

OHIO RIVER VALLEY WATER SANITATION COMMISSION

MINUTES
Special Meeting of Commissioners
Virtual
Monday, May 5, 2025

<u>Reports</u>	<u>Page</u>
Ohio River Basin Restoration Initiative	1
Roster of Attendance	3
Attachment I: Resolution 2-25.....	4

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Special Commission Meeting

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Monday, May 5, 2025

Chair David Flannery, Presiding

Call to Order

Chair Flannery called the Special Commission Meeting of the Ohio River Valley Water Sanitation Commission to order at 3:03 P.M., Monday, May 5, 2025.

Quorum Call

Commissioner Douglas Conroe certified that a quorum was present (see Roster of Attendance, page 3).

Resolution 2-25: Ohio River Basin Restoration Initiative

Chair Flannery announced the purpose of the meeting was to consider Resolution 2-25 supporting the development of a federal Ohio River Basin Restoration Initiative.

Chair Flannery called for consideration of Resolution 2-25 regarding Congressional legislation to create an Ohio River Basin Restoration Initiative. This legislation was introduced in the previous Congress to create this initiative, which is in some ways similar to current federal programs for the Great Lakes or the Chesapeake Bay. Given ORSANCO's historic role in the Ohio River Basin, Members of Congress have solicited our views on this legislation and suggestions for amendments as it moves forward towards reintroduction in the current Congress in the August timeframe. This resolution represents our goal to respond to Congress in a constructive manner.

Chair Flannery clarified what it is, and what it is not. This resolution specifically focused on the proposed federal legislation – H.R. 10432 from the 118th Congress – and suggestions for amendments to the legislation. This resolution takes no position and makes no statement regarding the separate effort by the Ohio River Basin Alliance (ORBA) to create an Ohio River Basin Restoration Plan. That Plan is an advocacy document, and a diverse number of opinions on that Plan are represented at the meeting today. ORSANCO takes no position on the proposed ORBA Plan with this resolution, and anticipates future conversations to address that Plan once it is completed and made publicly available.

With that clarification, Chair Flannery asked that we move forward with consideration of the resolution and ask for its adoption.

ACTION: Motion by Commissioner Flannery, second by Commission Harrison, and carried, Commissioner Proxy Hurst abstaining, to adopt Resolution 2-25 which signifies the Ohio River Valley Water Sanitation Commission supports Congressional legislation to create an Ohio River Basin Restoration Initiative, and hereby provides suggested amendments for Congress' consideration for inclusion in the aforementioned legislation. Furthermore, the Ohio River Valley Water Sanitation Commission takes no position at this time on the separate Ohio River Basin Restoration Plan.

Comments:

Chair Flannery opened the floor for discussion.

Commissioner Tom FitzGerald commented he would have very readily seconded the motion, but felt it should be a state commissioner and not one of the federal commissioners. He appreciated Commissioner Harrison doing that and appreciated the opportunity to have worked on some light edits on the motion, and encouraged his fellow commissioners and proxies to support the motion.

Commissioner Dave Miracle also appreciated the way the motion was drafted making it very clear that there's no position on the ORBA plan.

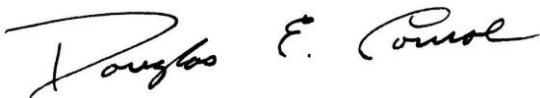
Commissioner Bruce Herschlag echoed Commissioner FitzGerald's comments, but was curious about the legislation itself. He would probably suggest a few minor edits to the legislation, but was not sure if we were able to or if we were just supporting the legislation as is. Chair Flannery did not see any reason why we could not get those suggestions into the hands of those that are going to be back in contact with the members of Congress, but he preferred not to make those as part of this resolution. He suggested that we relay those to our government affairs team as they communicate with McGarvey and others that are working on the bill. Commissioner Herschlag accepted the suggestion commenting that he thought it would clarify the legislation in helping ORSANCO as it moves forward.

Commissioner George Elmaraghy thanked everyone who participated in drafting the resolution. He had a general question about our plan to try to include this resolution in the proposed legislation and asked if any discussion was already taking place with the sponsor of this legislation or were we planning to do that for each other. Executive Director Dinkins responded that there has been dialogue with Congressman McGarvey and Congresswoman Houchin's office. Martin Edwards, our Taft advisor, has already drafted some language. They are aware that there is a request coming and have been very helpful as we go through this process.

Adjournment

The Special Commission Meeting was adjourned at 3:16 P.M.

Minutes approved by:

A handwritten signature in black ink, reading "Douglas E. Conroe". The signature is fluid and cursive, with the first name "Douglas" being the most prominent.

