

ANACOSTIA WATERSHED RESTORATION GOVERNANCE

DISCUSSION OUTLINE

October 19, 2005

Note: The AWRC met on September 19, 2005, endorsed the Provisional Recommendations of the Transition Team and authorized the Team to move forward to develop greater specificity. The following presents specific discussion and decision items for consideration by the Transition Team at its upcoming meeting. The first attachment contains the Provisional Recommendations as previously discussed. Attachment II, Governance: Membership and Responsibilities, is intended to facilitate the discussion related to membership, roles and responsibilities of each of the entities to be created. Attachment III provides information and assumptions related to providing staff support, budgeting and funding.

Follow Up Steps: Many steps will be needed to complete implementation. The following is a list of several key milestones and possible dates for discussion.

- November-December 2005 – Briefings for agencies and other stakeholders
- February 2006 – COG Board Action to Charter the Council and the Assembly
- February-June 2006 – Initiate Implementation; Recruit Executive Director
- July 2006 – Executive Director begins

I. Governance – Membership and Responsibilities

- A. Anacostia Watershed Leadership Council (Council)
- B. Anacostia Watershed Legislative Assembly (Assembly)
- C. Anacostia Watershed Membership Committee (AWMC)
- D. Anacostia Watershed Citizens Advisory Committee (AWCAC)
- E. Subcommittees/Workgroups reporting to the AWMC

II. Staffing Responsibilities & Estimated Budget

- A. Executive Director: Responsibilities & Estimated Budget
- B. COG Staff Support: Assumptions and Estimated Budget
- C. Allocation of Costs

III. Next Steps for Implementation

- A. Agency Briefings
- B. Presentation to and Action by the COG Board
- C. Implementing Institutional Changes

IV. Future Topics

- A. Comprehensive Plan:
 - 1. Scope & Content of the Plan
 - 2. Process for completion, adoption & amendment
- B. Plan Implementation
 - 1. Funding sources
- C. Other Topics

Attachments

- I. Provisional Recommendations
- II. Governance – Membership and Responsibilities
- III. Staffing Responsibilities and Budget Estimates

ATTACHMENT I

PROVISIONAL RECOMMENDATIONS

ANACOSTIA WATERSHED RESTORATION GOVERNANCE September 2005

Note: These provisional recommendations address two important issues related to governance of the Anacostia watershed restoration program: (1) how to increase high level participation in the restoration efforts; and (2) how to organize the governmental agencies and other stakeholders involved in the Anacostia watershed restoration efforts. They were discussed at the September 7, 2005 meeting of the Anacostia Transition Team and were endorsed as provisional recommendation for discussion by the full AWRC membership at its meeting on September 19, 2005. The Transition Team meeting on October 19, 2005 will address how to proceed.

EXECUTIVE SUMMARY

Purpose - The purpose of these recommendations is to enhance the governance framework for the collective efforts to restore the Anacostia River and its tributaries. The recommendations include: creation of two new high level entities, the Anacostia Watershed Leadership Council (Council) and the Anacostia Watershed Legislative Assembly (Assembly); consolidation of the Anacostia Watershed Toxics Alliance (AWTA) and the Anacostia Watershed Restoration Committee (AWRC); and retention of the Anacostia Watershed Citizens Advisory Committee (AWCAC). The Council is made up of state and local elected officials and high level representatives from EPA Region 3 and the Baltimore District of the Corps of Engineers. The Assembly will be made up of legislators from the federal, state and local levels and will be primarily concerned with legislative and budgetary concerns.

Comprehensive Plan - The paper also endorses the development of a Comprehensive Restoration Plan (Plan) and recommends that the Council be responsible for adoption of such a Plan. A separate paper is being developed describing the scope, nature and content of the Plan. It is envisioned that the Plan will address the spectrum of water quality, aquatic habitat and water quality related terrestrial habitat issues throughout the watershed and that it will combine the current planning efforts of the Corps of Engineers with prior work (e.g., DC-WASA's Long-Term Control Plan).

Program Funding - The paper also recognizes that program and project funding come from many sources, including grants, earmarks and cost-share provisions. It is not proposing anything that would upset or complicate existing processes. That said, it is felt that a Comprehensive Plan will make for more salable restoration program recommendations and will enhance prospects for securing implementation funding.

Implementation - Assuming the AWRC recommends moving forward, a presentation is planned for the COG Board in November 2005. The next major step would be a signing ceremony, perhaps in spring 2006, participated in by the proposed governmental

members of the Council to indicate their support. It is recommended that the Council and the Assembly be chartered by action of the Board of the Council of Governments, which could happen shortly after the signing ceremony agreement to proceed. Further implementation progress will depend on staffing and budgetary issues that are raised but not resolved in the paper. With sufficient commitment, the new governance framework could be in place during calendar year 2006. Given the nature of the proposed program, the challenges in adopting the Comprehensive Plan and increasing efforts to secure greater funding, it is also recommended that the proposed Anacostia Watershed Executive Director position be created in early 2006.

I. INTRODUCTION

A. The Anacostia Watershed Restoration Partnership

The Anacostia Watershed Restoration Committee - For about twenty years, there has been a broad commitment among government agencies and other stakeholders to restore the Anacostia River and its tributaries. The signatories of the original Chesapeake Bay agreement in 1983 recognized the importance of a cooperative approach to restoration. The current multijurisdictional partnership came into being in 1987 when the County Executives of Montgomery and Prince George's Counties, Maryland, the Mayor of District of Columbia and the Governor of State of Maryland signed a formal Anacostia Watershed Restoration Agreement.

