

**STATE WATER QUALITY ADVISORY COMMITTEE**  
**Maryland Department of the Environment**  
**August 4, 2006**  
**MINUTES**

**ATTENDEES:**

**Members/Alternates:** Vince Berg, Linda Hanifin Bonner, Jay Charland, Dave Duree, Senator Roy Dyson, Janice Graham, George Hanson, Louise Lawrence, Mary Marsh, Ed Merrifield, Anne Pearson, Nancy Pentz, Fred Samadani, George Wilmot, Frank Wise, Steve Witt, Victoria Woodward

**Excused Absences:** Mike Clar, Thaddeus Graczyk, Antoinette Sebastian, Burt Sklar

**Others:** Virginia Kearney (MDE), Sherm Garrison (DNR), Jay Prager (WMA), George Harmon, John Backus (TARSA), Mark Symborski (MNCPPC), Chris Thomas (MDE)

Frank Wise opened the meeting with introductions at 9:30 a.m. **Motion** made to approve the June 2, 2006 minutes, but add Senator Dyson to attendance - approved.

Regarding speaking to the Press – Frank Wise

- Would like to remind members that:
  - At the “Special” meeting last month there was a member of the press present
  - Members should only speak to press as themselves or the organization they represent,
  - Speak as a SWQAC representative only when approved to do so by SWQAC.

**News from MDE** – Ginny Kearney (*attachment*)

- **Dam Safety Update**
  - At end of June, the unusually heavy rainfall caused much flooding on the Eastern and Western Shore.
  - Dam Safety Program was kept busy responding to several dam failures, which were mostly low hazard dams.
  - Most significant was Lake Needwood, a high hazard dam that is owned by Maryland National Capital Parks & Planning Commission (MNCPPC). They activated their Emergency Action Plan and about 2200 individuals were evacuated from their homes.
- **Advisory Committee**
  - Interim report was submitted to the Governor on June 30, 2006.
  - Report recommendations on research to be pursued, policies and procedures to be examined.
- **Groundwater Symposium**
  - Annual Symposium is scheduled for September 20<sup>th</sup> at Best Western in Baltimore
  - Dr. “Reds” Wolman has agreed to give this year’s keynote presentation.

# State Water Quality Advisory Committee

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- **Capital Management**
  - Guidance has been finalized and published on MDE's website. At the bottom of the screen, click on "More publications" for a whole list. There is one for "wastewater" & one for "water."
  - There are hard copies available that are currently being distributed to local government.
  
- **Bay Restoration Fund**
  - There were 10 proposals submitted prior to the deadline.
  - The proposals were evaluated and ranked (chart provided shows grant requests and the recommended grant award).
  - Proposals were for \$14 million, but cut back to \$9 million
  
- **Capital Project Solicitation**
  - MDE received requests for funding of project totaling \$852 million
  - There are \$62 million in available loan funds.
  
- **EPA Approval of Integrated Project Priority System**
  - This is the scoring process to rate and rank capital projects.
  - Every time a minor change is made – must get EPA approval.
  
- **Capital Projects** – (List of capital projects approved at the last Board of Public works meeting)
  
- **Bay Restoration Fund** – Jay Prager
  - Advisory Committee - June meeting cancelled and rescheduled for September
  - Send meeting notices to Chris for distribution to SWQAC

For funding jurisdictions have to:

- Identify applicants
- Prioritize looking at failing systems – high priority
- Selection of technology and vendors have to be approved by MDE
- MDE will reimburse counties
- Long term operation and maintenance of systems
- Department taking a lot of responsibility for outreach, education, etc.
- Jay will meet with Wastewater Subcommittee prior to October meeting
- Summary at the October meeting

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

- **Tributary Strategies Implementation Plan**
  - A Basin level tributary strategy implementation plan has been drafted.
  - The Bay Cabinet recently sent out a letter to local elected officials in an effort to engage local governments in the development process.
  - DNR, MDE and MDP will be meeting with local staff to begin this process.
  - Any comments should be directed to Jamie Baxter.

Letter from Senator Dyson regarding Beach Program presented to SWQAC (attached).

