending 2. Pending
Action Agenda	1. Each member of the Partnership completes form for AA updates and provides to D. Minerva ASAP 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. Complete
Funding Strategy	Present FY 2010 WP&B at the June SC meeting	Graham; Minerva	
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 June meeting	Howard	Ad hoc committee has met, is developing short paper.
Project List for Federal Funding	1. Two requests for "add-on" 2. Add needed data elements to projects in ARP as per Funding Subcommittees Direction	1. Minerva 2. Management Committee	1. Complete 2. Ongoing
Communication Strategy	Collect and incorporate proposed edits and ongoing recommendations from members	Minerva with input from SC members	1. Pending
UMD-Partnership MOU	Working on updated agreement.	Hearle; Minerva	Pending
Coalition for the Chesapeake Bay	Invite Doug Siglin to the June SC meeting to describe the coalition and potential benefits to the restoration of the Anacostia watershed	Graham	Complete
Anacostia Restoration Plan	1. Update report on Programmatic elements at June SC meeting 2. Lead an in-depth discussion on programmatic elements at August Meeting	1. Pace 2. Pace	In progress; for discussion at June SC meeting
Watershed Permit Pilot	Review USEPA memo to determine whether concept is appropriate for watershed	Minerva	Complete. Does not appear to be any fiscal or regulatory advantage for our particular watershed
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	Conference call held on June 19. Work ongoing.
Bylaws	Present draft revisions for consideration at the June SC meeting	Graham	Draft prepared for June SC meeting action
Lowe Beaverdam Toxics Investigation	Assess condition & sources of toxics in Lower Beaverdam basin	EPA/MDE	Pending
Stimulus Funding			
Capital Riverfront BID Environmental Summit	Plan for the Fall Summit under the auspices of the Riverfront BID; Report on progress at June SC meeting	Siegel; Minerva	Two meetings held to date.

¹ Actions appear in bold font throughout the meeting summary.

I. Call to Order

Mr. Pattison called the meeting to order at 10:05.

Approval of Meeting Summary – Ms. Hearle moved approval of the summary of the February 26, 2009 Steering Committee meeting. Dr. Karimi seconded the motion which passed unanimously.

Mr. Pattison thanked Ms. Howard and recognized the ongoing grant support by the Summit Fund of Washington to the Anacostia Watershed Restoration Partnership.

Mr. Pattison noted that it's time for the annual appraisal of the Executive Director, Ms. Minerva. Dr. Karimi and Mr. Capacasa agreed to participate in the review. Dr. Graham will provide staff support.

II. Report on Trash in the Anacostia

Trash TMDL - Greg Voigt, EPA region 3, and Anna Kasko, MDE reported on the status of the Trash TMDL for the Anacostia Watershed. [The PowerPoint presentation is posted on the Anacostia.net web site.] Key points raised are:

- The TMDL is being modeled after the Los Angeles Trash TMDL in that it will establish a baseline load and set a TODL as a removal of 100% of that load;
- The baseline monitoring involves 15 in-stream monitoring stations and three storm drain outfall traps in each county and trash traps and ponds where trash data is collected;
- All sampling is to be completed by July 31;
- By weight, the overwhelming majority of the captured material (about 95%) is organic debris, which is being weighed and separated with the expectation of being able to estimate a relationship between trash and organic debris
- Regarding compliance, in Maryland, TMDLs do not include implementation plans but Waste Load Allocations (WLAs) are implemented through permits.
- With a caveat on the cooperation of the weather, the timeline for the TMDL is:
 - June 2008 – Baseline monitoring begins
 - June 2009 – EPA contractor support
 - September 2009 – Baseline monitoring ends
 - October 2009 – Data analysis complete
 - December 2009 – Draft TMDL released for public comment
 - January 2010 – TMDL approved

Discussion: Points raised in response to several questions and comments include:

- There is disagreement among the work group participants whether to include a size specification in the definition of trash; per agency staff, “trash means all improperly discarded waste material including, but not limited to, convenience food, beverage and other product packages or containers constructed of steel, aluminum, glass, paper, plastic, and other natural and synthetic materials thrown or deposited on the lands and waters of the state.” It was noted that in Los Angeles, size (5 mm) is a part of the definition.
- There is a need for a communication package. In the interest of effective communication, it is important to report this data so that it is accessible.
- It's important to quantify organic debris, to be able to help determine the effectiveness of solutions. Too much organic debris can overwhelm end-of-pipe solutions. In those cases, pollution prevention/source reduction is probably a better strategy.
- A continuing question is when to expect complete implementation to be achieved.

