# Lead Service Line Planning Task Force

# Meeting Minutes

May 12th, 2022

Meeting Called to Order at 2:00 p.m. by Kenley Farmer, appointed Chair.

1. Roll Call of Task Force Members

* Kenley Farmer, designee for Department of Energy and Environment (DOEE)
* Matthew Nestopoulos, designee for Department of Consumer and Regulatory Affairs (DCRA)
* Stephen Varga, designee for District Department of Transportation (DDOT)
* Randy Speck, public representative appointed by Council
* Valerie Baron, public representative appointed by Council
* Maureen Schmelling, designee for DC Water and Sewer Authority (DC Water)

**Guest Panelists**

* Kishia Powell, DC Water
* John Deignan, DC Water
* Matt Brown, DC Water

1. Adoption of Meeting Agenda and Meeting Minutes

The meeting agenda was adopted and meeting minutes from the 4/28/2022 meeting can be adopted.

1. Timeline Review of Council’s Independent Cost Assessment

Council staff expects to receive the independent cost assessment early summer 2022.

1. Review of DC Water’s Lead-Free DC – Basis of Cost Briefing

Cost Development Review Focused On:

* Lead Free DC June 2021 Plan
* Current Cost
* How Rates Will Be Affected

Two Key Cost Estimate Components:

1. Lead Service Line Replacements
2. Cost Related to the Small Diameter Water Main Replacement (SDWM) Prog.

DC Water Budget Overview: Lead Free DC Plan - $629.3M

* Program Areas:

1. Lead Pipe Replacement Assistance Program (LPRAP)
   * 8,854 Private side only Lead Service Lines (LSL)
   * Program is customer initiated
   * Funded by District/Customer Funded
2. Voluntary Full Replacement Program

* 1,997 Full LSL’s
* Program is customer initiated
* Funded by Customer/DC Water Rate Revenue

1. Capital Improvement Plan Emergency Repair Replacement Program (CIPERR) – Block-by-Block

* 10,086 LSL’s
* Program is DC Water initiated
* Funded by DC Water Rate Revenue/Federal Funds

1. CIPERR – Emergency/Vulnerable Population

* 3,208 LSL’s
* Program is DC Water initiated
* Funded by DC Water Rate Revenue

1. CIPERR – SDWM Replacement

* 3,830 LSL’s
* Program is DC Water initiated
* Funded by DC Water Rate Revenue
* Quantities (Units) – Number of lead service lines, historic copper lines to be verified, number of test pits, final pavement restoration, and SDWM
* Construction Cost Estimate (CCE) – Some unit costs are based on current contract bids and some unit costs are based on average cost from previous years. CIPERRR BBB costs are based on bid line items in current change order contracts (FY22). CCE is derived by multiplying the quantities by the unit costs and including a 10% contingency for unforeseen costs
* Planning/Design Cost Estimate – Costs are estimated as a percentage of the construction costs
* Program Management Cost Estimate – Costs include construction management, data management, outreach & communications. Program management is estimated as a percentage of construction and design costs. Initial planning level estimate didn’t include service line inventory verification, and permitting & communications

Q: How does this table compare to the table on page 8 of the Lead-Free DC June 2021 Plan?

A: Page 8 of the 2021 plan is a different way to slice the data but both plan’s share the same numbers; there is also a difference in how the programs are funded.

Q: For the LPRAP program are you assuming that district funding will resume at the same rate as it is currently or is there a different assumption?

A: We’ve assumed a certain level of funding and assistance from the federal funding, we did our estimations on what were needed for LPRAP replacements. We’ve found that so many homes have lead pipes only on the private side, it is up to the district homeowner to produce the funds for those replacements.

Q: In the end when we prepare our report, do we need to tell Council that this level of funding is going to be required from the district going forward to be able to make this plan work?

A: We have not been informed that funding will decrease, belief is that they’ve allotted $30M a year for the LPRAP program to go towards district customers’ private side replacement. There is a gap in terms of the funding needed for the private side replacements. We have been advocating for additional funds, there is a question as to whether the federal funds will be used for the private side only replacement work. Also, we’ve planned out the full cost of $629M and about $135M is the private side replacement cost. We’ve assumed that it is covered with other funds because we can’t use rate payer funds. Yes, we will need to go to the district to make that request each year.

Q: Are the cost estimates provided by DC Water responsible for getting the entirety of the lead out or for the portion that DC Water considers public property?

A: Yes, the program has accounted for all the LSL’s that we know about, both partial and full.

1. Outreach and Partnership Opportunities

* The task force will continue to strengthen the networking and advertisement of the public bi-weekly lead service line task force meetings.
* Suggestions: Randy Speck plans to meet with Dr. Marquise McGraw of American Univ. to converse about his research pertaining to lead service lines in the district. Also, discussions will be held with Dr. Karen Baehler and Dr. Karen Czapansky of Maryland Univ. law school to discuss relevant topics to our work written in a paper by Dr. McGraw and Dr. Baehler.
* Conduct a listening session to invite other entities into the lead service line discussion.

1. Reports from Subcommittees

John Deignan – Interagency group met to review the draft spending proposals from DDOT and DCRA.

1. Question and Answer Session

Q: Why does the customer have to initiate the replacements especially since there is significant push back from customers?

A: DC Water can’t use rate payer funding on private side replacement work. The way the current law is set up the LPRAP program is customer initiated for the private side replacement.

Q: What does DC Water rate revenue mean?

A: The money generated by DC Water rates from water bills.

Q: When will the public listening session occur?

A: Kenley Farmer will reach out to Valerie Baron to find the additional thoughts on this agenda.

Q: Could you assume that 10% of historic copper lines will be lead?

A: It’s a good rough estimate, however we have not conducted a full detailed analysis. We have assumed that taking 10% of the neighborhoods that have lead pipes are a better estimate than 10% of 48,000 due to the high number.

Q: Can DC Water make that assumption in their financial plan?

A: We do plan to refine our cost; all this information will be relevant to our CIP plan every year and will be adjusted.

1. Action Items and Future Agenda Items

Action Items

* + Randy Speck will:
    - Meet with Dr. Marquise McGraw of American Univ. to converse about his research pertaining to lead service lines in the district.
    - Meet with Dr. Karen Baehler and Dr. Karen Czapansky of Maryland Univ. law school to discuss relevant topics to our work written in a paper by Dr. McGraw and Dr. Baehler.
  + DC Water will:
    - Finalize the communications playbook to explain what their communications plan has been for the block-by-block program.
    - Summarize the reasons homeowners are not participating in the block-by-block program.
  + Kenley Farmer will:
    - Reach out to Council staff to get an update on the independent cost assessment.
* Maureen Schmelling/DC Water will:
* Coordinate a time for Paul to join DC Water’s door to door outreach event.
* Provide a one-pager on refusal data.
* Task Force members will:
  + Continue to identify District agencies that can aid in the development of the lead service line plan to the Council.
  + Share related documents (memorandum of agreement, studies, etc.) to help with the formulation of the plan via the Lead Service Line Planning Task Force Box.com account.
    - Prepare questions for the meeting with Keisha Powell and Matt Brown with DC Water.

**Proposed Agenda for 5/26/22**

1. Roll Call of Task Force Members
2. Adoption of Meeting Minutes and Meeting Agenda
3. Timeline Review of Council’s Independent Cost Assessment
4. Review of DC Water’s Communication and Outreach Playbook
5. Discuss Outreach and Partnership Opportunities
6. Reports from Subcommittees
7. Question and Answer Session
8. Action Items and Future Agenda Items