

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
777 N. Capitol St., N.E.
Washington, DC 20002

**RESOLUTION ESTABLISHING COG POLICY FOR MEETING
WATER QUALITY GOALS IN THE POTOMAC WATERSHED THROUGH THE
EFFECTIVE INTEGRATION OF REGULATORY AND COOPERATIVE PROCESSES**

Whereas, the Metropolitan Washington Council of Governments (Council) supports the expeditious attainment of the Chesapeake Bay Program's water quality goals in the Chesapeake Bay and the Potomac River; and

Whereas, the Council has consistently advocated reliance on the cooperative approach to achieving those goals, an approach that was demonstrably effective prior to the signing of the Chesapeake 2000 (C2K) agreement in June 2000 and forms the heart of the water quality section of C2K; and

Whereas, the Council demonstrated its early support for achieving water quality goals in the Chesapeake Bay and the Potomac River by the passage of Resolution R37-92 in 1992; and

Whereas, through Resolution R25-97, the Council endorsed four basic principles for effectively achieving the Bay Program's goals, namely: (1) the value of relying on voluntary actions as opposed regulatory actions; (2) the importance of equity of effort; (3) the need for accurate, adequately documented scientific information; and (4) the critical value of local government voice; and

Whereas, on June 28, 2000, the Chesapeake Bay Program partners signed C2K; and

Whereas, C2K affirms the commitment to pursue nonregulatory means of achieving water quality standards for the Bay and its tidal tributaries in such a way "... so that these waters may be removed from the impaired waters list prior to the time when regulatory mechanisms under 303(d) of the Clean Water Act would be applied;" and

Whereas, C2K spells out a cooperative process for developing nutrient and sediment load allocations for the Potomac River and the other major tributaries in the Chesapeake Bay watershed; and

Whereas, C2K also calls for a "public process to develop and begin implementation of revised Tributary Strategies to achieve and maintain the assigned loading goals;" and

Whereas, the Council is mindful of the regulatory requirements of the Clean Water Act that require the development of a "Total Maximum Daily Load" (TMDL) for any waterbody that a state lists as impaired; and

Whereas, C2K establishes the time period through 2010 to enable the cooperative, nonregulatory approach to succeed,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS THAT:

1. The Council reaffirms its support for the attainment of water quality standards of the Chesapeake Bay and its tidal tributaries, including the Potomac River.
2. The cooperative, nonregulatory process, as envisioned in C2K, involving stakeholders from Maryland, Virginia, the District of Columbia, Pennsylvania and West Virginia, should be used to set nutrient and sediment load allocations for the Potomac River basin.
3. The cooperative, nonregulatory process, also envisioned in C2K, involving stakeholders from Maryland, Virginia, the District of Columbia, Pennsylvania and West Virginia, should be used to set the state-by-state nutrient and sediment load allocations in the Potomac watershed.
4. Each state's Tributary Strategies to achieve the load allocations should clearly define responsibility and accountability by load source, should include an effective implementation plan and should contain well-defined milestones to enable objective tracking of implementation status and progress.
5. Regulatory requirements under the Clean Water Act, including TMDLs for nutrients and sediment in the Potomac watershed, should be woven into the Tributary Strategy implementation plan so that they serve as an ongoing incentive for rapid progress under the Tributary Strategy process and as a backup in the event that Tributary Strategies are not being expeditiously implemented.



Local governments working together for a better metropolitan region

September 12, 2002

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Montgomery County
Prince George's County
Rockville
Takoma Park
Alexandria
Arlington County
Fairfax
Fairfax County
Falls Church
Loudoun County
Prince William County

*Rebecca Hanmer, Director
US EPA Chesapeake Bay Program Office
410 Severn Avenue, Suite 109
Annapolis, Md., 21403*

Dear Ms. Hanmer:

Thank you for your participation and that of your staff in the meeting with local elected officials and other staff at the Metropolitan Washington Council of Governments on Aug. 2. Those who attended found the dialogue to be both informative and productive

We strongly support continuing our discussion with you, hopefully in conjunction with some of our regularly scheduled bimonthly meetings. -We look forward to hearing how the Bay Program intends to meet the 2010 timetable for achieving the water quality goals of the Chesapeake 2000 Agreement, including the schedule for publication of water quality criteria, the formal allocation of nutrient and sediment load targets and the development of revised tributary strategies.

