

# **OHIO RIVER VALLEY WATER SANITATION COMMISSION**

## **MINUTES**

**215<sup>th</sup> Commission Meeting  
Sheraton Pittsburgh Hotel at Station Square  
Pittsburgh, Pennsylvania  
Thursday, June 9, 2016**

**DRAFT  
June 15, 2016**

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**Chairman Douglas Conroe, Presiding**

### **Call to Order**

Chairman Conroe called the 215<sup>th</sup> meeting of the Ohio River Valley Water Sanitation Commission to order at 9:00 A.M., Thursday, June 9, 2016.

### **Quorum Call**

Commissioner Bruny certified that a quorum was present (see Roster of Attendance, page 11).

### **Action on Minutes**

**ACTION:** Motion by Commissioner Duritsa, second by Commissioner Comer and unanimously carried, that the minutes of the 214<sup>th</sup> meeting of the Commission, be adopted as presented.

### **Report of the Treasurer**

Commissioner Bruny noted that a Treasurer's Report as of March 31, 2016 was provided in the agenda packet.

The report indicates a balance of \$615,669 in accounts receivable due the Commission as of March 31, 2016. The balance represents \$103,900 due from Signatory States, \$486,393 due from federal sources, and \$25,376 due from other sources.

Additionally, the report indicates receipts of \$2,857,245 plus carryover of \$1,684,061 totaling \$4,541,306 through the end of March 2016. Of that amount, \$2,382,415 was expended on programs, leaving \$2,158,891 available for the continuation of ORSANCO's programs.

Commissioner Bruny also noted that a Treasurer's Report updated through May 31, 2016 was available. However, his report was provided on the March 31, 2016 version provided in the agenda packet for consistency.

**ACTION:** Motion by Commissioner Flannery, second by Commissioner Potesta and unanimously carried, to receive the Treasurer's Report as presented.

## **Report of the Chairman**

Chairman Conroe provided the following report to the Commission:

Wow, here we are in another vibrant city on a waterway! We started out this ORSANCO year in Buffalo on the shores of Lake Erie, where early explorers started out from, to our journey to the Ohio Valley. The architecture and liveliness of Buffalo burst out before us. Then we were off to Cincinnati, our headquarters city, where the river is alive year round with activity and river festivals abound. For those coming in from the airport, the city arises out of the valley amongst the hills - a gem. And next I drive in here from the north, and Pittsburgh does the same. The architecture is again striking. Just look out the window of this room and see all the creative uses of glass and varying architectural styles that abound. And then Tuesday evening, sitting in the ballpark across the river and journeying on the river between there and here and there, how the city shone brightly; all of this initially attributable to and enhanced by the waterways that we serve.

This ORSANCO year certainly has flown by quickly. That speaks well for the organization. Time goes slowly when one is inactive. Just the opposite happens when one's agenda is full. Even though I am retired from my long-term occupational management duties, I still was not able to keep up with all of the teleconference meetings that occurred this year. My appreciation goes out to the staff, Commissioners, and committee volunteers that have worked so diligently for ORSANCO.

I must specifically note that we started out the year with a new executive director at the helm; a person with differing organizational expertise interfacing with a well-defined strong and mature program of excellence. This gave new meaning to the term *culture shock!* When making personnel decisions, sometimes one excels and sometimes one implodes. Which one will occur is not known at the start. Now, a year later, I can report that everyone benefitted from the experience. ORSANCO is better from it. And there is peace in the family. I thank my fellow Commissioners for placing me in the position of being able to guide change and for their support in that process.

As for what has occurred since I last reported to you, so much has happened that I am afraid to catalog it all for fear of missing something. Nonetheless, I'll highlight a few items:

You have previously heard the update from the Ad Hoc Committee on mercury. A daunting task, the committee has continued to step up to the plate and hit a home run in an undertaking where striking out can be the norm. Thank you to John and committee members!

Today we have a balanced budget program plan before us. In these non-fluid times, that is no small accomplishment. Staff took a different approach to budget development, and more staff members were instrumentally involved and consensus abounded amongst the program and finance committee members. A genuinely important program plan is before us that will well-serve the States and citizens of the Basin.