The 1987 agreement established the Anacostia Watershed Restoration Committee (AWRC), whose current members are:

- District of Columbia Department of Health (DC-DOH);
- DC Water and Sewer Authority (DC-WASA);
- Montgomery County Department of Environmental Protection (MC-DEP);
- Prince George's County Department of Environmental Resources (PG-DER);
- Maryland Department of the Environment (MDE);
- Maryland Department of Natural Resources (MD-DNR);
- National Park Service (NPS);
- US Army Corps of Engineers – Baltimore District (USACE); and
- US Environmental Protection Agency – Region 3 (EPA).

The AWRC coordinates restoration efforts and shares information among its members. It also receives advice and recommendations from the Anacostia Watershed Citizens Advisory Committee (AWCAC) whose members are appointed by the AWRC. All of the AWCAC members are Maryland or District of Columbia residents of the Anacostia watershed.

The Metropolitan Washington Council of Governments (COG) provides technical and administrative support to both the AWRC and AWCAC. COG's activities are funded by both the Anacostia Regional Fund (ARF) and through grants. The state and local members of the AWRC contribute annual dues to ARF.

Other Stakeholders - There are also other governmental agencies, nongovernmental organizations and businesses who contribute technical expertise, advocacy, public awareness and other activities to the restoration efforts. A partial list of these includes, in addition to many local community-based organizations:

- US Geological Survey (USGS);
- National Oceanographic and Atmospheric Administration (NOAA);
- Washington Suburban Sanitary Commission (WSSC);
- Maryland-National Capital Park and Planning Commission (M-NCPPC);
- US Fish and Wildlife Service (USF&WS);
- Navy Yard;
- Washington Gas;
- Anacostia Watershed Society (AWS);
- Chesapeake Bay Foundation (CBF);
- Summit Fund of Washington;
- Natural Resources Defense Council (NRDC);
- Appleseed Foundation;
- Casey Tree Foundation;
- Anacostia Waterfront Corporation;
- University of Maryland; and
- University of the District of Columbia.

B. Restoration Activities

Subsequent actions have broadened and strengthened the restoration commitment. A “Six-Point Action Plan,” adopted in 1991, established broad goals for water quality, living resources and stewardship. The “Targets and Indicators” agreement signed in 2001 defined 50 specific indicators for each of the six broad goals and set quantifiable “targets” for each of the indicators to be met by 2010. There has also been substantial restoration progress in each of the three local jurisdictions in the watershed, including stormwater “retrofit” projects, habitat restoration, constructed wetlands and removal of fish passage blockages. There has also been considerable progress in resolving sewage overflow problems, specifically the adoption of the Long-Term Control Plan for combined sewer overflows (CSOs) in the District of Columbia and the recent consent order whereby WSSC has agreed to aggressively pursue and repair leaking sewers.

A parallel effort has addressed the problem of toxics in the Anacostia. Initiated by EPA Region 3, the Anacostia Watershed Toxics Alliance (AWTA) has sponsored toxic monitoring and the development of a toxics abatement plan.

C. Strengthening the Partnership

Regardless of the progress, there is a widely held perception that, after 20 years, not enough has been accomplished and the pace of restoration can and should be accelerated. There is no comprehensive plan to achieve restoration goals; there is not a strong integration of solutions crossing jurisdictional boundaries; and the funding to support comprehensive restoration remains uncertain.

The AWRC and other stakeholders participated in a retreat in March 2005 and a subsequent series of interviews and a subsequent meeting were facilitated by RESOLVE/JSA. A subset of this group, the “Transition Team,” was charged with preparing draft governance recommendations to be addressed by the full AWRC.

Drawing on the results of the March retreat, the report by RESOLVE/JSA and prior work, these recommendations address two key challenges:

- How to increase the effective participation of elected officials, high federal officials, business interests, academia and community leaders in Anacostia watershed restoration efforts; and
- How to improve the governance framework for the agencies and other stakeholders involved in restoring the Anacostia watershed, covering planning, implementation and public participation.

D. The Comprehensive Restoration Plan

A separate paper is being developed describing the scope, nature and content of a Comprehensive Anacostia Watershed Restoration Plan. It is envisioned that the Plan will address the spectrum of water quality, aquatic habitat and water-quality related terrestrial habitat issues throughout the watershed and that it will combine the current planning efforts of the Corps of Engineers with prior work (e.g., DC-WASA’s Long-Term Control Plan). It will be framed in terms of a new governance structure.

II. HIGH LEVEL PARTICIPATION: THE ANACOSTIA WATERSHED LEADERSHIP COUNCIL AND THE ANACOSTIA WATERSHED LEGISLATIVE ASSEMBLY

A. Anacostia Watershed Leadership Council

Many feel that sustained progress in restoration of the Anacostia watershed will require greater elected official and other high level participation than has been the case in the past. It is envisioned that a properly constructed venue for political, community and business leaders to convene and take an active role in charting a course for restoration of the watershed will raise the profile of the restoration efforts, widen community support and strengthen the prospects for securing restoration resources.