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#### TARSA – John Backus

- **Triennial Review**
  - Brief presentation was done by Joe Beaman at the July 14<sup>th</sup> meeting
  - Fall will focus on should be included in the review
  
- **Beach Program**
  - Beach grant – went to coastal beaches and one was one time shot from general funds
  - Way to come up with consist standards and means of notification
  - “Coastal” means Atlantic Ocean, Chesapeake Bay and coastal bays
  - Same rules, but funds can be distributed to coastal bays
  - Some General funds for inland counties
  - St. Mary’s County only has one coastal beach, but many other beaches. They have received more funding than any other county and have the most improved program in regards to monitoring.
  - Two main reasons for water quality monitoring: 1) to protect the public health and 2) to identify pollution sources.
  - County decides what is a beach

Request for a presentation on beaches at a future meeting.

**Motion** for Mary Marsh to draft a letter on beaches regarding funding, notification and education. Letter to be approved by Executive Subcommittee – SWQAC approved motion. Month timeframe address budget and health & safety.

Mary Marsh requested possibly putting on the agenda for December a presentation on the Baltimore Harbor and monitoring being done there, in particular the amount of arsenic that is present.

#### ***Other Business***

##### **Centreville Grand Jury Report** – Victoria Woodward

- MDE – no new policy or practices
- Self reporting alone – too much room for manipulation
- 2 types of inspection – permitting & enforcement
- Concerns regarding frequency of inspection – very inadequate
- Funding MDE for additional inspectors
- Requires some action on MDE’s part
- Propose “draft” letter to MDE pointing out things that were in Grand Jury Report and are broader than Centreville, self-monitoring, additional inspectors, etc. **Motion** for Victoria to draft letter– approved.

##### **Nominations** – Louise Lawrence

- Work with Dave Duree in presenting slate
- Still have not received resumes from two existing members
- Current vacancies – 2 Private Citizens & 1 Public Official
- Nomination made for Steve Kain from St. Mary’s County in Public Official category

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#### “Draft” Letter on DNR Water Leasing – Frank Wise

- Send out by email on July 24<sup>th</sup>, received several comments:
  - Letter is too comprehensive - There should be no policy, because DNR does not own the water.
  - Add to giving DNR out with tabling option
  - Need some kind of policy – no policy there would be no process – everything would be on a case-by-case basis - anything could be justified
  - Letter to add changes:
    - Renumbering first point should be legally and fifth point evaluation
    - Tabling policy as an option
    - Review should employ all opportunities for informational hearings
  - **Motion** made to send letter with amendments by Victoria & seconded by Senator Dyson (Ed Merrifield abstained & Jay Charland voted no) – **Motion** approved

#### Bylaws – Frank Wise

- Remove current statement about Executive Subcommittee & add it to Subcommittee clause article VII.
- Make Operating Policies separate document - not a part of bylaws.
- Second clause under operating procedures to add something re: Chair & substitute
- These changes to be voted on at the October meeting.
- Linda to send in several recommended changes for next round of voting.

### *Subcommittee Reports*

#### Review of Subcommittees – Frank Wise

- Who are the Chairs and do they wish to continue?
- Level of participation & membership?
- Work should be done at Subcommittee level and acted on at full SWQAC meetings

#### Watershed Subcommittee – Ann Pearson

- Mike Clar & Ann Pearson met with Ken Pensyl
  - Site design & sediment & erosion needed to be moved into a joint consideration. Ken said his only changes were to tweak the regulations.
  - Ann read list on video – stressed more qualified supervision of rainforest install
  - Working on legislation to require MDE to make changes
  - Would like to request time earlier in the next meeting – to present ideas of legislative initiatives to implement performance based development

#### Water Resources Subcommittee – Frank Wise

- Need Chair for subcommittee
- Monitoring Governor’s Advisory Committee – issued initial report in July

#### Wastewater Subcommittee – Linda Hanifin Bonner

- Committee has not been very active recently
- Meeting in September – will ask Jay Prager to attend meeting – will send out dates

#### Legislative Subcommittee – Jay Charland

- Jan Graham, Mary Marsh and Jay Charland – brief meeting & conference call next week.
- Legislation needs to happen by end of September.

*Meeting Adjourned 12:40*