

DRAFT MEETING SUMMARY

STEERING COMMITTEE OF THE ANACOSTIA WATERSHED RESTORATION PARTNERSHIP

Thursday, June 25, 2009

The 18th meeting of the Anacostia Restoration Partnership Steering Committee was held on Thursday, June 25, 2009 in the Board Room on the 3rd floor at COG. The attendees, in alphabetical order, were:

	Name		Organization
Dr.	Mary	Barber	AWCAC
Ms.	Brook	DeRenzis	Appleseed
Mr.	Andy	Fellows	Clean Water Action
Mr.	Stuart	Freudberg	MWCOG
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
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
Mr.	Eric	Siegel	The Cohen Companies; Riverfront BID
Mr.	Doug	Siglin	Chesapeake Bay Foundation (Guest)
Ms.	Nancy	Stoner	NRDC
Mr.	Phong	Trieu	MWCOG
Mr.	Ken	Yetman	MD-DNR

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

Follow Up to the Anacostia Steering Committee Meeting of June 25, 2009 (Updated: July 31, 2009)			
Item	Action	Lead	Status
SC Meeting	1. Distribute Draft June 2009 Meeting Summary 2. Prepare agenda for August SC Meeting;	Graham	1. Done 2. Pending
ED Appraisal	1. Prepare Accomplishments 2. Draft Appraisal	1. Minerva 2. Graham with input from Pattison, Capacasa & Karimi	1. Complete 2. Done
Action Agenda	1. Prepare updated AA in summer	2. Minerva	1. A draft will be presented to the Steering Committee for review prior to the next SC meeting
Funding Shortfall	Subcommittee to address the \$88,000 shortfall- related to ED and enhanced Partnership support. 1. Hold meeting in July and report back to SC at August meeting with options and recommendations	1. Minerva	1.Meeting held \$25,000 grant obtained to address part of the funding shortfall. Other actions pending
Project List for Federal Funding	1. Add needed data elements to projects in ARP as per Funding Subcommittee Direction	1.Management Committee	1. Ongoing
Water/Wastewater Utility Presentation	Invite DC-WASA and WSSC to August and October SC meetings to describe their involvement in actions (e.g., CSO & SSO controls) related to Anacostia restoration	Graham	Pending
Anacostia Restoration Plan	1. Prepare for in-depth discussion on programmatic elements at August Meeting 2. Prepare for the special SC meeting on the full ARP on September 24 3. Develop a public process and post on the Anacostia.net web site 4. Develop an outreach strategy 5. Complete and distribute draft of the Programmatic and Policy section within three or four weeks. 6. Send comments on programmatic and policy section to Dana Minerva	1. Pace 2. Pace 3. Pace 4. Pace 5. Minerva 6. AWSC members	1. In Process 2. In Process 3. In Process 4. In Process 5. In Process 6. In Process
River Sediment Capping	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; King	In Process; EPA to prepare a plan as a part of the ARP by September.
Lowe Beaverdam Toxics Investigation	Assess condition & sources of toxics in Lower Beaverdam basin	EPA/MDE	In Process
Coalition for the Chesapeake Bay	Keep Anacostia in the forefront of the Coalition; Follow-up with Doug Siglin	Graham	Done
Capital Riverfront BID Environmental Summit	Plan for the SpringSummit under the auspices of the Riverfront BID; Report on progress at August SC meeting	Siegel; Minerva	In Process

I. Call to Order

Mr. Pattison called the meeting to order at approximately 10:02 am.

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

II. Executive Director's Report

Ms. Minerva, with input from others as appropriate, provided updates on a series of topics:

Prospective Site Visit by EPA Administrator Lisa Jackson – Robert Pace reported that EPA Administrator Lisa Jackson is planning to conduct a site visit with the US Army Corps of Engineers to a yet to be determined Paint Branch location in Montgomery County. The date is July 7th, though the exact itinerary is still being worked out. This is viewed as an important opportunity for good press and interaction with the Administrator. She is interested in discussing President Obama's recent Executive Order related to the Chesapeake Bay, and issues related to urban stormwater. Lt. General Temple, Sen. Cardin and Chuck Fox are also expected to participate. [Note: After the SC meeting it was learned that Ms. Jackson had a conflict on July 7 and that the site visit would be rescheduled.]

In a similar vein, Steve Pattison noted that Maryland had been asked to participate in a roundtable discussion with members of Congress [i.e., Eleanor Holmes Norton (D-DC) and James Oberstar (D-MN)], Chuck Fox, Bob Summers and Ann Swanson. While the main focus was on the Bay, the Corps did talk about its involvement in the Anacostia.

Capitol Riverfront BID Environmental Summit – Ms. Minerva reported that the ad hoc "Summit" committee has met twice and plans to meet every two weeks from now on. It is now looking at a spring 2010 event that could align with the release of the Anacostia Restoration Plan (ARP) scheduled for February 2010. Mr. Siegel posed the question of how to use the Summit as a "bully pulpit" to promote the Plan.