Bag Legislation – Ms. Minerva reported on the status of Bag legislation being considered by the District of Columbia City Council. This will impose a 5-cent fee on carry out bags with the express purpose of reducing the occurrence of plastic bags that are a visual blight on the environment including rivers and streams. She noted that Mr. Siegel attended the hearing and testified in favor of the bill at the hearing held on April 1. While Giant Food Stores have taken a position in opposition to the legislation, most grocery stores have chosen to remain neutral.

On April 8, 2009, the COG Board adopted Resolution 19-09, “Supporting Consideration of Measures to Greatly Reduce the Occurrence of Plastic Bags in the Region’s Rivers and Streams.” This resolution encourages local efforts to address the chronic problem of plastic bag pollution. The Chesapeake Bay and Water Resources Policy Committee is to investigate the effectiveness of measures to address this problem and report back to the COG Board by July.

Ms. Bowen of the Alice Ferguson Foundation noted there will be a forum on composting to be held at COG on May 21, 2009.

III. **Watershed Permit Pilot**

Mr. Capacasa announced a new “watershed permit pilot for stormwater discharges.” This is based on a recommendation by the National research Council and EPA is looking for opportunities to test various aspects of a “watershed-based” permitting approach. EPA will make one or two awards for a pilot program, based on criteria issued by the Office of Wastewater Management. Applications are due by May 22, 2009.

Ms. Minerva will serve as the point of contact to pursue a possible application for the Anacostia watershed.

IV. **Executive Director’s Report**

Ms. Minerva provided updates on a series of topics:

Capitol Riverfront BID Environmental Summit – The Capitol Riverfront Business Improvement District (BID) is working on an environmental summit in October, probably to be held at the Nationals Stadium Conference Center. Mr. Michael Stevens, the Executive Director, of the BID provided some additional information about the event. This is an opportunity to convene the Leadership Council and could become an annual event.

The BID interest in this stems from the fact that the BID covers the Nationals Stadium and 1.5 miles of Anacostia Riverfront as well as the fact that water quality in the Anacostia River is important to the BID. Mr. Siegel noted that the BID had picked up the mantle of environmental awareness from the Anacostia Waterfront Corporation and that the Summit presents an opportunity to give both the riverfront and the Anacostia great press.

Dr. Karimi noted that since the origin of this idea is the BID, it should attract a much wider range of participants. He will designate a DDOE staff to participate. Ms. Minerva & Mr. Siegel noted that it will be critically important to draw from Maryland as well as from the District of Columbia. Ms. Shanks recommended inclusion of Maryland’s Middle Potomac tributary Team to assist in the planning.

Action Agenda – Ms. Minerva noted that not all people have submitted their updates to the Action Agenda. While release could perhaps occur earlier, the Summit (October 6 & 7) could be a good time for formal release. It is envisioned that the updated Action Agenda will be drafted over the summer. It should include reasons why any action items did not get done as well as noting those that did. It should serve as a good marketing tool for legislators.

Funding Strategy and Funding Opportunities – Ms. Minerva reported that she has completed the Funding Strategy and that it should be viewed as a working (not static) document. It defines

the needs for next year. She recommends that USACE join the Funding Subcommittee as the emphasis shifts from planning to implementation.

Dr. Graham noted that the FY 2010 Work Program & Budget will be on the agenda for consideration for approval.

