

GAINING SOME PERSPECTIVE ON THE LAND USE & ENVIRONMENTAL IMPACT OF OLD TOWN'S 1/4-ACRE UNION STREET DOG PARK

The Potomac River, which is the second largest tributary to the Chesapeake Bay, drains 11,570 square miles (7,404,800 acres) of diverse physiography. Geology and land use in the basin are important contributors to water-quality characteristics of the river. Major water-quality issues in the upper basin are coal mining, forestry, raw- and treated-sewage effluent, acid precipitation, and toxic substances such as dioxin from paper mills.

One-third of all river sites tested in the Potomac headwaters of West Virginia exceed bacteria safety standards. West Virginia has no program for regulating environmental pollution from poultry, which produces about 155,000 tons of manure each year. The headwaters of the Potomac River have long been home to West Virginia agriculture, with poultry and cattle farms dominating the countryside. Major food corporations have been the driving force behind agricultural expansion, with Wampler Foods' chicken processing plant in Moorefield at the geographic hub of this growth. Other major corporations -- Tyson Foods, Inc., Perdue and Rocco Turkey -- have spurred growth in chicken houses by contracting with poultry farms in the state to supply their chicken processing plants in neighboring Virginia. Some of the state's political leaders have been eager to lure large corporations to the state with economic incentives for opening new poultry farms and processing plants. Leaders in the West Virginia legislature recently introduced a bill giving a large tax subsidy to industry for jobs created by agricultural expansion.

Intensive agriculture in Potomac Headwaters region has led to alarming levels of bacteria in the river and its tributaries and spurred excessive algae and siltation. A 1994-1995 study completed by the U.S. Geological Survey (USGS) and sponsored by the U.S. Department of Agriculture (USDA) indicates that one third of all sites tested in the headwaters of the Potomac exceeded accepted bacterial safety standards. Many stretches of this great river are no longer safe for recreation. The high levels of fecal coliform bacteria that have been measured in Potomac waters indicate that swimmers run the risk of infection from disease-causing organisms like *Salmonella*, *Giardia* and *Cryptosporidium*. The world class recreational resources of Smoke Hole, the Trough, and Seneca Rocks in the South Branch area of the Potomac -- all locations favored by tourists for canoeing, fishing and swimming -- are threatened by this pollution. State agencies and the U.S. Department of Agriculture recently came to this alarming conclusion: *A high potential exists for contraction of waterborne illnesses in the Potomac Headwaters because of the widespread presence of bacteria throughout the watershed and heavy dependence on the streams for drinking water and for water contact recreation.... The report further states that the numbers of feedlots and poultry houses per square mile also correlate with concentrations of fecal coliform, fecal streptococci, and nitrates.*

Additional testing done in 1996 and 1997 by the West Virginia Department of Environmental Protection (WVDEP) supports the USGS study of 1994 and 1995. In 1996, the state classified as "impaired" seven tributaries of the Potomac headwaters, including the South Branch of the Potomac, the South Fork of the South Branch and the North Fork of the South Branch. The impaired classification indicates that many of these waters are so polluted they can no longer support swimming or fishing. Agriculture is

cited as the cause of this pollution. All seven of the Potomac tributaries on the impaired list were new additions due to recent data indicating serious water quality problems. Chicken processing plants pose an additional pollution threat to the area. Wampler Foods' poultry processing plant in Moorefield, which has a NPDES permit under the Clean Water Act, is barred under the Act from dumping its waste into town facilities without approval from the state. Wampler has been cited for unauthorized disposal of some of its industrial waste into the town sewage treatment facility. For several months in 1995, Moorefield's sewage treatment plant spilled raw sewage into the South Branch, in part due to the failure of the town's sewage waste lagoon. Some citizens of the community suspect that the town's sewage treatment problems were linked to the town's illegal acceptance of untreated industrial waste from Wampler. A local sewage treatment plant operator reported poultry feathers in the town lagoon on a number of occasions. Wampler and the town of Moorefield have each been the subject of two enforcement actions by the Department of Environmental Protection for this activity.

The Potomac Headwaters area has also suffered four major floods in recent memory, one in 1985 and three in 1996. The floods intensified pollution from the region's poultry and cattle industries as rushing torrents washed animal waste from croplands and farm buildings into nearby waterways. Following flooding from Hurricane Fran in 1996, "one of the biggest public health threats was 268,000 chicken and 56,000 turkey carcasses" that had died in the floods, according to a state Department of Agriculture spokesperson. Other local problems have involved nuisance complaints. Moorefield residents have lost business because of the overwhelming odors and flies. One local restaurant owner complained her herb garden died due to the toxicity of the air. Another resident told the County Commission he can no longer use his well because of pollution from poultry manure stored and spread near his house. The Potomac Headwaters of West Virginia supply some of the drinking water for many towns downstream.

The Washington D.C. metropolitan area, which is downstream from the Potomac Headwaters, last year began having bacteria outbreaks in its drinking water system. For the second year in a row, the Potomac is listed as one of the 20 most endangered rivers in the country due to agriculture and land development. This news comes after several years of celebrating a clean-up campaign that made it possible for Washington-area residents to safely fish and swim in the river after decades of pollution had put it off-limits. "The unfettered expansion of the poultry industry could very well undo much of the progress that has been made in the last 25 years," an American Rivers spokesperson recently warned.