It is recommended that this be accomplished by the creation of an “Anacostia Watershed Leadership Council” (Council). It will have high level representation from federal, state and local governments coupled with business, academic and civic representation. Collectively, the Council will represent the spectrum of responsibilities for environmental, community and economic well-being and will have significant oversight responsibility.

In terms of responsibilities, the Council is somewhat akin to the Chesapeake Bay Program’s Executive Council and the “Anacostia Watershed Council” envisioned in proposed Congressional legislation HR 2509 introduced by Eleanor Holmes Norton in May 2005. However, its membership is not limited to government officials. Its formal

mission is responsibility for the adoption and implementation oversight of a comprehensive restoration plan. More subjectively, it will have considerable prestige to help further the goals of the restoration program, including the pursuit of restoration resources. It is envisioned that its formal responsibility will result in greater accountability for restoration progress.

Membership – The recommended membership for the Council, designed to ensure a top level commitment from the federal, state and local governments, and the business and civic communities, is:

- **Government**
 - ✓ Regional Administrator from EPA Region 3;
 - ✓ District Engineer of the Baltimore District of the U.S. Army Corps of Engineers;
 - ✓ Governor of the State of Maryland;
 - ✓ Mayor of the District of Columbia;
 - ✓ Montgomery County Executive;
 - ✓ Prince George’s County Executive; and
 - ✓ One member of the Anacostia Watershed Legislative Assembly (see below) from the District of Columbia, Prince George’s County and Montgomery County.
- **Business & Community Leaders**
 - ✓ District of Columbia Business (1)
 - ✓ Anacostia Waterfront Corporation (1)
 - ✓ Montgomery County Business (1)
 - ✓ Prince George’s County Business (1)
 - ✓ Environmental (2)
 - ✓ Foundation (1)
 - ✓ Faith (1)
 - ✓ Academic (2)
 - ✓ Recreation (2)

The governmental representatives will be ex officio and will serve as long as they hold office. They may designate an alternate to represent them as needed. The business and community leaders will be recruited by requesting formal applications. They will be selected by the governmental members and will serve staggered three-year terms.

Chartering – It is recommended that the Council be chartered by the COG Board of Directors. There is ample precedent for this in both the Clean Air Partners and the Housing Partnership. The Clean Air Partners were jointly chartered by COG and the Baltimore Metropolitan Council. Its eligibility for membership is analogous to what is envisioned for the Council:

“Clean Air Partners is a consortium of public and private sector interests. Its membership shall include public and private sector organizations and individuals that want to improve air quality, that meet the Clean Air Partners’

requirements for membership, and that contribute annually both effort and financial support to the Clean Air Partners' activities."

Its members represent both governmental and nongovernmental organizations. It is housed and staffed at COG.

Responsibilities and Meetings – The Council will have broad oversight for:

- Adoption of and amendments to the Comprehensive Anacostia Watershed Restoration Plan;
- Ensuring that implementation milestones defined in the Plan within their respective purviews are met;
- Tracking progress; and
- The functions of the Executive Director (see “Staffing and Budgeting,” below).

The Council will meet at least annually to review and revise the Comprehensive Plan as needed, review progress, assess any impediments to further progress, set budgetary goals, assess prospects for funding and conduct any other business deemed appropriate. It may meet more frequently as the need arises.

B. Anacostia Watershed Legislative Assembly

Perhaps the closest analogy to the proposed Anacostia Watershed Legislative Assembly (Assembly) is the Chesapeake Bay Commission (CBC). There is no analogous body in HR 2509. The following is excerpted from the CBC’s web site:

“The Chesapeake Bay Commission (CBC) is a tri-state legislative commission created in 1980 to advise the members of the General Assemblies of Maryland, Virginia, and Pennsylvania on matters of Bay-wide concern. Twenty-one members from three states define the Commission's identity and its work. ... The commission serves as the legislative arm of the multi-jurisdictional [Chesapeake Bay Program](#) and acts in an advisory capacity to their respective General Assemblies.”

The principle purpose of the Assembly will be to facilitate coordination of legislative and budgetary needs to promote restoration at the, state and local levels. Like the Council, it is recommended that it be chartered by the COG Board.

Membership - Membership on the Assembly will be open to any legislator whose district includes at least a part of the Anacostia watershed. Accordingly, this includes:

- Maryland’s two U.S. Senators;
- Members of the U.S. House of Representatives from Maryland whose districts include a part of the Anacostia watershed;
- The District of Columbia member of the U.S. House of Representatives;
- Maryland State Senators and Delegates whose districts include a part of the Anacostia watershed;
- Members of the District of Columbia City Council whose districts include a part of the Anacostia watershed; and

- Members of the Montgomery and Prince George’s County Councils whose districts include a part of the Anacostia watershed.

Responsibilities and Meetings – The Assembly will provide a forum for legislators to address legislative and budgetary issues of mutual concern and seek presentations for executive branch representatives regarding the status of restoration efforts. This is intended to help facilitate coordination among legislative bodies and assist in the advocacy for funding as appropriate. The Assembly will meet at least annually with timing appropriate for developing annual legislative and budgetary goals.