Communication Strategy – Ms. Minerva recommended that Communications be a regular agenda item at each Steering Committee meeting. As there is not a large communications budget, communications should be approached opportunistically. Ideas that emerged during discussion include:

- [Siegel] Communications is an extremely important topic; Consider approaching the Departments of Education in Maryland and the District of Columbia; assist in incorporating watershed education into biology, earth sciences, etc.
- [Shanks] Take advantage of Maryland DNR's experience with Children in Nature;
- [Hearle] Consider creation of a speakers' bureau.
- [Pattison] Focus on collaboration with other organizations, not just governmental agencies. Reference "social marketing" in the Communication Strategy.
- [Tuchmann] Often asked what messages the development community needs. He noted that social marketing campaigns take significant energy and resources. We need a focused strategy and systematically examine what works for the resources available.
- [Howard] Consider aligning with the "No Child Left Inside" initiative.
- [Hoyt] In focusing on behavior change, identify what the individual can do.
- [Stoner] The Partnership needs a single key message; a succinct slogan would be very helpful.

Ms. Minerva agreed to follow up with each of those who spoke today to further develop the Communication strategy.

Memorandum of Understanding with the University of Maryland – Ms. Minerva and Ms. Hearle reported on several recent activities involving the University of Maryland. The UMD Engineers without Borders are working with the Town of Edmonston on a bioretention facility. . A Rain Gardens Interpretive Map on the UMD campus is also being prepared.

Miscellaneous Topics

- Mr. Connolly reported that the Anacostia Watershed Society Earth Day Clean Up was a record-setting day. 1,930 volunteers at 29 sites picked up approximately 59 tons of trash.
- Ms. Minerva represented the Partnership at three hearings: on "Bag Legislation" at the District of Columbia City Council; the District of Columbia stormwater fees; and the Montgomery County stormwater fee. Mr. Hoyt noted that Ms. Minerva's presence at the Montgomery County hearing was helpful and that the turnout was roughly equal between those in favor and those opposed.
- Ms. Minerva is working with Prince George's Count DPW&T on stormwater regulations. This is a top priority for Councilmember Tom Dernoga.
- Ms. Minerva reported on the creation of a new NGO Coalition for the Chesapeake Bay and that the Partnership has been asked to participate. Ms. Minerva is now attending their meetings. Ms. Howard indicated that the Summit Fund of Washington is contributing to the support of the Coalition and that it is important that the Anacostia be represented. There continues to be a need for a "small watershed voice." **Ted Graham will invite Doug Siglin of the Chesapeake Bay Foundation to attend the June Steering Committee meeting to discuss the Coalition and how the Partnership can be an effective partner.**
- Dr. Karimi noted the all-day workshop on the Energy Independence Act that was held at COG on March 27, 2009. It requires high quality stormwater practices at federal facilities.
- Dr. Karimi also noted that Ms. Minerva received an award from the Anacostia Watershed Society.

- Mr. Connolly noted that Chuck Fox has been appointed to be the Senior Advisor to the Administrator for the Chesapeake Bay and the Anacostia River. He also noted that the new EPA Administrator is quite interested in urban waters.

V. **Management Committee**

Monitoring - The Management Committee met on March 5. Regarding the Monitoring Strategy, it was recommended to include the trash monitoring in the strategy, adding an estimated \$117,000 annually for FYs '11-'14. Regarding the NE & NW Branch monitoring, funding is sufficient for real-time monitoring, although toxics will not be included. There is still uncertainty regarding the funding in Prince George's County for macroinvertebrate and fish monitoring. A revised Strategy was distributed for consideration by the Steering Committee.

Dr. Karimi moved to approve the Monitoring Strategy as recommended by the Management Committee. Mr. Tuchmann seconded the motion. The motion carried.

Restoration Plan Schedule and Funding – The Management Committee requested that the Restoration Plan's Project Development Team (PDT) take a look at the schedule and remaining funding. Per the ensuing discussion, the plan is on track to complete the inventory work by July and the overall plan by November. There's enough budget remaining to complete the Plan but not to take on additional work.

