

BAY RESTORATION FUND ADVISORY COMMITTEE

**Maryland Department of the Environment
Aqua/Aeris Conference Rooms (MDE Lobby Area)
1800 Washington Boulevard
Baltimore, Maryland 21230
July 18, 2019**

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 April 11, 2019 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. The minutes were approved.

Discussion

I. Update on Major and Minor WWTPs ENR Implementation:

- Mr. Saffouri advised that there has been no change in status in the upgrade of major wastewater treatment plants since the last meeting because most of them have been completed or in construction. Only Princess Anne is still in planning.
- Mr. Saffouri provided an update on minor WWTPs, which appear to be picking up speed. Four additional facilities have signed the funding agreement and started planning phase: Manchester, Rock Hall, Lewistown, and Talbot-Region V. Also, design has started for Victor Cullen.
- Mr. Murray asked about the design capacity of Victor Cullen and whether it meets the load reduction and cost effectiveness criteria. Mr. Saffouri responded that the design capacity is about

50,000 gallons per day and it barely met the cost effectiveness criteria, but it met it nevertheless and it is eligible for BRF funding.

- Mr. Saffouri provided a handout of the Board of Public Works approval, dated June 19, 2019, of the BRF Operation and Maintenance for FY 2020. \$6,024,000 were awarded for the facilities that achieved ENR in calendar year 2018 resulting in nitrogen reduction of 8,957,000 pounds and phosphorus reduction of about one million pounds, which is very close to the 2004 BRF original goal of 10 million pounds of nitrogen per year. Mr. Murray added that even though the overall reductions for the Bay have not been achieved due to the other sectors, we have certainly have accomplished what we set out to accomplish for the wastewater treatment plants (point source) sector.

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

- Mr. Saffouri provided an update on the CWCA. The first project under this program, Tributary to Winters Run in Harford County, was approved by the Board of Public Works on April 24th.
- Mr. Saffouri also provided a handout summarizing FY 2020 proposals evaluation. Five proposals were received, three of which were from wastewater treatment plants: Broadneck, Annapolis and Little Patuxent. The remaining two proposal were from the non-point source sector: Tributary to Winters Run by RES (reapplication of the same project approved by the Board), and Oyster Aquaculture by Blue Oyster Environmental LLC. The proposals were evaluated for each reduction (nitrogen, phosphorus and sediment) independently. Broadneck and Annapolis were selected for nitrogen and sediment reductions, and Little Patuxent was selected for phosphorus reduction. Broadneck and Annapolis will be awarded about \$4 million each, and Little Patuxent will be awarded approximately \$1.8 million.
- Mr. Cohee asked about who are the applicants for the wastewater treatment plants. Mr. Saffouri responded that Annapolis and Broadneck wastewater treatment plants are owned by Anne Arundel County. Little Patuxent is owned by Howard County.
- Mr. Buglass asked about why Little Patuxent offered to sell 8,000 pounds of nitrogen at \$79 per pound, but we are proposing to buy only 471 pound at \$75 per pound. Mr. Saffouri responded that Little Patuxent was mainly selected for the phosphorus reduction. However, Howard County will be offered to sell nitrogen reduction at the lowest proposal price (\$75) up to the remaining balance of the \$10 million. The 471 pounds are intended to use up the balance.

III. Update on Cover Crops Activities:

- Mr. Astle provided an update on the Cover Crops Program. Sign up was completed on July 16th and the new software worked very well. Only 1,650 applications were received. Past years sign

up has been as high as 1,800.

- Mr. Astle added that 15,000 acres signed up under the biomass program. However, MDA disqualified 5,000 of those acres. MDA had not disqualified so many acres in the past, which is disappointing. MDA may discontinue the biomass program in the future.
- Mr. Murray asked what was the cost for the biomass activities? Mr. Astle responded that it was about \$600,000.

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

- Mr. Fretwell updated the committee on the Onsite Sewage Disposal System (OSDS) funding in FY 2019. Ms. Fretwell provided a handout showing that between July 1, 2018 and June 30, 2019, 495 BAT upgrades and 125 sewer connections were funded. At the last meeting in April, we reported 314 BAT upgrades and 45 sewer connections funded as of March 31st. So since our last meeting, we have added 181 BAT upgrades and 80 sewer connections. Mr. Fretwell added that these are not the final numbers for FY 2019, which are due to MDE by the end of August.
- Mr. Fretwell informed the committee that on June 19th, the Department secured the Board of Public Works approval for a total of \$15 million in BRF-Septic fund for FY 2020 BAT and sewer connection projects. Also at the same meeting, the Board approved up to \$3,000,000 (\$1,500,000 for each fiscal year 2020 and 2021) in grant funding for the Counties to administer certain tasks relating to Onsite Sewage Disposal Systems (OSDS) regulations under House Bill 12.
- Mr. Sowinski asked whether the listed 144 BAT upgrades and 11 sewer connections in Anne Arundel County represent last year count. Mr. Fretwell responded that this is the count from July 1, 2018 to whatever is counted to date (FY 2019 numbers have not been finalized). Mr. Fretwell added that 59 of the 144 BAT upgrades (over 40%) have been completed since the last meeting.

V. Update on BRF Fee Collection and Budget:

- Mr. Fretwell updated the committee on the BRF fee collection using the Comptroller's report through April 30, 2019. Mr. Fretwell advised the committee that the report shows the revenues of the first three quarters of FY 2019. During these quarters, the Wastewater Fund (Line 1) had an additional \$36 million (Q1), \$26.8 million (Q2), and 22.7 million (Q3) in April 2019, bringing us to a total \$85.75 million. This is the same amount we had last year at the third quarter. The program grand total for the Wastewater Fund is about \$1.17 billion. Under the Septic Fund (Line 2), approximately \$1.947 million were added to MDE-Septic in the third quarter, and \$1.29 million to MDA-Cover Crops. This brings the grand total since the start of the program to \$289 million for both MDE-Septic and MDA-Cover Crops.

- VI. Mr. Murray reminded the Committee members that the next meeting will be on October 10th, which he will not be attending. Mr. Murray has resigned as the Chairman of the committee and as a member. Before adjournment, Mr. Fretwell presented Mr. Murray with the Governor's Citation for his 15 years of service as a Chairman and member of the committee.

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
- Summary of FY 2020 CWCA Proposals Evaluation
- Board of Public Works Approval for BRF O&M Grants

Attendance

Advisory Committee Members or Designees Attending:

Greg Murray, BRF Advisory Committee Chairman
Jeff Fretwell, Maryland Department of the Environment
Walid Saffouri, Maryland Department of the Environment
Bob Buglass, Washington Suburban Sanitary District
Gabe Cohee, Department of Natural Resources
Norman Astle, Maryland Department of Agriculture
Ellen Mussman, Maryland Department of Planning
Suzan Gore, Department of Budget and Management
Robbie Kuchman, Environmental Health Directors
Bill Ball, Chesapeake Research Consortium

Others in Attendance:

Mary Vitale, Hazen and Sawyer
Joe Sowinski, HDR
Julie Pippel, Lanco-Pennland
Kathleen Kennedy, Department of Legislative Services
Kelly Dufy, RK&K

Maryland Department of the Environment (MDE) Attendees:

Cheryl Reilly	Michael Roberts
Sara Albrecht	Travis Sterner
Carroll Dixon	Rajiv Chawla
Elaine Dietz	Mehdi Majedi