Speaking of the citizen component aspect, I thank my fellow Commissioners for working with me in bringing the new Watershed Organizations Advisory Committee to the table this year. They have already met since their February authorization and are off to a meaningful start as we heard about yesterday at the Technical Committee meeting. Chair Judy and Richard are in sync about roles and directions. Committee member Madeline has been a valuable participant in the Mercury Ad Hoc Committee.

The Research Committee has taken a serious look at its purpose and function that will make a difference in how it moves forward. Also, the Executive Committee met to review the major agenda items for this session so that today can best proceed. The HABs workgroup has kept the communication stream flowing to be ready for whatever this summer will bring to the surface. So much more has occurred since February that the record will evidence. Don't forget to check ORSANCO's website for the latest update on meetings scheduled.

As my time in this chair winds down and I think about returning to my standard place at the table, I think about what the future may hold for ORSANCO. We've come through our cultural transition well-positioned for the staff team to navigate and cut through the white caps of the river's management.

As we heard yesterday, a five-year fiscal planning model is under development. It is already telling us that the future will not be one of business as usual. Hard decisions are before us. We are beyond doing more with less and are facing tough prioritization decisions. I'm confident that we have the right people in place for this task. I know that our value is exemplary. We have a future, and I look forward to participating in its unfolding.

Business as heretofore usual also won't fly in our modus operandi. Our past two Standards reviews have demonstrated, as has the mercury issue, that the public has evolved to a different relationship with us; and not just with us, but with government and other organizations that will require a new mode of interaction and collaboration. The "we/they" or "we know better than them" just has no place at the table anymore.

ORSANCO has always been an organization of collaboration and openness. I am confident that with PIACO's organizational assistance and the watershed organization's participation, we are all well-positioned for change, and our programs will all be better in the environment that is evolving.

I'm convinced that ORSANCO is the best scientific resource that the States have for them. We should not forget that nor should we be shy about reminding the States about this. We are the best investment that the States can make in the value of their roles. Dollar for dollar, we save each state thousands of dollars in operational costs. Their dues to us comes back to them many fold. Be it in science, in collaboration at this table, the Technical Committee table, or the work groups table, it all comes back to enhancing the states in their work. We need to better communicate this going forward, especially as we face the financial challenges that are knocking at the door.

We end the ORSANCO year with change in the offing. I cannot conclude my report without acknowledging the contributions that Jerry Schulte has given us in service during the past 29 years. From coordinator of field operations to senior biologist to manager of biological programs and emergency response, he has initiated and developed programs of critical importance. He retires in good stead for us and with our respect and well wishes for the future. That doesn't always happen, and thus bodes well about our organization and especially about Jerry.

When we next meet, vice-chair Lovan should be at this podium. I can tell you that he has been an involved vice-chair and is positioned to address our future.

I thank all for the support that I have received during this past year and the service that everyone has given that has made my role so fulfilling and enjoyable. It is an honor and privilege to be associated with ORSANCO in this role and in general, and I look forward to continuing to be at the table as a New York Commissioner.

## **Report of the Executive Director**

Executive Director Richard Harrison began by thanking Commissioner Conroe for his patience and support the past year serving as Chairman. He also recognized staff for their good work implementing new initiatives such as the five-year financial forecast. Mr. Harrison then recognized staff member Jerry Schulte, who plans to retire on September 30, 2016, thanking Jerry for his support and highlighting some of his many accomplishments, including recent winter monitoring safety protocols. A reception in Jerry's honor will be held at ORSANCO's office in late September.

Mr. Harrison then commented on his work with Judy Peterson and the new Watershed Organizations Advisory Committee, recognizing the importance of working on positive messaging for the great successes of ORSANCO and its partners. The communications team is continuing work to develop positive, concise messages and speaking points focusing on accomplishments and water quality improvements, and will continue to involve the state agency public information staff workgroup in these activities.

Mr. Harrison then reminded Commissioners that the 2016 Ohio River Sweep is scheduled for Saturday, June 18<sup>th</sup> and commented that the Sweep is the most visible outreach program. Sweep T-shirts were provided to Commissioners.