As discussed at the Aug. 2 meeting, maintaining rapid, but soundly-based, progress is very important to local governments, since we expect to bear much of the burden for achieving the needed reductions of nutrients and sediment and time is already short for the implementation of new or improved practices. However, rapid progress must be tempered by the need to carefully sort through the highly complex scientific and technical information required of this process, a point that has been made by COG's representatives and other parties to the Water Quality Steering Committee efforts.

If this seems contradictory, I note that our caution on the scientific side is driven by the knowledge that the standards being set will apply not only to the cooperative Bay Program process, but also to potential regulatory efforts under the Clean Water Act. The local governments' sense of urgency in setting overall goals reflects the fiscal reality that C2K implementation will have to compete with many other needs for increased funding at the local government level.

As the Bay Program continues to grapple with these difficult tasks, COG looks forward to continuing to provide you with input from the local governments of the Washington metropolitan region.

Sincerely,

/original signed by Ruth Griggs/

Ruth Griggs, Chair
Chesapeake Bay Policy Committee
Member, Prince William County (Va.) Board of Supervisors

cc: Members, Chesapeake Bay Policy Committee, Metropolitan Washington Council of Governments

processes for setting water quality goals in the Potomac watershed. COG's Water Resources Technical Subcommittee has recommended that COG adopt the statement, which calls for the various stakeholders to follow a cooperative process such as the Bay Program-sponsored process for setting goals and adopting tributary strategies to meet them and to defer any TMDL-based process for achieving the same goals until at least 2010. The proposed policy is based on the already established COG policy position in support of voluntary means for achieving Bay restoration goals, Mr. Graham noted.

Action item: Committee members asked staff to address several concerns they had with the text of the proposed policy and to provide them with an opportunity to review the revised text before presentation to the COG Board at its July meeting.

6. Toward a Bay Education Initiative

This item was deferred.

7. Plans for Summer Tour

COG staff presented several potential dates.

Action Item: Committee members will be asked to provide feedback via email.

8. New business

Ms. Eberwein asked staff to provide information on the potential water quality consequences to urban streams of fecal wastes from pet owners.

9. New Business

None was offered.

10. Adjourn

The meeting was adjourned at 12:15 p.m.

Julie:

The committee briefly discussed this issue at some point. (I'm thinking it was the May meeting, but I'm not sure and it probably isn't in the minutes.) It did not come up in September.

Claire Eberwein, the member from Alexandria, was looking for information about the potential for pet wastes to provide a significant fecal coliform burden in Four Mile Run, but our staff didn't really have any info. We referred her to the NVRC report, which is probably the one you reference.

-----Original Message-----

From: Julie Crenshaw [mailto:solarcosmos@prontomail.com]

Sent: Friday, November 15, 2002 10:54 AM

To: [REDACTED]

Subject: Re: CBPC info - COG Board resolutions

Thanks [REDACTED]

Resolution received and readable.

Per the September minutes that you do not have in draft yet, is there anything about information on the potential water quality consequences to urban streams of fecal wastes from pet owners? I have seen a report on the Four Mile Run Area that is a Fairfax, Arlington, Alexandria stream that provides some percentages, but is not really specific. Some of these areas have sewer system problems, so sorting out what comes from where would take a lot of effort.

