

July 30, 2013

Nicholas DiPasquale, Chair
Chesapeake Bay Program Management Board
U. S. Environmental Protection Agency
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Dear Mr.  DiPasquale,

I am writing on behalf of the Chesapeake Bay and Water Resources Policy Committee of the Metropolitan Washington Council of Governments (COG) to provide you with initial comments on the new Chesapeake Bay agreement that you and your colleagues are drafting.

We understand that both the agreement language and the schedule for producing a final version are still in flux. However, we know a number of other stakeholders in the Bay restoration process have been providing you with comments, so we wanted to provide some preliminary comments. We anticipate that we will be filing more detailed comments in the coming weeks, once a draft agreement has been issued officially for comment. Our preliminary comments are as follows.

1. **ADEQUATE TIME FOR COMMENT** – COG supports a schedule for finalizing the new agreement that provides adequate time for local governments and other stakeholders to review, consider, and provide input on the proposed language of the new Chesapeake Bay agreement.
2. **ROLE OF LOCAL GOVERNMENTS IN THE PROGRAM** – COG believes that the agreement must do more to recognize local governments' integral role as an implementer of restoration measures, and to address our concerns about shared responsibility and the equitable allocation of costs among different levels of government.
3. **BLURRING THE LINE BETWEEN VOLUNTARY AND REGULATORY ACTIONS** – Under its Water Quality Goal, the agreement adopts the 2017 interim and the 2025 final end points for nutrient and sediment reductions under the Chesapeake Bay TMDL; such an adoption may limit the future need for regulatory flexibility in achieving allocation targets. COG believes that any new agreement must not constrain such flexibility.
4. **GREATER SUPPORT FOR ADAPTIVE MANAGEMENT** – COG believes that the agreement should recognize adaptive management as a key principle, as well as an operational commitment.

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**Adjunct Member*

Should you have questions about these comments or COG's Bay policies in general, I ask that you contact Karl Berger of COG staff, kberger@mwcog.org, 202-962-3350.

I look forward to our continued dialogue with the Bay Partnership on these important issues.



Penelope A. Gross
Chair, Chesapeake Bay and Water Resources Policy Committee
Metropolitan Washington Council of Government

cc: Members, COG Chesapeake Bay and Water Resources Policy Committee

P.S. COG appreciates the opportunity to comment, and will be providing further detail in early fall. I look forward to chatting with you about this, at LGAC, COG, or some other chance.