III. GOVERNANCE FRAMEWORK

A. Introduction

Currently there are three multi-jurisdictional committees that could be considered a part of the Anacostia Watershed “governance framework:”

- The Anacostia Watershed Restoration Committee (AWRC);
- The Anacostia Watershed Toxics Alliance (AWTA); and
- The Anacostia Watershed Citizens Advisory Committee (AWCAC).

In addition, there are several governmental agencies with expertise and responsibilities germane to Anacostia restoration and a wide variety of community-based organizations with a significant stake in the watershed’s restoration.

It is recommended that a new structure be established to clarify planning and implementation responsibilities and provide for greater accountability. Specifically, it is recommended that the existing structure be reduced to two committees, subsidiary to the Council, by making changes to the AWRC membership and bylaws, and by incorporating AWTA into the new AWMC. The two committees will be:

- The Anacostia Watershed Management Committee (AWMC); and
- The Anacostia Watershed Citizens Advisory Committees (AWCAC).

B. The Anacostia Watershed Management Committee

The AWMC will replace the AWRC and will report to the Council. Its membership will comprise agencies with substantial regulatory or program implementation responsibilities and the chair of AWCAC. There will also be nonvoting associate members who have sufficiently important technical expertise or stewardship capabilities applicable to the Anacostia watershed restoration efforts. It is recommended that the following organizations be represented on the AWMC:

- U. S. Environmental Protection Agency Region 3 (EPA);
- U. S. Army Corps of Engineers (USACE);
- National Park Service (NPS);
- National Oceanographic and Atmospheric Administration (NOAA);
- Maryland Department of the Environment (MDE);
- Maryland Department of Natural Resources (DNR);
- Prince George’s County Department of Environmental Resources (PG-DER);

- Montgomery County Department of Environmental Protection (MC-DEP);
- District of Columbia Department of Health (DC-DOH);
- District of Columbia Water and Sewer Authority (DC-WASA);
- Washington Suburban Sanitary Commission (WSSC); and
- Anacostia Watershed Citizens Advisory Committee (AWCAC).

Other agencies may be added to the AWMC with the approval of the Council as deemed appropriate.

The AWMC's principle responsibilities will be:

- Preparation of and annual revisions to the Comprehensive Plan (which will be approved by the Council);
- Preparation of an annual report to be submitted to the Council, documenting:
 - Implementation progress;
 - Impediments to implementation;
 - Past year's expenditures and upcoming budget estimates;
 - Recommendations for revisions to the Comprehensive Plan;
 - Recommendations for legislative or regulatory changes; and
 - Other topics deemed appropriate.
- Approval of an annual work program and budget for staff support and technical assistance;
- Carrying out instructions from the Council;
- Conducting technical and legislative analyses at the request of the Assembly;
- Coordination of regional grant activities;
- Creating subcommittees and ad hoc work groups as needed to address specific problems or issues. Coordination of public outreach in conjunction with AWCAC; and
- Oversight of AWCAC.

The AWMC will meet at least quarterly.

C. AWMC Associate Members

Nonvoting associate membership on the AWMC will be open to any organization with technical expertise or stewardship capabilities applicable to the Anacostia watershed restoration efforts, subject to approval of the voting members. The associate members will participate in various activities as the need arises. For example, there may be a need for ad hoc workgroups to address topics such as:

- Chemical and Toxic Pollutants;
- Nutrients;
- Bacteria;
- Natural Resources;
- Fish;
- Benthic Biology;
- Aquatic Plants;
- Riparian Conditions;

- Trash; and
- Planning, Land Use and Growth.

Entities likely to be appropriate AWMC Associate Members include:

- Government:
 - US Geological Survey (USGS);
 - US Fish and Wildlife Service (USF&WS); and
 - Maryland-National Capital Park and Planning Commission (M-NCPPC);
- Non-government:
 - Academic;
 - Environmental; and
 - Business.

D. Workgroups and Subcommittees

It is anticipated that the AWMC will convene focused subcommittees and/or work groups to address specific requirements. An example is the ongoing Restoration Potential Workgroup. These requirements might, for example, include budgeting, toxics, grants, modeling, data management, outreach & education and legislative liaison. They will draw, as needed, from both Associate Member (see below) and affiliates resources;

E. The Anacostia Watershed Citizens Advisory Committee

AWCAC will report to the AWMC in much the same way that AWCAC now reports to the AWRC. It will respond to specific requests from the AWMC, such as helping with outreach during the planning process, and will have considerable flexibility to prepare its work program priorities.

The AWCAC will meet at least quarterly. It will make recommendations regarding the use of funds for outreach and community involvement at levels determined by the AWMC or pursuant to grants.

F. Staffing, Budgeting and Implementation

It is recommended that the Metropolitan Washington Council of Governments provide technical and administrative support to the AWMC in much the way that it currently provides support to the AWRC. It is also recommended that COG provide support to the Council, the Legislative Assembly and AWCAC. COG's annual work program and budget (funded by the Anacostia Restoration Fund - ARF) will be subject to review and approval by the AWMC in much the way it is accomplished now. It is expected that all full members of the AWMC will contribute resources to Anacostia restoration efforts and that all full state and local members will contribute financially to ARF.

