

# STATE WATER QUALITY ADVISORY COMMITTEE

January 7, 2011

## MINUTES

### **ATTENDEES:**

**Members/Alternates:** Michael Clar, Marcus Griswold, Delegate Marvin Holmes, Fred Jacobs, Melissa Kenney, Shannon Lucas, Terry Matthews, Ajax Eastman (for Norm Meadow), Michele Merkel, Ed Merrifield, Dee Nolan, Matt Pajerowski, Nancy Pentz, John Scarborough, Mark Symborski, Karen Wiggen, Daniel Wilson, Steve Witt, Victoria Woodward

**Excused Absences:** Dave Duree, Jan Graham, Louise Lawrence, Sarah Taylor Rogers

**Others:** Jay Prager (MDE), Sherm Garrison (DNR), Adam Rettig (MDE/SSA), Paul Emmart (MDE/SSA), Fred Samandani, Chris Thomas (MDE), Duncan Stuart (Baltimore City DPW), Bevin Buchheister (Chesapeake Bay Comm.), Vijay Kulk (Queen Anne's DPW), Ron Bowen (A.A. County DPW), Jenn Arosa (CBF), Claudia Friedetly (Sierra Club), Tom Filip, Mike Pieper (KCI), Kenneth Lewis (Md. Conservation Council)

Terry Matthews opened the meeting with introductions at 9:30 a.m. Motion to approve Agenda – approved. **Motion** to approve December 3, 2010 meeting minutes - approved.

### **Presentation**

**Anne Arundel County Draft Phase II - Watershed Implementation Plan** – Ron Bowen

- A copy of the powerpoint presentation is available to view on SWQAC's website.

### **News from MDE** – Jay Prager

- **Comprehensive Strategy for Reducing Md's Vulnerability to Climate Change**
  - Final report under review and will be published this month
  - Document address 6 major areas: human health, agriculture, forests & terrestrial ecosystems, bay and aquatic ecosystems, water resources and growth & infrastructure
  - Development of document was spearheaded by DNR, with input from over 80 experts
- **General Permit for Discharges from Application of Pesticides**
  - Proposing to issue a general permit for discharge to State waters from the application of pesticides
  - Federal mandate
  - EPA proposed a draft permit in states where EPA is the permitting authority
  - Maryland is closely following EPA's general permit
  - Published a notice of draft permit on 1/3/11
  - Draft permit and fact sheet are on MDE's website
  - Needs to be effective by 4/9/11 to meet court order EPA deadline
- **Dundalk Marine Terminal**
  - MD Port Administration submitted an application for renewal of permit to discharge 125,000 gal/day of wastewater
  - Wastewater is combination of stormwater and groundwater that infiltrate storm sewers
  - Water is contaminated with chromium leached from fill material that was used to construct the terminal
  - MDE has scheduled an informational meeting for 2/17/11 from 6-9 PM at the North Point Library in Dundalk.

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- **General Permit for Stormwater Associated with Construction Activity (GP)**
  - Effective 1/4/11, EPA has stayed the numeric limitation of 280 NTU that was published in the 12/1/09 Construction & Development Effluent Limitation Guideline.
  - EPA will propose a revised limit in a future rulemaking.

#### **News from DNR** – Sherm Garrison (*attachment*)

- **Fishkills**
  - Recently there has been a lot of fishkills reported in Chesapeake Bay related to cold water – an estimated 2 million fish have been reported dead.
  - Water quality data in December showed record low temperature in the Bay
  - More information on the Eyes of the Bay website [www.eyesonthebay.net](http://www.eyesonthebay.net).
- **Agency Legislation - 2011**
  - Legislative initiatives will not be available until after the Governor releases his proposed budget.
  - DRN is currently working to draft bills that would modify changes to existing laws on fish and hunting laws and tree expert licensing.

#### **News from SSA** – Adam Rettig

- **Proposed Limits for Water Quality Standards**
  - Proposed limits have been accepted and approved by EPA
- **Intermittent Streams**
  - Prohibits new wastewater system discharges

#### ***Subcommittee Reports***

##### **Marcellus Shale** – Fred Jacobs

- Terry and Fred met with Delegate Holmes who is on the environmental and natural resource subcommittees
- Briefed the Delegate on issues and the letter sent to MDE expressing our concerns for how the permitting process was going to proceed in Maryland
- Delegate Holmes drafted a letter to MDE in support of SWQAC's issues – letter sent to MDE and DNR Secretaries.

##### **Delegate Holmes**

- Has had many meetings regarding Marcellus Shale process
- Meet with one company that has permit application in as well
- There is an opportunity to get this right the first time
- Met with representatives of mining company
- Putting together legislation so that proper wellheads are being used

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#### *New Business*

##### Mining

- Received a letter from Mining Program thanking SWQAC for their efforts in developing the recently published document quantifying the economic benefits of stream improvement and habitat restoration in western Maryland.
- Excellent job done by Neil Jacobs and the AMD subcommittee. Unfortunately, Neil is going out of the country for an extended time and is therefore resigning from SWQAC.

##### Meeting with Senate Environmental Committee

- On January 18, 2011, Terry will be doing a briefing to the Senate Environmental Committee with regard to SWQAC – small 15 minute window of time. Five slide presentation”
  - Acid Mine Drainage
  - Wolman Report

##### Agency Pre-Meeting

- A month prior to full committee meeting Executive Committee meets with agencies
- Question came up again regarding advocacy versus lobbying

##### Executive Subcommittee Authority

- In the past, authority was given to Executive Subcommittee
- It gave broad authority to do things in best interest of SWQAC in between regular meetings without the full committee vote
- This broad authority is still in place

##### Ethics

- Ethics statement is being worked on and close to being finalized by Terry, Sarah Taylor Rogers & Louise Lawrence
- Issue of reimbursement for attending meetings was brought to Terry’s attention
  - Sent out to Agencies and Executive Subcommittee and no one aware that this was going on
  - Agencies are in difficult economic times & this is a voluntary organization
  - Executive Subcommittee had decided that this practice will no longer go on

*Adjourned 12:05 pm*