Mr. Harrison concluded by bringing attention to the new format for the meeting agenda materials. Each agenda item has an individual communication page, including key considerations, recommendations, attachments, and background and history. This format will hopefully provide a logical, consistent method of presenting the agenda.

## **Report of the Technical Committee**

Commissioner Wilson, Committee Chairman, reported that the Technical Committee met on June 7-8. All eight states, two federal agencies, and four advisory committees were represented. A summary of outcomes follows:

### 2016 305b Assessment of Ohio River Water Quality Conditions

Staff presented a draft report for the Committee's consideration, *2016 Assessment of Ohio River Water Quality Conditions*. This draft report was included with the Technical Committee agenda package. It includes assessments of Ohio River use impairments based on ORSANCO's monitoring data from 2010 through 2014. The individual use assessments were endorsed by the Committee at its February 2016 meeting.

These assessments are as follows for 2016:

- The entire Ohio River fully supports the aquatic life and public water supply uses.
- 640 miles of the river are designated as impaired for the contact recreational use based largely on historical bacteria results.
- The entire river is impaired for the fish consumption use based on historical PCBs and dioxin data.

The draft report was reviewed by the states' 305b Coordinators Workgroup and recommended to Technical Committee for approval. By action, the Technical Committee is recommending to the Commission approval of the report, *2016 Assessment of Ohio River Water Quality Conditions* and the use assessments contained therein.

**ACTION:** Motion by Commissioner Frevert, second by Commissioner Flannery and carried (Commissioner FitzGerald opposing), to adopt the *2016 Assessment of Ohio River Water Quality Conditions Report*, and the use assessments contained therein.

Commissioner Fitzgerald expressed his concern over the weight of evidence methodology used in compiling the report.

Because the 305b assessments utilize historical data for bacteria, dioxin, and PCBs, the Committee asked staff at the February meeting to develop work plans and budgets to update that data for the next 305b assessment, in 2018. Staff presented proposed work plans and budgets to update these data. These are unfunded monitoring needs which will continue to be considered by the Technical Committee.

#### Biological Programs

Staff presented results of the 2015 Biological Assessments for the Montgomery, Racine, and JT Myers Pools. Assessments are based on extensive biological sampling of fish and macroinvertebrate communities and are ultimately used in ORSANCO's 305b assessments. Results of the Montgomery and JT Myers pools indicate good to fair biological conditions, while results of the Racine pool are still pending.

At the February Committee meeting, they endorsed moving from four annual biological pool assessments to three and conducting special biological surveys in lieu of the fourth pool survey. The Biological Subcommittee developed a prioritized set of seven special biological surveys which were presented to the Committee. For 2016, it is recommended that a special survey of the effects of Hydrilla in the upper Ohio River on ORSANCO's biological assessments be undertaken.

#### Fish Tissue Contaminants

Staff presented a report of the Fish Consumption Advisory Workgroup which met by conference call in April. Based on the work of this committee, public fish consumption advisories for the Ohio River are now consistent between the states. Due to the number of agencies involved in this process, this is a significant milestone.

ORSANCO is currently conducting a fish tissue contaminants survey through a grant from the West Virginia DEP. Multiple fish species are being collected and analyzed for dioxin, mercury, and PCBs from the Kanawha and Monongahela Rivers. While this project represents a significant level of effort for ORSANCO, it benefits West Virginia in completing important work, and it also helps ORSANCO's budget.

#### Hydropower

There are significant changes occurring with hydropower development on the Ohio River. Currently, there are ten hydropower facilities operating on the Ohio River. There are another eight applications for future hydropower development in various stages. ORSANCO adopted a policy in 1988 focused on the protection of dissolved oxygen levels in the river which requires monitoring and studies at these facilities to assure that operations maintain the full aeration potential of the dam during critical dissolved oxygen conditions (summer).