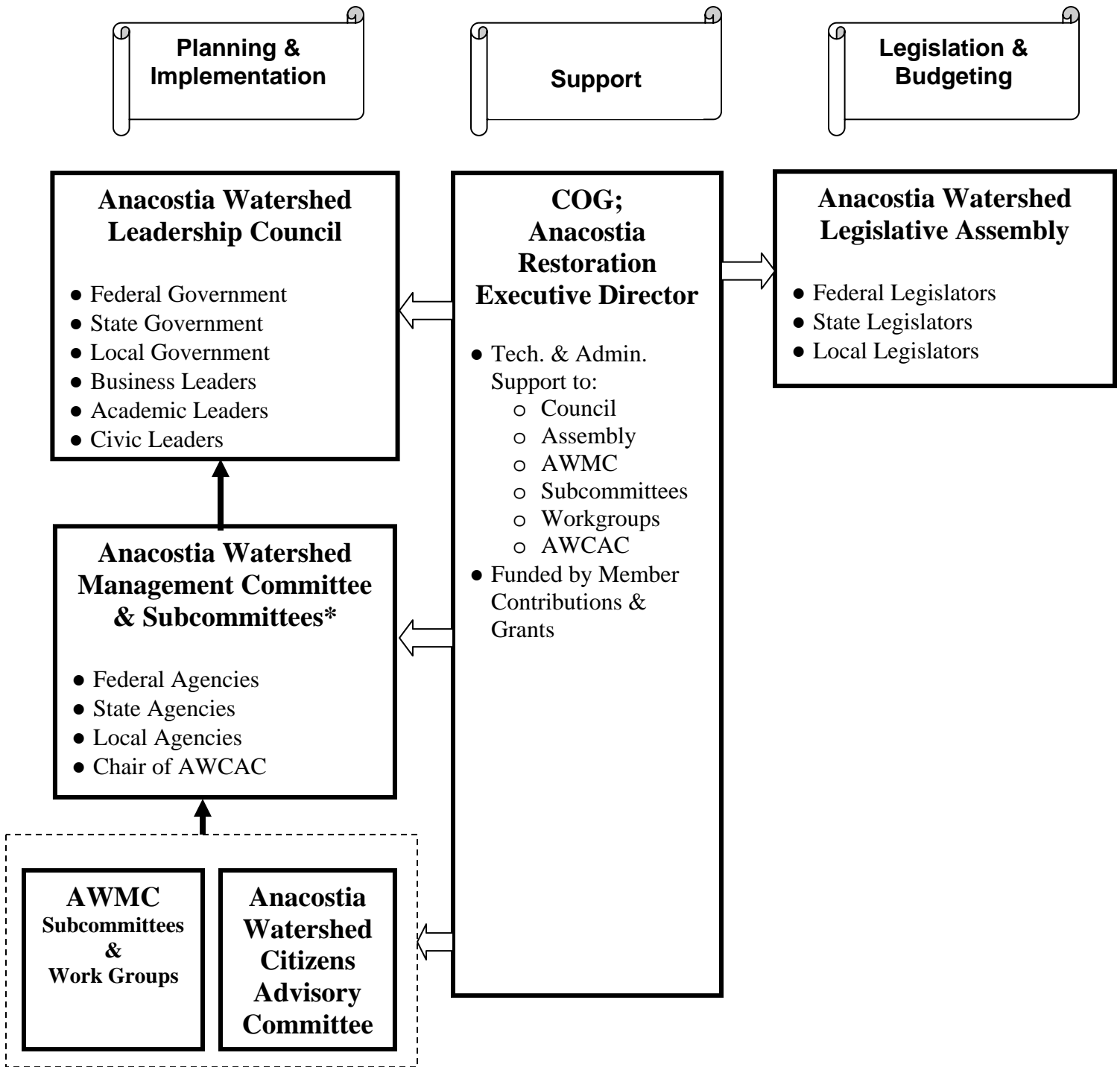
Budget levels and staffing requirements will need to be carefully reviewed if the workload changes in accordance with additional committees, restoration activities and expanded coordination and administration responsibilities. Given the proposed changes in governance and anticipated planning and implementation issues, the level of activity seriously warrants consideration of a full-time Executive Director position.

These changes will have budgetary implications. These relate to staffing the Council, the Assembly, AWMC and AWCAC and also to the development and implementation of a comprehensive plan. These need to be fully addressed.

Closely tied to the budgetary issues is the schedule for implementation. Planning for, staffing and convening the Council and the Assembly will take political commitment, budget support and time. A logical first step is for the proposed governmental Council members to sign a memorandum of intent to empower staff to proceed with organizational plans, perhaps in the spring of 2006. The COG Board could then act to charter the Council and the Assembly. The new governance framework could be in place during calendar year 2006. Once the commitment to move forward is made, it would be prudent to consider hiring the Executive Director at the earliest possible moment.

G. Organization Chart – A graphic depiction of the proposed governance framework is shown in the following organization chart.

Organization Chart



*Subcommittees to the AWMC will be determined and organized by the AWMC to fill specific needs such as (but certainly not limited to) Funding, Data Management, Outreach & Education, Planning and Modeling.

ATTACHMENT II

GOVERNANCE: MEMBERSHIP AND RESPONSIBILITIES

Introduction

The Provisional Recommendations identified five organizational entities with distinct membership and responsibilities. They are depicted in the organization chart at the end of this attachment. The five entities are:

- Anacostia Watershed Leadership Council (Council)
- Anacostia Watershed Legislative Assembly (Assembly)
- Anacostia Watershed Membership Committee (AWMC)
- Anacostia Watershed Citizens Advisory Committee (AWCAC)
- Subcommittees/Workgroups reporting to the AWMC

The following provides a starting point for the questions:

- Who should be members?
- What are their responsibilities?