Thanks, Julie

We may be only one element in the
global ecosystem rather than some sort
of mysteriously self-sustaining entity
not subject to biological laws.
solarcosmos@prontomail.com

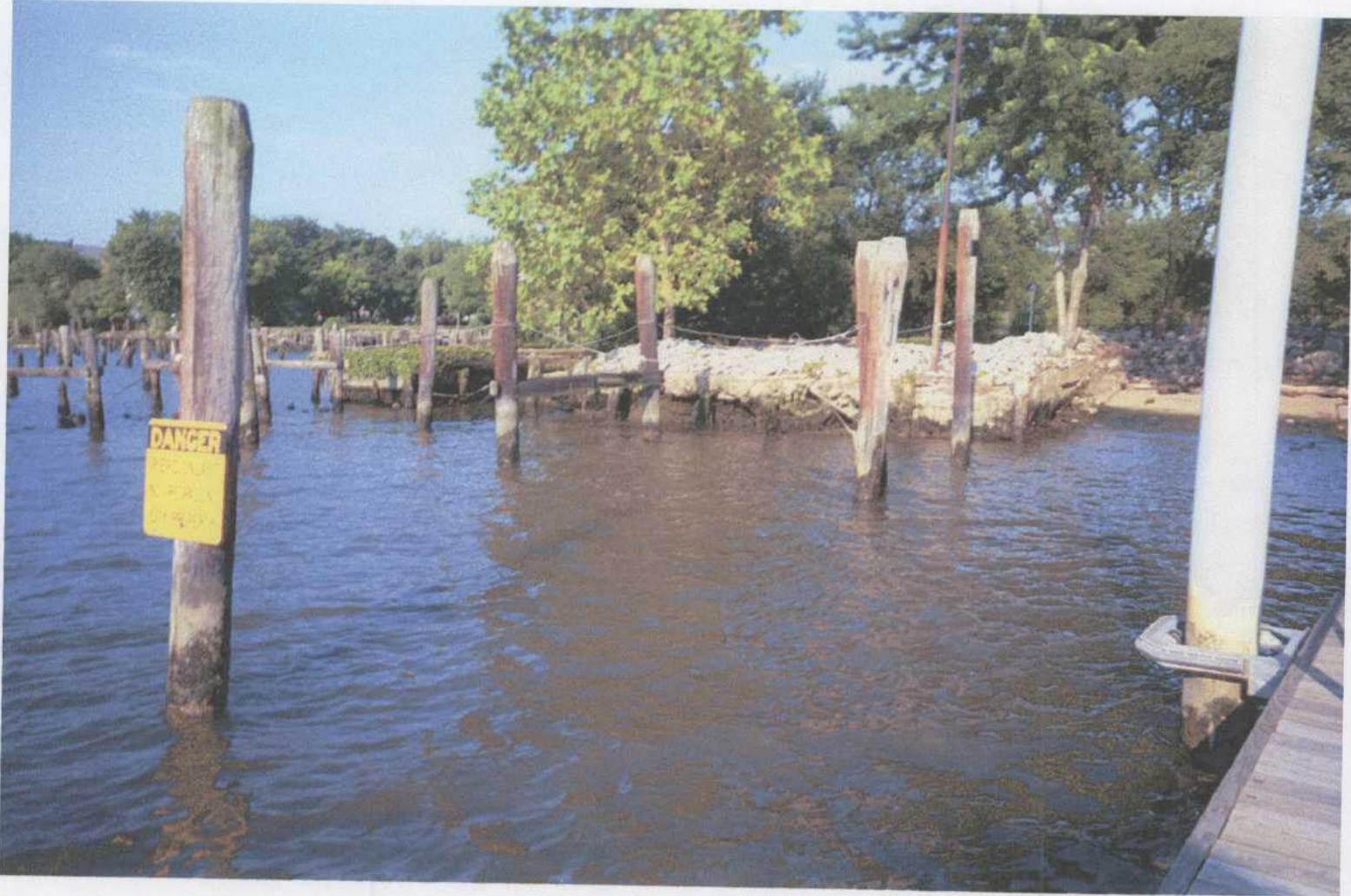