VI. **Anacostia Watershed Citizens Advisory Committee**

On behalf of Dr. Barber, Ms. Minerva reported that a workshop on advocacy will be held on June 13. The focus will be on the needs of local watershed groups. **The workshop will be held at COG.**

VII. **Anacostia Restoration Plan**

Robert Pace provided an update on the Restoration Plan, focusing on the incorporation of "programmatic elements" in the plan. Per the handout that he distributed, the objective is, "in addition to restoration actions (stream and wetland projects, LID, etc.), [to] include restoration strategies (prevention and homeowner programs, regulatory options, street sweeping, etc.) as part of the 10-year ARP." To facilitate the discussion, he also handed out two tables, "Existing Non-structural Restoration Policies and Programs" and "Example of Restoration Policies and Programs Outside of the Anacostia Basin." Examples of the former include the District of Columbia's County's RiverSmart Homes and Montgomery County's RainScapes program.

The "Outside the Anacostia Basin" table includes programs from Anne Arundel County (LID incentives), Philadelphia (Stormwater Fees to Control Impervious Surfaces), Portland (Downspout Disconnection) and elsewhere that may be applicable in the Anacostia watershed.

Several noteworthy points were brought up during the discussion:

- The Steering Committee considers this a key part of the overall restoration plan.
- While the Project Development Team (PDT) members can generally assess the cost and effectiveness of each potential element, they are often reluctant to venture into making policy recommendations.
- One approach is to have the PDT frame the issues (cost and effectiveness) for each potential element and have the Steering Committee take appropriate action regarding inclusion in the plan.
- It will be important to include state and federal, not just local agencies in the final formulation.

- This is similar to a tabulation being prepared for the Chesapeake Bay Program and there should be coordination with those efforts.
- Even politically challenging items should be included on the list.

Regarding next steps, there is a consensus to have a further “programmatically elements” discussion by the Steering Committee, perhaps a brief discussion in June followed by a more in-depth discussion August when the agenda may not be as full.

In addition, a plan to present this to the public and to public officials will be needed. This could be incorporated in the Communications Strategy.

VIII. Toxics

Mr. Capacasa provided an update on toxics reduction. He noted that there are two categories of toxics issues in the Anacostia watershed:

- “Legacy” toxics with hotspots of toxic sediment; and
- Ongoing deposition from stormwater runoff.

Before the Restoration Plan goes to print, the responsible agencies will finalize an overall position. EPA has the lead, with input from others as needed, to prepare the chapter in the Restoration Plan on toxics. The schedule is to have this complete by September.

Ms. Minerva will continue to facilitate this effort

IX. Other Business

Redevelopment LID Workshop – Dr. Graham reported that the “Redevelopment LID” workshop was well attended and well received. He recognized Diane Cameron for her efforts in helping to put the workshop together. It was noted that, while there was good cross-section of representation, more participation by builders and developers would have been desirable. There will be another workshop at COG [not exclusively focused on the Anacostia] addressing retrofitting roads and highways for improved stormwater control.

Maryland Stormwater Regulations – Mr. Pattison noted that Maryland has issued a “Notice of Final Action” and the regulations will take effect on May 4, 2009.

Stimulus Projects – Mr. Pattison distributed a proposed project list for stimulus funding under the “American Recovery and Reinvestment Act of 2009” along with a companion press release. Of the 11 projects in Montgomery and Prince George’s Counties, nine are in the Anacostia watershed.

Steering Committee Bylaws – Dr. Graham indicated he was working with Mr. Pattison in reviewing and revising Steering Committee bylaws that the Steering Committee approved on April 19, 2007. Mr. Pattison will chair an ad hoc committee, to include Ms. Howard and Mr. Pace, and staffed by Dr. Graham. **Recommendations will be presented to the Steering Committee at the June meeting.**

Montgomery County MS4 Permit – Mr. Hoyt noted that MDE has received a request for a contested case hearing on the permit which will delay its issuance. A preliminary hearing has been scheduled for April 30, but it may slip to May 7.

Follow Up Items - 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.

X. Adjournment

The meeting was adjourned at 2:04 p.m.