The overall organization chart appears at the end of the attachment.

Anacostia Watershed Leadership Council

Membership – The Council is intended to ensure a top level commitment from the federal, state and local governments, and the business and civic communities. The following membership list is proposed as a starting point for discussion:

- **Government**
 - Regional Administrator from EPA Region 3;
 - District Engineer of the Baltimore District of the U.S. Army Corps of Engineers;
 - Governor of the State of Maryland;
 - Mayor of the District of Columbia;
 - Montgomery County Executive;
 - Prince George’s County Executive; and
 - One member of the Anacostia Watershed Legislative Assembly (see below) from the District of Columbia, Prince George’s County and Montgomery County.
- **Business & Community Leaders**
 - District of Columbia Business (1)
 - Anacostia Waterfront Corporation (1)
 - Montgomery County Business (1)
 - Prince George’s County Business (1)
 - Environmental (2)
 - Foundation (1)
 - Faith (1)
 - Academic (2)

- Recreation (2)

Terms - The governmental representatives will be ex officio and will serve as long as they hold office. They may designate an alternate to represent them as needed. The business and community leaders will be recruited by requesting formal applications. They will be selected by the governmental members and will serve staggered three-year terms.

Chartering – It envisioned that the Council be chartered by the COG Board of Directors.

Responsibilities – The Council will have broad oversight for:

- Adoption of and amendments to the Comprehensive Anacostia Watershed Restoration Plan;
- Ensuring that implementation milestones defined in the Plan within their respective purviews are met;
- Tracking progress; and
- The functions of the Executive Director (see “Staffing and Budgeting,” below).

Meetings - The Council will meet at least annually to review and revise the Comprehensive Plan as needed, review progress, assess any impediments to further progress, set budgetary goals, assess prospects for funding and conduct any other business deemed appropriate. It may meet more frequently as the need arises.

Discussion – Should all dues paying members be a member of the Council?

Anacostia Watershed Legislative Assembly

Membership - The principle purpose of the Assembly will be to facilitate coordination of legislative and budgetary needs to promote restoration at the, state and local levels. Accordingly, it is envisioned that membership on the Assembly will be open to any legislator whose district includes at least a part of the Anacostia watershed. This includes:

- Maryland’s two U.S. Senators;
- Members of the U.S. House of Representatives from Maryland whose districts include a part of the Anacostia watershed;
- The District of Columbia member of the U.S. House of Representatives;
- Maryland State Senators and Delegates whose districts include a part of the Anacostia watershed;
- Members of the District of Columbia City Council whose districts include a part of the Anacostia watershed; and
- Members of the Montgomery and Prince George’s County Councils whose districts include a part of the Anacostia watershed.

Responsibilities and Meetings – The Assembly will provide a forum for legislators to address legislative and budgetary issues of mutual concern and seek presentations for

executive branch representatives regarding the status of restoration efforts. This is intended to help facilitate coordination among legislative bodies and assist in the advocacy for funding as appropriate. The Assembly will meet at least annually with timing appropriate for developing annual legislative and budgetary goals.

The Anacostia Watershed Management Committee

Membership - The AWMC will replace the AWRC and will report to the Council. Its membership will comprise agencies with substantial regulatory or program implementation responsibilities and the chair of AWCAC. There will also be nonvoting associate members who have sufficiently important technical expertise or stewardship capabilities applicable to the Anacostia watershed restoration efforts.

As a starting point for discussion, it is recommended that the following organizations be considered for AWMC membership:

- U. S. Environmental Protection Agency Region 3 (EPA);
- U. S. Army Corps of Engineers (USACE);
- National Park Service (NPS);
- National Oceanographic and Atmospheric Administration (NOAA);
- Maryland Department of the Environment (MDE);
- Maryland Department of Natural Resources (DNR);
- Prince George’s County Department of Environmental Resources (PG-DER);
- Montgomery County Department of Environmental Protection (MC-DEP);
- District of Columbia Department of Health (DC-DOH);
- District of Columbia Water and Sewer Authority (DC-WASA);
- Washington Suburban Sanitary Commission (WSSC); and
- Anacostia Watershed Citizens Advisory Committee (AWCAC).

Other agencies may be added to the AWMC with the approval of the Council as deemed appropriate.

Responsibilities - The AWMC’s principle responsibilities will be:

- Preparation of and annual revisions to the Comprehensive Plan (which will be approved by the Council);
- Preparation of an annual report to be submitted to the Council, documenting:
 - Implementation progress;
 - Impediments to implementation;
 - Past year’s expenditures and upcoming budget estimates;
 - Recommendations for revisions to the Comprehensive Plan;
 - Recommendations for legislative or regulatory changes; and
 - Other topics deemed appropriate.
- Approval of an annual work program and budget for staff support and technical assistance;
- Carrying out instructions from the Council;

- Conducting technical and legislative analyses at the request of the Assembly;
- Coordination of regional grant activities;
- Creating subcommittees and ad hoc work groups as needed to address specific problems or issues. Coordination of public outreach in conjunction with AWCAC; and
- Oversight of AWCAC.