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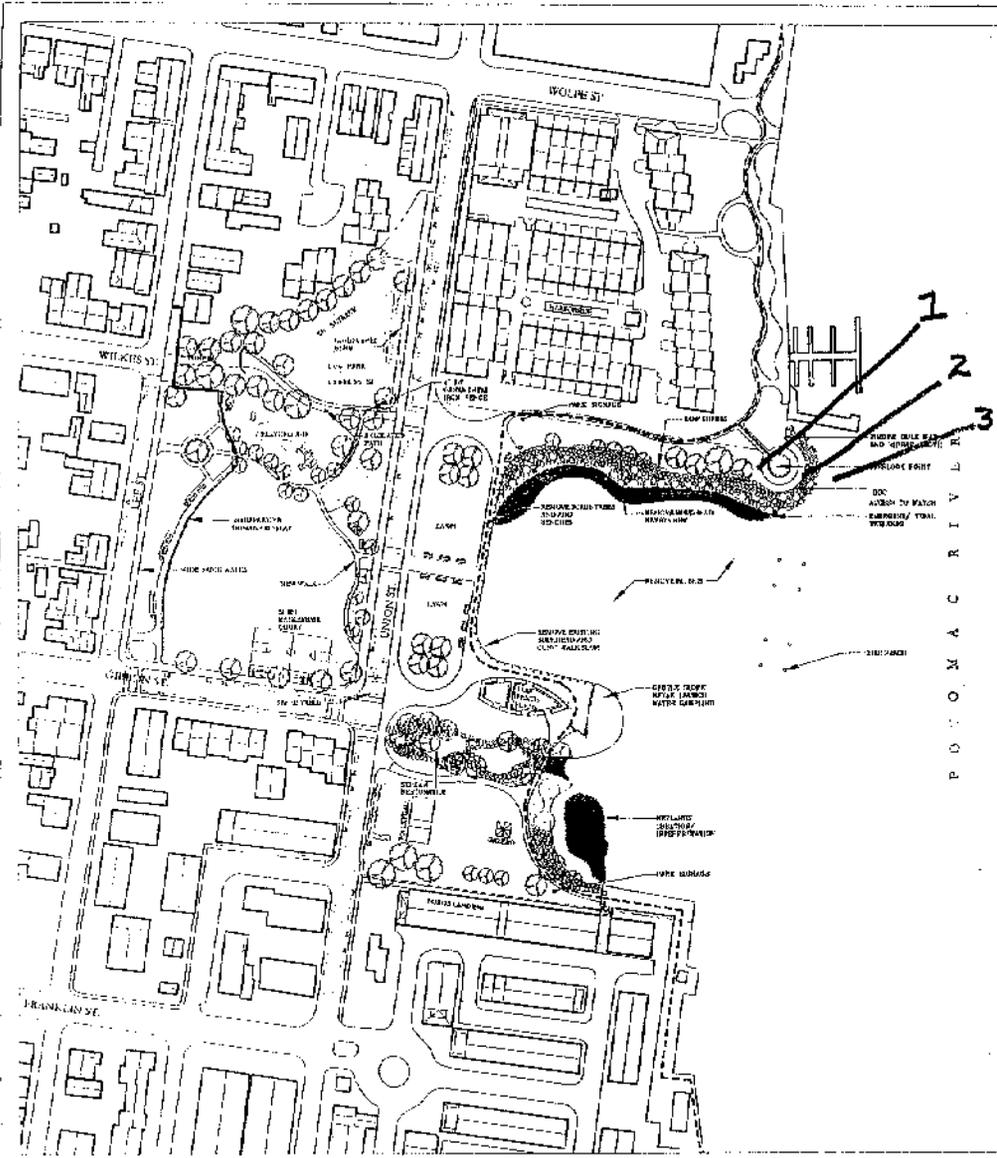
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WINDMILL HILL PARK
APPROVED CONCEPT PLAN

JUNE 5, 2002



4-23-02