

# **BAY RESTORATION FUND ADVISORY COMMITTEE**

**Maryland Department of the Environment  
Aqua/Aeris Conference Rooms (MDE Lobby Area)  
1800 Washington Boulevard  
Baltimore, Maryland 21230  
June 14, 2018**

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## **Meeting Minutes**

### **Welcome/Introduction**

- The meeting was opened by Mr. Greg Murray, Chairman of the Bay Restoration Fund Advisory Committee.
- Mr. Murray welcomed the committee members and other attendees.

### **Review of Meeting Minutes**

- Previous meeting minutes from the March 15, 2018 meeting were handed out to the committee members for their review and comments. An electronic copy of the meeting minutes was also e-mailed to the committee members prior to the meeting.
- Mr. Murray asked if anyone had any questions, comments, or a motion to approve. Mr. Saffouri advised that we made a correction on Page 3 of the minutes based on an email received from Mr. Bouxsein, who couldn't attend this meeting.
- The minutes were approved with the correction.

### **Discussion**

#### **I. Update on Major and Minor WWTPs ENR Implementation:**

- Mr. Saffouri referenced the Wastewater Treatment Plants (WWTP) ENR Upgrade Status handout. Since the last meeting two additional WWTPs have started with the ENR operation (Leonardtown and Salisbury). To date there are 58 major facilities in operation, 6 under construction, 2 in design, and 1 in planning, for a total of 67 major facilities.

- Mr. Murphy added that Cox Creek has started to achieve ENR level of treatment. Also, Mr. Bradshaw, of Washington County, added that Conococheague is currently optimizing its ENR operation and may meet the goals soon.
- Ms. Butler asked about the status of Patapsco. Mr. Saffouri responded that the City continues with the equipment and tank testing, which they couldn't do before the deficiencies were corrected. The general contractor continues to dispute the deficiencies. In the mean time, the City hired another contractor to complete the corrections.
- Mr. Saffouri provided an update on minor WWTPs. Since the last meeting, Trappe and Victor Cullen have signed the funding agreement and were added to the list. Sudlersville completed the construction and it is now in ENR operation. ENR upgrade was also completed at Southern Maryland Release Unit using other fund sources.
- Mr. Murray asked about the status of Hancock. Mr. Saffouri responded that the town has just selected a consultant engineer to complete a feasibility study.

## **II. Update on Clean Water Commerce Act (CWCA) Solicitation:**

- Mr. Saffouri provided copies of the application form and solicitation instructions as a reference, and provided an update on the solicitation process. The Department has just posted the solicitation information on the BRF website and sent notifications to all potential applicants. Applications are due at MDE on August 3<sup>rd</sup>. Once received all applications will be rated and ranked based on price, sustainability and other additional benefits.
- Mr. Murray asked about how a project that controls runoff from a farmland would be funded. Mr. Saffouri responded that the law does not allow agricultural activities to be funded from this program. For all other non-point source activities, we are planning to use the MS4 permit guidelines to estimate the reductions.
- Mr. Murray asked whether a project has to be completed before a proposal/application is submitted. Mr. Saffouri responded that they can submit an application based on a proposed project. We can also sign an agreement based on that. However, payments cannot be paid until the project is completed and the reductions are achieved.
- Mr. Sowinski asked about how the CWCA will work with the Trading Policy. Mr. Saffouri responded that they are two independent programs that will run in parallel. The owner will have a choice to use either program to sell the reductions. The owner can sell the reductions to the State through the CWCA program, or can use the Trading Policy to sell the reductions to a permittee to help achieve compliance with a permit.

### **III. Update on Cover Crops Activities:**

- Mr. Astle provided an update on cover crops program. Fall certifications have been unofficially released and they are about 400,000 acres.
- The weather has drastically impacted the spring certifications with fields being inundated with water. The kill down to replace the cover crop with another plant has not taken place. The kill down date was moved to June 15<sup>th</sup>, requiring farmers to report by June 22<sup>nd</sup>. The rainfall during this year is unprecedented, and the economical impact on the AG Community is currently unknown.
- This year's program sign-up begins June 21<sup>st</sup>, and runs to July 17<sup>th</sup>. We made a few changes to the program. The most significant change is allowing more flexibility on the germination rate. The current standard for germination rate is over 80%. The programmatic change will allow germination rate to be lower than 80% and as low as 65%. However, the farmers have to use the University of Maryland recommendations of increasing the seeding rate per acre in order to offset the lower germination rate. There were a few other minor changes in regard to mixes of different cover crops species to help improve the soil health.
- Mr. Murray asked about the total dollar value of the program this year. Mr. Astle responded that it is \$22.4 million with approximately 50% coming from the Chesapeake Bay Trust fund and 50% from the Bay Restoration Fund.

### **IV. Update on Onsite Sewage Disposal Systems (OSDS):**

- Ms. Dietz updated the committee on Septic grant awards and provided a handout summarizing grant disbursements to the Counties between July 1 2017 and June 11, 2018 (FY 2018 progress). To date, 500 homes benefited from the fund during this fiscal year (467 septic upgrades and 33 sewer connections).
- Mr. Murray asked what "CVI" is. Ms. Dietz responded that it is Cannon Valley Institute, which is a private company handling the septic program on behalf of a number of counties.

### **V. Update on BRF Fee Collection and Budget:**

- Ms. Dietz updated the committee on the BRF fee collection using the Comptroller's report through May 31, 2018. Ms. Dietz advised the committee that the report provides up to the third quarter for FY 2018 revenues. During the third quarter, the Wastewater Fund (Line 1) had an additional \$23.9 million with total revenue close to \$87 million. The Septic Fund (Line 2) is also on target with approximately \$3.1 million were added to MDE-Septic and \$2.1 million to MDA-Cover Crops during the third quarter. The total for Line 2 is approximately \$27 million to date.

- VI. Mr. Murray reminded the Committee members that the next meeting will be on September 13<sup>th</sup>. Topic to be discussed will include the annual report and the results of the Clean Water Commerce Act solicitations.

**Materials Distributed at the Meeting**

- Meeting Agenda
- Previous Meeting Minutes
- Wastewater Treatment Plants ENR Upgrade Status
- Program-to-Date BRF Fee Collection Report (Comptroller Report)
- BRF-Septic Program - Funded Installations FY18 to Date/July 1, 2017 – June 11, 2018
- Clean Water Commerce Act Solicitation Instructions and Application Form

**Attendance**

**Advisory Committee Members or Designees Attending:**

Greg Murray, Chairman  
Walid Saffouri, Maryland Department of the Environment  
Elaine Dietz, Maryland Department of the Environment  
Norman Astle, Maryland Department of Agriculture  
Angela Butler, Maryland Department of Planning  
Fiona Burns, Department of Budget and Management  
Christopher Murphy, Anne Arundel County DPW  
Bob Buglass, Washington Suburban Sanitary District  
Sara Trescott, Environmental Health Directors  
Cheryl Lewis, Town of Oxford (MML)  
Doug Myers, Chesapeake Bay Foundation

**Others in Attendance:**

Joe Sowinski, Hazen and Sawyer  
Julie Pippel, Environmental Consultant  
Dan Divito, Washington County  
Mark Bradshaw, Washington County  
Susan Gore, Department of Budget and Management  
Andrew Gray, Department of Legislative Services

**Maryland Department of the Environment (MDE) Attendees:**

Rajiv Chawla	Sunita Boyle
Robin Pellicano	Janice Outen
Nathaniel Woodrow	Nony Howell
Sara Albrecht	