Keith Finley and Andrew Leininger of Duke Energy presented results of a five year dissolved oxygen study at their Markland hydropower facility regarding relicensing of that facility. Their presentation of study results indicates that the facility has minimal impact on dissolved oxygen levels. They are making specific recommendations to Indiana Department of Environmental Management and the Federal Energy Regulatory Commission regarding their operations relative to dissolved oxygen in the river. The Technical Committee is asking that Duke request an extension for submitting its management plan to provide additional time for ORSANCO to consider how the plan fits with ORSANCO's 1988 policy.

### Harmful Algal Blooms

A draft Harmful Algal Bloom Monitoring, Response and Communications Plan was presented to the Committee. It includes a strategy to identify the occurrence of HABs on the river including the use of continuous monitors, satellite imagery, and observation by water utilities and Corps Dam personnel. It also outlines ORSANCO's communications and monitoring response in the event of another HABs event. ORSANCO will be following this plan to identify and respond to any future HABs events.

### Source Water Programs Update

Staff provided an update of source water protection activities since the previous Committee meeting. Several regional meetings were held along the river, bringing together the emergency response personnel. Spill preparedness is an extremely important activity which facilitates effective response and communications during emergency situations.

### Mercury Studies

Kathleen Patnode with the US Fish and Wildlife Service presented information on a project to evaluate mercury in the Hannibal Pool of the Ohio River. This is a joint project with the USEPA, USGS, and US Fish and Wildlife Service, of which ORSANCO is a participating agency/partner. The genesis of the study is the Hanlin-Allied-Olin Superfund site which was a chlor-alkali facility similar to the Axiall plant which is still in operation. The project will utilize mercury isotope analyses to try to determine how much mercury in the Hannibal pool comes from the various known sources including atmospheric deposition. This is a demonstration project to evaluate application of the mercury isotope technology in a large river setting. It has been utilized successfully in the Great Lakes.

Commissioner Kupke provided a report of the Ad Hoc Committee on Mercury Studies which was formed in June, 2015. He provided a lot of great information on the committee as well as background information on mercury. Commissioner Kupke will provide an update to the Commission on this topic.

### Technical Committee Member Updates

The Committee heard reports from each of its state, federal, and advisory committees which will be detailed in the minutes of the meeting.

**ACTION:** Motion by Commissioner Comer, second by Commissioner Kupke and carried unanimously, to accept the Technical Committee report as presented.

### **Report of the Program & Finance Committee**

Commissioner Lovan, Committee Chairman, reported that the Committee has had an active year, first meeting on February 9, 2016 to discuss financial matters and provide input in preparation for the Committee's April 26, 2016 meeting.

The Committee then met on April 26, 2016 to review the proposed program plan and budget for 2017. Seven member states including Kentucky, Ohio, Indiana, Illinois, West Virginia, Pennsylvania and New York, as well as the federal government were represented. A detailed report of the meeting and associated attachments were provided in the agenda packet.

In addition to the traditional meeting content, staff presented some new concepts, including a budget message, five-year revenue and expenditure forecast, and potential future programs to support funding opportunities. The Committee gave much consideration to the allocation of carryover resources and future funding needs.

The Committee formed the following recommendations for Commission consideration:

1. Adopt the proposed program plan and budget as presented.
2. Allocate \$100,000 in the FY17 budget for work on mercury, and that a work plan and budget will be provided to the Commission for approval for spending beyond reasonable travel and labor costs not to exceed \$20,000 to support the Ad Hoc Committee on Mercury Studies activities.
3. Adopt a 1.5% state funding increase for FY19 to help address significant future funding shortfalls.
4. Direct staff to develop scenarios to balance the potential gap between revenues and expenses for FY 18 through FY21 outlined in the Five Year Revenue and Expenditure Forecast.
5. Update the Strategic Plan to address future program and funding needs.

**ACTION:** Motion by Commissioner Fitzgerald, second by Commissioner Frevert and carried unanimously, to adopt Resolution 4-16 (Attachment 1), Program Plan and Budget for FY17 as presented.

**ACTION:** Motion by Commissioner Duritsa, second by Commissioner Wilson and carried (Federal Commissioner FitzGerald abstaining, Scott Mandirola of West Virginia opposing), to adopt Resolution 5-16 (Attachment 2), to establish FY19 State Funding levels.