The Potomac River empties into the Chesapeake Bay, bringing nitrogen and phosphorus pollution from the river's source in West Virginia. The health of the Bay's fish and shellfish is seriously threatened by a glut of these inputs emanating from manure and fertilizer used at surrounding farms. In 1987, the Chesapeake Bay Agreement, signed by the District of Columbia, Maryland, Pennsylvania, and Virginia, agreed to reduce nutrient pollution to the Bay by forty percent by the year 2000. While almost 25 percent of the Potomac watershed lies in West Virginia, and about 13 percent of the nutrients delivered to the Bay by the Potomac comes from West Virginia, the state

refused to sign this document and cooperate with neighboring states. In doing so, the state also declined federal assistance for reducing nutrient pollution to the Chesapeake Bay. West Virginia, despite its renegade status, was asked to attend Governor Glendening's Chesapeake summit this year on *Pfeisteria*, an algae that thrives in nutrient-polluted waters and has caused major fish kills. Unfortunately, the summit agreement West Virginia signed was limited to information-sharing and included no commitment to reduce nutrient pollution of the Bay.

Above ground, Washington DC is a modern, 21st century metropolis but beneath it lurks an antiquated sewer system that brings to mind a bygone era. During heavy rains, stormwater often swamps the city's ancient overflow system, sending untreated raw sewage into the Anacostia and Potomac rivers. During these events, fecal coliform levels can exceed the legal standard by hundreds or thousands of times, resulting in chronic violation of the Clean Water Act. Besides the obvious threats to human health, these releases can adversely affect aquatic life in these important tributaries of the Chesapeake Bay.

The Blue Plains plant receives 43% of its waste water from the District and 47% from the suburbs including Montgomery county in Maryland, Fairfax and Loudoun counties in Virginia, the U.S. Park Service and Dulles Airport. Approximately 300,000,000 gallons of sewage is processed each day at Blue Plains. This generates 1,700 tons of sludge per day. This plant is the largest on the Potomac River and has an immense effect on the river. Combined sewers serve about one-third of the District. Most of them are located in older developed sections of the District. During dry weather conditions, sewage flowing through the combined sewer system is conveyed to the District of Columbia's Advanced Wastewater Treatment Plant at Blue Plains where the wastewater is treated to remove pollutants before discharge into the Potomac River. When the capacity of a combined sewer is exceeded during major storms, the excess flow is discharged from up to 59 CSO outfalls to the Anacostia and Potomac Rivers, Rock Creek and tributary waters. In an average year, there are about 82 overflows events in the Anacostia River; 75 in the Potomac River, and 30 in Rock Creek.

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General outcomes: Residents demand respect for our time.
Residents demand data integrity and databased decisions.

Event	Output(s)	Outcome(s)
(2002) Council voted for Eberwein-revised WHPTF plan	<p>Staff presented false data regarding Harborside entry point for dogs. (12/02) Woodson acknowledged at OTCA that she 'had been lied to'. Privately and publicly Woodson considered calling for re-vote.</p> <ul style="list-style-type: none"> • Mayor denied request for hearing/revote. • Speck stated that he would not reconsider-that 100,000 people in Alexandria don't care about WHP. That the Council "must look like a pack of fools to the TV audience". Earlier Speck declared that WHP "would be ideal for retail". • Eberwein stated, "Poop is poop". 	<p>Indicates:</p> <ol style="list-style-type: none"> 1. Staff lacks competence/ethics 2. Council decisions not data-based 3. Lack of data integrity 4. City policy: positive consequences for negative action; negative consequences for positive action. Staff avoids discipline; activists are smeared by Speck.
(2001-2002) WHPTF first voted to maintain water access	<p>Whitmore said that staff couldn't live that narrow vote. Environmental specialist then presented false data: dogs polluted the Potomac River. Decision reversed after second vote taken.</p>	<p>Indicates:</p> <ol style="list-style-type: none"> 1. Staff directed TF; not TF members 2. Staff presented false data and biased reports. 3. Even when refuted by citizens in public comment period, decision held.
WHPTF established by Speck/Woodson motion	<p>WHPTFA was proposed by Speck. Defeated first time. Proposed again and seconded by Woodson, motion passed. Mayor denied Eberwein's request to serve on the TF.</p>	<p>Looked like a restart after citizens had reported on the Old Town Yacht Basin Hearings.</p>
Old Town Yacht Basin Hearings concluded	<p>Two meetings resulted in guidance re: OTYB. Meetings disturbed by non-residents presenting themselves as local stakeholders and being recorded. Dog entry level not show stopper. Main issues were bulkhead, a building and parking lots, etc.</p>	<p>Data compromised by ineligible inputs. Never corrected even when discovered. At end of meeting Noritake expressed dissatisfaction with results and raised issue of water access ('moving the dog park').</p>
Signage issue on Waterfront Walk (June 1999) misrepresented to participants	<p>Water front signage was the agenda. The only signage issue raised was at Founder's Park when a vote was taken quickly about the dog park area. Based on an action never taken by the FP's Board.</p>	<p>Accurate inputs ignored by Council when put forward by former president of FP. WC decision formalized basis for current dispute.</p>