Funding Strategy – Ms. Minerva noted the need for the Funding Subcommittee to focus on funding for implementation of the ARP. Among the key points raised during the discussion were:

- There are likely to be more than 5,000 separate projects with a price tag in excess of \$1 billion.
- Completion of the ARP provides an opportunity for a "big ask" in terms of funding.
- In preparing the requests for funding, it will be critical to focus on maximizing water quality benefits; therefore, messaging will be critical.
- It will be important to structure the message so as to be understandable by the layman: emphasize the positive and underscore what the Plan can accomplish, e.g., Can I swim in the river? Can I kayak in it?
- There are some regulatory rules that should be addressed, i.e., the prohibition against using Section 319 funds in support of a project that is required by an MS4 permit. [EPA recognizes this as a national issue.]

Regarding the annual work program and budget for FY 2010, it was noted that there is a projected shortfall of ~\$88,000, in part for the Executive Director and in part for enhanced COG staff support. Ms. Minerva reported that she is preparing Part II of a grant application for \$50,000 from the Keith Campbell Foundation.

Dr. Graham provided an overview of the FY 2010 WP&B package, including a table comparing the costs and revenues from FY 2006 through FY 2010. Several questions and ideas were posed:

- Is there enough time to prepare a contingency plan if the shortfall is not closed?
- Could the DC Bag Bill, DC-WASA or WSSC be a source of funding?
- Could a federal appropriation help?

Questions such as these and overall work program priorities will be addressed by the Funding Subcommittee, with recommendations to be presented at the next Steering committee meeting.

Dr. Karimi moved approval of the FY 2010 Work Program and Budget. The motion was seconded by Mr. Hoyt. The motion carried.

Communication Strategy – Ms. Minerva reported that there was little additional comment on the most recent version of the Communication Strategy. It's time to begin implementation.

Action Agenda – Ms. Minerva reported that she has received a critical mass of project updates and is prepared to produce an updated Action Agenda. She expects to have a draft by the next Steering Committee meeting in August.

There is a need to decide on an appropriate release date and event for the Action Agenda. An earlier idea had been to release it at the Riverfront BID summit when that was to be a fall 2009 event. Mr. Siegel said that the annual BID meeting will take place in the fall. With an expected 250 people in attendance, it may provide a suitable venue. Mr. Siegel suggested that the Action Agenda could include projects of NGOs such as Living Classrooms and the Anacostia Watershed Society.

Miscellaneous Topics

- The University of Maryland Engineers Without Borders raingarden project in Edmonston received a lot of good publicity – a good example of “earned media.”
- The District of Columbia “Bag Bill” has passed. It includes a provision for an Anacostia license plate. It may be worth exploring a comparable license plate in Maryland, though a prior discussion with the Chesapeake Bay Trust (CBT) would be prudent before proceeding to advocate for that.
- Ms. Minerva was invited to participate in MDE's “Stimulus” event that took place on June 2nd in Bladensburg.
- Ms. Minerva testified on behalf of DC-WASA's rate increase in support of the Long-Term Control Plan. Staff was asked to invite DC-WASA to give a presentation to the Steering Committee at its meeting in August.

III. Report on the Coalition for the Chesapeake Bay

Coalition - Doug Siglin, the Federal Affairs Director for the Chesapeake Bay Foundation, addressed two topics: the new NGO Coalition for the Chesapeake Bay; and the prospects for the new Highway Bill. The banner of the coalition is a “Choose Clean Water Campaign” and its central focus is to demand federal leadership to help communities clean-up and protect their local waterways as a part of the overall Chesapeake Bay restoration effort. It owes its existence to funders in the Bay watershed, is being run by the National Wildlife Foundation (NWF) and comprises some 80 members, large and small.

The coalition has a steering committee of about a dozen individuals and has three co-chairs: Tony Caligeri of NWF (and former Chief of Staff for Congressman Wayne Gilchrest), Chris Miller of the Piedmont Environmental Council, and Doug Siglin. Hillary Harp-Falk is the one paid staff, who serves as the Executive and Communications Director.

The 1st year agenda is to focus on three federal policy items:

- The Highway Bill;

- The Climate Change Bill; and
- Reauthorization of Section 117 of the Clean Water Act to put teeth into TMDLs as they relate to the Chesapeake Bay.

Regarding legislation, Mr. Siglin noted that Sen. Cardin is the Chair of the Water Quality Subcommittee of the Senate Environment and Public Works Committee. He is committed to moving legislation that would do something dramatic for the Bay. On the House side, Congressman Oberstar (D-MN) is also interested in doing something for the Bay.

The main focus of new legislation will be Section 117 of the CWA. The thrust is to revise the law such that there is a direct connection between TMDLs and discharge permits in the Bay watershed. Legislation is to be introduced in July with hearings slated for September. There would be a requirement for states to prepare a state water Quality Implementation plan and submit it to EPA for approval. There are distinct parallels to the Clean Air Act and there would be consequences if the WQIP is not approved.

Among the questions raised were:

- Would this tend to divert funds from urban areas to agriculture?
- Would it be possible for the legislation to call out the three priority urban watersheds: Baltimore Harbor, the Anacostia River and the Elizabeth River?