Commissioner Flannery expressed his reservation over the state funding increase due to the economic climate within some member states and indicated that, as in the past, the adopted increase can be reconsidered in the future.

**ACTION:** Motion by Commissioner Frevert, second by Commissioner Fitzgerald and carried unanimously, to accept the Committee report and recommendations 2, 4, 5 as presented.

Commissioner Lovan concluded by recognizing the good work of staff in developing the budget and the five-year financial forecast.

Commissioner FitzGerald expressed his appreciation, and that of the Commission, for the presentation of the comprehensive financial data and recognizing the work ahead to ensure adequate funding for staff to continue its excellent work.

#### **Report of the Research Committee**

Commissioner Frevert, Committee Chairman, reported that the Committee continues to review the Committee's by-laws and purpose. The Committee has considered whether the Committee is redundant to the activities of other committees and that most identified research needs are already being vetted or accomplished through other committees.

The Committee is working to consider its future and purpose for continued existence. Input from the Commission has been requested. There appears to be some benefit to having a panel of scientific experts available to the Commission from time to time. The Committee hopes to have a recommendation on the formation and make-up of the panel as well as the Committee's future to present at the October Commission meeting.

### **Report of the Nominating Committee**

Commissioner Duritsa reported that the Committee recommends the following slate of officers for 2016-2017:

Chair: Ron Lovan  
Vice Chair: Stuart Bruny  
Secretary/Treasurer: Ron Potesta

**ACTION:** Motion by Commissioner Potesta, second by Peter Goodman and unanimously carried, to accept the slate of officers as recommended.

### **Report of the Ohio River Users Program Advisory Committee**

Commissioner Potesta, Committee Chairman, nominated David Jones of Marathon Petroleum Company, for membership on the Committee. Mr. Jones will succeed Greg Wilkins, also of Marathon, who is retiring.

**ACTION:** Motion by Commissioner Potesta, second by Commissioner Fitzgerald and unanimously carried, to elect David Jones to the Committee as recommended.

### **Report of the Ad Hoc Committee on Mercury Studies**

Commissioner Kupke, Committee Chairman, provided a status update on the Committee's progress towards completing the assigned task of evaluating what is known and unknown about mercury sources in the Ohio River. The complexity of the mercury issue has challenged the Committee as it does all regulatory and scientific organizations. Much is known about the dynamic air, land, and water mercury interfaces and exchanges, but the linkage of instream levels of mercury to excessive mercury fish tissue levels and human health concerns remains an ongoing area needing much additional research.

Since the February Commission meeting, a comprehensive literature review and a draft summary report has been completed. This report is intended to provide a framework for both the Committee and Commissioners to better understand and evaluate the pending recommendations. It is important to note that, part from the activities of the Committee's deliberations, ORSANCO continues to undertake important mercury water quality and fish tissue sampling programs on total methyl-mercury. Past mercury data will certainly be beneficial to supporting the scope of the pending Commission recommendation, which is now focusing on defining and costing a mass balance approach to mercury on the Ohio River, to determine River mercury sources and quantities.

It is the Committee's objective to complete its recommendation to the Commission at the October 2016 meeting, or in February 2017 at the latest. Commissioner Kupke concluded by commenting that it would be very easy to come up with a recommendation or study that could address innumerable issues, but trying to have a recommendation that is cost effective, recognizing ORSANCO's financial and staff resources limitations, and have it be real impactful, is the key.

### **Report of the Water Users Advisory Committee**

Bruce Whitteberry, Committee Chairman, reported that the Committee met on May 16-17, 2016. The Committee discussed river conditions, water quality and operational issues, as well as source water protection and other matters. Executive Director Richard Harrison summarized the financial challenges facing ORSANCO, and in particular, the concern for obtaining sustainable funding for the Organics Detection System (ODS). The Committee applauds the efforts being undertaken and asks Commissioners to fully support this important funding initiative. These programs do not protect the water utilities; rather they protect the five million citizens who rely on the Ohio River as a source of drinking water as well as other uses.