Meetings - The AWMC will meet at least quarterly.

Associate Membership - Nonvoting associate membership on the AWMC will be open to any organization with technical expertise or stewardship capabilities applicable to the Anacostia watershed restoration efforts, subject to approval of the voting members. The associate members will participate in various activities as the need arises.

Entities likely to be appropriate AWMC Associate Members include:

- Government:
 - US Geological Survey (USGS);
 - US Fish and Wildlife Service (USF&WS); and
 - Maryland-National Capital Park and Planning Commission (M-NCPPC);
- Non-government:
 - Academic;
 - Environmental; and
 - Business.

Anacostia Watershed Citizens Advisory Committee

AWCAC will report to the AWMC in much the same way that AWCAC now reports to the AWRM. It will respond to specific requests from the AWMC, such as helping with outreach during the planning process, and will have considerable flexibility to prepare its work program priorities.

The AWCAC will meet at least quarterly. It will make recommendations regarding the use of funds for outreach and community involvement at levels determined by the AWMC or pursuant to grants.

Workgroups and Subcommittees

It is anticipated that the AWMC will convene focused subcommittees and/or work groups to address specific requirements. An example is the ongoing Restoration Potential Workgroup. These requirements might, for example, include budgeting, toxics, grants, modeling, data management, outreach & education and legislative liaison. They will draw, as needed, from both Associate Member (see below) and affiliates resources;

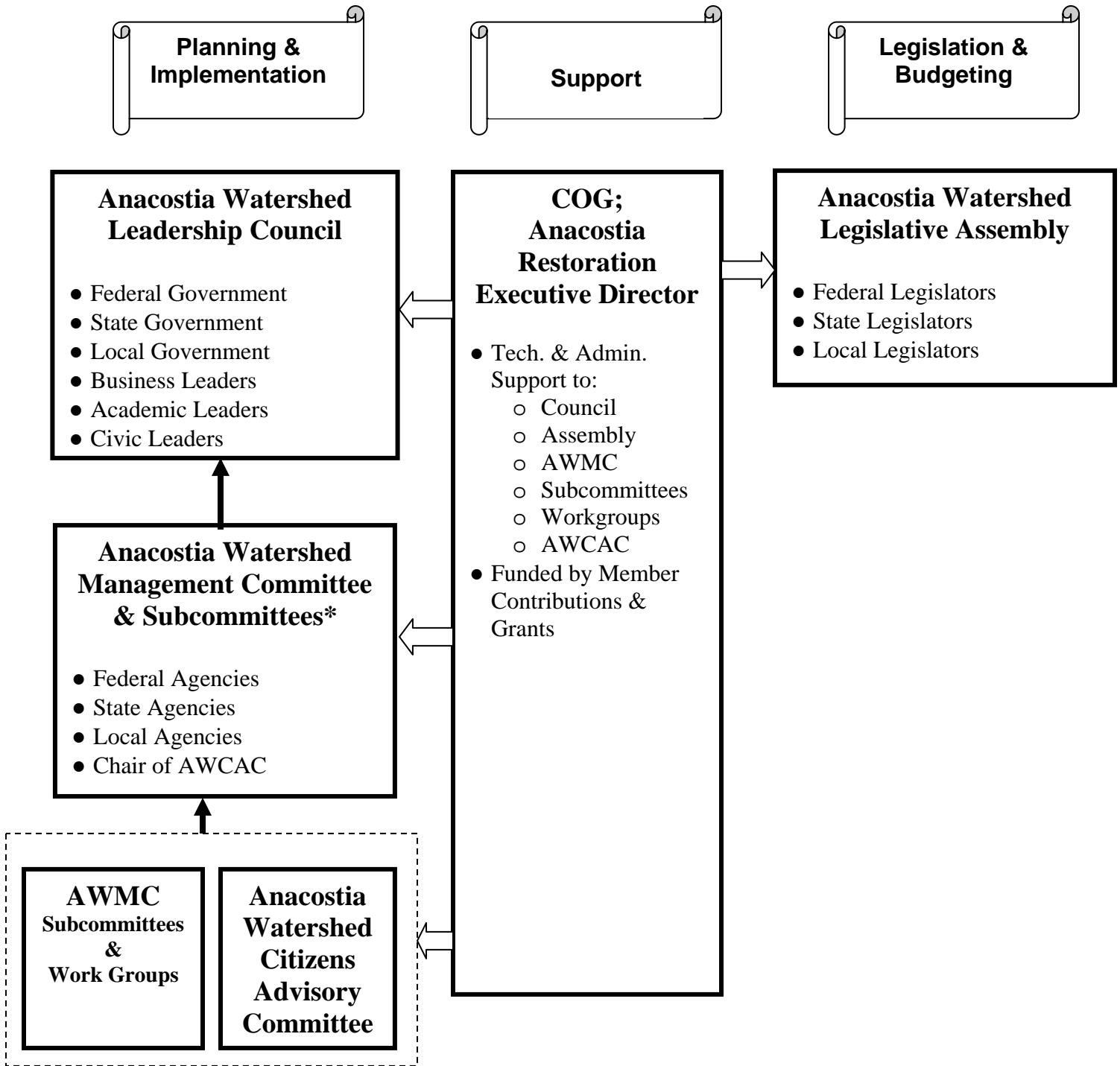
- **Anacostia Restoration Technical Subcommittee (formerly ARPW)**
The following describes the roles and responsibilities of the Technical Subcommittee:
 - Lead technical advisory group to AWRMC on non-toxics-related issues;
 - Preparation of annual Anacostia restoration progress report;