Highway Bill - Regarding the Highway Bill, it appears that there will not be legislation this year, despite Congressman Oberstar's efforts to move ahead. Neither the Senate nor the Administration are giving it a priority and want to extend the current law for 18 months. Despite the delay, Mr. Siglin feels that various entities are being heard regarding adding more stormwater provisions to the bill when it does move forward.

IV. Report on the Anacostia Restoration Plan

Status and Schedule - Robert Pace handed out a revised schedule, including major milestones that culminate in the release of the Final ARP Report on February 28, 2010. The extension from November 2009 to February 2010 is to ensure adequate time to incorporate the "Programmatic and Policy" section of the ARP.

The inventory of candidate projects by subwatershed is to be complete by July 17. There will be a big focus on the ARP at the August Steering Committee meeting and a special meeting of the Steering Committee on Thursday, September 24, 2009 in the COG Board Room for a presentation and discussion of the full ARP. In addition to the meetings with individual watershed groups, there will be a large public meeting in November after input from the Management and Steering committees.

Programmatic and Policy Aspects – Ms. Minerva handed out an outline of the "Programmatic and Policy Section of the ARP." She reviewed the purpose and content of each of the six sections which are:

- Rationale
- Background on Federal law
- Background on State and District Law
- Existing Policies and Programs
- Examples of Innovative Programs

- **Conclusions and Recommendations**

There was broad consensus that this is an important component of the ARP. Some of the commentary focused on the need to address land use, LEED standards and green buildings and growth. There was general agreement and consensus that the overall approach for the Programmatic and Policy Section and outline for this section as presented by the ED was accepted.

V. Management Committee Report

Ken Yetman summarized the highlights of the 6/18/09 Management Committee meeting. The majority of the meeting was focused on stormwater incentive programs within the three jurisdictions and technical presentations on various trash reduction approaches. Stormwater-related programs included RiverSmart Homes (District of Columbia), RainScapes (Montgomery County), and Green Streets (Prince George's County).

At the meeting Meo Curtis (MCDEP) indicated, after extensive monitoring, that MC-DEP found that their storm drain inserts designed to remove trash were maintenance intensive and generally did not work. They are continuing work on a second improved design. The COG staff trash monitoring update also indicated that in-stream trash reduction approaches via the employment of netting and other systems can also be problematic. Mr. Yetman was encouraged by the growing body of trash reduction-related data being generated and exchanged within the Partnership, and remained optimistic that workable strategies will be devised to reduce watershed trash levels.

Regarding a bag bill in Price George's County or Montgomery County, Ms. Minerva indicated that there was some concern that such regulations are unenforceable at the county level. County lawyers are considering the issue. Additional suggestions for controlling trash were given, such as better enforcement and visible ticketing. Finally, a regional round table sponsored by the Alice Ferguson Foundation (AFF) has been proposed to continue addressing the trash issue, and will also hold their annual Trash Summit on October 29th.

VI. Anacostia Watershed Citizens Advisory Committee Report

Dr. Barber gave a brief description of the AWCAC workshop held on June 13th entitled "Anacostia Watershed Advocacy Workshop II." An opening panel consisting of elected officials and organizers presented advocacy tips through regional examples. The panel included county council members Marc Elrich (Montgomery County) and Tom Dernoga (Prince George's County), and DC councilmember Tommy Wells. Following the panel, the breakout session focused on advocacy campaigns within each jurisdiction, with topics including stormwater, updating MS4 permits, and stormwater issues. Dr. Graham indicated the panel discussion was one of the best he has seen.

VII. Report on Toxics

Ms. King indicated that after investigation, the PCB source in Lower Beaverdam Creek was not from the expected industrial/commercial facility. EPA and MDE are jointly continuing the investigation. Ms. Minerva added that AWATA last met on 4/13/09 and that a subgroup is working on the toxics strategy for the ARP. EPA is to prepare a plan for addressing toxics as part of the ARP and present that plan to the Steering Committee by September. Finally, it was noted that EPA is not the lead agency for local toxic related cleanups, and that many of these areas are on government property.

VIII. Revisions to Partnership Bylaws

Dr. Graham reported on the revisions to the Partnership Bylaws. The largest single revision was the incorporation of the "Roles and Responsibilities" of the Management and Steering Committee that had been adopted in August 2008. There was also clarification regarding chairs, vice chairs and terms of office, including specifying that terms of service are to be on a calendar basis.

Ms. Stoner moved approval of the proposed revisions as modified. Mr. Siegel seconded the motion. The motion passed unanimously.

IX. Update Reports

Workshop on Retrofitting Roads and Highways – Dr. Graham briefly reviewed the workshop concept for COG's November 5, 2009 workshop on "Retrofitting Roads and Highways to Protect Water Quality." It was stressed that it is important to coordinate with the Green Highways Initiative and also make sure that the stormwater control efforts of the ICC are addressed.

X. 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.

XI. Adjournment

The meeting was adjourned at 1:50 p.m.