He continued to report that it has been a quiet time for water utilities over the past several months. In general, there have been no significant abnormal water quality challenges. The utilities have been gearing up for the current harmful algal bloom (HAB) season. Several utilities now have the capability either in-house or through contract labs to test for microcystin. Starting on June 1, 2016, surface water systems in Ohio are required to comply with new harmful algal bloom rules implemented by the state.

Mr. Whitteberry concluded by recognizing Jerry Schulte's many contributions to source water protection and support of the Committee and wished him well in his retirement.

### **Report of the Watershed Organizations Advisory Committee (WOAC)**

Judy Peterson, Committee Chairman, reported that the Committee met by conference call on May 23, 2016. The Committee has formed three work groups to focus on mercury, nutrients and harmful algae blooms, and spills and public notices. Each workgroup has met via conference call. Madeline Fleisher, a WOAC member, is currently serving on ORSANCO's Ad Hoc Mercury Committee.

The Committee requests that members of WOAC be invited by the Commission to serve on as many ORSANCO committees and workgroups as possible. This should improve communications and help the WOAC members become more familiar with the Commission's work.

WOAC has provided Madeline Fleisher with feedback on the current mercury study to share with the Ad Hoc Committee. The nutrients/harmful algae workgroup benefitted by participation of ORSANCO staff and supports additional monitoring early in the season and conditional monitoring when feasible as an early warning system for harmful algae blooms. The Committee would consider providing letters of support for ORSANCO's funding initiatives. The spills/public notice workgroup has focused on recreation and combined sewer overflows. They have been reviewing information and phone applications from both the Cincinnati and Pittsburgh areas.

Regarding the 305b report, Committee members expressed concern over the continued use of the weight of evidence approach. This departs from accepted US EPA methods and how states present their 305-b reports. There remains ample evidence in fish tissue and water column data to continue to be concerned about mercury, and the Committee supports ORSANCO's continued mercury investigation. Regarding aquatic life use, the Committee urges that dissolved oxygen and temperature data be included.

Judy Peterson concluded by emphasizing that WOAC is a new committee and some members are not yet familiar with the Commission's work, but are working to achieve a better understanding, and welcome the opportunity to serve on ORSANCO's committees and workgroups.

### **Comments**

Commissioner FitzGerald requested that when the Commission adjourns the meeting, it does so in honor of, and appreciation of Jerry Schulte, for his life-long dedication to the Commission and to the health of the Ohio River.

### **Upcoming Meetings**

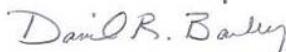
Chairman Conroe noted the following schedule for upcoming Commission meetings:

- |                      |                     |
|----------------------|---------------------|
| • October 4-6, 2016  | Owensboro, Kentucky |
| • February 7-9, 2017 | Covington, Kentucky |
| • June 6-8, 2017     | TBD                 |

### **Adjournment**

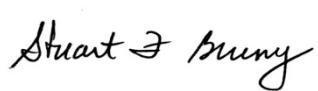
**ACTION:** Motion by Commissioner FitzGerald, second by Jeffrey Konsella and carried unanimously, to adjourn the 215<sup>th</sup> meeting of the Commission at 10:00 A.M.

Prepared by:

  
\_\_\_\_\_  
David Bailey  
Director of Administration

Date: June 15, 2016

Approved by:

  
\_\_\_\_\_  
Stuart Bruny  
Secretary/Treasurer

Date: July 7, 2016

**ROSTER OF ATTENDANCE**  
**215<sup>th</sup> Commission Meeting**  
**June 9, 2016**

**Commissioners**

Illinois	Toby Frevert Bob Mosher (PROXY for Director Lisa Bonnett)
Indiana	Carol Comer John Kupke Joseph Harrison, Jr.
Kentucky	Ron Lovan Peter Goodmann (PROXY for Lt. Governor Hampton)
New York	Douglas Conroe Mike Wilson Jeffrey Konsella (PROXY for Basil Seggos)
Ohio	Tiffany Kavalec (PROXY for Director Craig Butler) John Hoopingarner Stuart Bruny
Pennsylvania	Charles Duritsa Ronald Schwartz (PROXY for Acting Secretary Patrick McDonnell)
Virginia	David Paylor
West Virginia	David Flannery Ron Potesta Scott Mandirola (PROXY for Secretary Randy Huffman)
Federal	Tom FitzGerald
Legal Counsel	Ross Wales
<b><u>Executive Director</u></b>	Richard Harrison
<b><u>Guests</u></b>	Betsy Mallison – PIACO; Bruce Whitteberry – WUAC; Erich Emery – USACE; Judy Peterson – KWA/WOAC; Joe Laplevic – First Energy; Randy Payne – Kentucky Division of Water; Adam Rissien – Ohio Environmental Council
<b><u>Staff</u></b>	David Bailey, Jason Heath, Sam Dinkins, Jerry Schulte, Jeff Thomas, Joe Gilligan