- clearinghouse for all Anacostia restoration-related data (i.e., physical, chemical and biological);
- Provides restoration planning, implementation and budget guidance;
- Houses ad-hoc workgroups:
 - Trash
 - Fish passage
 - Forestry
 - Other
- Coordinated by COG staff

➤ **Anacostia Watershed Toxics Subcommittee (formerly AWTA)**

The following describes the roles and responsibilities of the Toxics Subcommittee:

- Lead technical advisory group to AWRMC on toxics-related restoration issues;
- Performs river water quality and riverbed monitoring and modeling activities with guidance from the AWRMC;
- Performs toxics-related studies of the Anacostia tributary system;
- Develops and implements (coordinated with AWRMC) riverbed remediation projects;
- Pursues grant funding opportunities that are toxic-related;
- Coordinated by NOAA/EPA staff.



ATTACHMENT III

GOVERNANCE: STAFFING RESPONSIBILITIES & ESTIMATED BUDGET

Executive Director – It is envisioned that there will be a substantial increase in the scope and pace of restoration planning and implementation activities. The proposed governance structure, the completion, adoption and implementation of the Comprehensive Plan and an anticipated increase in intergovernmental activities at all levels of government will require the full time services of an Executive Director (ED).

It is assumed that the ED will be contracted through the COG procurement process and will report directly to the Anacostia Watershed Leadership Council (Council). The Council will have responsibility for his or her selection on a competitive basis. It is also assumed that COG staff will provide technical and administrative support to the ED. For budget planning purposes, it is further assumed that the ED will be hired on a contractual basis at a cost of \$100,000 per year and will start work at the beginning of FY 2007.

COG Staff - It is envisioned that COG will provide technical and administrative support to the AWMC in much the way that it currently provides support to the AWRC. It is also envisioned that COG will provide support to the Council, the ED, the Legislative Assembly, AWCAC and other subcommittees and work groups. COG's annual work program and budget (funded by the Anacostia Restoration Fund - ARF) will be subject to review and approval by the AWMC in much the way it is accomplished now. It is expected that all full members of the AWMC will contribute resources to Anacostia restoration efforts and that all full state and local members will contribute financially to ARF.

The expansion of COG's responsibilities argues for an additional mid-level full-time planner and some additional funding to increase the involvement of the current staff complement. Accordingly, COG support for FY 07 is estimated to be \$450,000.

Budget Allocation – The attached table is provided as a starting point for discussion of budget levels and budget allocations. In addition to the above assumptions, it also assumes that in FY 07:

- The COG staff level of effort will reflect FY 06 activities plus the services of an additional full-time planner;
- The ED will cost \$100,000;
- The “local” share (District of Columbia, Montgomery County and Prince George’s County) will adhere to the “1/3-1/3-1/3: rule;
- DC-WASA and DC-DOH (or DC-DE) will split the “local DC” share evenly, as is now the case;
- WSSC will provide 25% of the “local Maryland” share;
- Maryland agencies will provide a total of \$75,000;

- Federal agencies will contribute \$50,000;
- External support from as yet unspecified sources will cover the cost of the ED salary;
- The COG match will be \$55,000.

It is further assumed that there will be a 4% increase from FY 07 to FY 08.

This is summarized in the following table.

Anacostia Restoration Budget Allocation Table

Cost Allocation Baseline			
Costs by FY	FY06	FY07	FY08
COG Staff Support	\$287,028	\$450,000	\$468,000
Executive Director	\$0	\$100,000	\$104,000
Total Costs	\$287,028	\$550,000	\$572,000
AWRC/AWRMC Member	FY06	FY07	FY08
I. Local			
DC-DE	\$35,938	\$45,000	\$46,800
DC-WASA	\$35,938	\$45,000	\$46,800
MCDEP	\$68,876	\$67,500	\$70,200
PGDER	\$68,876	\$67,500	\$70,200
WSSC		\$45,000	\$46,800
Local Subtotal	\$246,028	\$270,000	\$280,800
II. State			
MDE	\$33,000		
MDDNR	\$8,000		
State Subtotal	\$41,000	\$75,000	\$78,000
III. Federal			
USACE			
NPS			
NOAA			
US EPA			
Federal Subtotal		\$50,000	\$52,000
IV. Other			
External Support of Exec. Dir.		\$100,000	\$104,000
Nongovernmental Council Contributions			
Other Subtotal		\$100,000	\$104,000
COG Contribution	\$36,400	\$55,000	\$57,200
TOTAL	\$287,028	\$550,000	\$572,000
Increase over FY06		\$262,972	\$284,972

Cost and Cost Allocation Assumptions:

- + COG baseline plus additional full-time planner plus additional services in FY 07 & 08
- + ED at \$100K/year; contract; no benefits
- + Cost increase by 4% in FY 08
- + DC & Local MD funding split via "one-third-rule;" after state, federal & other contributions
- + WSSC share 25% of "local Maryland" share