Douglas Conroe, Secretary/Treasurer

Prepared by staff

ROSTER OF ATTENDANCE
Special Commission Meeting
Virtual
May 5, 2025

Commissioners

Illinois

Indiana

Joseph Harrison, Jr.
John Kupke

Kentucky

John Lyons (PROXY for Lt. Governor Jacqueline Coleman)
Sarah Gaddis (PROXY for Secretary Rebecca Goodman)
Spencer Bruce

New York

Mike Wilson
Douglas Conroe
Damianos Skaros (PROXY for Acting Commissioner Amanda Lefton)

Ohio

John Logue
John Hoopingarner

Pennsylvania

Jason Minnich (PROXY for Interim Acting Secretary Jessica Shirley)
Bruce Herschlag

West Virginia

David Flannery
Ron Potesta
Scott Mandirola (PROXY for Secretary Harold Ward)

Virginia

Jeff Hurst (PROXY for Director Michael Rolband)
Tom Branin

Federal

George Elmaraghy
Tom FitzGerald
David Miracle

Legal Counsel

Aaron Herzig

Executive Director

Sam Dinkins

Staff

Elizabeth Burton, Nick Callahan, Tracey Edmonds, Emilee Harmeling, Jason Heath, Riley Lanfear, Adam Scott, Annette Shumard, Rachel Toney, Bob Wehmeier, Greg Youngstrom

Guests

Scott Bessler
Cheri Budzynski
Karina Bynum
Jim Goodrich
Casey Lafolette
Jim Lazorchak
Heather Mayfield
Katie McKone
Marc Mills
Melissa O'Neal
Karen Stainbrook
Diane Tancl
Heather Hulton VanTassel

FEDERAL LEGISLATION TO CREATE AN OHIO RIVER BASIN RESTORATION INITIATIVE

- WHEREAS:** The Ohio River Valley Water Sanitation Commission (ORSANCO) was established in 1948 through an interstate compact, with the approval of Congress, to work cooperatively across state lines to improve and protect water quality in the Ohio River Basin; and
- WHEREAS:** ORSANCO continues to serve as a trusted forum for coordination among its eight member states (“Member States”), in partnership with federal, state, and local agencies to address complex water quality challenges; and
- WHEREAS:** The Ohio River Basin includes fourteen states (“Regional States”) and is a vital natural resource, providing drinking water for over five million people and supporting the health, safety, and economic prosperity of more than 30 million residents across the region; and
- WHEREAS:** The Ohio River Basin reportedly contributes over \$180 billion annually to the national economy through navigation, manufacturing, agriculture, energy, and outdoor recreation, making water quality and river health a shared regional interest; and
- WHEREAS:** Modernizing aging water infrastructure, protecting public water supplies, protecting the water quality of the Ohio River Basin, and restoring its impaired waterways will benefit public health, improve community resilience, support job creation, and enhance economic competitiveness across the Ohio River Basin; and
- WHEREAS:** The diverse needs of communities in the Ohio River Basin—including both urban and rural areas—require flexible, multi-state-led solutions, supported by federal partnership and long-term investment; and
- WHEREAS:** ORSANCO and its compact Member States have a proven track record of collaboration and accountability in water quality protection, and are well-positioned to continue supporting science-based implementation, protection, monitoring, and coordination efforts under a potential restoration framework; and
- WHEREAS:** Successful regional restoration efforts, such as those in the Great Lakes and Chesapeake Bay, demonstrate the benefits of a federal program that complements and strengthens state-led initiatives through voluntary, non-regulatory partnerships;

NOW, THEREFORE, BE IT RESOLVED: ORSANCO supports the development of a federal Ohio River Basin Restoration Initiative. Given the role that ORSANCO is likely to have in developing and implementing a federal Ohio River Basin Restoration Program, ORSANCO urges that the authorizing legislation include the following provisions:

1. Specific authorization for the United States Environmental Protection Agency initiative program office to provide grants to ORSANCO for activities that ORSANCO might undertake as part of the restoration program.
2. General authorization for the United States Environmental Protection Agency to provide funding for ORSANCO’s water quality and water monitoring role in implementing the restoration initiative.
3. Fulsome and ongoing engagement with, and appropriate funding for, the basin States in developing and implementing the restoration initiative, including working with (and providing funding for) ORSANCO in support of restoring, protecting, maintaining, and monitoring the water quality of the Ohio River Basin.

Adopted by action of the Commissioners of the Ohio River Valley Water Sanitation Commission on this, the 5th day of May 2025.