**RESOLUTION 4-16****PROGRAM PLAN AND BUDGET FOR FISCAL YEAR 2017**

**WHEREAS:** The Commission has established the sum of \$1,404,400 as the amount of appropriations to be requested from the signatory states for fiscal year 2017; and

**WHEREAS:** Funds from the United States Government for approximately \$1,525,976 may be allocated to the Commission for fiscal year 2017; and

**WHEREAS:** Funds amounting to \$445,241 may be available from a variety of sources to support the Ohio River Sweep, ORSANCO/USGS Gaging Stations, WV 604(b) Contaminants, Life Below the Waterline, EPRI ORB Trading Development; and

**WHEREAS:** The Commission is anticipated to carry over obligated resources of \$1,052,778 into the 2017 fiscal year.

**NOW, THEREFORE, BE IT RESOLVED THAT:** The 2017 Fiscal Year Program Plan for all activities and the budget contained therein and in support thereof be approved as presented.

**BE IT FURTHER RESOLVED THAT:** Due to 5 Year (FY 17 – FY 21) projections showing projected revenues falling short of projected expenditures, the Executive Director is tasked with developing 5 Year balanced budget scenarios to offset this funding challenge.

**BE IT FURTHER RESOLVED THAT:** The Executive Director is hereby authorized to make application for funding as may be available from US EPA, for other Federal funding and funding from other sources as may become available.

**BE IT FURTHER RESOLVED THAT:** The expenditures in fiscal year 2017 be substantially within the framework of the following guidelines, which are made a part of this Resolution.

**2017 FISCAL YEAR BUDGET**

Payroll	\$1,211,773
Employee Benefits	735,765
Staff Travel	172,675
Commission Travel	128,143
Advisory Committees	27,414
Supplies	256,188
Telephone	17,828
Equipment Purchases	46,691
Mortgage, Utilities	118,802
Repairs & Maintenance	65,514
Contractual Services	464,713
Printing & Reproduction	6,550
Lab Fees & Delivery	305,722
Total Expenditure Budget	\$3,557,778

## STATE FUNDING LEVEL FOR FY2019

### BACKGROUND

The Commission has the responsibility of setting levels of state funding to support its programs. By policy, such state funding is to be established two years in advance to facilitate legislative/fiscal processes of the individual states. In developing its recommendations, the Program and Finance Committee relied, in part, on current and future budget information, the current rate of inflation and the current level of funds in the escrow account. The Program and Finance Committee was presented with alternative increases in the states' 2019 funding and agreed to recommend a 1.5 percent increase in state funding for the 2019 fiscal year. The attached listing displays each state's proportional share of the Commission's budget for 2019, as increased by the 1.5 percent, in comparison with their most recent funding levels.

### ACTION REQUESTED OF THE COMMISSION

Authorize a level of state funding for FY2019 by means of the following Resolution "State Funding Level for 2019."

### **RESOLUTION 5-16**

#### **STATE FUNDING LEVEL FOR 2019**

**WHEREAS:** Article V of the Compact provides that the Commission shall submit to the Governor of each state, at such time as he may request, a budget of its estimated expenditures for such period as may be required by the laws of such state for presentation to the legislature thereof;

**NOW, THEREFORE, BE IT RESOLVED THAT:** The sum of \$1,439,700 be budgeted for operating expenses of the Commission in the Fiscal Year July 1, 2018 to June 30, 2019. Such sum to be prorated among the signatory states in accordance with the provisions of Article X of the Compact.